



Canada Energy
Regulator

Régie de l'énergie
du Canada

CANADA ENERGY REGULATOR RÉGIE DE L'ÉNERGIE DU CANADA

Imperial Oil Resources N.W.T. Limited
Variance Application for Operations Authorization OA 1210-001
and Application for Line 490 Replacement Activities
Hearing OH-001-2023

Imperial Oil Resources N.W.T. Limited
Demande de modification pour l'autorisation d'opérations OA 1210-001
et demande concernant des activités de remplacement de la canalisation 490
Audience OH-001-2023

VOLUME 3

Oral Indigenous Knowledge Hearing held at
L'audience de la présentation orale des connaissances autochtones tenue à

K'asho Got'ine Charter Community Hall
Fort Good Hope, Northwest Territories

May 17, 2024
Le 17 mai 2024



IN THE MATTER OF Imperial Oil Resources N.W.T. Limited
Variance Application for Operations Authorization OA 1210-001 and Application for Line 490
Replacement Activities
Hearing OH-001-2023

CONCERNANT Imperial Oil Resources N.W.T. Limited
Demande de modification pour l'autorisation d'opérations OA 1210-001
et demande concernant des activités de remplacement de la canalisation 490
Audience OH-001-2023

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Audience tenue à Fort Good Hope (Territoires du Nord-Ouest), mercredi le 15 mai 2024

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Fort Good Hope, N.W.T.

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(COMMENCED ON FRIDAY, MAY 17, 2024 at 9:17 A.M.)

CHIEF COLLIN PIERROT: Good morning. Good morning to all of you.

This morning we will ask one of our leaders, an elderly leader, Lucy Jackson, to open up with a Morning Prayer.

Before we start, it's been a long week. I want to thank all the community members for showing up daily and sitting here all day. I know we all have stuff to do, but this is more meaningful than the other stuff we have to do. It's to deal with our community. So big Máhsi cho to all of you.

(APPLAUSE)

CHIEF COLLIN PIERROT: With that, we'll have Lucy come up and say the Morning Prayer.

(PRAYER)

CHIEF COLLIN PIERROT: Máhsi.

I guess we'll just get right into the meeting. I know we have a number of speakers today to finish off the day. Some time in the day maybe we'll take a little longer break. It

1 will give me time to finish off my closing stuff
2 here. I know you guys might have something to
3 say, too, so it'll give our Land Corp. President
4 and any of the other leaders something to do.

5 But we'll get right into the speakers. I
6 think the first one we have for today is Jim
7 Tobac.

8 MR. JIM TOBAC: Good morning. My name is Jim Tobac.
9 I was born and raised here for six decades.

10 I want to thank the leader for giving us
11 this opportunity to express our concerns to you.

12 I have travelled this land and Mackenzie for
13 many years. Along with myself and one Elder,
14 we're probably the last people to go into the
15 mountains where many mountain people went. I've
16 seen the beauty of that land.

17 I've been to Norman Wells Mountains on Canol
18 Road. I went into the mountains there also.

19 When you travel this land, you'll see many
20 landslides. It's what's happening in our
21 mountains also.

22 If you travel the Mackenzie, you will see
23 sandbars, landslides. Many of our channels have
24 changed.

25 I heard my father-in-law speak. That's

1 where he was raised. It's been many years since
2 he's been back there.

3 In the '80s, I lived in Grandview, a place
4 called Grandview. Two kilometres downstream from
5 there, we call the island Grandview Island. This
6 island was almost as big as the one across here.
7 From one side of the island to the mainland, it
8 must have been a quarter of a mile, and within a
9 few years, half of that island was washed out.
10 It's no longer there. We snared and hunted
11 rabbits in that island. It's no longer there.

12 I travel up and down the Mackenzie. Every
13 year I go to Tsiigehtchic, Arctic Red River, they
14 call it. You will see a lot of landslides.
15 There's a place we visit our friends called Tree
16 River. There was an island there, Sandbar
17 Island. And we always used that sandbar for
18 navigation, where to go. And in three, four
19 years, it washed out, right across the Mackenzie.

20 There's a few points that I've written down.
21 We talk about this land you're talking, 490. We
22 have to worry about permafrost. Permafrost
23 always pushes it up. I was there across Norman
24 Wells. I don't remember why we were there, but
25 we dug up this pipeline that came out of the

1 ground.

2 Also the pipeline between Tulita and
3 Wrigley, all along that place, pipelines popped
4 out. We had to cover them with sandbags. Same
5 thing down in those little creeks. They all
6 popped out. We had to build bridges and we built
7 them with sandbags.

8 Back in the '60s, '70s, '80s, the government
9 opened up our lands for exploration without our
10 consent. Many companies came in. There was
11 drilling. We didn't know what they poured into
12 the ground. There's lots of people that have
13 worked on rigs. They know what went into those
14 drill rigs. And when they finished, they called
15 it reclamation. They covered everything,
16 including what they poured down the ground. They
17 left stuff on the land, barrels, equipment.

18 Back in the '70s, a whole bunch of these
19 companies came together and they came out at
20 Chicago. They buried some equipment, they just
21 threw it onto the ground and buried it. Every
22 now and then we stopped by there, we can see oil
23 coming out of the ground. Nobody ever took
24 responsibility for that.

25 I hope I don't jump back and forth, but

1 there's little points that I want to point out.

2 Two years ago, when we heard about the
3 spill, it was after the fact. Nobody told us
4 anything. Some people were still fishing. And
5 when we found out, everybody pulled their nets.
6 We were scared to hunt.

7 A few weeks after this incident, I travelled
8 from here to Norman Wells by boat. I never seen
9 one sandpiper, not even a seagull or a crow on
10 the Mackenzie. Was that a coincidence? I don't
11 know.

12 Before they started filtering out that water
13 from the water reservoir, we had a lot of cancer.
14 Lots of it. People were getting cancer all over.
15 Was that a coincidence? I don't know.
16 Twenty-fourteen (2014) they put in that filtering
17 system. Cancer has slowed down. But the damage
18 was already done.

19 We have sickness, cancer -- a lot of death
20 came out of it. We have young kids with skin
21 disease. We have people with acid reflux, GERD,
22 H-pylori. Is that a coincidence? I don't know.

23 We talk of the spill. Fifty-five cubic
24 metres, as you say is. That's 14,529 45-gallon
25 barrels in there, of I don't know what's in

1 there. It's got to be chemicals in there.

2 We hunt all along the Mackenzie. There was
3 no moose. Moose disappeared. Every spring we
4 hunt geese. I don't know about other hunters,
5 but in the springtime I go to an island and I
6 will check for rabbits for the fall time. Some
7 of these islands were just full of rabbits.
8 After that spill, there was not a rabbit.
9 There's rabbits on the mainland but not the
10 islands. Coincidence? I don't know.

11 I know a lot of our stories are the same;
12 we're all similar. We all use the land. My
13 mother was from the Rampart tribe, the Rampart
14 River tribe. My dad grew up in the lakes down
15 this way in Tsiigehtchic. I did a lot of my
16 hunting, trapping up the Ramparts. Beautiful
17 land. We were taught the patterns of animals.
18 Nowadays, everything is so different. We're in
19 global warming. We in the North are going to
20 feel it the worst, as they say. I wrote a little
21 bit of stuff down but I'm going to say it anyway.

22 Esso talks and brags about their safety
23 records for all the employees. And yet fail to
24 tell us of the spill. Five hundred (500) people
25 below them, and yet they failed to tell us.

1 That's a large number of liquid that came out of
2 the ground, whatever pipe they said had burst.
3 Anything with PSI or KPa, you can tell you're
4 losing pressure. If a boiler was to lose
5 pressure, I would check my pressure gauge, and I
6 know I'm losing glycol. How can someone not know
7 you are losing produced water, as you call it? I
8 cannot understand that.

9 So when and if you probably will grant
10 Imperial Oil their permit, I want you to think of
11 the 500 people plus down river. It's too bad it
12 happened. It should have been prevented.

13 I feel like we're in the movie Erin
14 Brockovich. That's the way I feel.

15 I want to thank you for listening to me.

16 CHIEF COLLIN PIERROT: Does the Panel have any
17 questions for Jim?

18 PRESIDING COMMISSIONER LUCIUK: We do not. But thank
19 you for starting the day here with us, Jim Tobac.
20 Thank you.

21 (APPLAUSE)

22 CHIEF COLLIN PIERROT: Thank you for that, Jim. It
23 goes to show that every day the community members
24 here in our community have to live with knowing
25 that there is still chemicals in the water, there

1 is still -- the water is not trustworthy any more
2 to use. But again, we have no choice but to
3 drink this water and use it daily for our kids
4 and our grandkids.

5 And I thank Jim for pointing that out, that
6 the numbers -- we will never see the true numbers
7 that leaked out or poured out into the Mackenzie
8 River because anybody and everybody knows numbers
9 can always be fixed. But I do know this; we
10 still acknowledge the lost ones that we lost to
11 sickness, cancer and everything.

12 With that, I will move on to our next
13 speaker. It's Edna Tobac.

14 MS. EDNA TOBAC: ...and away from the public, but I
15 had to follow this anyhow.

16 CHIEF COLLIN PIERROT: You don't have to follow it.

17 MS. EDNA TOBAC: Good day. My name is Edna Tobac. I
18 was born in Aklavik, Northwest Territories in the
19 morning of January 1st, 1963. I was raised in
20 Aklavik with my grandparents, Andrew and Martha
21 Stewart, for a number of years and also in Inuvik
22 with my mother before moving to Fort Good Hope in
23 1984.

24 I am currently working as a community
25 development and wellness planner for Community

1 Culture and Innovation under Health and Social
2 Services for the Government of the Northwest
3 Territories. I used to work as a Land Resource
4 Geographer for the Sahtu Land and Water Board and
5 held the role for a few years as Executive
6 Director for the Sahtu Land Use Planning Board
7 here in Fort Good Hope. Through these jobs, I
8 have gained some knowledge that I would like to
9 use for the benefit of the community.

10 I was raised in Aklavik, a community that is
11 in the delta region, which is downstream from
12 Norman Wells. Since the community is downstream
13 in the delta, they live with the effects of all
14 that flows down to them.

15 My earliest memories as a child in Aklavik
16 was of hauling blocks of ice from the river to my
17 grandparents' house by dog team so that we could
18 have drinking water. I also have memories of
19 setting snares, harvesting berries, setting nets
20 for fish, ice fishing for burbot and losche,
21 living in a fish camp and also setting traps for
22 muskrats with my uncle. We depended on these to
23 sustain us.

24 Many people from my home community still
25 carry on this lifestyle as a way of preserving

1 their heritage and also to sustain themselves.

2 In my home community, many residents to this
3 day have suffered with many illnesses such as
4 cancer and stomach ailments such as H. pylori,
5 which eventually can turn to cancer. As I
6 reflect back over the years, there was a high
7 rate of cancer in the '80s. And since that time,
8 there were many more who have suffered with it
9 and have succumbed to it.

10 There has been studies done on water to see
11 if there was any relation to it. I don't know
12 the results of these studies.

13 In the delta, it accumulates with sediment
14 from upstream, and the vegetation is affected by
15 this. I can list many things that grow and feed
16 from the water but do not have the time for this.

17 The cumulative effects is becoming more
18 evident now in how much we can harvest and where.

19 From what I have learned about the ruptured
20 underground line is that the reason that it
21 ruptured is from the scouring of ice. The line
22 was installed many years ago and over time, with
23 ice movements and aging of the line, resulted in
24 breakage.

25 We are experiencing many things with climate

1 change right now, including low water levels. I
2 fear with the low water levels more lines will be
3 exposed and damages will occur.

4 From my education, I know that many
5 contingencies will be in place to replace this
6 line. What I worry about is that there are many
7 lines between the islands that connect to the
8 mainland. I know that they are old and will be
9 more exposed because of the low water levels. If
10 scouring of ice over the years can break a pipe,
11 what is happening to the other lines?

12 I would like to acknowledge my son, Joseph
13 Tobac, who is the Sub-Chief of Fort Good Hope
14 Dene Band, who brought up his heritage as a
15 Gwich'in and K'asho Got'ine descendant. I was
16 born to a Gwich'in woman and Métis father whose
17 mother is K'asho Got'ine from Fort Good Hope.'

18 My children and grandchildren will inherit
19 any damages to our water and will have to live
20 with the consequences throughout their lifetime.
21 They have the right to have clean drinking water,
22 which I don't think we have right now.

23 Will my family be able to harvest from their
24 traditional land and waters? I don't know. I
25 pray that they will. My sons, who are

1 subsistence harvesters to our family, are
2 experiencing challenges in providing to our
3 family right now.

4 We have been advocating for many years in
5 the community for clean drinking water, a new
6 reservoir, alternate water source because we are
7 scared that our water will be contaminated. We
8 are the only community on the Mackenzie River
9 that gets their drinking water from it. We need
10 to have our concerns, fears addressed. We are
11 downstream from Norman Wells and all the oil.

12 Máhsi.

13 (APPLAUSE)

14 CHIEF COLLIN PIERROT: Does the Panel have any
15 questions for Edna?

16 PRESIDING COMMISSIONER LUCIUK: We don't. But thank
17 you and we appreciated hearing more about the
18 delta as well today by hearing from you. Thank
19 you for coming.

20 CHIEF COLLIN PIERROT: Next we will have one of our
21 former leaders, former Chief, Tommy Kakfwi, come
22 up and speak.

23 MR. TOMMY KAKFWI: Good morning, Panel. Welcome to
24 the delegates.

25 My name is Tommy Kakfwi. And just before I

1 make my presentation, I was curious to know who
2 else I'm speaking to, so I Googled, "Who is
3 Canada Energy Regulators?". So now I know who
4 I'm talking to.

5 I've given my name. I'm a resident here,
6 born 1953. Not born in the community, I was born
7 out there on the land. I was raised here. I was
8 raised here long before bill arrived -- water
9 bill, phone bill.

10 I went to federal day school here, went to
11 residential school in Inuvik Grollier Hall, Fort
12 Smith, Grandin. I've always been ashamed, I
13 think, after I left the community, of being who I
14 was, and I took pride in being registered as
15 Métis, because every movie I saw we lost as
16 Aboriginal people. So I wanted to excel and
17 prove that I'm not a loser.

18 I have many skills. I've been a teacher,
19 training in culinary arts to be a chef. At age
20 60, I wanted to be a truck driver, so I went to
21 Red Deer, so I got that. Been a surveyor.
22 Trained in airport management with Transport
23 Canada. A firefighter. A coroner. By-law
24 officer. Recreation coordinator. Hunter.
25 Trapper. And fisherman.

1 I might be the only person here in the
2 community that has been a Métis President. I
3 still have my sash. And after Bill C-31, I got
4 my feather and I'm a registered Dene. I recently
5 became the Chief of the K'asho Got'ine here in
6 the community.

7 Yeah, I did a background check on who I was
8 going to make my presentation to, and I know the
9 authority that you guys carry. You have very
10 strict standards when it comes to development and
11 its impact on the environment, and that's why
12 we're speaking to you today -- I'm speaking to
13 you.

14 The application for 10-year extension to the
15 water licence by Imperial Oil. To me, Imperial
16 Oil didn't mean anything growing up. I knew it
17 was there. The only time I worked with Imperial
18 Oil was when I got transferred from Strathcona
19 refinery in Edmonton on the south side. I was
20 taking my fourth class in stationary engineer. I
21 got transferred. That's before Cold Lake really
22 opened up in Alberta.

23 But aside from that, no, I didn't have
24 anything to do. I never benefitted from Imperial
25 Oil.

1 I grew up at a time when the Mackenzie River
2 was spotted, speckled with white tents all along
3 the Mackenzie River. People harvesting,
4 harvesting fish. Herring. There was lots.
5 They'd make bales and bales of herring. A
6 hundred and twenty (120) herring to a bale, and
7 they would sell it. Maybe \$7, \$10. Can you
8 imagine working one fish at a time making 120 and
9 then getting paid \$7. Then again, they didn't
10 have any bills to pay back then, so it was just
11 the dollar went a lot further than it does today.

12 To me, the application for 10-year extension
13 to their water licence so it gives them a chance
14 to produce and pump more resources to the south
15 and its impact on the community. I've never
16 witnessed any changes until after the artificial
17 islands were built. There are numerous, numerous
18 fish studies that are done. Deformed fish.
19 Animals that were harvested -- moose, caribou,
20 muskox. A lot of fish studies were done.
21 Deformities.

22 There was interruption to the ecosystem.
23 All the wildlife goes down to the Mackenzie River
24 to drink. Our fish are inside there. Those are
25 the animals that we harvest to subsidize the huge

1 cost of living here in the community, our
2 Northern Store, our co-op.

3 We always came back -- any kind of study
4 that was done on the water for anything, they
5 always said it's safe. They always use so many
6 parts per million. I'm not a scientist. No.
7 Hard enough getting past kindergarten. But they
8 use that term. And thinking about it, when you
9 start consuming over a long period of time there
10 are evidence of it. The speakers before me have
11 indicated the huge increase in cancer. The water
12 is very -- extremely important to this community.

13 You guys had a visit to our water lagoon,
14 our water treatment facility. It's treated using
15 charcoal and we pump the water from the
16 Mackenzie. We don't have any other source.

17 I know that this Panel has the authority to
18 deny or accept the application, and I hope the
19 speakers from the community will have an impact
20 on your decision. If there are alternatives that
21 can be identified to look at. But we're talking
22 water right now, water right now and the impact
23 on accepting the application for a 10-year
24 extension to their water licence, that certain
25 conditions be met. Our water source is very

1 important.

2 People talk about the spill that wasn't
3 reported. And when it was reported, it was
4 reported to somebody else, and it took some time
5 before the leadership found out about it.

6 We do have concerns here in the community.
7 There's a huge decline in the herring that I
8 spoke to that was being harvested. The larger
9 fish like the coney and whitefish are there, but
10 people are afraid to harvest it because as soon
11 as the spill was reported, everybody pulled their
12 nets, and there's still some that are reluctant
13 to consume the beautiful fish that we have.
14 Coney on our barbecues.

15 As you travel along the Mackenzie River and
16 if you stop on the shore, you'll find traces of
17 oil. It's very visible. Kind of like a rainbow.
18 A little red, a little blue.

19 Our water treatment plant, like I said,
20 we're in dire need of it. It needs cleaning, but
21 more so on the water that's pumped into it from
22 the Mackenzie River. How safe is it?

23 Like I said, I'm making this presentation to
24 have an impact on the application that's being
25 submitted and it expires in I think December.

1 Just basing all these on hearsay. But if it is
2 going to be approved, and they're always talking
3 about based on national interests, then you
4 consider the impact that it has on the community
5 and that there be strict conditions that are met
6 before the application is approved, and that they
7 look at alternative water for the community than
8 from the Mackenzie because too many things have
9 happened since the -- like I said, since the
10 artificial islands have been put in. A lot of
11 holes were drilled, and it probably had an impact
12 on the environment and disrupting the ecosystem.
13 It's affecting our community. We're directly
14 below.

15 So I hope the presentations by the community
16 and its members will have an effect on your
17 decision, and if a decision is made, then it's
18 made based on the interests. Like I said -- I
19 know you guys have very strict standards when it
20 comes to development and giving a green flag to
21 development -- but on its impact not just to the
22 environment but to the people. Thank you.

23 (APPLAUSE)

24 CHIEF COLLIN PIERROT: Máhsi for that, Tommy.

25 Does the Panel have any questions?

1 PRESIDING COMMISSIONER LUCIUK: We do.

2 COMMISSIONER WATTON: Thank you very much for your
3 presentation. I noted in particular when you
4 made the comment about wanting to ensure that
5 there were conditions attached to any approval,
6 and I just thought I'd give you an opportunity
7 maybe to explore that idea a little bit further,
8 and if you had any specific suggestions or
9 specific types of conditions that you had in mind
10 when you made that comment.

11 MR. TOMMY KAKFWI: Thank you. Not too many people get
12 questions from the panel. I really appreciate
13 that.

14 Because, yes, I think the community has
15 looked for alternative sites as our muddy
16 Mackenzie is just -- it's scary. Somebody
17 brought up Erin Brockovich. And you're nervous,
18 you know? You see the deformed wildlife,
19 especially the marine life. And we're looking at
20 alternative sites.

21 Everything from wells to water sources
22 outside of the community and even across the
23 Mackenzie River at Fossil Lake. If those areas
24 can be explored and alternative sites can be
25 identified and water produced for the community

1 from there, it would be -- not produced but
2 transported through utilidors, or a pipeline,
3 waterline, it would be nice.

4 The community is not against development.
5 Let me just say that. They're not against
6 development as long as we're consulted properly
7 and that we are on board. We benefit. A lot of
8 times you have industry that comes in, goes
9 through their process of consulting, and say,
10 "Okay, we went to the community and we did this
11 and we talked to the community and we said this
12 is how we ensure the community is going to be
13 safe and we did our consultation. It's of
14 national interest." So everything is okayed.

15 But that's just a consultation; there's real
16 no negotiations on alternative things. We talk
17 about environmental impact, especially the impact
18 on our sources of water. And everybody has
19 already explained the importance of water and how
20 it affects the ecosystem. Life has water. I
21 come from a country with the greatest freshwater
22 capacity, yet you find us buying water from the
23 Northern Store. I grew up in a day when I could
24 go down to the Mackenzie River and take a cup of
25 water. We would go down to one of the

1 tributaries down here, Jackfish Creek. Clear
2 water. Just drink it. Now you scared all of us.
3 You put chlorine in it.

4 So, yes, if we can have those conditions in
5 there, it would really, really make me feel good
6 because I'm old. It's not just for us today.
7 We're speaking for the generations to come, yet
8 unborn child. Thank you.

9 COMMISSIONER WATTON: Thank you.

10 PRESIDING COMMISSIONER LUCIUK: We don't have any more
11 questions, but I just want to say, I think
12 actually after every speaker, if we had the time,
13 we would have questions for everyone. So we're
14 trying to make sure that we can hear from
15 everyone and use the time that we have. So thank
16 you for taking the time with us this morning. We
17 really appreciate what you've had to say and
18 hearing from another person from the leadership
19 as well this morning.

20 Thank you.

21 CHIEF COLLIN PIERROT: Máhsi.

22 (APPLAUSE)

23 CHIEF COLLIN PIERROT: Yesterday afternoon I received
24 a text, a message from a camp below here,
25 probably about 35 or 40 kilometres below here at

1 Millers Island. We call it Millers island,
2 Millers Camp. They too are listening out there.
3 They also have their Starlink set up so they're
4 listening right now as we're speaking.

5 One of them sent in a letter that they
6 wanted me to read from Daniel Jackson. Daniel
7 Jackson sat as the president for RRC for about a
8 year, two years. Daniel is down river with his
9 five children. Daniel is a single parent. And
10 we've got Tammy and Michael who are also down
11 there. They have two of their children. And we
12 have Robert Bourassa who also has two of his
13 children down the river.

14 But the letter goes as this:

15 "Good morning. This is Daniel Jackson. I
16 was listening briefly this morning to the
17 meeting, and I have a few words regarding my
18 social impacts regarding -- few words regarding
19 social impacts, economic impacts, cultural and
20 traditional impacts to the community that has
21 been affecting the community drastically over the
22 year. I'll start with social impacts.

23 Esso has been operating -- has been in
24 operation for over 100 years, and the communities
25 have suffered through addictions with no

1 realization that it essentially has been a major
2 contributor to these impacts, essentially can
3 easily contribute a facility from the billions
4 they have taken from our land.

5 The younger generation have suffered
6 drastically from these impacts. Esso can help
7 with funding for sports facilities like swimming
8 pool, skating rink, track fields and so on. The
9 community is losing a lot of the younger
10 generation through addictions, which is
11 detrimental (sic) to losing our culture and our
12 traditional way of life. I can go on and on and
13 on, but I'll just put a few things down.

14 Economic impact. Esso has hired only a
15 handful of employees since operating due to
16 limited education, but they have hired mainly for
17 lower positions. The majority of our employment
18 was for the people from the south. Esso could
19 train our people for most of these positions.

20 Culture and traditional impacts. Our
21 culture has been depleting for years and it has
22 affected most of the generations. I have been
23 observing this for the past six years since I
24 returned to Fort Good Hope.

25 When I was younger, most of the people still

1 lived off the land and now there's only a handful
2 of people that go out on the land, and they are
3 mostly day hunters. I remember the Mackenzie
4 River would have numerous camps during the
5 spring, but now there are only my brother and I
6 with our family, Robert Bourassa and his family,
7 and Quinton that are out here for spring season.

8 I have been taking a 26 year old with me and
9 teaching him the traditional ways. When I first
10 brought him out a couple of years ago, he did not
11 know very much about our culture due to the lack
12 of teaching.

13 Due to many reasons, I can pretty well write
14 a book on all the impacts the community has
15 endured throughout the only 48 years of my life.
16 Just from witnessing and hearing from the Elders,
17 I can say a lot more, but I am sorry, I got to go
18 hunting. I need to feed and teach my children,
19 my family."

20 This was -- this letter is sent in regards
21 to this hearing and to Imperial. That comes from
22 a bush camp down here on the Mackenzie River, a
23 family that's still using the land to raise his
24 children.

25 As I was reading this, I noticed that

1 there's nine kids out there with these adults.

2 And I applaud Daniel for sending in this
3 message from out there in the bush. A few years
4 ago, we weren't able to do stuff like this. But
5 if you're listening out there, Daniel, thank you
6 very much for this letter. Mahsi cho.

7 (APPLAUSE)

8 CHIEF COLLIN PIERROT: Maybe we'll break for 15
9 minutes and then we'll come back again. Thank
10 you.

11

12 (RECESSED AT 10:17 A.M.)

13 (RESUMED AT 10:42 A.M.)

14

15 CHIEF COLLIN PIERROT: Good morning. If we could have
16 everybody back at their seats and grab all your
17 attention. Maybe we'll get started again here.

18 This morning we will have Ron Pierrot come
19 up and speak. Ron Pierrot is also one of the
20 former leaders as a former Chief.

21 MR. RON PIERROT: Good morning. [Dene Kedə Spoken]

22 Good morning. I can speak my language
23 really good, but I wanted to say it in English.
24 Like the Chief said, who is my cousin, Collin, I
25 used to be a former Chief here before.

1 Earlier I did trucking right across Canada.
2 Been into the States too. So give you a bit of
3 background.

4 It's a real concern to me and it's really
5 important that you guys are here. I just want to
6 thank you guys for coming to be able -- the
7 regulators, to come and listen to our community
8 concerns. I know in the last couple of days -- I
9 had come back yesterday. In the last couple of
10 days there was a lot of concerns that came up
11 particularly in the neighbourhood of what's
12 happening to us and our people downstream.

13 I know I helped build those artificial
14 islands back in, I think it was early '80s.
15 There was six islands. And then my cousin was a
16 driller on one of the islands. I know they put
17 in 15 to 18 wells on each island.

18 There was some concerns about Line 21 and
19 one of the things that Imperial Oil wanted to do
20 with Line 480 and how can we be -- my
21 understanding, how can Imperial Oil get a water
22 licence to be able to make those things happen.
23 But I'm really glad my community and leadership
24 and the Chief are in a way digging in their
25 heels, because it really affects this community.

1 And I know a number of people talked about it, it
2 has effects on the water which we depend on.
3 We're the only community that really draws water
4 from the river.

5 And of course it affects the fish. In the
6 last few years, we don't see the small little
7 whitefish, which we call herring, anymore. Some
8 of the fish that we looked at has effects
9 on -- we don't know what's happening, but it
10 leads to a lot of what's happening up the river.

11 And we can't really in a way prove that, but
12 what's happening up the river is having a lot of
13 effects on the water spores and we depend on the
14 fish down here. A lot of the community members
15 in the last year are really reluctant on eating
16 fish or using fish from the Mackenzie River
17 because of what you might get from it.

18 And one thing is the cancer part of it. And
19 I wanted to tell you guys a bit of the
20 statistics, and it's good that you know the
21 statistics because, like I said, this community
22 is affected by what's happening on the river and
23 the operations in approving the area in Norman
24 Wells.

25 Like I said, there's -- like I said, if you

1 count the amount of wells that go into the six
2 artificial islands, that's only the islands, but
3 there's Goose Island, the mainland, and Frenchy's
4 Island where they have wells, well over 150
5 wells. And those wells, they punch holes in the
6 earth's crust 2,000 or 2,500 feet down. And when
7 you do that, there's chemicals that seep through
8 and come out to the surface, cyanide, whatever
9 that might cause a lot of diseases or have
10 effects on animals downriver, including us.

11 About three years ago, I think, I walked on
12 the shore at Norman Wells and I wanted to see,
13 and you can smell that oil. You can see the
14 slick on the shore. So what I really thought
15 about was, I hope in the future when Imperial Oil
16 asks for to support for their water licence, we
17 should really dig in our heels and really think
18 about it, the way to hold over the barrel in
19 regards to helping our community improve our
20 water source, maybe a better water reservoir to
21 ensure water. The community talked about it
22 quite a bit in the last couple of days that you
23 guys were here. I don't want to repeat it over,
24 but you know some of the concerns that come out
25 of this workshop that's happening right now.

1 But some of the statistics, I want to talk
2 about we -- like I said, we can't prove
3 how -- and we can only predict it is having
4 effects on things downstream. And the statistics
5 here, in 2000 to 2011, there was 31 cases of
6 reported cancer in the community. In those 11 or
7 12 years, there was -- in the statistics was
8 about nine deaths. So when a death happens in
9 this community related to cancer, it affects a
10 whole bunch of relatives or community -- members
11 in the community.

12 My mother had cancer. My dad had cancer.
13 My wife passed from cancer about coming up on
14 four years. So I think we're all victims of
15 what's happening up the river because if you read
16 up on Dr. John O'Connor on the oilsands, he did
17 his independent study on cancer rates in the
18 community, what's happening up the river, which
19 is 300 kilometres upriver from Fort Chip where he
20 was working.

21 And because he was a whistleblower, he
22 almost lost his practice licence for being a
23 physician or a doctor, but lucky for him, it was
24 overruled. But now he works as independent and
25 he has a big passion for First Nations people.

1 And his report said in 1995 to 2006, there
2 was 47 reported cases of cancer, quite a bit more
3 than what it was in the early '60s, '70s or even
4 '80s, that you could really see the up -- the
5 statistics have gone up quite a bit.

6 Out of 47 reported cases, I think there was
7 41 deaths. That's a high, high number.

8 Why don't we look at Imperial Oil or the
9 regulators or where the money's coming from? It
10 shouldn't be a big issue where you can hire
11 somebody like Dr. John O'Connor and do our own
12 independent study from taking water samples all
13 the way downriver from Norman Wells to Good Hope.
14 We should do a big study.

15 They say that Norman Wells Proven Area, that
16 the oil supply is running out. But today every
17 two weeks they shut down, they pump whatever they
18 gather. It's about 8,000 barrels. Back in the
19 day, as little as 25 years ago, there would be
20 30,000 barrels a day.

21 What is the price of a barrel today? Maybe
22 \$78 a barrel. So you're talking about huge
23 dollars. The regulators, in turn, is working for
24 government. The federal government gets a huge
25 percentage of what comes out of that oilfield,

1 the Territorial government and then Imperial Oil.

2 And some of our own people that work there,
3 they were told not to say anything about their
4 work, what's happening there. So there's a way
5 of them -- otherwise, we're going to fire you and
6 get rid of you if you say anything negative about
7 our oilfield.

8 But I think it's really, really important
9 that -- and I'm glad that leadership is digging
10 in their heels to release whatever information
11 Imperial Oil needs to be able to move ahead with
12 their operations in Norman Wells.

13 I think it was my cousin the other day had
14 talked about we don't need this, we don't need
15 that from you guys. We're the first lines of
16 victims downstream, yet we don't get nothing from
17 Imperial Oil. A few jobs. We don't even get the
18 information on their reclamation process, who's
19 got those major -- I know there's \$800 million
20 set aside for X amount of years to do that
21 reclamation. And who's getting all those jobs?

22 I know Parsons, who's a private company, I
23 believe, got the contract to do that reclamation,
24 and I know there's four -- I believe, I think,
25 four Land Corps signed on with the partnership

1 with Parsons because Imperial Oil -- I think out
2 of the four qualified contractors, Parsons got
3 it.

4 I was kind of doing research on my own.
5 Parsons -- Imperial Oil told Parsons few of the
6 land corporations want to go partnership. Four
7 land corporations, not including Yamoga Land
8 Corporation and not including Cove Lake Land
9 Corporation, they opposed to reasons why they
10 didn't want to sign on with Parsons, be a part of
11 that Norman Wells operations.

12 I've never personally asked my
13 brother-in-law, who is Edwin sitting next to me,
14 "Why did you guys dig in your heels?". I'm sure
15 he had good reasons because he thinks down the
16 road, not right now, but what's going to happen
17 down the road, 20, 30 years, to our kids, our
18 grandkids.

19 I'm sure it's something good. That's the
20 reason he's voted in, we vote him in to represent
21 us.

22 The biggest concern that I had was how is
23 the operation out of Norman Wells affecting our
24 community here. And I hope that we improve our
25 water source.

1 I think the biggest thing is, like we all
2 say, money makes the world go round. Without
3 money, you can't really do anything, where does
4 this poor Indian living downstream have no money
5 to do our own independent studies.

6 Maybe we can hold Imperial Oil over the
7 barrel, the Government of Canada and the
8 Territories to give us the resources so we can do
9 our own independent studies and come back to the
10 table and then maybe we can consider supporting
11 Imperial Oil on their operations, prove to us
12 that they can do these things for us.

13 We see a lot of operations that's happening
14 over there and our young people are here in the
15 community looking for jobs, scrounging around for
16 whatever is available there in the community.
17 Meanwhile, there's thousands, millions of dollars
18 coming out of our back yard. Nothing. We don't
19 even get the royalties.

20 Maybe we should look at long-term things and
21 hold Imperial Oil -- go to the Supreme Court of
22 Canada and hold them responsible for all the
23 damages they're doing because I personally hold
24 Imperial Oil and what they're doing up the river
25 for the death of a lot of our community members

1 related to diseases such as cancer and what they
2 dependent on so many years. I know my cousin
3 June talked about how we depend on our lifestyle
4 and it's changing pretty quick.

5 I'm going to get it off my chest and make
6 sure I'm heard today. I don't want to take any
7 more of your guys' time. I'm glad that you guys
8 are here and thank you for your time being here
9 and listening to our community concerns. Máhsi.

10 (APPLAUSE)

11 CHIEF COLLIN PIERROT: Máhsi.

12 Does the Panel have any questions for
13 Ronald?

14 PRESIDING COMMISSIONER LUCIUK: We do not, but thank
15 you for being here and thank you for your time
16 with us this morning.

17 CHIEF COLLIN PIERROT: Máhsi.

18 So next we have Isadore Manuel.

19 Our next speaker, Isadore Manuel, was also a
20 former Chief of the community of K'asho Got'ine
21 People.

22 MR. ISADORE MANUEL: Thank you. I'd like to say thank
23 you to everyone, especially the community. Thank
24 you for holding this hearing in this community.
25 Thank you to all of you, to Imperial, to the

1 Commission, and a big thank you to the community
2 for being a big part of this, to have this
3 hearing here.

4 I know the last time I had a similar
5 meeting, I guess, that was back in maybe 1968,
6 1969, and that was the Berger Inquiry. I was 14
7 or 15 then, and Thomas Berger was touring the
8 community out here. I didn't know what was going
9 on. My mom woke me up in the morning and said,
10 "You're coming with me to the school where
11 they're holding the hearing."

12 But the leaders at that time, the Elders,
13 really spoke their mind to the Berger Inquiry.
14 They said what they wanted. They were truthful
15 in what they said. They really spoke their mind.

16 They were saying that this land was the most
17 important thing for them. That the land was so
18 important, and the rivers, and the water,
19 everything that's here.

20 Even though the Treaties were signed at that
21 time, for them it only existed on paper, and the
22 Elders, the leaders at that time said the land
23 belongs to us. This is our land, and we will
24 take care it.

25 Today, water is so important to us. We use

1 it, we travel on it, we hunt for it -- on it, and
2 we continue everything that was -- we'll continue
3 doing it as long as we can into the future.
4 We'll continue to hunt. We'll continue to rely
5 on the land, everything that it provides.

6 I think the inquiry at that time, when the
7 peoples really spoke their minds, you know, today
8 I still see it, we're still exercising our
9 rights. We're still doing what we're doing now.
10 We still rely a lot on the land, our ways, our
11 traditions.

12 I know no matter how much impacts we went
13 through, the changes and all that, we will still
14 carry on what we're doing today as First Peoples
15 of this land. We will continue to hunt. We will
16 continue to fish all of the rivers, the lakes. I
17 know that we'll just continue on as peoples here.

18 I know -- I always wondered why this
19 agreement that was made 100 years back has never
20 changed at all, between Imperial and the
21 Government of Canada. Why has it never changed
22 or renegotiated or that we are a part of it. I
23 mean, we're a part of it now because we're
24 addressing it. We want to see a lot of changes
25 to it. The Government will decide at the end but

1 they've got to be truthful, especially Imperial
2 and Canada. And how are they going to continue
3 to operate the next 10 years?

4 I really believe what our Elders said in the
5 past, the leaders, and I believe them, that we're
6 a big part of this land and we will continue
7 that -- we will continue that on forever, as long
8 as we live. Thank you.

9 (APPLAUSE)

10 CHIEF COLLIN PIERROT: Máhsi, Isadore.

11 PRESIDING COMMISSIONER LUCIUK: Also thank you from
12 the Panel. Thank you for being here this
13 morning.

14 CHIEF COLLIN PIERROT: Yesterday we had an Elder speak
15 and he wants to come back up and say a few more
16 words, that's Elder Michel Lafferty. Before we
17 get on to the next speaker, we'll let the Elder
18 speak again. I know they sit here all day and
19 it's hard for them to sit around all day like
20 that, so we'll give him a chance to speak again.

21 ELDER MICHEL LAFFERTY: Thank you for letting me up
22 again.

23 Yesterday I talked, but after I finished
24 talking, I was thinking about what I talked
25 about, about the Mackenzie River. And finally,

1 we went up years ago in a skidoo up the river,
2 looking for moose, and then we did -- a moose
3 came out of the island and we went after it. And
4 got to real deep snow and stopped walking, and we
5 shot it.

6 Well, we was disappointed when we looked at
7 that moose. He was not healthy. He was sick.
8 Son was disappointed in my first moose, he said.

9 Anyways, and then another time, another year
10 later we go around the islands up the river
11 around Sahtu, and I noticed that there was some
12 moose hair on the river and the river was open.
13 We passed it. And a moose must have drowned.
14 But we were speeding by that moose and we never
15 turned back to check it out. I wasn't driving,
16 so I couldn't go back to check it out.

17 And then -- what was the other one? We were
18 staying down here at Airport Creek, our fish
19 camp, my wife and I and the children. And we go
20 out on the river and look for wood and cut wood.
21 And on the way back, I noticed there was a big
22 black thing there on the shore and I was pretty
23 sure it was a moose that had drowned and washed
24 ashore.

25 And then another year or so -- I can't

1 remember the exact years, but it was not the same
2 year anyway -- we were way down to Little Chicago
3 checking the islands with Lawrence Manuel and we
4 came out to -- we went through the willows on the
5 island and there was a moose there and that one,
6 too, was not healthy. It couldn't run, it
7 couldn't do nothing, so shot it and left it out
8 like that. We didn't take no samples or nothing.

9 So I just wanted to bring that up. It's on
10 the Mackenzie River that things like that can
11 happen. The moose can drown. Some of them get
12 sick. They live quite a bit on the islands. I
13 don't know, there must be good willows on the
14 islands or something good in there.

15 And then 1970, they had a Centennial run
16 with the mail from Fort Smith all the way down
17 here. And my late wife and I came back to town
18 from inland and there was supposed to be a couple
19 of guys supposed to take off from here, the older
20 guys, but they thought about it, I guess, and
21 they were not young. They changed their mind.
22 Like my wife and I, we came back to town and then
23 there was a meeting. So I went down to listen to
24 them, see what they're going to plan to do.

25 And they were talking, they were talking.

1 My Uncle Noel suggested, "Pick me". We take that
2 mail down to Arctic Red by the river. And then
3 they picked another guy, Jean Rabisca.

4 So the two of us, we were in our early 20s.
5 We were seasoned, I guess, tough and walking all
6 day. We walked down the river with snowshoes.
7 About seven days we walked. Every day we walked
8 with snowshoes in about two feet of snow in the
9 month of April. We walked all the way down.

10 We camped down there at 35 Mile Point with a
11 couple there that were trapping rats at 35 Mile
12 Point. From there down there was no road, and we
13 got to Traviar. There was an elderly man there
14 named Julius Norbert. He was there by himself
15 for three weeks. He said he never talked to
16 nobody. Can't talk, there was nobody to talk to.
17 But I take it hard, he said.

18 Anyways, he cooked for us. I guess he had
19 smoked dried fish, coney and back bones smoked.
20 He still had that in the month of April, all
21 winter. And when we got there, he cooked that
22 for us. And I don't know how many pots of tea we
23 drank.

24 We had to work on our snowshoes that night.
25 We didn't finish until about 2:00, 3:00 in the

1 morning. Jean was up already at 6 o'clock and
2 was on his way and I stayed quite a ways behind
3 him. And then there was still no road. The old
4 man didn't have no road nowhere.

5 Anyways, we kept on going the same way. And
6 we got to Tree River with the family of Hyson
7 Andre there. They had cabins there and I think
8 they even had gardens in there.

9 And when we got there -- we went to the town
10 before it. I think it was before Easter. Real
11 good road from there.

12 I just want today to bring that up. Walk
13 with snowshoes. I don't think anybody can do
14 that today for seven days, walk with snowshoes in
15 the deep snow along the Mackenzie River.

16 That's what I wanted to bring up. I wanted
17 to come back here and let you people know all the
18 moose problems, there was some of them got sick
19 and walk with snowshoes. Somebody shoot that
20 mosquito (laughing).

21 Anyways, I wanted you people to hear that.
22 We walked with snowshoes because we were out on
23 the land all winter from October to April. And
24 we'd come back to town for Easter, and we'd go
25 out in different directions, spend spring on the

1 land.

2 Thank you for listening to me. Thank God.

3 (APPLAUSE)

4 CHIEF COLLIN PIERROT: Máhsi for that. It's always
5 good to hear old stories from all our Elders.
6 These are the stories and knowledge that we carry
7 on through our young people.

8 Michel just mentioned to me he's 76 years
9 old today. No, I'm kidding. He's walking away
10 and he said he's sitting there. He's 78 years
11 old.

12 I think we're waiting for some of the
13 speakers to come up, but I think maybe we'll have
14 another short little break, have some water and
15 maybe we'll do some jumping jacks (laughing).

16 Okay. We'll have a fast little break.

17

18 (RECESSED AT 11:21 A.M.)

19 (RESUMED AT 11:45 A.M.)

20

21 CHIEF COLLIN PIERROT: It's 11:45. We have two
22 speakers to go through and then we will break for
23 lunch. We will break for lunch and we'll carry
24 on.

25 This morning we will start off with the

1 first one is Gordon Yehtsa Mackeinzoo?

2 MR. GORDON YEHTSA: Good morning, Panel. Good
3 morning, leaders gathered here today, members of
4 the community. My name is Gordon Yehtsa,
5 previously known as Gordon Mackeinzoo. I am the
6 recreation coordinator for the Charter community
7 here. Name, important. Title, not so much.

8 I'm a young man with an old soul, and I
9 am -- or I have experienced all aspects of the
10 oil and gas industry. I worked as a jug-hound
11 for the seismic companies, I worked for Esso in
12 the Norman Wells Operations, I worked for Akita
13 Drilling, I trained at Pitts Petroleum Energy in
14 Edmonton, I have done it all and I have seen it
15 all. And the devastation and impacts I have seen
16 on the land is something I'm not proud of.

17 I'm a traditional man. I grew up in the
18 community of Deline. I'm a Sahtu Got'ine, but I
19 moved to K'asho Got'ine in 2005. I am very
20 passionate about the land. I grew up
21 traditionally from the age -- from as long as I
22 can remember to when I was 14, my parents raised
23 me to be a self-sustaining man and not to depend
24 on anybody.

25 So I can harvest any animal on this land,

1 clean it, and present it in front of you.

2 So when I see that devastation left behind
3 by the seismic companies or we call it
4 exploration companies, they have no regard for
5 our wildlife and our waters. And the
6 clear-cutting that's done just for the
7 right-of-way, they didn't think about the plants
8 or the little animals that depend on the plants.

9 Our water is our life. Without water, there
10 is no life. That's why we're so passionate
11 downstream of the Esso operations in Norman
12 Wells, the impacts it had on the K'asho Got'ine
13 people. You heard over the last couple of days
14 what happened to our peoples, the cancer, the
15 deaths.

16 I was also an environmental monitor. I
17 studied water at the Taiga Laboratory in
18 Yellowknife. We did tests from the land over
19 there, and the contaminants I seen in the water
20 leaves something to be desired. It just shows us
21 what contaminants are always left behind, no
22 matter if the company leaves or not.

23 Right now in the N.W.T., we always promote
24 pristine -- welcome to the pristine beauty. But
25 when you look at it today, there is nothing

1 pristine about it.

2 I went up the Keele River hoping to be in a
3 pristine area, but when I walked in the
4 mountains, I seen ore, iron ore all over the
5 place. People were drilling up there looking for
6 gold or minerals, right. So right now our
7 pristine beauty is not so pristine, you know.
8 It's...

9 We are a people of the land. We depend on
10 the wildlife. This time of year, we gather the
11 birds that migrate through our land. Some
12 peoples are wary about the conditions of our
13 birds, our fish, which we depend on.

14 I am from Delani, Great Bear Lake. Not so
15 pristine. The uranium impact it has on my
16 people, that's why they call it the village of
17 widows because the men that worked at those mines
18 all passed, leaving their wives and their
19 children to fend on their own. Is that the kind
20 of legacy that Imperial Oil is willing to live
21 with, by impacting us as a people?

22 I have seen so much and I'm so glad I had an
23 opportunity to speak and give you in detail what
24 I faced and what we will be facing. Imperial Oil
25 might shut down in the next 10 years, but we'll

1 still feel the impacts. Not from us, not from
2 our children, but our great-grandchildren. How
3 are they going to fend for themselves, you know?
4 What kind of legacy is Esso going to leave
5 behind?

6 You might -- you're there making a lot of
7 money, you know. I seen how much oil per day is
8 flowing down that pipeline. I've been there. I
9 seen it, you know.

10 And all the monies that Norman Wells
11 produces, it doesn't stay in Canada. Exxon, the
12 mother company, is based in the United States,
13 you know. And then most of it goes to the
14 federal government and I know their cut share of
15 it.

16 And we're the ones directly impacted by
17 these operations, and what do we get? Nothing.

18 We don't want -- like money for me? I don't
19 want money. I just want to ensure what Esso
20 promotes, a safe and healthy working place.

21 Is that happening? Not so much. I seen the
22 leaks. They clean it up, but it's already in the
23 soil. It's coming down this way irregardless,
24 you know.

25 I seen the bunkers on Goose Island filled

1 with oil in the spring. And what happens? It
2 gets overflowed, it floods right over those
3 bunkers. And by the time spring break is over,
4 you go across, all the oil film is gone. Where
5 did it go? Right here. We're drinking it.
6 We're swimming in it, you know. That worries me,
7 you know.

8 I've got young kids. I've got
9 grandchildren. You know, I want to leave
10 something for them behind, which is our land and
11 our waters and our wildlife. Are we able to do
12 that today? I don't think so. The only way
13 we'll leave something behind for our children and
14 our grandchildren is when Esso cleans up, you
15 know.

16 We need people in place that will monitor.
17 We have a Foundation here. Give them some funds
18 so they can hire hydrologists, a biologist, you
19 know, so we can test them on our own. We can
20 send them out to private laboratories and test
21 and test, test these products.

22 The way we are going now, we're still going
23 to feel the impacts. People are still going to
24 get sick, but it's something we have to live
25 with. And I'm worried about our future. I'm

1 really, really worried. Not just the impacts of
2 the operations, but climate change, which makes
3 everything worse.

4 I'm a man of few words, but when I speak, I
5 speak truth. I leave everything on the table.
6 There's no holding back.

7 I'd like to put everything on the table
8 because I've been thinking about this for the
9 last couple of days and the thinking about what I
10 need to say and put on the table gave me two
11 sleepless nights. I'm not a public speaker, but
12 when I get to the table my Elders told me speak
13 from the heart and don't hold anything back. And
14 those are the words I live by.

15 I have been guided all my life from the
16 words of my Elders. That's why I said I'm a
17 young man with an old soul. I speak the words of
18 my Elders. What they said to me guided me. They
19 taught me.

20 If you don't leave everything on the table,
21 then after you're done, you're going to think
22 back and say, "Shoot, I should have said this".
23 And when I do get to the table, I'm not afraid to
24 leave it all on the table. Speak truth. That's
25 the one thing our Elders always say.

1 Irregardless of who the Panel is, speak truth.
2 You might not make the positive changes today,
3 but hopefully your words will carry so we can
4 have a better future.

5 I am, like I said, experienced all aspects
6 of the oil industry. Very dirty industry.
7 It's -- nothing clean about it. No matter how
8 many safeguards you make the wells, there will be
9 leaks.

10 We have pipelines under the Mackenzie that's
11 been in there, Lord knows, since the '60s. And
12 on the island, on Bear Island and Goose Island,
13 back to the '30s, '40s. And how often do they
14 replace them? Only if there are leaks. That's
15 the only time they get active.

16 You have pressure monitors on every line,
17 but that doesn't distinguish if it's leaking or
18 not. A pinhole on the line will not
19 detect -- the pressure gauge will not detect that
20 little pinhole leak. The only way you'll find
21 out that leak is when it shows up on the surface,
22 which now is happening constantly.

23 We have to figure out a way to work together
24 to mitigate these factors. We have our peoples
25 working in the Norman Wells oilfield. I know

1 their hands are tied. I know they can't say
2 negative things about that operation. I know
3 they have seen things that they wish they could
4 tell us. But because they're employees, they're
5 all mum on that subject.

6 But I have seen it all, and that's why I'm
7 speaking to you today. I am very passionate
8 about preserving our land, and our wildlife, and
9 our waters. What can Esso do to help us move
10 forward on that?

11 I kind of have said everything that was in
12 my head now and in my heart. I did not put
13 everything on the table 'cause I'm sure that
14 people had talked about it prior to me speaking
15 today, but I just wanted to share with you, the
16 Panel, the leaders, members of our community,
17 about my experiences.

18 So with that, I would like to say thank you,
19 Máhsi for listening, and I hope you guys have a
20 good day of meetings. Máhsi.

21 (APPLAUSE)

22 PRESIDING COMMISSIONER LUCIUK: Thank you very much.

23 The Panel does not have any questions, but we are
24 glad you could be here with us on this last day,
25 and I appreciate the additional context from your

1 background in Deline and here as well in K'asho
2 Got'ine land. Thank you.

3 CHIEF COLLIN PIERROT: Máhsi for that. Strong words.
4 Gordon married into one of our community members
5 and is a part of our community, just like Canada
6 married into the Indigenous Peoples' land.

7 With that, I will move to the next speaker,
8 Beverly Masuzumi, who is also a community leader,
9 sits as a councillor.

10 MS. BEVERLY MASUZUMI: Hello. Welcome to our
11 community. This is just from the heart because
12 they just asked me about half an hour ago if I
13 could talk.

14 Like Collin said, I'm an elected Band
15 Councillor. This is going to be my -- this is my
16 15th term I think I've sat on council -- and I
17 don't know where to start here. I have jotted
18 down some stuff on my phone.

19 I'm actually a mother, daughter, a sister, a
20 grandmother of 10 granddaughters, two grandsons,
21 and one great-granddaughter, and I'm 64 years
22 old. I'll be 65 this coming fall, and I'm
23 retiring from my position at the Yamoga Land
24 Corporation after 29 years.

25 I lost my father-in-law September 16, 1996,

1 and my mother-in-law May 25th, 2007, both to
2 colon cancer. I lost my husband on January 17th,
3 2019, to pancreatic cancer. So I've been
4 affected by cancer on my husband's side of the
5 family, and I have always had this feeling it's
6 linked to the water and the fish, because my
7 husband was a fisherman. He's an OBM for
8 housing, but he loved to fish and that's where my
9 daughter, Twyla Edgi Masuzumi, got her fishing
10 skills from her dad.

11 And my father-in-law was the same thing.
12 They're descendants of the famous Hiroki
13 Masuzumi, and I believe he was a fisherman too.
14 So that's where they got their skill from. And I
15 always linked the diet of fish and water to them
16 getting cancer. But I don't have any proof, like
17 any of us.

18 And the majority of the women here in town
19 that have lost their husbands have lost them to
20 cancer. I don't call myself a widow. I'm not a
21 widow. I'm married. My husband is waiting for
22 me on the other side.

23 I always look at that water reservoir.
24 That's dead water. It's not moving. They pump
25 it in there twice a year. In the past, we never

1 had problems. Now the kids, they have this skin
2 condition. My grandson, my first grandson has a
3 skin condition. If he doesn't have his cream
4 from the pharmacy, he breaks out and he's
5 scratching his skin raw. I've seen him scratch
6 it, and we're trying all kinds of creams till his
7 medication comes in from the pharmacy. And it's
8 really sad to see, especially that's my first
9 grandson, and he's very special to me. I've even
10 recruited him to be an Oiler fan. (laughing)

11 Oh. I was talking about the water. You go
12 to any other community, your skin doesn't dry out
13 like it does here. You get in the shower, you're
14 drinking coffee and whatnot. That's because
15 you're drinking the water from the machine over
16 there. It goes through the treatment plant and
17 then it goes through the reverse osmosis over at
18 Yamoga. Everybody drinks that water. They don't
19 drink water from the tap.

20 Like everybody keeps talking about this film
21 on top of the tea. It's true. You wash dishes,
22 you leave your water in the sink overnight. What
23 dishes are in there, it's covered with slime.
24 I've tried different detergents with my dishes to
25 see which one is going to -- but it's the same

1 thing. It's all covered with slime. There's
2 something in the water. And that's what we're
3 having our showers in, washing our hair, giving
4 our kids a bath in it. I don't think you want to
5 be doing that with your children, especially if
6 you're a mother.

7 I'm trying to get on my screen here because
8 I had some notes.

9 There's another thing with the water
10 reservoir. They pump water in their twice a year
11 from the river. I think we're the only community
12 that draws water from the river. It's put in
13 that -- you can't even call it a reservoir. You
14 might as well call it a lagoon. Because there's
15 no filtration system in there to keep that water
16 turning, keeping it alive. It's dead. And the
17 Elders have been telling us that for years, it's
18 dead water. But we had no choice, we have to use
19 it. So I wouldn't mind for a new water source.

20 And Yamoga, where we get these jugs of water
21 from, they don't charge nobody. You even see the
22 RCMP bring jugs and jugs and they fill up -- they
23 use that water from there, Northern Store uses
24 that water. It's free. Everybody gets it free.
25 They don't pay for it. But Ne'Rahten, which is

1 the business arm of Yamoga, maintains that
2 system.

3 And when I was talking to one of the young
4 guys that work for Ne'Rahten, or he used to, he
5 said they go through so much filters -- I think
6 they're expensive too. They're forever changing.
7 He says we never changed our filters so much.
8 You could tell when the filter is dirty because
9 then you start getting that slime on your tea.
10 Then they change it. And not long after that,
11 they have to change it again. So I don't know
12 how much money NDL has spent on the filters for
13 reverse osmosis. I just wanted to bring that up
14 because everybody in town uses that machine to
15 get their water.

16 I want to say that I'm so proud of my two
17 oldest, Twyla who is a Guardian, the only female
18 Guardian on the K'asho Got'ine, and my son Darcy
19 who is the President of the Foundation. I'm
20 very, very proud of them because they were
21 basically brought up by my parents. So they love
22 the land. Everything is attached to culture for
23 them. They both hunt. They both fish. And
24 that's how they sustain their food for their
25 children. They both have children.

1 My other two live at home. One is going to
2 U of A. She's just back for the summer. And the
3 other one is apprenticing. So I'm very proud of
4 all four of my kids. But we have to think of all
5 the grandchildren, for tomorrow. For
6 today -- not for today but for tomorrow. Those
7 are the people we're worried about in regards to
8 the water.

9 I never used to have this thing on my hands.
10 It'll split, my skin will split if I wash dishes
11 without rubber gloves. And when I go out, like I
12 go out to Norman Wells or Yellowknife, wherever,
13 I'm gone for a week, it clears up. I come back,
14 it's back to that again.

15 So gee whiz. I'm just kind of like blank
16 here. It's really hard because I didn't have any
17 notes or nothing. It was just as of the last
18 minute, that Alexa (laughing) blame her.

19 But actually, I did want to talk about the
20 water that's being filtered, like how we all
21 depend on Yamoga River's reverse osmosis machine,
22 the whole community. It doesn't matter what
23 colour of skin you have, everybody goes there to
24 get water and it's free. So I just wanted to
25 bring that issue up and to let you know that this

1 land is very, very important to all of us,
2 especially the water because I love fish but I'm
3 kind of leery about eating fish now. I'll eat
4 fish from Co-op and Northern and Colville Lake.
5 When it comes to the Mackenzie River, it's kind
6 of like you're kind of hesitant because you don't
7 know what's in that fish.

8 So that's about all I have to say. Yeah, I
9 sit on council with this guy here. I like to
10 keep him on his toes (laughing). Torture for
11 Collin.

12 Yeah, thank you. Thank you

13 (APPLAUSE)

14 PRESIDING COMMISSIONER LUCIUK: I know that you came
15 with very short notice, and so I just wanted to
16 say if you wanted to take a few minutes and just
17 check if there was anything more you wanted to
18 say, we have the time to just wait on that.

19 MS. BEVERLY MASUZUMI: Oh, yeah, one thing I wanted to
20 talk about, too, was Rabbitskin. That's where
21 our kids go swimming every summer.

22 Like back in the day when I used to go
23 swimming there, we had no worries. We'd go
24 swimming, go for picnics, draw water from there,
25 make tea. No problem. But now, you see people

1 that are going out on the land, they bring jugs
2 of water from town just to make tea. They go
3 hunting, they bring jugs of water from here, from
4 Yamoga because they don't trust the water.

5 Like, I don't know if you guys tried making
6 tea with the water from the tap. It's yucky. I
7 don't know, it still tastes like tea, but it's
8 disgusting, the way you look at it and there's
9 that thing on top.

10 But yeah, our kids go swimming down there,
11 and I'm kind of leery letting my grandchildren go
12 in that water any more because you don't know
13 what's in it.

14 Even in the fall, you see this like some
15 sort of a film on top of that water and it never
16 used to be like that. Like I don't know what's
17 going on. Climate change. Pollutants coming
18 from up the river. It's all coming together and
19 we're being affected big-time here in the
20 community.

21 And I think that's about it. Thank you.

22 CHIEF COLLIN PIERROT: Thank you for that.

23 I guess you heard through many stories of
24 how our people live off the land and eat fish.
25 You know, when we talk about our water, we never,

1 ever put a clear picture to it, and that kind of
2 brought me back to a couple years ago when I got
3 on council, we raised the issue of water.

4 When they brought to us the readings of how
5 much chemicals we figured there was in the water
6 after the spill, somebody came out with a reading
7 of 0.05 parts per million of benzene in the
8 water. Benzene is part of the produced water
9 part of chemicals that you use in the oilfields,
10 and benzene is also a strong advocate for cancer.
11 It produces cancer. It starts cancer.

12 So when I take 0.05 parts per million, every
13 day we take a drop, then we add it to a bowl, an
14 empty bowl. Maybe a month, two months or three
15 months, that empty bowl will eventually fill up
16 and be full with whatever chemicals or whatever
17 drops we put in there. So can you imagine a
18 human body, anybody -- a human body, we add a cup
19 like this, a cup of water like this, to that.

20 It states that a human body needs eight cups
21 of water a day to keep your body hydrated. So
22 every day for our lives, we take eight cups of
23 water out of the Mackenzie River and we drink
24 that. Can you imagine the amount of chemicals
25 that each one of us right today are carrying in

1 our bodies, benzene, whatever, that comes down
2 the river from Imperial Oil?

3 This has been ongoing from as far as I could
4 remember, back in the '90s, when cancer came on
5 strong in the community. Today we're still
6 battling it. Today we're still -- regardless of
7 which community member it is, when they come back
8 from the hospital and they have to tell their
9 loved ones that they detected cancer in them, as
10 a community member it's so hard to accept, to
11 know that my neighbour down the street, my friend
12 across the town, has cancer in their body.

13 We're strong people here. Some of us don't
14 like to be pitied because we have cancer but, as
15 humans, when we find out that our members of the
16 community, regardless if you live on the same
17 block or the same street or the same city, we
18 still feel that impact of loss because we know
19 that in a small community like this where we have
20 to drink the water every day -- we know that
21 there's never going to be a good outcome. But
22 sooner or later, it's going to defeat us.

23 This is the kind of stuff that every day we
24 have to put up with, we have to think with, we
25 have to sleep with in the back of our minds as

1 leaders, as community members, as parents.

2 You know, when you're small -- when you're a
3 parent or a leader, you swear an oath to your
4 community members that you're going to do
5 everything in your powers to protect them, to
6 fight for their rights.

7 And when you're a parent and when you have
8 your firstborn child or your second or your third
9 child that's just born, you cradle them in your
10 arms and you look at them and you tell them, "I'm
11 going to protect you from everything in this
12 world that may harm you. I'm going to raise you
13 to make sure that you walk on those paths with
14 me, regardless I'm old". These are the oaths
15 that we -- or the things that we swear to our
16 children.

17 So when we look at our people, I look at
18 them and I say I can't -- we can't go back on our
19 words, the oath that we swear, but we could fix
20 it. I swear an oath. Canada swore an oath.

21 I have a fiduciary duty to my people.
22 Canada has a fiduciary duty to its people. We
23 all have duties to fulfil at the end of the day,
24 and that's to protect our people from any harm
25 that may come to them regardless if you're in the

1 middle of the city or on the edge of the town or
2 at the edge of the country.

3 These words should be always thought about
4 when we go to bed, "How can I protect my people?
5 How can I protect them from any harms?".

6 I will leave it at that. But when we're
7 going through our break for lunch, going through
8 to the end of the day, we keep it in the back of
9 our mind our duties to fulfil the oath that we
10 swear.

11 And I thank you for listening. I thank the
12 speakers for coming out and speaking the truth.
13 Instead of swearing on a Bible at the beginning
14 of the meeting, we use our traditional ways, our
15 Prayer Songs. We tell the truth.

16 So therefore, when you speak, you sit down,
17 you talk, you have your little get-togethers,
18 think about that. You already swore an oath and
19 a duty to my people at the beginning of this
20 meeting.

21 But today we will continue these meetings
22 after lunch and after the break. I know we're
23 going to have to go away for about an hour or two
24 and then come back and wrap this up. Máhsi for
25 that. Máhsi for listening. Thank you all for

1 listening.

2 We will break for lunch. We will have a
3 Prayer over lunch and we'll get right into the
4 food.

5 Again, for the lunch we will say the Lord's
6 Prayer and we will get right into lunch.

7 (PRAYER)

8

9 (RECESSED AT 12:26 P.M.)

10 (RESUMED AT 1:54 P.M.)

11

12 CHIEF COLLIN PIERROT: Good afternoon. I hope
13 everybody had their fill of lunch. We're pretty
14 well at the end of our list of speakers. After
15 Daniel, we will go through with our final two
16 speakers, and we will come out and let you guys
17 know our final (laughing) -- but right now I can
18 tell you -- you guys are guilty. Sorry, guys
19 (laughing).

20 All right. With that, we will continue on
21 with our hearings. We've got Daniel T'Seleie
22 here speaking.

23 MR. DANIEL T'SELEIE: Good afternoon. I'm Daniel
24 T'Seleie. I'm K'asho Got'ine. I'm our chief
25 negotiator on our self-government negotiations.

1 I work on related issues as well, issues around
2 our rights and our goals for self-determination,
3 and that's primarily what I want to talk about
4 this afternoon. That's the knowledge I have from
5 our people that I can share with you.

6 But before we get to that, I want to talk
7 briefly, very briefly, about my experience on the
8 land and comment on some of the things we heard.
9 My parents are John T'Seleie and Debby Delancy.
10 I was born in Yellowknife. I lived there for
11 about two days before we came back here 'cause
12 there's no hospital here. I lived here until I
13 was four and then we moved to Yellowknife. I did
14 all my kindergarten to Grade 12 education in
15 Yellowknife.

16 But when we lived here when I was a little
17 baby, we would spend part of every year living on
18 the land in the Ramparts area. And after we
19 moved to Yellowknife, starting when I was seven,
20 around 1989-1990, my dad and me and my brother
21 would travel back here every summer by boat. So
22 we'd love from Fort Providence, usually, which is
23 the first community on the Mackenzie River. So
24 more than 500 miles from here, I think.

25 One year we left right from Yellowknife,

1 went across that big lake and right down the
2 start of the river, and that's just over 600
3 miles, I think.

4 So I've travelled a lot on that river when I
5 was a kid, and like a lot of the other people, we
6 just drank the water right out of the river.
7 When I was a kid, we swam in there every day in
8 the summer, me and my brother and my cousins, we
9 were like otters or beavers or something. We'd
10 just be in the water all day every day. We'd be
11 in there until three in the morning sometimes and
12 my dad would have to pull us out.

13 So we swam in that river, the Mackenzie
14 River, we swam at Rabbitskin, and we never
15 worried about contamination when I was a kid.
16 And we should be able to keep doing that. The
17 people shouldn't be worried about drinking that
18 water or having their kids swim in there.

19 And the other thing I'll say is I still
20 drink the water right out of that river
21 sometimes. Somebody said it yesterday, that
22 sometimes we have no choice, and that happened to
23 me a couple summers ago when I was hunting with
24 some people. Because the waves were too big, the
25 wind was high and the waves were too big to come

1 through the rapids, and so we had to camp and we
2 ran out of water, so we just had to make coffee
3 with river water. So sometimes we have no
4 choice; we have to drink that water right out of
5 the river. And that's our right. It has to stay
6 clean enough so that we can do that.

7 I also want to comment about some of the
8 things I've heard because people have talked a
9 lot about climate change. All the changes we've
10 seen on the land in the last 10 or 20 years and
11 especially lately. The river is really low.
12 We're seeing erosion on all the banks of the
13 Mackenzie River and the tributaries. The ice is
14 thinner, and the break-up is different. We're
15 seeing and we're hearing about contamination
16 further south, contamination from tar sands and
17 all the upstream use in Alberta. There's a
18 drought in Alberta.

19 There's a lot of concerns that people have
20 right now about the health of the land and that
21 river and the conditions on it that didn't exist
22 in the 1980s when they built those islands and we
23 got the Norman Wells operation as it exists now.

24 That's something that's come through for me
25 in these hearings and I think it's important to

1 say that, that the situation we're seeing on the
2 land and with the river and the concerns we have
3 about that with climate change, that was never
4 really fully assessed together for that
5 operation.

6 The operation we see now in the environment
7 that it's happening in now was never really
8 comprehensively studied. All of this stuff has
9 changed in the last 40 years since they did a
10 socioeconomic assessment for all those islands
11 and the Enbridge Line 21. And I think people are
12 concerned about that, that it's operating in a
13 different environment than it was designed for
14 and a different environment than it was ever
15 assessed for.

16 But most of the people in this room have
17 more experience on the land than I do, and I
18 think my -- a role I have that's helpful is that
19 I spend a lot of time listening to what the
20 people say about our rights and then finding a
21 way to communicate that to Canada. That's a
22 large part of my job as Chief Negotiator, and I
23 want to focus on some of those messages now. And
24 that requires a brief political history of who we
25 are and what our relationship has historically

1 been with Canada.

2 Before there were ever Canadians, before
3 there were ever French or English on our land, we
4 were here on our land as a nation. We're a
5 nation of people. We've been here since before
6 Canada existed or Canada ever came here. And as
7 a nation, we've always had our own law and
8 government. We had diplomacy and practices
9 around that with other Arctic Indigenous nations
10 and we had our own economy. It was a land-based
11 economy.

12 And in that time before Canada existed and
13 into the early years of our interaction with
14 Canada, our land base was larger than it is now,
15 larger than what's recognized in the land claim
16 agreement.

17 From the period of contact through to when
18 that land claim was signed, we lost a lot of land
19 through things like the imposition of the Yukon
20 border. The RCMP started enforcing that in the
21 1930s and confiscating our people's fur that they
22 were trapping because allegedly they were doing
23 that over the border, and it was things like that
24 that caused us to lose our land on that side of
25 the mountains in what's now Yukon.

1 And our population was much larger in the
2 period before contact. We lost a lot of people
3 in residential school and a lot of people to
4 disease over the years. But we were a nation and
5 we still continue to exist as a distinct nation.

6 And in the early years after contact, the
7 relationship was based a lot around the fur
8 trade, and that really changed with the Norman
9 Wells Proven Area. That was the catalyst for
10 Canada wanting to enter into a treaty
11 relationship with our people.

12 Prior to that, in the years between 1899,
13 when Treaty 8 was entered into with southern
14 peoples in Canada, and 1921 when Treaty 11 was
15 entered into between our people and the other
16 northern people and Canada, there was a
17 reluctance on the part of Canada to extend any
18 treaty benefits north past Treaty 8 because there
19 wasn't really any Canadian settler populations
20 living up here and there was no economic benefit
21 for Canada.

22 The turning point was the realization that
23 the Norman Wells Proven Area would make Canada a
24 lot of money. That was when Canada wanted to
25 enter into a treaty relationship to secure their

1 legal position about being owners of that land.
2 This is fairly well documented by somebody named
3 René Fumoleau, who wrote a book called "As Long
4 As This Land Shall Last" based on research he did
5 for Dene Nation back in the 1970s. But that is
6 well documented.

7 Canada's primary interest around treaty with
8 our people was so that they could claim they had
9 legal ownership over that land to profit from the
10 Norman Wells Proven Area. And at that time,
11 Imperial Oil was the company that was also going
12 to benefit from that oilfield.

13 And so our formal relationship with Canada
14 has, in a way, always been dictated first of all
15 by economic interests of Canada, but also by that
16 Proven Area, including the involvement of
17 Imperial Oil in that operation.

18 That treaty that was entered into in 1921,
19 the written version is basically a copy of Treaty
20 8 from 1899, and it includes the cede, release
21 and surrender language around land, so saying
22 that we allegedly cede, release and surrender our
23 land to the Crown on behalf of Canada, but that
24 was something that was never discussed by the
25 people during those treaty discussions.

1 This was challenged in a court case from the
2 1970s called the *Paulette Caveat*, and again,
3 that's all well documented, I'd encourage you to
4 read it.

5 But what came out of that case -- part of
6 the ruling out of that case is that we never gave
7 up our land and that there's what they call a
8 *prima facie*, like a -- as a starting point, an
9 assumption that we have a claim to Aboriginal
10 title over the land.

11 So in the '70s, Canada's certainty around
12 land ownership, including to that Proven Area,
13 was called into question by the Northwest
14 Territories Court and that, along with things
15 like the Berger Commission, is one of the factors
16 that led to land claim negotiations.

17 So in 1993, the Sahtu Dene Métis
18 Comprehensive Land Claim Agreement was signed,
19 and it's a pretty long agreement. There's a lot
20 of stuff in there. But the first substantive
21 chapter of that agreement, the general provisions
22 chapter, right on one of the first pages,
23 includes that same cede, release and surrender
24 language that showed up in Treaty 11 and Treaty 8
25 before that. And that agreement, more broadly

1 beyond that language, gives jurisdiction over
2 land and water regulation and wildlife and
3 wildlife habitat to Canadian governments, to the
4 Government of Canada or the Government of the
5 Northwest Territories.

6 These are very serious implications. This
7 is the extinguishment of rights and title that
8 Canada tried to achieve in Treaty 11 that was
9 called into question by the work of the Dene
10 Nation after that, was kind of again reinserted
11 into the land claim agreement. And my
12 opinion -- and this is an opinion based on
13 talking to people, but my opinion is that those
14 serious implications were not properly explained
15 to a lot of people.

16 There's understanding on the part of a lot
17 of our Elders here either that we never gave away
18 control and ownership of land or that this land
19 claim agreement was the first half of an evolving
20 relationship and that in the subsequent
21 self-government negotiations we would have the
22 opportunity to regain control over what happens
23 on our land. And that's, unfortunately, not the
24 situation.

25 We have been working with this land claim

1 agreement for over 30 years, and for the last
2 seven years, when I have been working as Chief
3 Negotiator, I have been involved in a lot of
4 those conversations and we have been developing a
5 position on that.

6 And that position is that the land claim
7 agreement is not adequate to meet our interests.
8 It does not meet the goals that we have for
9 self-determination. The land claim agreement has
10 a lot of useful aspects and it offers a lot of
11 opportunity for us to collaborate with Canada as
12 nations, but that fundamental issue where in the
13 land claim agreement we lost control over what
14 happens on our land, that's a situation that
15 people here cannot accept and we have not been
16 able to make that aspect of the relationship work
17 for us.

18 And so when it comes to self-determination
19 over land use, the position that has come from
20 our people that they've given to myself and my
21 negotiating team and to leadership is that we
22 want full control over what happens in Fort Good
23 Hope and on our land, and our land is all the
24 land. It's not -- when people here say "our
25 land", they don't mean Sahtu settlement land.

1 Like when you look on the map and it has all
2 these little pockets of settlement land and the
3 rest is Crown land, that's not how people think
4 about the land.

5 Our land is all the land, whether the land
6 title is settlement land or Crown land. So when
7 you walk up on Old Baldy and you look in every
8 direction, everything you see and then beyond
9 that is our land. That's what people mean by it.
10 And people want full control over what happens on
11 our land.

12 This is a position we have discussed a lot
13 with our people, and I have told them and we talk
14 about it, that Canada isn't ready right now to
15 recognize this position, that this is a very
16 ambitious position. It's a very principled
17 position but it's very ambitious, and it's
18 something that we probably can't make progress on
19 in the short term.

20 So what we've been discussing is a position,
21 a short-term position, that is a compromise for
22 us, but that focuses on advancing the amount of
23 control we have over what happens on our land,
24 and that position is based around the concept of
25 free, prior, and informed consent.

1 Free, prior, and informed consent is a
2 doctrine that exists in international law and
3 policy. It does not come from the UN Declaration
4 on the Rights of Indigenous Peoples, but it is
5 entrenched in that document and it's a very
6 useful part of that UN Declaration on the Rights
7 of Indigenous Peoples.

8 And so we've started looking at that UN
9 Declaration as a very useful framework for
10 implementing our right to free, prior, and
11 informed consent as a way to advance on our goals
12 around self-determination about what happens on
13 our land. And that UN Declaration is the modern
14 international minimum standard about the rights
15 of Indigenous Peoples that countries like Canada
16 are expected to follow.

17 In our opinion in this context that we're
18 looking at of an upstream oilfield that is in the
19 middle of the Mackenzie River, the standard that
20 has to be met is a mandatory requirement for
21 free, prior, and informed consent. That is our
22 position, that Canada cannot proceed with
23 approvals for the Norman Wells operation without
24 first obtaining our consent.

25 And that's an important point because there

1 is public discussion now about what free, prior,
2 and informed consent is, and it is described by
3 some peoples as not being what they call a veto.
4 But our position is that it is a mandatory
5 requirement and that approvals cannot proceed
6 without our consent.

7 I want to speak a little bit more about the
8 other aspects of free, prior, and informed
9 consent beyond the consent part being a mandatory
10 requirement.

11 In this doctrine, the consent that we either
12 give or withhold has to be free, freely given.
13 So that means it's given by us to Canada without
14 any kind of duress, or coercion, or other
15 influence on our decision. People have to be
16 free to say yes or no.

17 The consent needs to be prior to the actual
18 decision that's made. So we need to give our
19 consent to Canada before Canada makes a decision
20 and before any approvals are given or before any
21 work starts.

22 The consent also needs to be informed. So
23 we have to have all the information and all the
24 resources needed to make an informed decision.
25 And those resources include time. That's one of

1 the most important resources. We need enough
2 time that we can go through all the information
3 and really understand it.

4 We also need the time to use our own
5 government and our own decision-making processes
6 when we're making a decision of this level of
7 importance. And those resources also include the
8 technical and legal expertise to understand the
9 information that we're getting, to communicate it
10 to our people, and to participate properly in the
11 decision-making process.

12 So in this case, in the situation we're in
13 right now, for me it's important to point out
14 that the conversations that have been happening
15 here with our people about the issues on the
16 table right now, there's a feeling in Good Hope
17 that we cannot stop this work that is under
18 review right now even if we want to. That
19 Canada's current process, the way the regulatory
20 system works, is that we are consulted, and we
21 can give input, but we have no decision-making
22 power.

23 So there is a fear in some of the
24 conversations that because this work is going to
25 happen no matter what we say, that we should try

1 and eke some benefit out of it, that we might as
2 well acquiesce to what is happening so that we
3 can gain some benefit and that we're not left
4 behind.

5 For me, there's a coercive element to that
6 dynamic because people don't feel like they're
7 free to say no. People don't feel like they're
8 free to actually make an informed decision on
9 this because they feel like what they say will
10 not be determinative.

11 And that it not -- I'm not criticizing the
12 Commission. I believe you all have shown up here
13 in good faith. You came here and you're sitting
14 here for three days listening to everything that
15 people are saying, and I appreciate that. That's
16 a sign of respect to us, and Canada has rarely
17 done that for us, taken this much time to listen.

18 But the entire regulatory system and
19 colonial legal framework of Canada is designed in
20 a way that creates this sort of pressure on
21 communities, on Indigenous Peoples, to feel like
22 we either need to get on board with the things
23 that are going to happen anyways, or get left
24 behind. And that's a situation where people
25 can't feel like they're free to make a decision.

1 People can't feel like they're free to say yes or
2 no.

3 We are being engaged and consulted prior to
4 the decision being made. So I appreciate that.
5 That's important.

6 Is the decision that we're trying to make
7 here informed? I would say no. We are not
8 properly informed on these proposals, but more
9 broadly on the operations of Imperial Oil at
10 Norman Wells. We have had some time to review
11 information, but it's my observation that there's
12 a feeling among our people that this process has
13 been rushed.

14 People feel like these applications should
15 have been in sooner so that we could get the
16 information sooner, we could have more time to
17 effectively translate this technical nature of
18 these documents into a plain language that we can
19 all review here, and then take the time to really
20 deliberate on it and make a decision. And people
21 feel like we haven't had adequate time to do
22 that.

23 But I think more importantly than that what
24 has come out for me in these three days of this
25 Oral Indigenous Knowledge session and in the last

1 few weeks of preparing for it is that, there's a
2 lack of information among our people and there's
3 a lack of trust in the information that does
4 exist. So we've heard that over these last few
5 days, that people are concerned about
6 contamination in the water, and in the fish, and
7 in the animals. And we've heard from people that
8 there needs to be monitoring done by us or at
9 least by a party, an independent party, a second
10 opinion.

11 What this tells me -- because I'll admit,
12 I'm not a scientist and I'm not an expert on any
13 kind of scientific or technical information about
14 Norman Wells. But what this tells me is that the
15 information just either isn't there, the
16 scientific monitoring, whether it hasn't been
17 done at all or the work that people think needs
18 to be done to address their concerns hasn't been
19 done or made accessible to them; or the work that
20 has been done is just not considered trustworthy.

21 I think that's a really important point to
22 make, because we can't be expected to get all the
23 information we need and do all the studies we
24 need to make an informed decision in the timeline
25 of a hearing like this. That sort of work

1 requires long-term environmental monitoring in a
2 way that people actually trust that information,
3 and that's something that needs to be ongoing and
4 it seems clear to me that it has not been
5 ongoing.

6 So I think I would conclude that we're not
7 informed about the impact of Imperial Oil's
8 operations on the land and on the river, and so
9 we can't make an informed decision.

10 So when we look at the elements of free,
11 prior, and informed consent, there's a lot of
12 work that has to be done before we can make an
13 informed decision and there's a lot of work that
14 has to be done to make sure that our decision is
15 actually a required part of the overall
16 decision-making process, that our consent is
17 required by Canada before approving Imperial
18 Oil's work.

19 And I would also note that, from my
20 perspective, Canada may have a legal obligation
21 to work at implementing this. Canada has its
22 *United Nations Declaration on the Rights of*
23 *Indigenous Peoples Act*. That Act requires the
24 Government of Canada -- and I recognize that's
25 not the CER. You guys aren't legislators, you're

1 not Canada's Parliament. But the Government of
2 Canada does have an obligation under that
3 legislation to take all measures necessary to
4 ensure that the laws of Canada are consistent
5 with the Declaration.

6 The work that you guys do is governed by the
7 laws of Canada, like the *Canada Energy Regulator*
8 *Act* and the *Canadian Oil and Gas Operations Act*,
9 and I believe those pieces of legislation have
10 not gone through the process of determining and
11 amending them to be consistent with the UN
12 Declaration. And it's our position that in order
13 to be made consistent with the UN Declaration,
14 that legislation as it governs your work would
15 have to somehow implement a requirement for our
16 free, prior, and informed consent in this type of
17 decision.

18 There's one other thing I want to say that I
19 think is important, and I feel like I'm going off
20 topic, but our people brought it up.

21 I think in the years following Treaty 11 in
22 1921, there's a whole bunch of colonialism that
23 happened and people know about residential school
24 and the Indian day schools, but there's other
25 things like game laws. They tried to prevent our

1 people from hunting all kinds of animals. And I
2 think it's important to state that that old style
3 of colonialism, the goal was to take our people
4 off the land and force people to live in town and
5 remove that connection we have with the land.
6 And it didn't work because our people still go on
7 the land, but there was that goal to make us all
8 town people who are not self-sufficient living
9 off the land and who depend on money. And we are
10 in a situation now because of that history of
11 colonialism where we do depend on money.

12 So I just want to say for the record that
13 it's my opinion that we have a lot of people who
14 work in these extractive industries, and that's
15 not something we can fault them for. It's not
16 their fault that we're in a situation now where
17 we depend on money and the only opportunities are
18 in these industries.

19 I think that was the goal. The colonial
20 goal of that old era of colonialism for our
21 people, was to take us off the land, put us in
22 the wage economy, and then the only opportunities
23 presented are in extractive industries. That's a
24 systemic issue that Indigenous peoples all over
25 are economic hostages to these industries.

1 That's not the fault of our people just because
2 they need a job. So I want to state that for the
3 record.

4 Those are the comments I have. Máhsi.

5 Thank you.

6 (APPLAUSE)

7 CHIEF COLLIN PIERROT: Máhsi, Daniel, for that.

8 I'm going to check with the Panel to see if
9 they have any questions for you.

10 COMMISSIONER WATTON: I have a couple of questions.

11 One of them I think is really easy and one of
12 them may be quite difficult, but I'll start with
13 the easy one.

14 You mentioned the book "As Long As This Land
15 Shall Last". Could you repeat the name of the
16 author? I didn't catch it.

17 MR. DANIEL T'SELEIE: The author is Rene Fumoleau. I
18 think he was an Oblate priest. They call him
19 Father Rene Fumoleau.

20 COMMISSIONER WATTON: Thanks.

21 And my second question, just I wanted to
22 explore the topic of FPIC a little bit because,
23 as I'm sure you can appreciate, it's a very
24 relevant and timely subject that we discuss quite
25 a lot because we -- whether we're doing hearings

1 under the *CER Act* or under the *COGOA* or anything
2 else, in -- to the extent you're able to answer
3 this or have an opinion on it, in a scenario in
4 which the prior and informed consent was
5 achievable, from whom would that decision come in
6 terms of the community or the broader Sahtu Dene
7 people?

8 Like who would be the -- I'm trying to
9 understand your -- to the ability you're able to
10 answer it because it may be a premature question
11 on my part, who the decision-making body would be
12 that would provide that hypothetical informed
13 consent?

14 And I recognize that it may not be an easy
15 question, so I don't expect necessarily an easy
16 answer.

17 MR. DANIEL T'SELEIE: It's a really good question. I
18 feel like there's a short answer that could be
19 more complicated than it sounds, but I
20 think -- the answer is that this is determined by
21 the Indigenous nation that you're dealing with.
22 So that's the first thing I would say, is that
23 consent -- in obtaining consent, Canada -- Canada
24 has an obligation to do that with the actual
25 Indigenous nation that's experiencing the impact

1 and whose rights are at risk.

2 So consent can't be obtained on our behalf,
3 for example, through an engagement process with
4 AFN unless we have explicitly delegated them the
5 authority to do that on our behalf. It's my
6 opinion and it's our opinion that that
7 relationship and that obligation that Canada has
8 to us requires Canada to be dealing directly with
9 us.

10 And this exists in the UN Declaration in the
11 context of the term "representative
12 institutions". That's the terminology that's
13 used in that Declaration.

14 And for example, in Article 32(2), it places
15 a requirement on states to consult and cooperate
16 with Indigenous peoples concerned through their
17 own representative institutions in order to
18 obtain their free and informed consent prior to
19 the approval of any project, et cetera, et
20 cetera.

21 And so that's the short answer that also
22 creates a broader discussion. But the consent
23 has to be obtained through the representative
24 institutions of the Indigenous peoples concerned.

25 And for K'asho Got'ine in the work that

1 we're doing, the approach that we are working on
2 and still refining because implementing this
3 Declaration is relatively new work, but we are
4 generally encouraging Canada and the GNWT in
5 their dealings with us to, in a sense, throw out
6 a broad net to the various leadership
7 organizations that we have who are all
8 participating in this hearing. And then
9 internally, we're trying to coordinate as a
10 nation between all of these organizations and
11 with our Assembly to give feedback to Canada or
12 GNWT about what is the particular organization
13 that's going to act as our representative
14 institution on this issue that you should be
15 coordinating with.

16 But one thing -- the one thing that I will
17 reiterate again is that it has to be directly
18 with us. It can't be at a regional level or a
19 national level. You need to deal directly with
20 us on this issue.

21 And I do want to give the Commission credit
22 for being here. On the issue of representative
23 institutions, I feel like you being here and
24 hearing directly from us and from our people is
25 implementing aspects of the Declaration. So I

1 want to credit you for doing that.

2 COMMISSIONER WATTON: Thank you. That's all I had.

3 PRESIDING COMMISSIONER LUCIUK: I also have a
4 question, and I just wanted to start by saying
5 thank you for that information. I think the
6 observations and the background about the
7 nations' systems and the colonial systems that
8 interacted with that helps to provide us with
9 context at the end of the three days that helps
10 us to understand the knowledge that was shared
11 and the different generations that it was shared
12 from, so thank you for that.

13 I just wanted to follow up and ask a
14 question about the comments you made regarding
15 the elements of what "informed" means. And I
16 wondered if, in the context of the nations'
17 pre-existing systems, if you had anything that
18 you wanted to share about how we would be
19 encouraged to interpret the concept of informed
20 consent within the context of the systems that
21 the nation has regarding decision-making.

22 MR. DANIEL T'SELEIE: I think the main take-away is
23 that there's always the potential that us making
24 a decision is going to take a lot of time.

25 I am not an expert on this, but I have been

1 learning more from the Elders about our
2 government, and our government is the assembly.
3 That's what we call it. And that's all the
4 people. That's all K'asho Got'ine. When we're
5 all together in a room like this or wherever we
6 can gather, we call that the assembly. And
7 that's our government that predates Canada, it
8 predates chief and council, and the *Indian Act*,
9 and the Land Corporation.

10 And when there are serious decisions to be
11 made, the leadership has an obligation to
12 organize an assembly meeting and all our people
13 are invited to attend, and it has to be an
14 opportunity for people to learn about the issue
15 and then deliberate on the issue, with the goal
16 of reaching consensus. And sometimes we can't
17 reach consensus and we have to go to a vote.

18 But that's the foundational aspect of our
19 government, is that everyone needs to have the
20 opportunity to know about the issue and speak
21 about the issue, and the goal should be that we
22 can reach a consensus decision. And that takes
23 time. Sometimes we need to have more than one
24 meeting to make sure that people are really
25 educated and informed and that they have time to

1 think about it.

2 Another aspect of our government is that we
3 have different families and family groups and
4 primary land use in different areas. And so,
5 people will sometimes use the word "clan" to talk
6 about that, but it's like a family -- a group of
7 families from a particular area is the clan.
8 It's not like animal clans like other Indigenous
9 Peoples have.

10 So on some issues that are really important
11 and that may impact a specific area of land more
12 than others, there might be an obligation on the
13 leadership to ensure that those families who
14 really rely on that area, that there is extra
15 effort put in to get their input and feedback in
16 that decision-making process.

17 So our government, that knowledge is here,
18 but then how does our government interface and
19 interact with the Canadian systems of government
20 and law? Because they're two totally different
21 things. And so, finding ways to make that work
22 efficiently is something that we're working at.

23 But depending on how serious the issue is
24 and the severity of the potential impacts to our
25 rights and our land, our process might take

1 longer. And then also, if there's impacts to
2 specific land and we need to make sure that
3 specific groups of people are included in that
4 process through focused workshops or home visits
5 or other things, that may also make the process
6 take longer.

7 So I think it would be a case-by-case
8 situation. But sometimes it takes time for us to
9 take the information in from Canada, use it in
10 the way that we need to, give the direction to
11 our leadership and have them bring it back to
12 Canada.

13 PRESIDING COMMISSIONER LUCIUK: Thank you for that
14 presentation, Daniel T'Seleie. We appreciate
15 your time this afternoon and also with us on
16 Tuesday during the site visits.

17 CHIEF COLLIN PIERROT: Thank you, Daniel, for that.
18 (APPLAUSE)

19 CHIEF COLLIN PIERROT: Okay. We had an Elder that
20 managed to make his way up from his home to here
21 to speak this afternoon, so we will give him that
22 time to speak. It's only fair that we hear from
23 our Elders and the rest of our community members,
24 we give them that chance to talk.

25 With that, we will call upon John Louison

1 Sr.

2 ELDER JOHN LOUISON SR.: I can't talk loud. I'll try
3 anyway.

4 Hello. It's been 61 years since I started
5 working at Norman Wells for Imperial Oil. I
6 worked there full time for 15 years and
7 indirectly with a subcontractor for 25 years. So
8 I spent 40 years of my working life in Norman
9 Wells.

10 Since those times, I've seen changes, many
11 changes, including the expansion of the oilfield
12 there, building artificial islands, pipelines,
13 and so on.

14 Before this happened, you know, along the
15 river from Norman Wells on, places where some
16 driftwood used to be covered with crude oil. And
17 you know what that means.

18 When I worked there, in the beginning
19 anyway, there used to be a pond with berms built
20 around it of crude oil. Well, that was a
21 disaster for ducks, especially this time of the
22 year. Some of them used to land there and they'd
23 never make it out.

24 I ended up working at Portco at a drum
25 reconditioning plant, and there were thousands

1 and thousands of drums that you had to empty, so
2 to speak, to bring them to the plant. Some of
3 these were fuels in it, if not gas, and they were
4 just dumped. So they can empty them to put them
5 through the plant.

6 And where they load fuel on the barges down
7 at the dock, at the end of the season, say in
8 October when all the barging season is finished,
9 they used to just flush -- flush that fuel down
10 the river, just to empty it. Those were back in
11 the days then.

12 Well, all of these things happened. Finally
13 in 1980, the government decided to put -- clean
14 up the mess in every oilfield or whatever in the
15 country, so to speak. So we were part of the
16 cleanup. We had a crew cleaning up.

17 So eventually we had to report any spill.
18 Even one litre would be reported. Talk a lot
19 about grumbling in that field there when my
20 co-workers were -- they thought they had to do
21 big major reports. It turned out it was just
22 simple documentation. That's the brief history
23 of what I saw.

24 And when I ended up with some other work
25 there in Norman Wells, and I'm a survivor of

1 cancer, but it didn't relate to the water. It
2 was from the asbestos that I used to work with
3 there, 1963, and '64, and '74. I know -- I seen
4 a lot of positive changes since then in that
5 field.

6 I ended up working on a boat as a boat
7 captain and at times we had to go out, check the
8 oil seep that's coming down from around Second
9 Island, that area anyway. But that was the ones
10 that mother nature let out, so I don't think that
11 they could control that very much.

12 Now I'm hearing of drilling for a pipeline
13 replacement between Bear and Goose Island. I
14 have confidence that the company will do a safe
15 job there.

16 I know there's going to be a lot of
17 awareness meetings, safety meetings, after
18 meetings every morning. I know sometimes they
19 have three meetings a day. So I know I trust the
20 company to do a good job and a safe job.

21 And I will say that we depend on the water
22 coming down the river. If anything happens,
23 we're on the first receiving end of whatever
24 spill or whatever happens on the river. So we
25 need help here monitoring the river, river water

1 as much as possible.

2 There's mentions about possible cancer
3 developed from this. That I don't know. I'm no
4 doctor about those things.

5 So people depend on fishing in the summer on
6 the river. They depend on the river water for
7 hunting up the river, down the river, visiting
8 communities. A lot of things happen in the
9 summer. People enjoy their time out on the land
10 on the river, but they want the water safe and I
11 suppose I respect this, hearing about it, there's
12 things that's going to take precaution on.

13 So I'm happy for this hearing. I trust
14 everyone will take precaution when they're doing
15 some heavy work, and good luck to all of you.

16 Thank you.

17 (APPLAUSE)

18 CHIEF COLLIN PIERROT: Máhsi. Thank you for that, for
19 your words from an Elder.

20 I think we're going to move on to that and
21 we will take a two-minute break and then we will
22 resume again. Thank you.

23

24 (RECESSED AT 2:51 P.M.)

25 (RESUMED AT 3:01 P.M.)

1

2 CHIEF COLLIN PIERROT: Hello, hello. Can we all get
3 back to our seats here? We have a few of the
4 parties that need to catch the plane and we want
5 to wrap this up as soon as possible -- were you
6 going to speak?

7 There was a quick question that came from
8 the same camp down the river again. They are not
9 sure -- they're unsure of the process, and ask,
10 will the Panel be making a decision, announcing
11 their decision at the end of today or announced
12 on a later date, I guess?

13 That's the same question that's asked over
14 this system that we have going broadcasting out.
15 Everybody wants to know what kind of process is
16 going to happen? Maybe you guys could answer
17 that?

18 PRESIDING COMMISSIONER LUCIUK: So I'm happy to say a
19 few things, Chief Pierrot. I'll certainly invite
20 our legal counsel as well to jump in to make sure
21 if I've missed any details.

22 We have on our website a copy of all of the
23 letters that our Panel has issued about the
24 process that we will follow. And
25 today's -- although we are at the end of our week

1 here doing Oral Indigenous Knowledge
2 sessions -- this is only the first of two
3 sessions that we have scheduled. We have more
4 scheduled to take place in June, and those will
5 be scheduled -- or will be held actually
6 virtually with parties participating wherever
7 they want to join from.

8 And in addition to that, there are still
9 steps to take place where parties are invited to
10 file their evidence and for more questions to be
11 asked about that.

12 And then finally also for all of the
13 participating parties -- so Imperial Oil and for
14 Intervenors -- to also make argument before the
15 Panel and to file argument.

16 And so, the current schedule, if I recall it
17 off the top of my head, would conclude in August.
18 So there will not be a decision today, but we
19 have June, July, and August where more steps will
20 be taking place before we even start a discussion
21 about a decision.

22 I don't know if there are any additional
23 questions. Maybe, Carol, you can just assist
24 with where those documents can be found in terms
25 of helping people find the schedule itself.

1 MS. CAROL VATS: Yeah, absolutely. I don't have it on
2 the www. -- but we can certainly -- staff here
3 can certainly work with you and make sure you
4 have the right links and that that can be
5 communicated out to the communities.

6 MS. CEILIDH STUBBS: Maybe I'll just add as well for
7 the community is we'll keep on holding
8 information sessions throughout this process. So
9 this is a long process. This is one part in a
10 long process, and we're going to keep on having
11 community sessions and checking in with the
12 community as we go. So you'll hear from
13 leadership and me as well, and we'll help keep
14 you all informed of what's happening.

15 CHIEF COLLIN PIERROT: Thank you for all that
16 information that everybody was looking for or
17 wanting to hear.

18 Right now, we'll continue on with the
19 process and we will hear our Land Corporation
20 President Edwin Erutse.

21 MR. EDWIN ERUTSE: Máhsi. Thank you, Chief. Thank
22 you to all K'asho Got'ine listening and here in
23 our room, our Elders, youth, women. Máhsi for
24 joining us and listening to us over the last few
25 days.

1 It's been many, many years since we've had a
2 hearing of such -- probably one of the first that
3 I can remember where we talk about water.

4 My name is Edwin Erutse. I have lived here
5 in Fort Good Hope all my life. I won't give you
6 my exact age but I'm 50-something (laughing).

7 What is my role in the community? I have
8 been the President of Yamoga Land Corporation,
9 very privileged and proud to serve the people. I
10 generally don't say it, and I had to count on my
11 fingers how many years, but in my role as the
12 president for the last 20 years, I've seen a lot
13 of change. I've seen very little action.

14 I must thank all our former Chiefs, our
15 current Chief, all the former board of directors
16 that have served with me, or I've had the
17 privilege of serving with in supporting one
18 another. Imperial Oil has been upstream for over
19 100 years, pretty well 104 years, to be exact.
20 This is the first time I've ever witnessed a
21 meeting of such to talk about the project and the
22 impacts of the activity on our lives and on our
23 way of life, on our families and children.

24 We know you may have to catch a plane today,
25 so I will try to be as quick as I can and give

1 the last word to our Chief.

2 I've been reminded to ask and to remind
3 people that Canada and Imperial Oil are partners
4 and are owners of the field. Canada is a
5 one-third owner and Imperial Oil is a two-thirds
6 owner. In other words, every dollar they take
7 out, Canada gets 33 cents.

8 What do we get?

9 As I sit here and talk to you, I must say
10 firstly, I have no trust in your systems. There
11 is no accountability, no communication.

12 We have a land claim that I've been working
13 with. I must say a little bit of hindsight with
14 years ago Lietha Kochon who is still with CBC
15 asked me a question years ago. I wasn't even the
16 president then. But I bring this up to remind
17 myself as to what drives me today. She asked me
18 a question years ago when they were ratifying the
19 land claim and voting on it, that I was never
20 part of the negotiations, but I was part of the
21 membership. A young guy then.

22 But she met me on the road one day and
23 asked, "Did you vote to support the land claim?"
24 And I said, "Yes." She asked me, "Do you know
25 what you supported?" It's as a result of that

1 question that I've always wanted to learn what's
2 in the land claim, what are our rights, and how
3 is it designed, and how can I use it to help our
4 people? The reason I say that is because in the
5 early days I used to be critical of it, I used to
6 criticize it.

7 I'm only speaking slow so our interpreters
8 can hear, keep up with us.

9 When I look at this land claim and the
10 manner and how it's structured, it could fail.
11 The whole structure of it is set up like a
12 business structure. Like any business, if we
13 don't pay attention, we don't participate, we
14 don't take control, it could fail.

15 This whole land claim was designed to
16 participate in the economy. There's provisions
17 in that land claim that allow us to participate
18 and create the legal corporate structures to
19 participate in the economy. In other words, I
20 don't look at it as a vehicle to champion our
21 rights.

22 That's why I call on our Chief to help us,
23 take up this fight for us. I get to recognize
24 and see the weaknesses and the strengths within
25 that land claim. So in a lot of ways, we try to

1 leverage the land claim so we could benefit from
2 it.

3 There's a trust fund. I could honestly tell
4 you that Chapter 9 in our land claims where it
5 talks about the Norman Wells Proven Area, I don't
6 need to have it in front of me because I've got
7 it so well memorized over the years of working
8 with that document.

9 That chapter is only a reporting mechanism.
10 It's not designed to champion our rights or to
11 hold Imperial Oil, Canada accountable. It's only
12 a means to fulfil your duty to consult with us.

13 I look at K'asho Got'ine territory. Our
14 border is what we -- is designed to pretty well
15 copy and I credit our leaders for our group
16 trapping area as what our boundary -- and that's
17 how our K'asho Got'ine district is determined, is
18 by the group trapping area.

19 We are here. I had to say this outside to
20 our people. It looks really easy that as the
21 president I can pick up the phone and that I can
22 phone and make this meeting happen. What they
23 don't know is how long it took just to make this
24 meeting happen, what efforts we had to go through
25 and the processes we had to follow just to be

1 heard.

2 I forgot to say I am K'asho Got'ine and I am
3 proud of it. You heard the name and you seen the
4 name Masuzumi and you probably are scratching
5 your head and wondering what is that Japanese
6 name doing here. There's a story to it, but
7 that's for another day.

8 I raised my grandfather's name, Hiroki
9 Masuzumi, because I think of him as to why I do
10 what I do today, is to serve the people because
11 we were accepted and welcomed by the people. So
12 today I find it my duty to pay it forward.

13 Speaking about our decision-making
14 processes, we are here participating in this
15 hearing because we want to protect our water, our
16 land and our wildlife, the fish that we harvest.
17 The K'asho Got'ine are decision-makers in our
18 territory, and we should be making decisions on
19 these applications, not Canada. At the very
20 least, Canada and Imperial should be seeking
21 free, prior, and informed consent -- as Daniel
22 has explained and articulated very well -- on
23 these applications in accordance with *UNDRIP*, the
24 *United Nations Declaration of Rights of Indigenous*
25 *Peoples*, which has been adopted by both Canada and

1 the GNWT in legislation. But this is not
2 happening.

3 It's one thing to pass legislation; it's
4 another thing to implement it. It takes a heart,
5 a human being, to want to implement something.

6 It's in the absence of this we expect the
7 CER, Canada Energy Regulator -- that the CER will
8 assess its duty to consult and accommodate on the
9 high end of the spectrum and we will be seeking
10 to -- and will be seeking to justify infringement
11 on our K'asho Got'ine rights because they are
12 proven under our land claim.

13 One thing I can say about our land claim,
14 when we look at it and project it on a screen,
15 then I can easily conclude when I look at it and
16 re-read it and the parts that are associated with
17 it, you can easily determine then that there was
18 expectations, there are expectations of the
19 K'asho Got'ine in that land claim.

20 In the meantime, we will operate like a
21 government. In essence, the K'asho Got'ine are a
22 government already. People. We operate this
23 government and performing those functions by the
24 use of these not-for-profit entities.

25 The land claim agreement -- check it out on

1 Google if you want -- was incorporated under a
2 federal department, the Department of Industry,
3 Science and Technology. So that leads me to
4 conclude, then, this is temporary.

5 So we function through these entities in a
6 temporary manner until such time that our Chief
7 Negotiator on behalf of all of us concludes a
8 self-government agreement.

9 So those rights that are identified in the
10 land claim, in my opinion, and mine only, are
11 limited. There's only so much it could do. So
12 therefore I call my Chief and say, "Chief, I need
13 your help because I am Dene. I am K'asho
14 Got'ine. I have section 35 rights. This land
15 claim could only do so much for me", which is
16 what brought us here.

17 I will never forget our late Elder. Dave
18 Koshohn used to say we only have one Chief, one
19 speaker to lead us. I respect our K'asho Got'ine
20 governance structure despite what was created in
21 the land claim.

22 I was talking to some of the leaders earlier
23 up behind here. The way we look at the Mackenzie
24 River, it's life-giving. It's like our femoral
25 artery in our body. You ever bust that, you

1 would probably bleed to death. That's the way I
2 look at the Mackenzie River. It should be
3 treated like a person with rights.

4 The importance of the river because it's how
5 we get to practise our culture, I get to watch
6 our young ladies and our Elders and our men
7 harvest, hunt, fish because they provide for me,
8 too, and my family. I don't want to speak about
9 myself, but all I will say is we depend on one
10 another. We are a big family.

11 We use the Mackenzie River to harvest, drink
12 our water. I won't repeat it all as you heard
13 the same story, and it shows how passionate they
14 are. Whether it's for recreation or
15 transportation, it speaks to how important the
16 Mackenzie River is for us.

17 Yesterday I heard somebody say this, so I
18 decided to go check it myself. I refer to Dr.
19 Google (laughing). The Mackenzie River. How
20 long is the Mackenzie River? What is the length
21 of the Mackenzie River?

22 So we need to put some context to it because
23 we're only talking about our community right now.
24 There are many communities along the Mackenzie
25 River. So in a lot of ways, I feel we are

1 standing up and speaking for those who can't
2 speak for themselves.

3 The Mackenzie River is 1,740 kilometres
4 long. Where does the great Mackenzie River start
5 from, start and end? It starts from Great Slave
6 Lake, ends in the Arctic Ocean. Which is the
7 longest river in Canada? The Mackenzie River.

8 I needed to say that so we could put some
9 context to it, really think about what we're
10 talking about. So the decisions you make as
11 Commissioners, our eyes and ears will be peeled
12 on listening in. I got to say this
13 wholeheartedly.

14 I could recall I think you stated there was
15 a few other Commissioners besides yourselves, in
16 addition to you? But right now, the way I feel
17 and the way I'm thinking of it, our future is in
18 your hands. So you have a huge responsibility,
19 huge decision to make, in the direction we go and
20 the relationships that we create together. I
21 hear our people encouraging us to create that
22 relationship that is nonexistent.

23 People in the community have always -- we
24 hear even before this line break, I always,
25 always heard it, the concerns of the Norman Wells

1 Operations on the Mackenzie River, before,
2 during, and became even more important after the
3 break in Line 490.

4 Now, let me speak briefly on that Line 490.
5 I should say this first. In terms of a
6 relationship, the K'asho Got'ine's relationship
7 with Imperial Oil, right now there's no trust. I
8 know we are working on it. But there's poor
9 transparency and communication. So I will
10 reflect on that line break briefly to get an
11 understanding of that.

12 When Line 490 broke July 27, 2022, 5:14
13 a.m., Line 490 fails, 55 m³ of produced water
14 spilled into the Mackenzie River. A day later,
15 27, 28 hours later and maybe longer, July 28th, I
16 received a call from the ENR officer at 8:40
17 p.m., Harvey Pierrot, notifying me that there was
18 a spill. July 29th at 9:50 a.m., Imperial Oil's
19 superintendent notifies me of the spill by email.

20 During the two days in which Imperial Oil
21 failed to notify the K'asho Got'ine, we were
22 swimming in the river, drinking the river water,
23 fishing, hunting, and harvesting along the banks
24 of the river while people were travelling by
25 boat.

1 We asked why Imperial took so long to notify
2 us in our information request, and they responded
3 that they "immediately" notified Sahtu community
4 leaders and specified that the K'asho Got'ine
5 were notified on a schedule consistent with other
6 Indigenous leaders.

7 Well, I can tell you this, two days later is
8 not immediate. The K'asho Got'ine are the most
9 impacted and should be the first to be notified.

10 I recall that day when I made that phone
11 call to Imperial Oil. Maybe the gentleman is
12 listening, without naming his name. But he
13 called me, can't remember all the exact words,
14 but I remember telling -- asking him, I want to
15 know this, did you call my Chief? Did you call
16 the Fort Good Hope President because obviously he
17 didn't contact me?

18 Their immediate response -- his response
19 was, my fiduciary duty is to report the spills to
20 shareholders first. Second, to the regulators.
21 I then know then Canada is the partner, I am
22 Treaty, and it is Canada's responsibility to
23 consult with us. It is their fiduciary duty to
24 carry that out and to hold others responsible to
25 ensure that they are not infringing on our

1 rights.

2 When we walk ourselves through this process
3 and get an explanation from everyone, then we can
4 easily conclude we have no decision-making power
5 on our own land.

6 So I have to ask the question then: If it's
7 the regulators that issue and give permission to
8 these water licences, whoever that is -- if it's
9 the Sahtu Land and Water Board approved of the
10 licence, then I must ask then, who is responsible
11 to monitor that licence? It's definitely not
12 them. All they do is they grant approval to
13 issue. Then I have to learn then that, isn't
14 there a federal water inspector? Can I ask where
15 is that federal water inspector that's employed
16 by Canada? Why isn't the right hand talking to
17 the left hand?

18 So therefore, we conclude that there's a
19 breakdown in communication. The Sahtu Land and
20 Water Board should have the responsibility and
21 the authority not only to approve of something
22 but to monitor something. But they should have
23 their own water inspector. We should have our
24 own water inspector.

25 Daniel touched on it. I will conclude on

1 this, by saying this, that we recognize
2 challenges with our land claim. A few years ago
3 we sought support from the region to seek
4 amendments to our land claim agreement so that
5 our land claim agreement would accommodate UNDRIP
6 or vice versa, given the comments that Daniel
7 made.

8 When we learned about this break, given
9 where we are in our self-government negotiation,
10 given the direction we had from our Elders to
11 take control back over our land, then we proposed
12 to Canada basically saying, we want to partner up
13 with you in the design of the regulations as it
14 relates to the closure of the Norman Wells
15 oilfield.

16 Why we say that is because -- well, I'll get
17 to it. I'm 50-something, like I said. From now
18 until whenever that Norman Wells oilfield is
19 cleaned up, however long that's going to take,
20 20, 30 years, as we see on paper -- I hope I'm
21 still alive. I'm probably going to be long gone.
22 But we need to set a foundation for our future,
23 for our future generations so that they do
24 participate in the decision-making of this
25 cleanup and that they do benefit from it.

1 We don't sit on the side anymore and let
2 somebody else make the decision for us and let
3 somebody else determine the wealth we have.

4 We want to provide environmental oversight
5 of the project. That's our desire. We have some
6 learned history from that from the fibre optic
7 line when they tried to cross the Rabbitskin
8 River, tried to cross the Loon River, the Tieda,
9 they failed three times at the Rabbitskin River
10 to get across. So we have that learned
11 experience, which is why we have our reservations
12 and our concerns with the project.

13 I look at this whole project as a financial
14 liability and an environmental liability. I
15 conclude by stating I know some day Imperial Oil
16 is going to go home, they're going to be done,
17 going to dispose of the asset maybe or, better
18 yet, on a brighter note, they're going to turn
19 the land back over. The question then becomes,
20 when everybody goes and they give back the land,
21 who is going to be here? It's going to be the
22 people.

23 So we need to make sure, whenever that land
24 is returned, that we keep Canada and Imperial Oil
25 and keep them to their word. We are good for our

1 word. That's all we have is our word. So as our
2 Chief says, we don't need to swear on the Bible
3 to give you the truth, because we lived here all
4 our lives and we are not going anywhere.

5 I needed to say that this, for us we look at
6 it as a liability, an environmental liability,
7 and we heard the impacts over the last few days
8 and the health impacts and we've had many
9 discussions, when you think about all the medical
10 bills that are being paid to take care of our
11 people when they're suffering from cancer and
12 other forms, somebody else is responsible for
13 that.

14 Not to put anybody in their place or I know
15 they might be listening, but I hear about all the
16 garbage that's in Norman Wells and buried. Over
17 the years, and we have to ask ourselves, well,
18 what are they going to do with that
19 infrastructure? What are they going to do when
20 they go? We heard it yesterday. Are they going
21 to leave all the lines in the ground? What's the
22 plan? If the K'asho Got'ine are going to make
23 good decisions for their future, we need to know
24 what's your plan? What does your closure plan
25 look like? We need to be part of it. It's only

1 common sense.

2 So I will conclude my remarks by saying
3 thank you very much for hearing us and spending
4 your time here with us over the last few days and
5 really hearing us. And I can say to you, I know
6 we had a brief opportunity to meet with you and
7 chat with you as we went to our reservoir. I'm
8 reminded to say that we want to humanize our
9 problems, our decision-making processes.

10 I think I shared this with you -- the
11 gentleman is not here right now. A few weeks
12 ago, our community had a workshop because we're
13 concerned about the impact of hard drugs in our
14 community. We spent many days talking about
15 that.

16 And when we took a break and were standing
17 outside, a Mólá came to me who works for us, and
18 he said, "You know, Edwin, where I'm from, we
19 don't talk like this. We don't talk about our
20 feelings." And when he sat here and left, he
21 said "I'm really happy I stayed here and sat here
22 throughout this for the last two days. This is
23 the first time I ever heard anybody talk about an
24 issue like this and talk about their feelings.
25 Where I come from, we don't talk about stuff like

1 this." So that's what I call humanizing our
2 decision-making processes, because I don't want
3 to monetize our problem, I want to humanize it.
4 This way we can find solutions.

5 So I hope that when you leave that you
6 factor our comments into your decision-making
7 because, and I wholeheartedly encourage you to
8 because when I look at Canada Energy Regulator,
9 your responsibilities, who you are, what you do,
10 Canada Energy Regulator "Works to keep energy
11 moving safely across the country. We review
12 energy development projects and share energy
13 information, all while enforcing some of the
14 strictest safety and environmental standards in
15 the country." We will hold you all accountable.

16 And realistically, at the end of the day,
17 it's to make sure that the public's interest is
18 taken, is the priority, and it's all about
19 economic efficiency, to keep the money going,
20 keep the economy going. I have to -- my biggest
21 concern, though, I must add, I encourage you to
22 keep in mind, at whose expense? It would be at
23 our expense.

24 Lastly, I can say when you think about the
25 map, if you can visualize it, we deal with a lot

1 of other issues, such as housing. We're trying
2 to find our own solutions in dealing with this.
3 I remember telling one of the leaders, the
4 president of housing one time, your government
5 came here in 1955. Look at where we are today.
6 It was 2022-2023. We have a homelessness crisis
7 in our small community, and it's because of your
8 rules and your regulations we have this problem.
9 In other words, we didn't create this
10 homelessness crisis. Somebody else did. So we
11 have no control over this housing. But we are
12 taking steps to change that mindset.

13 So why I bring that up is to say we want to
14 be part of the decision-making, and we can create
15 some relationships to oversee that.

16 I know I'm taking a long time, but I will
17 end by saying thank you, though, for coming here
18 and hearing us. And I wanted to say this to the
19 people, like I said earlier, it may sound really
20 easy, but it was hard just to get you here,
21 working through the process.

22 But we could not make decisions and could
23 not in good conscience talk to Imperial Oil,
24 continue to talk to Imperial Oil without going to
25 our people and making them aware of what's

1 happening and that they need to be heard. We
2 wanted them to be heard.

3 So I'm glad you have come here and take the
4 time to hear them because I know when you pack up
5 and you go home, you're going to go South. And I
6 really hope you don't forget about us because
7 when you look at it on a map, Fort Good Hope,
8 we're way up in the North. When we were dealing
9 with our housing issues, I tell them, "Don't
10 forget about us." Because when you think about
11 the North, Southern provinces think about the
12 north, the only thing about the North in the
13 province.

14 Whenever the Government of Canada talks
15 about the North, I assume they're talking about
16 us. But realistically, no, they're not talking
17 about us. They might be talking about Northern
18 Ontario, Northern Québec, Northern Manitoba, not
19 the Northwest Territories. In other words, a lot
20 of times we are referred to as we're in the
21 arctic where it's cold and frozen. They don't
22 know we exist.

23 A gentleman that works for us, that came
24 here and worked for us a few years ago, even he
25 admits up until a few years ago, I didn't know

1 Fort Good Hope was on the map, but yet I'm
2 Canadian resident, born and raised in Montréal.
3 He had no clue there's a community of Fort Good
4 Hope up here.

5 So in a lot of ways, I think the Canadian
6 public down South doesn't even know we exist up
7 here, that there's life up here.

8 So when you go home and you make your
9 decisions, I hope you think about that. And the
10 only difference between us is we have a language,
11 tradition, and a culture, and I say this,
12 whenever we make our decisions, we must factor in
13 our culture and our traditions. It's not about
14 the money.

15 So I will end it on that and say thank you
16 very much, Commissioners, staff, everyone, for
17 coming and joining us and listening to our
18 concerns. And I want to wish you on behalf of
19 all of our people and our members, I want to wish
20 you safe travels back home and thank you very
21 much for taking these long days away from your
22 families and to come listen to us.

23 Thank you. Máhsi.

24 (APPLAUSE)

25 CHIEF COLLIN PIERROT: Thank you, Edwin, our Land

1 Corporation President.

2 I will go through this fast, try to keep it
3 simple.

4 Throughout the week --

5 PRESIDING COMMISSIONER LUCIUK: Chief Pierrot --

6 CHIEF COLLIN PIERROT: Yeah.

7 PRESIDING COMMISSIONER LUCIUK: -- I don't want to
8 interrupt you once you've started speaking. I
9 just saw the other microphone light up right
10 here. And in case it's time -- in case it's a
11 matter of something that has to be said right
12 now, I'm going to ask Maeve O'Neill Sanger to
13 speak, please.

14 MS. MAEVE O'NEILL SANGER: Thank you, Chief Pierrot,
15 and thank you to the community of Fort Good Hope.

16 I'd like to thank you as counsel for the
17 Imperial for this opportunity to hear the
18 concerns of the K'asho Got'ine. Unfortunately, I
19 think -- we'd let you know in advance, but
20 unfortunately, we've hit that time where we have
21 to run and catch our plane and we're very sorry
22 to be leaving before we've heard all that has to
23 be said.

24 My colleague, Brad Gilmour, will be
25 joining -- he's been listening in for the past

1 three days from our office in Calgary. He'll be
2 joining now and he'll introduce himself. We've
3 been listening very closely over the past three
4 days and thank you for this opportunity. Máhsi.

5 CHIEF COLLIN PIERROT: Okay, yeah. You guys could go.
6 I'm more focused in on these people.

7 MS. MAEVE O'NEILL SANGER: Thank you, Chief Pierrot,
8 for that.

9 CHIEF COLLIN PIERROT: Also our legal counsel, Ceilidh
10 Stubbs, has to catch a plane, too, so she's
11 running out to make sure that she has a seat on
12 the plane. I think Imperial Oil is going to miss
13 one of the seats.

14 Just to make sure I put salt in the wound,
15 again Imperial Oil is running out on us, so.

16 As I was saying -- before I say that, thank
17 you guys for coming to our community. It's great
18 having you guys here for three days. I hope that
19 what you guys heard is brought back to your peers
20 or your fellow co-workers and tell them that you
21 agree with us and you want to quit working for
22 them.

23 Anyways, as I was saying, throughout the
24 week we spoke to all the facts that the oil
25 company that we know as Imperial Oil, or better

1 to our Elders Esso, has had on our waterways, our
2 land and our culture and to our right to clean
3 drinking water and the right to a healthy and
4 clean lifestyle.

5 We, the K'asho Got'ine people, did not
6 inherit the right to get sick or to die by these
7 Imperial Oil polluting our water with chemicals
8 that they dump into our waterways. This water
9 that flows through our heart of our land, it also
10 flows downstream to our neighbours, the Gwich'in
11 nation and the Inuvialuit nation. I said this
12 before, and I will say it again. As leaders,
13 community members, parents we swore an oath to
14 our people, just like we swore an oath to our
15 kids when they were born.

16 And I'll say this to you again, Canada. You
17 have an obligation, a fiduciary duty to us, the
18 K'asho Got'ine people. You also swore an oath to
19 all the Canadian citizens here in Canada, which
20 is us also here in a corner of Canada in the High
21 Arctic.

22 It's obvious that we don't have any trust in
23 Imperial Oil like you heard from our speakers.
24 And the one speaker that stuck out the most to me
25 was Bonny Kakfwi. The damage is done. My

1 community members are asking for transparency and
2 accountability, not only from Imperial Oil but
3 their partner, one-third shareholder, Canada.

4 My community sat quiet for 100 years. But
5 since the spill, we felt the need for both of you
6 partners to hear our concerns.

7 We speak about the lines under the waterways
8 going from Esso oilfield to the artificial
9 islands and to Bear Island and Goose Island.
10 Because of the line that burst, we need
11 accountability and transparency.

12 We speak of replacing the Line 490 from Bear
13 Island to Goose Island. We have yet to see
14 information on how this line burst. From two
15 years ago to today, we haven't seen nothing. And
16 I mentioned before, it is easy and possible for
17 anybody to doctor any information and to change
18 any information they want.

19 You heard from it my president, you heard
20 from my people. They took two days -- two, three
21 days for Imperial to get back to us and tell us
22 that they had a line that burst.

23 We talk about their statement they put on
24 the news that 55,000 cubes was let out. Well, to
25 the people 5,000 cubes is one water reservoir

1 that you see over there. But that's what Esso
2 has stated.

3 We don't know what RPMs or what kPa they
4 were pumping at. Esso stated that they notice a
5 bursting line 5 o'clock in the morning, but yet it
6 was a tourist that reported bubbles coming out of
7 the water.

8 You heard from Jim Tobac earlier state that,
9 “How can you not know when your RPMs are
10 dropping? How can you not know when your kPa is
11 dropping?”.

12 And that's the truth. Somebody fell asleep.
13 Somebody was sleeping when all this was going on.
14 There's pictures that I believe should be
15 on -- were given to you guys, one with a
16 snowmobile. Can we see that?

17 The picture you're about to see happened
18 about two weeks ago. Two weeks ago in Norman
19 Wells. The skidoo you see right there is covered
20 in oil. This skidoo went across the island to go
21 geese hunting, from Norman Wells to the island,
22 Goose Island, to go geese hunting and this is how
23 the skidoo came back.

24 There's another picture there with the ice
25 with a black puddle. There's a picture there you

1 see with a black puddle. That's oil on top of
2 ice.

3 Somebody told me to go light on Imperial,
4 not to club them too hard after the finishing
5 statement, but if this is coming down on the ice
6 right today, I wonder what's underneath the ice.
7 I wonder what kind of sediments are floating down
8 in the river, Mackenzie River, right now.

9 This is how much trust I don't have. I
10 don't have no trust in Imperial Oil whatsoever.
11 If I can't get information on any lines busted,
12 true information on what kPa they were pumping
13 at, anything, RPMs, how can I trust them, how can
14 I trust Canada?

15 You heard from my community on how we need
16 clean drinking water, how we need more funds to
17 do these studies on the waters and fish in the
18 Mackenzie River. We showed you our drinking
19 water. We showed you our, as Beverly stated,
20 lagoon for water.

21 I don't know how much more I could say
22 because until I see proof, evidence that you guys
23 are willing to sit down, work with us, supply my
24 community with funds for clean drinking water, a
25 clean drinking source, a way to better our life

1 to make sure that I'm not losing no more
2 community members to cancer or to any other
3 sickness that's in the water.

4 I believe there was a picture with a fish in
5 there, too. Was that in there?

6 These are just pictures and evidence of what
7 still goes on today at this very hour as we
8 speak. But after this process, hearing process,
9 I know that you guys are still going to come back
10 to the table to us and this process is not going
11 to end overnight. This process is going to
12 continue on, like the president said.

13 He might not be here, I might not be here.
14 There might be new leadership here. You guys
15 might not be there, either. There might be
16 somebody else sitting in your place. But I want
17 you, when you go back home, look at your
18 grandchildren and remember the oath you swore to
19 look after them to give them and provide them
20 with clean drinking water like we need it here.
21 That's our inherent right.

22 Our Land Corp President said, if you cut one
23 vein, not only do you destroy our drinking water,
24 our land or anything, but you will cut our lives
25 in half, our life span.

1 I will leave it at that, let you guys think
2 about that, bring it back to your government on
3 what we're about here.

4 Is that picture around? No?

5 (PAUSE)

6 I know I'm going to have to sit down and
7 have another assembly with our community in
8 regards to this hearing and in regards to more
9 hearings coming up, and I will leave it at that.

10 I thank you guys for coming here, listening
11 to us, taking the opportunity, coming here,
12 listening to us. This is going to be the first
13 and not going to be the last meeting between us.
14 There will be many more other meetings that will
15 come, too.

16 We thank you all. Thank you all for coming
17 here to the community of Fort Good Hope.

18 With that, I will let our Land Corporation
19 President speak a little bit.

20 MR. EDWIN ERUTSE: Máhsi, Chief. I want to thank the
21 Commissioners for coming. I'll make my closing
22 comments.

23 Generally -- I think we all do it sometimes.
24 We forget to say some things that we want to say.

25 Aside from Norman Wells, an example of how

1 important a river to us and what we foresee
2 coming, potentially happening, whether it's
3 global warming, climate change, we're impacted.
4 The Mackenzie River is like our highway. We
5 depend on it so we could receive our goods
6 because we know it's not coming.

7 So when I start -- my Chief sends me
8 pictures like this from the Dehcho on Facebook
9 with the Dehcho Bridge, the picture here taken
10 from the north side winter road looking towards
11 the Dehcho Bridge. Where is the water? You can
12 almost walk across the Mackenzie River.

13 Yesterday we heard one of our leaders, John
14 T'Seleie, say things we don't talk about
15 publicly, very seldom talk about, about
16 prophecies. When I seen that picture, it
17 reminded me of what he said. Prophecy one day
18 that river might be empty. I already started
19 worrying about it when I see pictures like this
20 of what potentially we're in for and what's
21 coming.

22 Wildfire season is upon the south. It's
23 coming our way. Last year we had to evacuate,
24 bring back people from Yellowknife and bring them
25 back home.

1 One thing I forgot to mention and I will say
2 it like this, is this whole Norman Wells Proven
3 Area was grandfathered into the land claim. So
4 any issues that we're dealing with them now and
5 what -- this meeting here, as the Chief pointed
6 out, we have no sources of funding from anyone to
7 help us deal with this issue because it's exempt.

8 My point is this. If that land claim
9 was -- if that whole agreement was grandfathered
10 into the land claim but yet we get nothing out of
11 it, so when we have to deal with problems with
12 this with Imperial Oil, we have to use our
13 settlement dollars.

14 That's wrong. We did not receive settlement
15 dollars to be dealing with this issue.

16 I needed to say this because right now we
17 don't have funds for this. Someone needs to pay
18 the way, whether it's Canada, Imperial Oil. They
19 took all the sumba and took off with it. Never
20 left nothing for us. So we have to use our own
21 land claims settlement financial resources to
22 participate in this.

23 This is absolutely wrong. We did not
24 receive compensation, as they frame it, to be
25 dealing with stuff like this. You're actually

1 taking back money.

2 So I look forward to -- we no doubt are
3 going to come knocking on Canada's door and
4 Imperial Oil's door for financial resources so we
5 can find the time to hopefully sit down and
6 negotiate some solutions, if I could call it
7 that.

8 So I will just leave it at that. I needed
9 to make that important point about what we don't
10 receive in our land claim, and I wanted to make
11 that point very well.

12 Thank you very much, though. Máhsi. Have a
13 safe trip back and we want to wish you well.
14 Máhsi.

15 Chief, I'll leave it to you. You have less
16 words.

17 CHIEF COLLIN PIERROT: And I thank you. Thank you,
18 Edwin, for those words.

19 I know Edwin touched a little bit on the
20 fundings. Just to add a little bit to that.

21 When you send us fundings, it's not for a
22 panel of four people. It's a panel for 500
23 people we've got to talk to before we do
24 anything. We sit here as leaders, but we also
25 have to answer to our beneficiaries and our band

1 members. They're the ones that help us and steer
2 us so we've got to accommodate those people when
3 we have a meeting, assembly. 200,000 don't cut
4 it. 500,000 or 600,000 might do some good. I'll
5 shoot for the moon. Let's make it a million.

6 But I thank you guys for coming here,
7 listening to us and taking part in this hearing,
8 the first of its meetings. And I mentioned
9 before, it's not going to be the last. I thank
10 you all for coming here.

11 And I'd like to thank the Fort Good Hope
12 Métis for coming and making an appearance and
13 sitting with us at the table. I'd like to thank
14 all the speakers for coming forward and telling
15 your truth. I thank the Elders for coming in
16 daily and giving us their support, all our
17 previous leaders for coming and showing your
18 support. I thank the cooks, the rest of the
19 staff from KGF, and our translators who have been
20 sitting back there day after day.

21 (APPLAUSE)

22 CHIEF COLLIN PIERROT: We have a lot of people to
23 thank. Our lawyer for coming in and helping us,
24 Daniel who's been coming in left and right,
25 flying in left and right, helping us with all

1 this.

2 With that, I will leave it at that and we
3 will close it at that. I leave the table to you
4 guys to do your closing remarks. Máhsi.

5 PRESIDING COMMISSIONER LUCIUK: Our closing remarks, I
6 think we will keep them quite short. I know
7 where we are in the day, but after the week that
8 we have spent with you, we can't stop ourselves
9 without saying our own thank yous.

10 And from my part as the Presiding Member on
11 this Panel, I wanted to say on behalf of all of
12 the staff and Panel that we are grateful for the
13 invitation to have come to Fort Good Hope, to
14 come to K'asho Got'ine lands and be in the Sahtu
15 region with you. Absolutely in this room and at
16 times the words that we listened to were strong
17 and direct, and that is our job, is to come here
18 and to listen with an open mind and carefully
19 but, at the same time, the welcome is warm and we
20 thank you for that.

21 And like you, I acknowledge how much work it
22 takes to make this week happen in this space.
23 And so thank you to everyone in the community who
24 helped us to find a place to stay, helped to feed
25 us, with the interpreters ensured that we could

1 understand and that the community that was also
2 listening and others who were listening online
3 could listen in the right language for them.

4 With that, I just wanted to convey that it
5 is a different experience to do an Oral
6 Indigenous Knowledge session where you're not
7 only hearing but, in the evening, you go and you
8 listen to the sounds outside and the smells and
9 all of the senses that we had here will really be
10 an experience and a privilege for us that I know
11 we won't forget.

12 So this is the first time for us as a
13 Commission to be here. I think you are right; it
14 will not be the last time. But I'm grateful that
15 I get to be here as part of our group.

16 And I'd also like to say thank you to the
17 Canada Energy Regulator staff because our job is
18 to sit here, but a group arrived ahead of us and
19 for weeks ahead worked to support us and they
20 work so hard also to try to make the relationship
21 one that is productive for everybody in the
22 relationship and help to create that space. So I
23 hope that we can continue to do that.

24 And I would be remiss if I didn't ask our
25 Lead Commissioner also to say a few words because

1 I'm sitting on a Panel with the Lead Commissioner
2 of the Commission as well. So I will give the
3 last word on the Panel to him.

4 COMMISSIONER WATTON: Thank you.

5 I would just like to reiterate our thanks to
6 you, Chief Pierrot, to all of the members of the
7 leadership of the community who appeared before
8 us, the many members of the community who have
9 sat through and listened to us for three straight
10 days.

11 This has been, as my colleague said, a very
12 warm welcome and, as we mentioned earlier on,
13 this is one step in several in terms of arriving
14 at our two decisions that we have to make. I
15 would encourage you to continue your
16 participation in the hearing steps that remain
17 and participate in those decisions that I know
18 other regulators will make with respect to this
19 because it's not just the CER and the Commission,
20 but others who have regulatory authority over a
21 number of these elements of Imperial's work.

22 They're not here now, but I should also
23 acknowledge and thank Imperial for being with us
24 and attending, and to anyone who has been
25 listening online as well. We've been throughout

1 the community during the day and people have told
2 us they've been tuning in, either on their
3 computers or listening to the radio. Again,
4 thank you very, very much.

5 MR. EDWIN ERUTSE: I know we have listeners. You
6 reminded me. I want to thank and recognize them.

7 Some of our people are young families, a
8 young single father with his children. I know
9 they're listening. I want to thank all of them
10 for listening out there on the land and sending
11 us messages.

12 And we know they care. And so sometimes we
13 get messages. We're going to read it. We have
14 to make sure they're heard, too. Sometimes
15 they're not our messages, it's theirs, and so we
16 need to pass that on.

17 So I wanted to acknowledge them, too, and
18 thank all the people that joined us and listening
19 in, and the communities downstream. But I hope
20 at some point in time should they desire that
21 their voices be heard, too.

22 With that, Máhsi. I want to wish you all a
23 safe trip home on behalf of all of our membership
24 here, and have a good weekend for sure. And
25 Máhsi, like I said, for coming here and I wish a

1 safe trip home to your families as well. Máhsi.

2 CHIEF COLLIN PIERROT: Thank you. Thank you.

3 Before we sign off here, I don't know if I
4 said it, but I'll say it again. Thank you to the
5 leadership, the Yamoga Board, the Fort Good Hope
6 Council, RRC board, Métis Board. Thank you all
7 for coming and thank you to the community members
8 for coming.

9 After this, we will have a feast and I think
10 there's a drum dance to follow. So stick around.
11 Máhsi.

12 (APPLAUSE)

13 CHIEF COLLIN PIERROT: We have one more tradition to
14 follow. We will close the meeting. We will
15 close it with the Lord's Prayer.

16 It's been a long week, lots of hours
17 sitting, but I know we said a lot. We might have
18 opened up some hurt feelings or whatever, but we
19 leave it here at the floor of this meeting.

20 We've been heard. We've been heard and had
21 a chance to bring our concerns forward. From
22 here on, we pray and ask for good guidance and
23 ask that the good Lord hear our prayers that
24 we've been heard.

25 In the name of the Father, the Son, and the

1 Holy Spirit. Amen.

2 (PRAYER)

3 CHIEF COLLIN PIERROT: Máhsi.

4

5 (CONCLUDED AT 4:19 P.M.)

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CERTIFICATION

WE HEREBY CERTIFY that the foregoing has been
reported and transcribed to the best of
our skill and ability.



A handwritten signature in blue ink, appearing to be 'CB', written over a horizontal line.

Chris Brower



A handwritten signature in blue ink, appearing to be 'B. Denton', written over a horizontal line.

Brian Denton