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## FAX COVER SHEET

**DATE:** February 7, 2002

**CLIENT #:** 216-00.4

**To:** National Energy Board  
Attention: Michel Mantha

**FAX:** 1-403-292-5503  
**PHONE:**

**CC:** Ka'a' Gee Tu First Nation  
Attention: Chief and Council

**FAX:** 1-867-825-2002  
**PHONE:**

**CC:** Ka'a' Gee Tu First Nation  
Attention: Allan Landry

**FAX:** 1-867-825-2002  
**PHONE:**

**CC:** INAC  
Attention: Lorne Tricoteaux

**FAX:** 1-867-669-2703  
**PHONE:**

**CC:** MVLWB  
Attention: Board Members

**FAX:** 1-867-873-6610  
**PHONE:**

**CC:** MVEIRB  
Attention: Joe Acorn

**FAX:** 1-867-920-4761  
**PHONE:**

**FROM:** Constance MacIntosh

**RE:** Paramount Resources Ltd. Consultation on Draft Traditional Knowledge Study ("Draft TUS")

**ORIGINAL BEING SENT BY MAIL:** YES: No: X

**NUMBER OF PAGES INCLUDING COVER SHEET:** 12

### MESSAGE

Please see attached.

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February 7, 2002

**Via Fax (403) 292-4800**National Energy Board  
444 Seventh Avenue SW  
Calgary, AB  
T2P 0X8**Attention: Michel Mantha**

Dear Sirs:

**Re: Your Files 3400 - P097-J and 2620 D-4-7  
Paramount Resources Ltd.  
Consultation on Draft Traditional Knowledge Study ("Draft TUS")**

Following on your request of January 9th, enclosed is a draft copy of the Ka'a' Gee Tu First Nation's response to Paramount Resources' Traditional Knowledge Study. As you will see when you review their response, they found Paramount's study did not comply with the TK Guidelines established by the West Kitikmeot/Slave Study, nor did it reflect the definition of traditional knowledge established by the GNWT's Traditional Knowledge Working Group.

Further, the Ka'a' Gee Tu also determined that elders who went with Paramount to Tathlina Lake on Paramount's information fieldtrip thought they were involved in a preliminary consultation process directed to raising the awareness of Paramount's officials about their culture. They did not understand that this 3 day trip was the only face-to-face opportunity they would have for input into traditional knowledge issues. Contrary to standard practice, the Ka'a' Gee Tu First Nation never approved Paramount's study, and were never involved in negotiations directed to developing a study protocol.

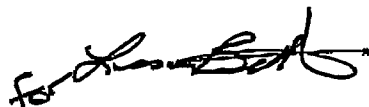
The Ka'a' Gee Tu do not accept that Paramount's Study meets the basic requirements for a traditional use study. We ask the NEB and INAC to remedy this situation by either directing Paramount to perform a proper traditional use study in cooperation with the Ka'a' Gee Tu, or

else by providing funding for the Ka'a'Gee Tu to hire a consultant to complete a traditional use study. In our opinion, it would be contrary to INAC's fiduciary obligations to the Ka'a' Gee Tu to allow Paramount's development activities to continue until a proper TUS study has been completed, and its results taken into consideration. It is also our opinion that the NEB cannot grant Paramount a certificate of public convenience without having reviewed a proper TUS, and determined whether the project will cause unjustifiable impacts on the Ka'a' Gee Tu First Nation.

We look forward to hearing from the NEB and INAC on this matter.

Yours truly,

MANDELL PINDER



Constance MacIntosh  
Barrister and Solicitor  
SIGNED IN THE WRITER'S ABSENCE

CM/lb  
Enc.

cc: Ka'a' Gee Tu First Nation, Attention: Chief and Council  
Ka'a' Gee Tu First Nation, Attention: Allan Landry  
INAC, Attention: Lorne Tricoteaux  
MVLWB, Attention: Board Members  
MVEIRB, Attention: Joe Acorn

*Draft Only – For Review by Chief and Council*

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**Response to the  
“Ka’a’gee Tu First Nation  
Traditional Knowledge Study  
for the Cameron Hills, NWT  
2001”**

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Submitted to:  
The National Energy Board  
The Mackenzie Valley Land and Water Board  
Mackenzie Valley Environmental Impact Review Board  
Paramount Resources Limited

Submitted by:  
Ka’a’gee Tu First Nation  
Kakisa, Northwest Territories

January 2002

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TO-MANDELL PINDER

FROM-867 825 2002

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FROM-867 825 2002

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Response to Paramount Resource's TK Report

## OVERVIEW

This response to the report entitled "Ka'a'gee Tu First Nation Traditional Knowledge Study for the Cameron Hills" was prepared based on a thorough discussion of the report during a meeting held January 25, 2002 in Kakisa. The people at this meeting included:

- Elders: Margaret Leishman, Gabe Chicot, Daniel Chicot, Leon St. Pierre, and John St. Pierre
- Chief Lloyd Chicot
- Councillor Allan (Julian) Landry
- Peter Redvers, Community Development Consultant, Crosscurrent Associates, Hay River (retained by the Ka'a'gee Tu First Nation).

Based on the information generated from this meeting, Mr. Redvers prepared a draft response to the Traditional Knowledge (TK) report. This draft response was subsequently reviewed by the chief and council of the Ka'a'gee Tu First Nation (KTFN), finalized, and is now submitted under the authority of the Ka'a'gee Tu First Nation.

It must first be stressed that the Ka'a'gee Tu First Nation continues to strongly object to the statement that the report was "prepared" by the Ka'a'gee Tu First Nation. The trip to Tathlina Lake was initiated by Paramount Resources, Golder Associates was retained by Paramount Resources, and the Ka'a'gee Tu First Nation was not involved in the overall planning of the trip nor the preparation of the report. Therefore, this is not a Ka'a'gee Tu First Nation document – it is a Paramount Resources' document prepared with the participation of a few Ka'a'gee Tu First Nation members. It has never been ratified by the KTFN Council or by the community.

The Ka'a'gee Tu First Nation continues to be concerned that Paramount Resources is misleading the National Energy Board and other regulatory bodies about the nature of the relationship between the KTFN and Paramount and the "ownership" of this particular document. This concern is heightened by the fact that some of the information presented in the report is misleading and does not represent an accurate or thorough TK perspective.

The KTFN also objects to the report being referred to as a study, which implies a formal and structured process of inquiry. In guidelines established by the West Kitikmeot / Slave Study – which included a major TK research component supported by federal and territorial governments, industry, and Aboriginal communities in the NWT – the following guideline were established for all TK research:

- Formal support by affected Aboriginal governments prior to the research
- Direct control of all stages of the research process by Aboriginal community members
- Formal research protocols between the involved parties
- Informed consent from all participants
- Mandatory research training for local participants

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- Aboriginal ownership of all raw and finished data / information
- Use of the information must be guided by elders and the involved communities.

The Ka'a'gee Tu First Nation members involved in the Tathlina Lake trip assumed that they were making a visit to the land to share preliminary information about the area and, importantly, raise the awareness of Paramount officials about the Ka'a'gee Tu First Nation's cultural history, practices, and special relationship to the land. *At best, they assumed that they were involved in a preliminary consultation process, not a study or environmental research process.*

The KFTN and its members did not formally approve a study, did not control the research process, did not negotiate any protocol agreements, did not provide informed consent to participate in a study, were not offered any form of research training, have not been provided with the raw data and information gathered from the trip, and have not guided the use of the information.

Finally, the KFTN is concerned that the report demonstrates a lack of understanding of the Aboriginal definition of the term 'Traditional Knowledge'. The report states that all of the TK information gathered was drawn onto a map -- thereby assuming that TK refers only to quantifiable data that can be transferred to a digital map. In fact, the final report of the Traditional Knowledge Working Group -- established by the Government of the Northwest Territories in 1988 to review the use of TK -- presented the following definition of Traditional Knowledge in 1990:

*"...knowledge that derives from, or is rooted in the traditional way of life of Aboriginal people. Traditional knowledge is the accumulated knowledge and understanding of the human place in relation to the universe. This encompasses spiritual relationships, relationships with the natural environment and the use of natural resources, relationships between people, and is reflected in language, social organizations, values, institutions, and laws."*

The process of carrying out TK research, the relationships that are established between the parties involved in research, and an exploration of the quantitative and qualitative aspects of TK are all critical if the research is to be valid and credible. The report does not do justice to the depth of knowledge the Ka'a'gee Tu First Nation people have gathered during their long association with the land in this area.

Although the KFTN acknowledges that the trip to Tathlina Lake was an important and useful step in establishing a better understanding of the traditional land use activities of the Ka'a'gee Tu First Nation people, the entire process falls far short of the expectations the KFTN has with respect to integration of TK information into environmental planning relating to Paramount Resources proposed Cameron Hills' project. With this overriding concern in mind, the Ka'a'gee Tu First Nation has prepared comments on specific statements and information contained in the report.

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## SPECIFIC REPONSES TO THE REPORT

### Section 1: Introduction

#### Paragraphs 1 through 3

There is a significant misunderstanding of the nature of the Tathlina Lake trip. The Ka'a'gee Tu First Nation originally and continues to hold the view that the trip was not a "study" - only a consultation meeting, held on the land, to share information and raise awareness about the traditional land use activities of the the Ka'a'gee Tu First Nation people. As such, some of its members agreed to participate, including the chief, and provided cabins and equipment to tour the area.

As noted above, the process leading up to, including, and following the Tathlina Lake trip had none of the essential elements of Traditional Knowledge research and cannot, therefore, formally be referred to as a "study". As well, although the KTFN is certain that the elders and others involved in the trip provided accurate information in good faith, the KTFN views the report as preliminary, incomplete, superficial, and, in some instances, misleading and inaccurate.

#### Paragraphs 4 and 5

Paramount Resources appears to use their interview with Ms. Chico to provide authenticity to all of the information in the report. However, it is not clear what information Annic Chicot confirmed during her October 26 interview. Did she confirm all of the information contained in the report or certain pieces of information? The Ka'a'gee Tu First Nation has not been provided with a taped copy of the interview, if one was done, to verify what questions were asked and what details Ms. Chicot confirmed. Following proper TK research procedures, the KTFN should have received the raw materials regarding this interview.

Further, the elders who were on the Tathlina Trip assumed that Paramount Resources would meet with them and the rest of the community to review and discuss the TK data and information before it was prepared into a report. However, following the Tathlina Lake trip, Paramount did not initiate any further community meetings. Sending the report to the community to be reviewed was not adequate for the elders - they prefer face to face meetings.

As well, Mr. Mervin Simba was very reluctant to meet with the Paramount representatives because he did not trust their motives and therefore withheld some information during the very brief meeting that was held. Again, the KTFN has not been privy to any of the raw data and information gathered during this meeting.



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Response to Paramount Resource's TK ReportParagraph 7

The Ka'a'gee Tu First Nation is not clear whether there will be a formal protocol agreement with Paramount Resources regarding further gathering and sharing of TK information, and regarding the process by which this information will be utilized in ongoing project operations. The process for gathering, sharing, and using further TK research needs to be formalized, rather than merely suggested.

In the meantime, the KTFN has initiated its own oral history research project to document elders' historical and cultural attachment to the land.

**Section 1.1: Areas Visited**

The elders who participated in the Tathlina Lake trip have noted that the area covered was relatively small, that the trip was far too short, and that they did not point out all of the cabin or other cultural sites in the immediate area. Certain types of information were withheld due to a lack of trust with the industry personnel, although the elders did become somewhat more comfortable toward the end of the three day trip.

The short flight over the Cameron River was inadequate for providing meaningful information about the immediate area.

**Section 2: Traditional Knowledge****Section 2.1: Cultural Resources**

The Ka'a'gee Tu First Nation agrees that the Tathlina Lake and Kakisa River areas are very important historical and cultural land use areas and reflect very close physical and spiritual ties to the land. The Tathlina Lake / Kakisa River region, including the Cameron Hills, has been the main area for the Ka'a'gee Tu people for many, many years.

**Section 2.2: Watershed**Paragraphs 1 and 2

The Ka'a'gee Tu First Nation agrees absolutely that it is of the utmost importance to maintain the Tathlina Lake / Kakisa watershed in a pollution free state. Tathlina Lake is particularly sensitive to pollution because it is such a shallow lake and does not have the volume and flow required to dilute or flush out pollutant materials. As an example, the elders stated that a major forest fire in that area in the 1940's coated the lake with ashes and killed off a large number of fish in the lake, forcing people to relocate. Elders feel that the fish populations have never fully recovered from this event.

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Response to Paramount Resource's TK ReportParagraph 7

Although prevention techniques and equipment were explained, the community has not developed a strong trust relationship with Paramount and therefore continues to be cautious about the assurances it has been getting.

Paragraph 8

The KFTN and elders were very surprised by the statement that they had no problem with Paramount's project. There is a reverse logic that appears to have been applied here. Community members have stated that their main concern is that the watershed be protected - Paramount appears to have assumed that if the watershed is protected, people support the project. This is not the case at this time.

It must be made clear that the Ka'a'gee Tu First Nation has not agreed to the project based on a number of factors, including its lack of control over the entire development process within its traditional land use area. The KFTN has established conditions for consultation and involvement in development in their traditional area and wants to have these conditions respected.

Section 2.3: Plants

This section provides a very preliminary and general overview of plant use by the Ka'a'gee Tu people.

In the meeting held to review the report, the elders noted that the top of the Cameron Hills contains at least one medicinal plant that is not found in any other local area. Traditionally, people would travel to the Cameron Hills just to harvest this plant. More information has to be gathered on this matter.

Section 2.4: FisheriesParagraph 1

The elders noted that the information in this paragraph is not accurate. The paragraph gives the impression that fish stocks are in a permanent decline. In fact, commercial fishing for walleye has been temporarily halted on Tathlina Lake due to low fish stocks, and the quota for walleye on Kakisa Lake has been lowered, but commercial fishing is still allowed.

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It must be mentioned that the fish quotas on Tathlina Lake are set by the Department of Fisheries. The Ka'a'gee Tu First Nation has maintained for a number of years that the quota on the lake was too high, and the recent decline in stocks has confirmed this belief. As well, the elders know that the lake has a history of population surges and declines. The KTFN believes that more thorough baseline studies are required to understand the dynamics of fish populations in Tathlina Lake, particularly because of the sensitivity of the lake and the fact that the lake is fed from a large number of streams originating in the Cameron Hills.

Paragraph 2

Some of the information in this section is not accurate and demonstrates the importance of confirming TK information with a number of elders through a broader community approach. It may well be that the information originally provided by the elders was not fully understood or not understood in context.

In this paragraph, it is stated that the Cameron River does not support fish populations due to its steep grade. In fact, John St. Pierre (who did not participate in the Tathlina Lake trip) stated quite adamantly that the Cameron River does support fish stocks, including some spawning areas, and that fish (including suckers and other species) are able to swim up from Tathlina Lake into the Cameron Hills under certain conditions and utilizing both the river and smaller streams. His view was confirmed by the other elders. This information needs to be clarified very soon so that the developer and regulators recognize the Cameron River watershed as active fish habitat.

The elders also noted that the smaller lakes off of the northeast tip of the Cameron Hills also support fish populations, including whitefish.

Section 2.5: WildlifeParagraph 1

This paragraph appears to minimize the importance of the Cameron Hills as moose habitat. In fact, the elders noted that the top of the Cameron Hills has good moose habitat. Traditionally, the Ka'a'gee Tu people would walk up onto the hills in the fall to hunt moose; then the moose meat would be dried and packed down the mountain - using backpacks and shoulder packs on dogs. Trappers still kill moose in that area.

More baseline information, including more TK information, needs to be gathered on this matter.

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Response to Paramount Resource's TK Report

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**Section 2.6: Hunting**

See the comments on the preceding page regarding moose hunting in the Cameron Hills.

Paragraph 2

The statement that caribou are not considered to have the same harvest value as moose is very misleading. In fact, the woodland caribou is considered a very important game animal for its meat and also because the caribou hide is used as a bedroll (to sleep on) and the sinew made from raw hide is the most effective for making snowshoes (it doesn't stretch like moose hide). The elders also stated that the woodland caribou population has been declining over the past few years and that they are not moving around as much. This matter needs to be investigated further.

Paragraph 4

Because the Cameron River delta is one of the main stopovers for migrating geese and other game birds, the elders continue to be very concerned about any development on the top of the hills that might affect their migratory route. Flaring continues to be of particular concern, because the geese fly very low over the Cameron Hills (from south to north) and descend to the river as soon as they are over the edge of the hills.

**Section 2.7: Trapping**

The reason that this report was not able to provide more detailed information regarding trapping areas is that some of the Ka'a'gee Tu people were reluctant to provide certain information to Paramount personnel because they did not trust the process or how the information would be used. Again, proper guidelines and protocols for TK information must be followed if this information is to be gathered and used appropriately.

**Section 2.8: Travel Routes**Paragraph 1

In this section of the report, it states that the waterfalls on the river system prevent easy boat travel "...from the new community of Kalisa to Tathlina Lake, where most of the Ka'a'gee Tu First Nation people lived prior to the 1960's". This statement is not quite accurate and demonstrates the inherent weakness of the information gathering process used by Paramount Resources in preparing its report.

The majority of the Ka'a'gee Tu First Nation people lived in the Tathlina Lake area up to the early 1940's, at which time ashes from large forest fire contributed to a sudden and dramatic decline in fish stocks, forcing people to relocate to the mouth of the Tathlina

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River on the south shore of Kakisa Lake. During the 1940s and 1950s, especially following the relocation, many of the children were taken away from the community and put into residential school for varying periods of time.

In the early 1960's, the Indian Agent encouraged and pressured the people to move to the new site of Kakisa, in a location that would make it easier for government to provide municipal services. The traditional lifestyle of the people and their attachment to Tathlina Lake was ignored. This move has had significant, negative, social and cultural consequences for the community -- including serious illness, language loss, and an increase in alcohol abuse.

Developers and regulators must understand the KTFN's strong demand for greater control over development in its traditional area in this historical context. Within the very recent past, loss of control has had significant, damaging, and long-lasting consequences on the people and their communities. Superficial research does not allow for a deep understanding of why the KTFN is taking a strong position in relation to development in its traditional land use area.

Paragraph 2

According to Leon St. Pierre and other elders, there are a number of routes that people look to get to the Cameron Hills. However, there was a main trail that led around the east side of the Cameron Hills, at the base, and was a travel route to the small lakes and willow prairies east of the hills and to the Meander River area. This trail may have been the one referred to in the report.

Section 2.9: Traditional Names

This section gives the impression that there are traditional names for only a few landmarks within the Tathlina Lake area. In fact, there are names for most of the lakes, rivers, hills, large prairies, points, gathering spots, cultural sites, and other significant sites within the area. These names often provide important information about the qualities and/or history of a particular landmark.

Although the KTFN has begun to document these traditional names, this work is only at a preliminary stage -- considerable more work has to be done. The reason some of this information, and some other community land use maps, were not shared with Paramount is because the information has not been verified collectively by the elders, which is the process that the community uses for its own TK research.

It must be noted that, when asked, none of the elders had any idea who Cameron was. When asked to describe their land, the elders are much more comfortable using the traditional place names.

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Response to Paramount Resource's TK Report

## SUMMARY

The information presented by Paramount in its Traditional Knowledge report, and the process used to gather this information, does not constitute a "study". As noted earlier, the trip to Tathlina Lake was an important and useful step in establishing a better understanding of the traditional land use activities of the Ka'a'gee Tu First Nation people, but falls far short of the expectations the KTFN has with respect to integration of TK information into environmental planning relating to Paramount's proposed Cameron Hills' project.

The Ka'a'gee Tu First Nation believes that the consultation process used to prepare this report is insignificant in terms of the potential life span of the actual Cameron Hills project. If Paramount Resources, supported by government regulators, intends to establish a long-term relationship with the Ka'a'gee Tu First Nation people, through its use of the KTFN traditional land use area, far more work has to be done to understand the history, culture, and values of the KTFN people and to establish an equitable and mutually beneficial working relationship.

Importantly, until there is a clear commitment on the part of Paramount Resources to develop a more equitable and respectful relationship, the Ka'a'gee Tu First Nation will continue to doubt the will and ability of the developer to adequately protect the surrounding land and waters. The Ka'a'gee Tu First Nation, therefore, continues to withhold formal support for the project.