

**Environmental Assessment Hearings
Imperial Oil Resources Ventures Ltd.
Dehcho Geotechnical Program
Wrigley Community Hearing**

Wednesday, Dec. 1st, 2004

[Note: The following notes have been produced by Review Board staff are intended to provide readers with an understanding of presentations and discussions at the Wrigley community environmental assessment hearing for the Imperial Geotechnical Program in the Dehcho. These are not meant to be taken as verbatim. In the interests of providing these notes to participants promptly, they have not undergone fine editing. Please notify Alan Ehrlich at the Review Board if there are any MAJOR oversights or omissions].

Meeting commenced at 1:15 pm

Gabe Hardisty gave the opening prayer

Chief David Moses: Welcome to the Review Board that has traveled here. I was recently elected (beginning of October) and since then have been preparing for the meeting. Wrigley has formed a working group that has been preparing for the proposed pipeline, and I'd like to turn the table over to the working group. Kelly Pennycook is the Manager of Resources for PKFN, and is the coordinator of the working group. He will speak to some of the issues and recommendations that they have in the document addressed to the MVEIRB.

MVEIRB Vice-Chair Gabrielle Mackenzie-Scott (hearing Chairperson) provided opening comments, and went through agenda. Agenda approved with additional presentation by Imperial Oil Resources Ventures Ltd. (IORVL).

GMS: This EA has been ongoing for 9 months. What we want to do today is to hear from the community in its own words so we can better understand how the proposed development is going to affect you. Tomorrow, we will be in Ft. Simpson to hear about technical issues. Today we want to hear from you.

Before we go any further, I would like to introduce board members, staff and legal. The Review Board is independent of government. We will make a report and send it to DIAND. We have an agenda prepared. As a part of this hearing, the developer will make a presentation, giving an overview of the development.

[Hearing delay due to translation equipment difficulties. Reconvenes at 2:00 pm]

GMS: We want to be a informal here today, because w want everyone to be comfortable speaking to the Review Board. It is very important to hear what the people of Wrigley, elders and youths have to say. Remember that we are being translated, so please speak slowly.

This hearing is not for the Mackenzie Gas Pipeline (MGP). That hearing will be conducted by a different joint review panel. This is for the winter geotechnical studies. We realize there is a connection between two projects. The Review Board's job will be to get the information it needs to make a decision about the impacts of the winter geotechnical program. Please focus on the project. IORVL will now make its opening presentation.

JH: Thank you to PKFN, Board, public. Before I start I would like to respond to a request that occurred just before this meeting. The Review Board asked for clarification about one point related to previous meeting (Trout Lake hearing). It is related to the movement of the right of way for the pipeline away from K'eotsee. On Dec 16th of 2003 we got from Chief Deneron (SKFN) a request realign the pipeline away from K'eotsee lake. On Jan 28 we responded in writing that we would do that and will be filing with the Review Board two maps from consultation maps we prepared, showing the original and revised right of ways, in relations to the corridor for the development. In the application for this program, which we filed in October 2003, the maps we displayed reflect the original pipeline alignment. Because this EA process now is not for the MGP and does not address pipeline issues, it will not need amendment. We will file new pipeline alignment maps. I trust this fills request by Board.

JDonihee: Please mark these documents as exhibit 2

JH: I'd like to spend next two minutes reflecting and building on some of the comments and questions raised in Trout Lake before talking about the program in general. To start, I'll introduce other IOL members [makes introductions]. There are other people from Imperial who help support the work here. In particular, Bob Norwegian [translating for Imperial], who is making my words sound better than they are.

Yesterday at Trout Lake, we received a number of documents as the meeting was beginning and received 2 other documents the day before. All of which reflected very thoughtful consideration of the issues by the community. We were very pleased to receive this information which will allow us to use this information to make our project even better. However we did receive this information and we were asked to respond to it very late in the day when the Board, ourselves and the audience members were becoming very tired. In addition, we feel it is very important to us to give consideration to that material that respects the work and consideration that the community put into it. After a relaxing a sleep in Fort Simpson, we were pleased to receive this material. It is exactly the type of material we had hoped to receive when we began to try to find out the

concerns of the community in Dec 2003, when we started to collect this information for the project. In those documents there were many new ideas, many fresh approaches and we would like to give these due consideration. Accordingly, I was not in a position to respond in detail to all the issues that were raised. After a relaxing sleep, I would like to expand on some of the comments I had made yesterday.

First, we recognize the very difficult task the Review Board is faced with. The Review Board will have to make some decisions based on information that is not completed, or based on issues not completely resolved. We will continue to rely on the wisdom of the Board to make its decisions.

Yesterday we received a TK report summary from Sambaa K'e which we appreciated and are pleased to have participated in. That represents one of the many ways we can understand the needs of the communities and the issues that the communities face. TK is very important to us. In addition, we have other means of collecting and understanding issues: reviewing the draft of our operations plan (summer 2003); reviewing the next edition of draft operations plan; community meetings; reconnaissance flights with community members; filing information; and, responding to Information Requests.

Where we have been able to get info from communities, we have been able to make accommodation in our programs. There is an example in the Sambaa K'e area I would like to make a few points about. The Trout Lake community requested that we move our winter work temporary camp and proposed a change in a heater station location. We listened to both of those and we did both. The community requested we drop for consideration a potential gravel site by a site of a legendary porcupine hill. We did drop it. For the potential gravel sites near K'eotsee, we dropped one of the sites due to poor quality and are actively considering input from community on the other site. We recognize it is an area of concern and we have to work with community. Finally, near Keotsee, the community did propose two alternative sites to investigate. We looked at both, dropped one of them for not having good gravel and added other (20.004.pc) to our program as a direct response to community input. My point here is that where we are able to get community input, we welcome it and we will work to accommodate community concerns to make our project even better.

The next area arising from yesterday session, relates to the area of contracts. Our position is that we want Dehcho businesses to do the work. They're local, familiar with the working environment, the people and the land. We also want all contractors in every part of our businesses to be successful. In response to desire for Dehcho businesses to work on our program, we have taken a number of steps to support that. We advertise for our work only in northern papers, not in any southern papers. When we receive 2 or more bids for work from Dehcho businesses, we do not allow for any bids from outside the region. We have broken the work scopes down into small packages (8) and have further broken them down into Dehcho north and Dehcho south, so there are 16 individual small work packages for Dehcho businesses to bid on. We have held prequalification workshops with Dehcho businesses to help them put their bids together.

If the situation were to arise, where we had to entertain a bid from outside region, if bids are close, we give preference to the Dehcho business. For bids received from within Dehcho region, if the bids are relatively close to each other, we will give preference to companies that are close to the work. We believe that these approaches that we have taken demonstrate our commitment to give preference first to the Dehcho businesses.

About our desire for all contractors be successful, we also take a number of different approaches. It is important to IORVL, the contractors and businesses we are using, communities we are using. We expect and demand the contractors work safely, that they don't hurt themselves, fellow workers or anyone else in the community. We want everyone to go home after job with families and continue lifestyles as they enjoy them. An important aspect is quality, and one component of quality is the ability to respect and protect the environment. It is important to note that the project is seasonal, weather windows are short, ice roads open and close and we need to be able to conduct our work before the transportation is no longer available.

Gabrielle: I don't know how long presentation will be but we haven't heard from Wrigley yet. The issues from Trout Lake are important, but what you are saying could be a written submission. We want to hear from the people of Wrigley today.

JH: I will wrap up. I do think the issues in Trout Lake are relevant here particularly with respect to consultation and contracting, which are important issues for those here today. That was in part reason for bringing them up.

Finally on this point, I believe all the information I have shared is already in our filings, either in the application Developer's Assessment Report or Information Requests, and just wanted to emphasize those after some of the issues yesterday may have given the Review Board a different impression. I agree with you, Madam Chair, the reason we are here are is to hear the views of the community and I will shorten my remarks to move that along. At the back of the room there are a number of packages like this [Linda hands them out] which describe material in opening presentation

In addition, I'd like to say a few things as well, since I have heard confusion about difference between MGP and geotechnical investigation program.

GMS: I am concerned about time, so please keep to 15 minutes please.

JH: OK. The MGP is a project to drill very deep natural gas well in Beaufort delta, with wells thousands of feet into the ground. The gas is processed in a natural gas processing facility near Inuvik and transported through a pipeline through Inuvialuit, Gwich'in, Sahtu, the Dehcho and into Alberta. Communities will have many opportunities to express their views on that project and you will see those opportunities in newspaper ads [shows ad in News North]. This program, the geotechnical program, is a program to collect information that will help us design and build the MGP it is not the MGP itself. In this project, we want to drill some small holes, 10 – 20 ft into the ground and collect soil

samples that will help us design the MGP. This project uses small equipment like that shown on charts, and those pictures are also in the back of the presentation material.

I will only talk about 1 page in the program, on page number 5. The work we propose to conduct is part of the work in the Dehcho north area. It involves going to places where there might be gravel. We call those borrow sites. What we will do there is we will look to see if there is any gravel in those places. We will also go to some places along the proposed pipeline route to collect some soil samples. And finally, we will go to some places where we think would be a good place for the pipeline to cross the river and collect some soil samples there. In all cases it is our intention to do work that respects the people, land wildlife. I am confident there are many safeguards in place in our project. Mahsi.

GMS: Thank you for keeping it short. What we have next on the agenda is a presentation from the community. Short break first.

[Recess at 2:55. Reconvene at 3:10]

GMS: Chief Moses, are you ready to make a presentation?

Chief Moses: I would like to say some words in Slavey before I start. [Talks in Slavey].

I'd like to get Kelly to do a presentation on this on what we have been doing on the last little while. One main concerns of our community are access agreements, IBAs and contracts. Those are three of the areas that we would like to concentrate on. Maybe the audience would like to ask questions on these too. Kelly will comment on the letter sent from PKFN to MVEIRB and on some of the recommendations they have compiled there that came from working group, as well as some of the important conditions and concerns they have.

Kelly: Our presentation is based on the impact on sites from the proponents application. 46-69 sites were identified, about 67% identified sites are in the pehdzeh ke land use area Through workshops to identify concerns

Pehdek ki concern ed about the impacts, just begin to understand information in regards to capacity for project. The proponent application put in motion for changes life for everything.

Formed MGP working group to work with deh gah alliance society to address concerns about impacts.

Have done atleast 3 two day workshops. The information gathered from application, the rational was to identified which sites were acceptable by pehzhek ki sties, only limited time and resources to identify impacts fcor the sites. They never had the chance to comprehend or vindvestigage all. Concerned over proponent's ability to address blackwater area. Significant spiritual traditional use etc sites.

KTFN has asked to consult about great significance about blackwater area. Appealed that there be a buffer zone of 15 km on both sides of blackwater area, proponent still seeks to explore, people say it is not acceptable. Chief Lennie wrote letter to Esso about this, both NGO meetings in Simpson and in Yellowknife, also brought to attention of pipeline route designing by elder and chief and DFN. Brought to proponent attention at Kakisa general assembly. IN IR put alternate route 6 km south, still in buffer zone and not acceptable to Pehtdzki First Nation.

Kelly: the criteria for breaking, site ID with cross reference to application, pieplein km post at site, brief description of site, access route the proponent plans on using and TK and community knowledge and use of area, acceptability whether we believe it can be mitigated or no

Winter camps: confusion, requested that not be any winterscamps in the blackwater area, significant cultural, spiritual harvest area, and a candidate protected area.

IR 2.27 only two camps for Willow Lake and Black Water, and proponent contacts Friday Nov 26 winter camp move closer to Wrigley. Need clarification on that and the Blackwater river camp is not acceptable to First Nation people. Located on tab 5 in book, at 697, just south of Black Water river. High concentration of expected exploration.

Four hectare site, 1 hectare 4 times site this room. Again, good moose pasture, habitat (goes through document) that site is not acceptable.

The other two sites, Wrigley and Willow Lake river, which site using. Proponent subcontractor wants to operate Wrigley camp rather than Willow river. Identified suitable locations for either spot, wildlife and local harvesting and either areas, recommended locations

other recommendation already a camp in there and that would be acceptable.

Kelly: other impacted activities are frost heave and borrow pits, frost heave less intrusive

Frost heave site 12 – won't go into detail for acceptable, it is acceptable –

FH13 – acceptable

FH14 – acceptable

FH 15, 16 – acceptable

FH 17 – not acceptable. Routing pipeline too close to town, want it 4-5 km back to go parallel to enbridge line to be less obtrusive for not going into town area.

FH 18 – with proper mitigation acceptable.

Kelly: Borrow pits, a lot more intrusive, area clear is bigger, vegetation harvested is greater, and worried about borrow holes in river streams, crossings sites. Start off, there is high concentration of sites in blackwater area, grouped all 6 together within buffer zone

and requested 6 in blackwater area – 692-704 within 5 km bufferzone let alone 15 km, lots of wildlife, burial sites, extremely significant cultural meeting place and spiritual place, harvest area, managed candidate protected area. reads from letter (top paragraph pg 8)

Kelly: just will do non acceptable ones –

Kelly: blackwater area borough sites which six 9.038pa, 9.038pe, 9.091p, 0.044pa, 9.044pe, 10.001p the next few sites are acceptable till white sands creek area. there are three in this area, between white sands creek and Colville lake. Lists site numbers, not acceptable, prime community harvest area, trap line etc.

Kelly: next area, borough pits 10.37p 1-/038 pa not acceptable, existing line, too close to community. Next 5 are acceptable, next site tab 28 – 20.015 p – berry patches, good hunting and fishing, and fire resources. Community primary sites, and under interim protection and an archeological and historical site.

Kelly: that is it with borrow sites – water crossings there were 5 identified, blackwater tab 4 km 699, as long as new line is not put in, use enbridge ROW in existence.

Kelly: Smith creek – s. of Wrigley white sands creek, they don't want this area, traditional adn use, hot springs and waterfalls used by residents. That's it for the ratings of the application. Recommendations for application and some for entire project, such as borrow holes in river.

Kelly : all timber will be salvaged next to winter road in mutual agreed upon site, wish it to be a non intrusive harvest, have it done by hand, or low impact catcher. The proponent for works in the Dehcho area, should enter into an MOV, with PKFN before, MOU best practices, IBA access formula and some sort of compensation for harvesters, hunters and trappers. 4 trap lines will be intruded upon. Added infrastructure...pg 14

Kelly: proponent mentioned 16 contracts of which 2 highest ones were worth to southern companies, over 50% of gross value going south rather than north. Their concern that there be more applicable with PKFN area cause they have roads in place, what sort of mitigation in place to give PKFN to give fair leg to stand on for the contracts. I believe regulatory, proponents and PKFN should identify thresholds for PKFN for other resources such as wildlife, roads, water crossing before project proceed, proponent identify with EAS, TK knowledge, finalize protected areas, for PKFN area, Wany hummel has requested it for EIAS toR for this application and future application. PKFN would like proponent know work 785-800 are too close to town and should be moved further east to enbridge line as well as any other dev in PKCM community boundaries.

Kelly: PKFN request environmental monitors be used in any sites, go before development site before, while and after the proponent is there report directly and only to chief and council. Suggest proponent provide and make available training for environmental monitors. Requests 15 km buffer around blackwater area for no intrusive

work to be done. Any bough pits approved by board and pkfn should be managed and operated by P {KFN band and council with coporation of proponent.

Provided limited data of use of PKFN and map of land use area in package. Technical report on TK won't be done until end of Feb. Deh Gah alliance made reference to in in their report and we fully support that.

Kelly: have elders talk about traditional use of area.

Recess at 4:08

5 min break.

MGS: 4:30 resume

Gabe Hardisty: former chief : Good afternoon everybody,. I guess a lot of things in the community that we learned from the past, such as back in the 70's members of the most of the elders at that time were still around with us, they have all left us, there are only a few elders with us. What we have here is what we got. The great concern for me for this pipeline. I would like not to see what happened in the 70's with one rush. Education, health everything, all of them will be involved, our life will be changed, and never in especially small community like this, where we know everyone like this, when you have 400 people coming in, bring social problems, everything. These are the thing that we our members are concerned about, we are trying to do as much as possible in dealing with. I am one of the working group for PKFN, we look at all of these things that Kelly mentioned, we would like to changed to different routes. We wanted the design to stay with the enbridge line, I know there is lot of sacred areas such as the blackwater area, there is a compression station, we are not willing to say yes to that, it is a sacred area, it is burial ground of elders of the past. Also in the blackwater area, people turning into stone, those areas need to be kept and looked after. Some of these things, the pipeline went through and just past , when you fly over to willow river, you probably se e some of these lakes, the pipeline went through and a couple years of later there would be no more water. These things we are really concerned about that is where the birds go to in the spring time, that is our hunting area. Some of these routes there affected the moose and caribou. Right now, a lot of our young people are trying top go back to the bush, and some of these areas, are in the trap line areas too and that I know that there is a lot of things going to be impact especially the small communities, wriggly here, I learned form the past, there is going to be a lot of people and there is only going to be 3 people let here to work. Our people expect the leaders our leaders when their making the recommendations to industry to companies that we expect our people a bit more than treat people to go to work. Those things I am most concerned about. Something we didn't do right for our young people, we didn't do the right thing for them they are going to have problems and I don't want to see that. I want to see what my grandfather did for me such as negotiation of treaty. Today they still follow these rules what they negotiate for us. And I would like to see that right for our grandchildren. I would like to see their future generations look after better than min. I went through hard times, I hope I can do

better for them We know it will be a lot of work, everyone will get benefit from it. We don't want to be left behind, people building pipeline are just visitors after they are gone what will this pipeline do for our community. We hope some of our people can help us, do something good such as a benefit agreement, royalty and lease. These are thing out there I would like to have agreed to. I want to see happen. It's everybody have to be heard and its going to be alto of things happening in a rush. We want to make sure our people are well looked after. That is the important thing I would like to express to you guys. <translates himself>

MGS: thank s gabe

Elder Felix Tally: speaks in s. slave

Mr. Felix Tally elder form this area, lived off land for years, raised by family and knows the stories of long ago. There are a lot of legends and stories he passed along – talked of stories of creatures in water – true or legendary unsure – up in blackwater area – creature was driven into ground and he knows where the site is, people today planning pipeline routes may not know where it is and the reason he is telling , please remember where the sites are and try to avoid it if at all possible. Not an area where a legendary story to play. When medicine people fighting against each other, family of 3 turned to stone and got away from tribe and got way up to mountain people trying to kill them saw them going up mountain, tribe summoned the medicine people who turned family into stone. Sacred site up and down the Mackenzie, cherished as beaver pelts in tulita, this family was lost to Dehcho. Make sure it is known and recorded where it could be, please do not go there. Before Mr. Boots passed away, he was concerned about it going through his doorstep, through communications, I have talked to Mr. boots and his family we followed up, finally with courtesy and care, have engineering studies go to east side of ridge rather than by his house, the message was brought to him, same day he went to hospital, passed away, his brother victor pleased. Toward end Mr. boots visit from south, and explaining to him what we are doing, in his vision, he saw pipeline right where he thought it was going to be. We did a good job did cross the river, according to his wishes. Happy way the work was done. Never forget what he said. Report on Dee brandis' desk. Roc, people's wish to see it can go through IOL. Mr. Felix, made a statement, long long ago, people used to plan things seasonally for their young, plan a certain way for making a good lively hood, these are some of the trainings (ie medicine power), how to survive through the seasons, that that come ago. If we don't think ahead like we did then, who are we, we can't survive anymore. The pipeline is stuck in our own heads, in the mean time is ticking on, time has passed. The pipeline do wonders or bad things. WE have to prepare ourselves. We are unsure how to young people anymore, the pipeline. Wondering how can we change our minds and participate in larger pipeline. Hoping that one way or another we should try and benefit for our people here. Through conversation with his elders, this corridor of the river, all the creeks that come into river, there is a burial sites along the traditional land use of the elders, his main concern, when this proposal comes through, we should identify, he can't see it he is old, overgrowth over it. He would be happy take it out and let the people where to find them. Maybe rebury in a different

people to respect elders. Chief reminded - When Felix is talking about benefits, he is talking about access, there is a way to talk about benefits.

Elder Edward Hardisty: bob Norwegian translates – The way the elders speak, their using big words, like English, like environmental impact statement – it is a big word and it takes a couple minutes to even explain those three terms. So its sometimes, we have a little trouble understanding them, so I am fortunate to understand the old dialect.

Anyways he is talking about the previous pipeline – enbridge. Participated and Archie willows, manual labour, slashing chainsaws etc, he says he got a little benefits as work wise, wasn't very long, seasonal, and even though there is millions barrels of oil, didn't see any benefits that's going on. We don't understand how everything operates and how it interconnects. Maybe one day maybe we will understand. Let's think though tomorrow. Asked about size, explained 30inch in diameter and natural gas, he thinks that because the need for it down south and the money being made, these energy sucked out of ground, should benefit old timers and others, atleast should get benefits, money wise. Concerned that with pipeline as its going through, sure there is going to bad things, eroding, environmental concerns, sure there is going to be give and take, sure some good and bad, trying to weighing good and bad, the good must outweigh the bad. Hoping that anything that looks bad should not hide it, should come back to chiefs, and report to them, hey it looks serious, asked for changes, via TK knowledge and change it, if we can't maybe you could help us. Please come back to us and let us know what you are doing with the scientific, engineering and TK studies, please take into account, keep talking to us. He don't understand the new ways, long ago, he understood our path, training our young folds to be well to do people, survive off the land. We didn't die, we learned to live with it, learned to respect us, water same, don't respect it you will drown. \

Bob Norwegian talked to Dee brandis about it wondering what is happening > two worlds are colliding, things will change. Your doing your work, put your feeling and your heart into it, don't just look at your wallet in the back pocket and how to make it. We are using people's lands here. They are concerned about the land that they cherish so much. The pipeline companies will benefit lots, we want to too. And if this is done this way, and done according to both worlds, we could all win. There are times when we talk about things we are going to do the good deeds, even though done in good faith, it seems it turns into a lie. I don't like that. We are cautious about that. We have been burned about that a few times. Please take care and take our feelings into consideration so our younger generation could benefit from it. Pleaes come again, let us know what you are doing, don't being afraid to come in, what little we have to offer we will give to you. Hopefully you understand where we are coming from as a dene people.

GMS: wondering if there are other members that would like to speak.

Morris Moses – youngest in family, concerned that because some people well trained in surviving off land, school education, takes years to be hunter/trapper. Learned from elders dad for trapping/hunting – each year changes, they understand ways of land. Concerned that all that information that he learned is what makes him what he is today, you don't learn it in school, past generation to generation, this pipeline even though coming within 2-3 years. How can we prepare, nobody sure what kind of courses to be

taking, should have been trained 6-7 years for pipeline. It may not be possible to be trained up in a hurry to participate with pipeline. Only way to get benefits money wise, is training, everything is changing. Can't stop progress. On one hand preserve old ways, unsure where everything is going, yes things will change. What is the best way for the younger generation not finished high school or post secondary school. Through benefits and access that could come from people and lands. Enbridge not many benefited from it. Small line. How is it possible big line could benefit us better when little didn't do any good. Understands, ruptures ROW could be bad. Could be devastating to lands. Give and take. If we could benefit yes it is ok, if we don't get anything, no good. We must prepare but who should we turn to, would the government help us, would the oil companies help up? Who is going to help us prepare for the impacts of this project? We need something real. Not just for me, for family, grand kids.

Wilson dimsdale (band manager): Thank you for coming to Wrigley to hear our concerns. Hope you are able to take what we are trying to explain to you seriously. Hear that these concerns that we have been trying to voice whenever possible, like the blackwater area, and other areas that Kelly has gone through. All of these sites, are important for reasons that we don't have time to explain to you in great detail because of the way this is. Hope you take our recommendations that we have written serious. Any information you need, give us an opportunity to provide that to you. Furthermore, some of the things said in regards to seeing real benefits for the community on the proponents are asking to do on the lands. I still need to see that, I listened to 45 min of promises and leave it to us to take care of things and that sort of talk we have heard for a long time. You are hearing real concerns about the loss they are going to face with the activities they are planning on doing in this area. I want to make a point that every one of the major rivers has some kind of investigations for the winter geotechnical testing. All those are critical wildlife habitat, I have spoken to scientists from IOL that is what they have found out too what people have been telling them,... I want to end of by saying it is one thing to talk about running over peoples trap. How do you compensate people who are getting most of their food off the land? Bought 4 lbs of people for \$40 I can't afford to feed my family like that, on the land is what I feed my family with. How do you compensate for that when you are going to busy for winters in the most important hunting areas?

5:35 - 5 minute break

5:50 pm:

Gary - living past 23 years now – went to school outside community coming home doing stuff for pipeline working group. Would like to get more involved in discussion, because next generation will be affected. I think the pipeline is something that is a big thing for not just northerns, and people things have it for Norman wells, big demand for it, producing money. Side effects, father is a harvester, and an apprentice, to show for respect for the land, set nets and trap and stuff. That is not going to be the way of life for the next 25 years, from the looks of it now, it is a stressful factor to carry on, felxi – once this pipeline is laid down, people will have a lack of interest of going out on the land, before we used to use black water, etc and have effects. Concerned about people in this

community. Blackwater has sentimental value, not sure if still compressor station, but IPL pump station has big one, big concern over blackwater river station. Two pipeline, pass that problem. Regulations/laws the Dene people are educated on the land and I am sure you have degrees, these people sue this land it support them, puts food on the table, dried meat/fish a delicacy for themselves. Different type of people in this world, people come first. Production does come first look at people, look at Dene people, their important because they live here, might not have all the resources, it is there for a purpose for a reason, we like to leave things as they are. With their knowledge and skills, we can work together and find some meaningful work together. These two pipeline are coming down. It will have a little bit of an impact on these smaller communities. Concerned about generation that is coming up, the younger kids that I work with. Wants generation to have a better life. Build something that is concrete, what you are going to promise. Read through documents during Dehcho documentation, went through book, not a lot of legal information, would like to obtain more information, and looked into resource information, a lot of technical information no good for elders. In order for us to work with elders and youth, we have to be in a more laymans terms and more simplicity. It is going to be really complicated. People don't always understand pipeline, so busy in their own lives, big issue for blackwater lake, fish lake and other lakes on outskirts of this community. A lot of uses for those lands, will affect us greatly. Want to be able to pass that boundaries in the ground.

GMS: leave it open for people to begin. Other questions that need to be clarified.

Translator: question for imperial oil: so much gas up north, after all these years, pipeline laid down in ground, all gas transported south, gas all gone from north, what is the plan what to do with pipeline after we are done with it? Are they are going to take out, or leave it? I haven't heard anything about it.

GMS: this question you are raising, is really the MGP it is not related to geotechnical ea we are dealing with right now. To ask JH can give answers to question

JH: please to, yes it is a question for MGP and not to geotechnical investigation program. Buried underground, some facilities on the surface compressor stations, after field are depleted and gas removed, the surface facilities will be removed, taken away, but the pipeline buried underground, it is an empty steel pipe, we will leave it just where it is.

Gary - what about creeks, streams, corrosion. Does that affect stuff beneath. Have you taken that into consideration. Removal of the pipe. Is that healthy for the environment for years to come. The other pipeline being used and still sitting there. Funds available to remove that.

JH: question to the MGP

MGS: jt review will address

JH: pieplein in use for along time, plants growing dig it up, will create additional disturbance. Leaving an empty steel pipe in ground is best environmental choice.

MGS: more focused question re: questions re presentation by community , IOL.

Charlie S – this hearing we are talking about two different projects. I know the pipeline is going to be coming through, and I think IOL has done a very poor job in putting a presentation about why are they here. Yesterday, last winter they did work in my area in gwichin and sahtu. They were doing the research, looking for gravel, checking the route, and crossings, That is the contract they have. IOL they are the one that picked up the contract. This is something we can't explain right. Confusion. I want to make this clear to the community. We have all concerns about the pipeline. As we know in the past group pf people have been doing the work to set up a panel to do the work on the pipeline, they are going to be coming around to your community, you can bring your concerns at that time. We will be looking at it, and that is the reason we are here. The presentation they weren't here for that. As a board member, I am here to hear the concerns of the community. Tomorrow we are in Ft. Simpson, I would like a very different presentation that what I have been hearing in the past couple days.

Kelly: I have two questions. Mr. Hawkins mentioned that when two contract bids are close, in south and north, the Northern company get priority. Are there any weighing criteria, or factors? In particular, the GNWT makes it clear that a difference of up to 10% cost can still go to the northern company to get priority. How do you weigh your criteria of who would get it?

JH: No we do not have a particular specific criteria or specific percentage that bids must be close to. We look at bids as they come in, if they are close, we will show preference to a Dehcho business.

Kelly: Would you be able to provide, in writing, what "close" would be and what the factors would be in determination if a bid is "close"?

JH: The situation would only arise in the event there are not 2 qualified Dehcho businesses qualifying for quote. But no, we have no written criteria that are available to provide describing that.

Kelly: My second question is: Do you have any secondary compensation plans for the absence or the displacement of wildlife in the project area as well as the impacts of limiting harvester's access and limiting the time our harvesters would not be able to successfully harvest in that area?

Dee Brandis: We do not have a formula for loss of meat for a family, but we will pay for direct losses, such as loss of trap or damage to trap, as well as indirect losses for the value of fur of animal the hunter or trapper is dependant on.

Kelly: From the harvester's view, the indirect the loss of meat from the table because animals were displaced is likely the greater impact, rather than the loss of the fur. Do you value that the same way and how will you compensate for that?

Dee Brandis: We expect that the determination of the value of that loss needs to be based on consultation between proponent and individuals suffering that loss.

Kelly: Do you have any past agreements to put on record? Consider this scenario: A harvester has got a camp planned for Blackwater, where there will be a 65 man Imperial camp. When our harvesters want food, right now you drive out there, and are guaranteed a moose. With a 65 man camp they won't be able to drive out there and harvest a moose and have a high success rate, if they have a success rate at all. Is there any sort of compensation from Imperial in assisting hunters or trappers in moving to another area?

JH: It is our practice to compensate for people actual losses as a consequence of our activities. We rely on them to come forward to make losses known to us directly by contacting Imperial, through imperial, through band councils, through RRC or through any means comfortable with. We have not received any claims for that type of compensation you have described. In activities over past 2 years in other 3 regions, we have received 3 claims from trappers, and have settled all three claims to the satisfaction of those trappers. As Dee Brandis mentioned, our first approach is to mitigate to ensure activities provide the least possible disruption.

Kelly: I am asking you if you would supply some type of compensation. The only kind on the record is direct compensation if you run over a trap. The more important compensation is for the lack of ability to hunt in an area, the displacement of wildlife from area and shortened hunting schedules. This is compounded with community members having different jobs, possibly with less time to hunt. Hunting is costly. I've spent \$3000 to get 2 moose. Can you supply for me the type of compensation you will offer for reduced hunting success, and describe what type of data would you like to see for claims of indirect compensation. For example, do you need an RWED survey of moose levels in the area accept that an impact has occurred?

JH: Types of compensation are held under confidential discussion between ourselves and individual trappers. Compensation included both direct loss of trap and indirect and loss of fur. The approach in evaluating compensation is related to value of furs that were not harvested, and values of number of pelts not harvested. There are no hard and fast rules, and we are open to however they want to describe their loss. We'll use whatever means they are comfortable with.

Kelly: Here's a specific example: This fall when you guys were conducting summer geo-reconnaissance on a little lake area on the same week, six harvesters in the area went looking for the moose in the fall hunt, and none of them got a moose because of the helicopter traffic going up and down the corridor. Would you compensate these harvesters and provide alternate means where they could harvest?

GMS: I think I would like to move on in terms of the questioning. I think the whole issues of harvesters and compensation will come up in Fort Simpson. Lets now move onto other questions and other items of clarity.

JH: I understand your example, although that particular program is not the program before the Board now. Still, it is a good illustration of the effect we are talking about. If an individual says our activities have an adverse impact on the harvesting results they are trying to achieve, we can have that individual come forth and make their claim known. We will evaluate on the specifics of that.

Danny Bayha: I know we had a lot of people coming in, Elders expressing concern over Blackwater River area and the proposed buffer zone. I suspect Imperial has some ideas or consideration of what they envision in reference to community concerns. Do you have any comments about these areas? For example moving the proposed station away from sacred sites? Any initial thoughts on that?

JH: First, I want to make it clear, we appreciate the level of detail in comments received in particular about activities in Blackwater area. This is the most detailed information we have received so far from the community. And it is exactly the info needed to help plan programs. For the first time, we have seen this level of detail. In particular, this is the first time we've seen the recommendation of a 15 km buffer zone. We will take some time to understand the implications for the site. I still sense confusion over MGP and geotechnical program. However, we do have some difficult issues to wrestle with for the MGP, since the pipeline has to cross the river at some point. Engineering calculations are needed to decide where compressors stations are located for transporting gas, and now with community information can put this into consideration for MGP. For the geotechnical investigation program, investigations are minor and can be conducted by and large without disruption to heritage sites, sacred sites, and hunting. Imperial is open to find ways to conduct as much of the program in area, without creating issues or problems in the community. We will do our very best to use this new info in adjusting the geotech program.

Danny Bayha: To follow up, would the approach on last page of Kelly's presentation be the same approach you will be taking in addressing the recommendations?

JH: Certainly all of the recommendations will be given serious consideration by ourselves and we welcome discussion with the community. Many of the recommendations are the subjects of the benefits negotiations that are underway and continuing. That is one way to advance this. The simple answer is yes. I have only one question for clarity to Kelly. The 15 km zone is a new concept for us. Can you help us understand why 15 is the right choice, and what consideration went into the number 15? That will help us respond to community choice.

Kelly: There were a number of factors. We didn't even want it that close. We wanted it to be 15 miles. But we looked carefully at a variety of factors. We looked at the

topography, compressors, traffic, waste, cultural, spiritual and ecological integrity of the area, and our best overall judgement was that 15 kms was a good bare minimum.

Danny Bayha: Is this buffer zone around the Blackwater River mouth, or a corridor along the whole river?

Kelly: It is 15km away from any place along the corridor that the Blackwater River follows.

MGS: I thank everyone again for staying so late. Any closing comments?

Mike Nelly: PKFN member. I'd like to tell Imperial and the MVEIRB my concern about activities in the Blackwater area. A few years back, we held a big community hunt and within 2 weeks got 21 moose. This past summer and late fall they did geotechnical work with helicopters. This has already impacted moose on river. This past fall, the community harvested 2-3 moose at the most. That type of impact is what we expect from a winter geotechnical program. That's what will happen to the moose. We know for a fact that when the snow gets too deep, moose head on the Mackenzie. Moose will go there if there's work on Blackwater next year. The moose will be moving to a different area where it is quiet. Blackwater is an important moose and caribou calving area! What kind of benefits could we ever get to make up for that. That's going to affect the future generations.

Carl Warner: You ask what will our project impacts be on wildlife movement, in particular caribou and moose. First I want to emphasize project is for 2004 geotechnical program. A compressor station is not component of the program today. Our assessment on wildlife for this program is focused on caribou moose and fur bearers as per the Review Board's Terms of Reference. In context of this program, we are dealing with activities that are short in duration at most sites, especially the investigation sites, which are estimated to have activity for a matter of 2-3 days in most cases. Our assessment using the best available information indicates that this work could displace wildlife within about 500 meters of facilities and would be short term. Camp sites are longer term, 75 days, but again, in our estimation, displacement would be limited to within 500 meters of camp sites, short term. The disturbance of is reduced by minimizing clearing of vegetation, using methods as short term as possible, to a minimum using existing clearing. For the whole program, a new clearing is between 10%, and the rest is clearing secondary access. We're also taking steps to ensure to return it as quickly as possible to original condition. We are pulling back vegetation to promote regrowth. One final point, to reinforce from our presentation, we want to use methods for minimal disturbance of habitat for wildlife, to protect ground vegetation as much as possible, to have work done on pack of snow and ice, all allow ground vegetation to come back as quickly as possible.

Audience member (name inaudible): When you start investigation, who keeps the data? Does the First Nation get a copy of the data from the soil sampling and drilling?

JH: The results of the investigation we are doing are not confidential and are available to the First Nation. We can certainly make results you are interested in available to you, particularly I expect results related to gravel sources could be examples of this type of information. This information is public.

Wilson Dimsdale: Looking at the map of Blackwater, it is clear that you want to do a large concentration of activities there. I don't buy the argument of 500 meter disturbance when you combine all these different activities from this work, and the equipment and 65 man camp. If you have ever been down Blackwater River, in that area, there is a mountain between river and land in back. There is only a strip about 1.5 km wide. If the camp is only 500m wide, and has a 500 disturbance around both sides, that's the whole area, and that's not including investigation in that area. The Board should remember to consider the whole thing, and not split this project into separate elements as if they didn't interact and add up.

GMS: Thanks you. Your comments will be taken into consideration. We will no take closing comments.

JH: Thanks Chief Moses for inviting us into your home. Thanks to Elders, for sharing your legends and to the community who shared detailed information to improve program.

Chief Moses: Tnaks to the Review Board, for the chance to make our issues known prior for consideration prior to issuing permit. I've mentioned three of them here to IORVL to settle these three items sometime down the road. These are access agreements, IBAs and harvesters' compensation. For any winter work around PKFN land, any contracting, Imperial should be dealing directly with PKFN. Anything we are capable of handling we will do, anything we can't do, we could see contracted out. We would like to see winter work here, would like the employment arising from winter work. We would like to see the proponent negotiate with impact agreements regarding contacts. I speak for my people to you, these three or four issues have been on the table since I started and today are still on table. If they are not met, myself I am not for the pipeline. If these conditions are met, as long as they are met, I will work with anybody. .

GMS: Thank you to everybody. This concludes our hearing today.

[Hearing concludes at 7:45 pm]

