



ENVIRONMENTAL IMPACT

REVIEW BOARD

FOR THE REVIEW OF THE PROPOSED
INUVIK TO TUKTOYAKTUK HIGHWAY PROJECT
PUBLIC HEARING

Liz Snider	Chairperson/Facilitator
Herbert Felix	Board Member
Roland Kikoak	Board Member
Catherine Cockney	Board Member
Bruce Chambers	Board Member

HELD AT:

Kitti Hall

Tuktoyaktuk, NT

September 24, 2012

Day 3 of 4

1 APPEARANCES

2

3 John Donihee) Board Staff

4 Gordon Stewart)

5 Petr Komers)

6 Meghan Birnie)

7 Eli Nasogaluak)

8 Chris Burn (np))

9

10 Jim Stevens) Developer

11 Rick Hoos)

12 Erica Bonhomme)

13 Robyn McGregor)

14 Olivier Piraux (np))

15 Don Hayley (np))

16 Doug Chiperzak)

17 Tara Schmidt)

18 Michael Fabijan)

19 Shawn McArthur (np))

20 Gurdev Jagpal)

21 Walter Orr)

22

23 Amanda Joynt) Department of Fisheries

24 Sarah Olivier) and Oceans

25 Bev Ross (np))

1 APPEARANCES (Con't)

2

3 Kate Witherly)Northern Projects

4)Management Office

5

6 Derek Parks (np))Fisheries Joint Management

7 James Malone (np))Committee

8

9 Susanne Forbrich)Environment Canada

10 James Hodson (np))

11

12 Jonathan Pritchard)Infrastructure Canada

13 Phoebe Miles (np))

14

15 Doug Soloway (np))Transport Canada

16 Dale Kirkland (np))

17

18 Conrad Baetz)Aboriginal Affairs and

19 Bob Gowan (np))Northern Development

20 Jan Davies (np))Canada

21

22 Adriane Bacheschi)Parks Canada

23 Jean-Francois Bisailon)

24

25

1 APPEARANCES (Con't)

2

3 Alex Bradley)Wildlife Management

4 Bruce Hanbidge (np))Advisory Council

5 Larry Carpenter (np))

6

7 Sunny Ashcroft)Environment and

8 Marsha Branigan)Natural Resources

9 Stephen Charlie (np))

10

11 Karin Taylor (np))Department of Justice

12 Glen Rutland (np))

13

14 Mervyn Gruben)Mayor of Tuktoyaktuk

15

16 Denny Rodgers (np))Mayor of Inuvik

17

18 Don Craik)Industry Tourism and

19)Investment

20

21 Russell Neudorf (np))Deputy Minister,

22)Department of

23)Transportation

24

25

1 APPEARANCES (Con't)

2

3 Alana Mero)Northwest Territories

4)Housing Corporation

5

6 Arlene Jorgensen)Beaufort Delta Regional

7)Health and Social Services

8)Authority

9

10 Darlene Elanik)Education, Culture and

11)Employment

12

13 John Stewart Jr.)Tuktoyaktuk

14 Lennie Emaghok)Community Corporation

15

16 Roger Gruben)Tuktoyaktuk Business

17 Peter Louie)Corporation

18 Russell Newmark)

19 Peter Louie Jr.)

20

21 Jackie Jacobson)MLA of Nunakput

22

23 Richard Gordon (np))Member of the public

24

25 Sheila Nasogaluak (np))Member of the public

1 APPEARANCES (Con't)

2

3 Billy Emaghok)Member of the public

4

5 James Pokiak)Member of the public

6

7 Marjorie Ovayuak)Member of the public

8

9 Eddie Dillon)Member of the public

10

11 Lucy Dillon)Member of the public

12

13 Ernest Pokiak)Member of the public

14

15 Calvin Pokiak)Member of the public

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1 --- Upon commencing at 10:28 a.m.

2

3 THE CHAIRPERSON/FACILITATOR: Thank you
4 very much. I think it looks like everybody's ready to
5 begin. And so I -- before we start I'll ask Fred Wolki
6 to do an opening prayer, please.

7

8 (OPENING PRAYER)

9

10 THE CHAIRPERSON/FACILITATOR: Good
11 morning and welcome to everybody who has taken the time
12 to come here today. My name is Liz Snider, and I am
13 the Chair of the Environmental Impact Review Board and
14 this review panel. The Review Board was set, as I'm
15 sure you all know, under the Inuvialuit Final
16 Agreement, and we have developed rules and guidelines
17 to set out how we will conduct our work.

18 We are required to conduct an
19 environmental impact review of proposed developments
20 that are referred to the Review Board by the
21 Environmental Impact Screening Committee. Our job is
22 to recommend whether or not the development should go
23 ahead, and if it should, we can recommend terms and
24 conditions that include mitigation and remedial
25 measures.

1 This proposed high -- highway project is
2 also subject to the Federal Canadian Environmental
3 Assessment Act. The Review Board signed an MOU with
4 the Administer of Environment, agreeing that we will
5 complete that review on behalf of the federal
6 government.

7 This means that for the purposes of this
8 proposed road the Review Board will conduct that review
9 and -- but it will also be bound by the legal
10 requirements of both the Inuvialuit Final Agreement,
11 and the Canadian Environmental Assessment Act.

12 But it also means that there will only
13 be one (1) environmental review of the proposed highway
14 project, the one that we're conducting right now. The
15 panel here with me today has been established in
16 accordance with Subsection 11(9) of the Inuvialuit
17 Final Agreement, and they will represent the
18 Environmental Impact Review Board.

19 Last Tuesday and Wednesday the panel
20 conducted technical hearings in Inuvik. We are here in
21 Tuktoyaktuk for the next two (2) days to conduct a
22 community hearing, to listen, and to provide the
23 opportunity for community members to tell the panel
24 what they think about this project. We are here to
25 listen to your views about the highway, how it'll

1 affect your community, how it'll affect your natural
2 environment, and your areas of cultural significance
3 around Husky Lakes.

4 You will also have the opportunity to
5 ask questions to the Developer and other parties. The
6 panel has to make its decision based on the information
7 and evidence provided to it by the Developer, by
8 registered Intervenor, and by the public. For this
9 reason, the panel is not in a position at this point in
10 time to answer questions at this hearing.

11 The panel must also determine whether
12 the legal requirements under the Inuvialuit Final
13 Agreement and the Canadian Environmental Assessment Act
14 have been met by the Developer in its environmental
15 impact statement and subsequent information filings.

16 To gather information, instructions were
17 sent to the Developer for the drafting of an
18 environmental impact statement. This was followed by
19 requests to the Developer, and to other parties, for
20 information missing from the draft environmental impact
21 statement and/or to ask for clarification of
22 information that we require.

23 The Board staff held technical sessions
24 in Inuvik on August 22nd and 23rd to clarify some
25 information and secure additional information where

1 gaps still existed in the material that had been filed
2 by the Developer.

3 The parties were instructed to file
4 their submissions for the hearing by September the
5 10th. The Developer had the opportunity to reply to
6 those submissions by September 12th. Panel staff held
7 a pre-hearing conference on September the 7th to
8 identify the procedures to be followed at this hearing.
9 No legal issues were raised at that pre-hearing
10 conference.

11 All parties and the Developer were
12 required to submit their hearing presentations by
13 September 14th, 2012. Notice of the hearings were
14 published in accordance with the EIRB guidelines.
15 Public notice was posted and advertised in the News
16 North and on the rolling channel. Any information
17 pertaining to the review that has been received by the
18 -- the panel is available on our public registry site.

19 Today we're going to sit from 10:30 till
20 five o'clock. We'll have appropriate breaks for lun --
21 for lunch and coffee. And because some of our members
22 here are staying out at the camp, we will actually
23 break at noon for lunch so that they will have the
24 opportunity to go, because lunch will not be provided
25 here.

1 If our proceedings are concluded earlier
2 than we anticipate today, we'll adjourn and come back
3 tomorrow morning at 10:30. A couple of housekeeping
4 items. First of all, the washrooms are located at the
5 back of the room up the stairs, at the top of the
6 stairs. You can see by the "Exit" signs where the
7 emergency exits are in case we have to evacuate the
8 hall. And I would ask you to please turn off any cell
9 phones or mobile devices while the hearings are going
10 on.

11 The panel asks for your cooperation in
12 being prepared to make your presentation in the order
13 set out in the agenda. And I will try to be fairly
14 firm in keeping people to their time allocations so
15 that everybody has an opportunity to talk or make a
16 statement.

17 As I mentioned earlier, the panel is
18 here to listen to your views. We want to hear what you
19 have to say about this proposed project, but we are not
20 in a position to respond to any questions.

21 First of all we are going to hear from
22 the Developer about their proposed application and then
23 we -- once we've completed that presentation we will
24 have some questions and we will follow the order set
25 out in the agenda.

1 In case people don't have a copy of the
2 agenda, there should be some available at the back. If
3 you want to make statements or ask a question, we do
4 have a microphone that we can bring around to you or --
5 I guess that there's no table so -- okay, so we'll
6 bring a microphone around to you.

7 So if you wish to speak, please stand
8 up, identify yourself, and we'll bring the microphone
9 down to you. We welcome and invite Elders to make
10 representation at any time that they would like during
11 the proceedings. And we do invite the public, because
12 that's why we're here, to make statements or ask
13 questions of the Developer or the other parties in
14 attendance.

15 We would like to keep this hearing
16 fairly informal, but we do have some procedures that we
17 have to follow, so I would ask you to please direct
18 your questions through the Chair.

19 I would like to just take a moment and
20 introduce my panel members and our staff. I'm sure
21 some of them are known to you already, but I'll go
22 through. So we have Herbert Felix, he's a panel
23 member. Cathy Cockney, she's a panel member. I'm Liz
24 Snider, as I mentioned. Roland Kikoak, who is a panel
25 member, and Bruce Chambers, who is a panel member. And

1 I don't see Eli, but Eli Nasogaluak is our review
2 coordinator. He works with us at the joint
3 secretariat.

4 Gordon Stewart is our environmental
5 review manager. John Donihee is our legal counsel.
6 Dr. Petr Komers is our Board technical advisor. And
7 Meghan Birnie is a Board technical advisor.

8 Also, we have Fred Wolki and Robert
9 Kuptana providing interpretation. I would ask that you
10 keep them in mind when you speak and try to speak
11 slowly and clearly so that it assists them in their job
12 of interpretation.

13 I will just let you know that if you
14 have -- you're using these devices, channel 4 is
15 English and channel 6 is Inuviak. These proceedings
16 are also being recorded and will be transcribed later.

17 So when you speak please start by giving
18 your name and who you represent so that that's part of
19 the record. Our court recorder is Sean Coleman. If
20 you have any questions about the transcripts, please
21 direct them to him or to Eli at one of the breaks. And
22 usually we found the transcripts are back fairly
23 quickly so they will be available on our registry site.

24 I also have Norbert Poitras from Pido
25 recording the proceedings, and he's pretty good at

1 letting us know if we're having any problems here.

2 So before we begin the presentations by
3 the Developer, I would like the part -- other parties
4 that are here to just stand up and identify themselves
5 and the organization that they are representing. And
6 maybe we'll start with Aboriginal Affairs.

7

8 (BRIEF PAUSE)

9

10 MR. CONRAD BAETZ: Conrad Baetz, with
11 Aboriginal Affairs and Northern Development Canada,
12 from Inuvik.

13 THE CHAIRPERSON/FACILITATOR: Okay.

14 MS. AMANDA JOYNT: Amanda Joynt, with
15 Fisheries and Oceans Canada, based in Inuvik.

16 MS. SUSANNE FORBRICH: Susanne
17 Forbrich, Environment Canada from Edmonton.

18 MR. JONATHAN PRITCHARD: Jonathan
19 Pritchard, Infrastructure Canada, from Ottawa.

20 MS. ADRIANE BACHESCHI: Adriane
21 Bacheschi, with Parks Canada, from Inuvik; and Jean-
22 Francois Bisailon, with Parks Canada as well.

23 THE CHAIRPERSON/FACILITATOR: Okay.

24 MR. ALEX BRADLEY: Alex Bradley
25 Wildlife Management Advisory Council (NWT), based in

1 Inu -- in Inuvik.

2

3 (BRIEF PAUSE)

4

5 MS. SARAH OLIVIER: Sarah Olivier, with
6 Fisheries and Oceans in Yellowknife.

7 THE CHAIRPERSON/FACILITATOR: Marsha,
8 would you like to -- oh, sorry.

9 MS. DARLENE ELANIK: Unfortunately,
10 Greta Sittichinli was not able to make it this morning,
11 the regional superintendent for EC&E. I'm Darlene
12 Elanik, representing EC&E.

13 THE CHAIRPERSON/FACILITATOR: Okay.
14 Thank you.

15

16 (BRIEF PAUSE)

17

18 MS. SUNNY ASHCROFT: Sunny Ashcroft and
19 Marsha Branigan with Wildlife/ENR.

20

21 (BRIEF PAUSE)

22

23 MR. DON CRAIK: Don Craik, Industry,
24 Tourism, and Investment.

25 MS. ALANA MERO: ALANA Mero, NWT

1 Housing Corporation, Inuvik.

2 THE CHAIRPERSON/FACILITATOR: Okay.

3 Thank you very much. I'll now ask the Developer to
4 make their presentation on their application to build a
5 highway to -- between Tuk and Inuvik.

6

7 PRESENTATION BY THE DEVELOPER:

8 MR. JIM STEVENS: Thank you, Madam
9 Chair. It's Jim Stevens, Department of Transportation.
10 Good morning. My name is Jim Stevens. I am the
11 Developer's project director and a member of the GNWT
12 Department of Transportation. The Department of
13 Transportation is part of the Developer team which also
14 includes the Town of Inuvik and Hamlet of Tuk,
15 proposing to construct an all-weather highway
16 connecting the communities of Inuvik and Tuktoyaktuk.

17 It's a pleasure to be here in Tuk to
18 introduce the Developer team, which will be able to
19 respond to questions and comments on our project from
20 the review panel, panel technical staff, and members of
21 the public and Elders in attendance.

22 Before I start to introduce the
23 Developer's technical staff for this public hearing, I
24 should highlight the presence of a key member of the
25 team, the Mayor of Tuktoyaktuk, Merven Gruben. Mayor

1 Gruben will be speaking to the project right after
2 these remarks.

3 Supporting us today are a number of
4 experts who have helped us put together the
5 environmental impact statement and supplementary
6 information before you. Please allow me to introduce
7 the members of our team of consultants.

8 Rick Hoos, principle consultant; Tara
9 Schmidt, environmental planner; Robyn McGregor, senior
10 transportation engineer and principle consultant; Erica
11 Bonhomme, senior environmental planner; Walter Orr,
12 senior civil engineer; Michael Fabijan, traditional
13 knowledge coordinator; and Doug Chiperzak, senior
14 fisheries biologist; and from the Department of
15 Transportation, well known and respected in the
16 Beaufort Delta, Mr. Gurdev Jagpal, our Inuvik regional
17 superintendent.

18 Each member of our team will be
19 available to answer questions or provide more
20 information from their respective areas of expertise
21 during this hearing. In addition, as noted during
22 opening introductions, there are a number of GNWT
23 officials here at the hearings. These officials are
24 available to explain current programs and activities
25 and how they may relate to current and future capacity

1 to manage and mitigate predicted impacts from this
2 development.

3 And now, an overview of the project.

4 The 137-kilometre-long Inuvik to Tuktoyaktuk Highway
5 will be the first all-weather road to the Arctic Ocean,
6 producing substantial benefits at the national,
7 regional, and local levels. It will be the foundation
8 for strengthening connections between Inuvik and
9 Tuktoyaktuk and enabling increased economic
10 opportunities. It will reinforce Canadian sovereignty
11 objectives.

12 It will help to reduce the cost of
13 living, while providing residents with employment,
14 training, and business opportunities. Residents will
15 receive the benefit of less-expensive access to
16 regional services, such as health care, education, and
17 recreational facilities. It will promote -- it will
18 promote the tourism and hospitality industries, because
19 Tuktoyaktuk will become the first Canadian community on
20 the Arctic coast accessible by an all-weather road. It
21 will also remove the seasonal and long-term uncertainty
22 of the existing win -- ice road between Tuk and Inuvik.

23 The highway will start at the end of
24 Navy Road in Inuvik and follow an alignment northward
25 to connect with the existing Source 177 access road,

1 which will be upgraded to a full highway standard. The
2 decision on where the road will be constructed was the
3 result of many considerations.

4 I'm now going to stop for a few minutes
5 and ask Robyn McGregor to provide the panel and the
6 public with a short presentation on the proposed
7 highway alignment. Robyn, please...?

8 MS. ROBYN MCGREGOR: Thank you, Madam
9 Chair, panel, Elders, and members of the community. We
10 began in the fall of 2009 looking at the work that had
11 been done by the Government of Canada. We also looked
12 at the upland, or Elders' Route, in our field studies.

13 We did preliminary design on both of
14 these routes and found that the 2009 route had two (2)
15 points that were too close to Husky Lakes, just inside
16 the 1 kilometre buffer. But the upland route also had
17 some problems. The hills of the upland route would
18 mean the highway would have many ups and downs and many
19 winding curves. It would also take much more material
20 to build the upland route and have a larger footprint
21 on the land.

22 For over 45 kilometres south of Source
23 177, it would be difficult to see other vehicles headed
24 towards you around a corner or over a hill. Imagine if
25 you were driving from Tuk to Inuvik, and you came upon

1 a slower driver just after Source 177. For over 45
2 kilometres after this point, there would not be any
3 opportunity for you to pass that slower driver, and
4 that would be for almost half the distance from Inu -
5 from Tuk to Inuvik. This means that safety would be an
6 issue on the upland route.

7 The 2009 route was modified to move away
8 from Husky Lakes. This alternative is the preferred
9 alignment. It respects the traditional and cultural
10 values of Husky Lakes and will be easier and safer to
11 drive than the upland route.

12 MR. JIM STEVENS: Thank you, Robyn.
13 It's Jim Stevens, Department of Transportation. I will
14 now continue with a few more details on our pro -- on
15 our proposed project.

16 The majority of construction will be
17 done in the wintertime to protect the permafrost below
18 the proposed alignment. Construction will use a
19 technique similar to that used a couple of years ago to
20 construct the access road to Source 177.

21 Fill material will be placed onto a
22 geotextile fabric between the existing ground and the
23 base of the highway that will help contain the
24 material. In the back of the room there on the panel
25 there is a picture that shows the geotextile and the

1 fill being placed on top of that geotextile.

2 Two (2) big differences from Source 177
3 access road I should note is that the highway will be
4 higher, or thicker, to help better protect the
5 permafrost below, and the road surface will have more
6 gravel on it.

7 As to locating granular materials, our
8 initial estimates indicate approximately 4.5 million
9 cubic metres of gravel will be required to build the
10 highway. Geotech -- geotechnical investigations
11 conducted last winter and supplemental investigations
12 this summer have identified sufficient volume and
13 quality of borrow sources along the alignment to
14 construct and operate the highway.

15 With these results, we have identified
16 enough gravel to construct the highway with enough
17 remaining to provide for the long-term needs of
18 communities and in -- and industry. Of interest for
19 Tuk residents is that Gravel Source 177 south of the
20 hamlet will again be used for construction material.

21 Protection of the environment during
22 construction and ongoing operations is an important
23 feature of the Developer's plan. Our plan includes
24 strategies to minimize impacts to wildlife, habitat,
25 and traditional harvesting through highway design,

1 route options, construction timing, and management. As
2 mentioned by Robyn, the highway will stay a minimum of
3 1 kilometre away from Husky Lakes.

4 The GNWT will continue collaborating
5 with various co-management boards within the Inuvialuit
6 settlement region to manage fisheries and wildlife
7 issues that may result from the highway development.
8 In the coming weeks, this collaboration will be firmed
9 up. Meetings are scheduled with the Inuvialuit Game
10 Council, Fisheries Joint Management Committee, and the
11 Wildlife Management Advisory Council (Northwest
12 Territories). A meeting with the Tuktoyaktuk-Inuvik
13 working group will also be proposed and hopefully
14 scheduled soon.

15 Finally, a comment on how the highway
16 construction will be contracted out. At this time, no
17 decision has been made by the 17th Legislative
18 Assembly. I can confirm, though, that local
19 employment, training, and business opportunities will
20 be maximized. I should also note that the Inuvialuit
21 Final Agreement will be respected in all undertakings.

22 My conclusion: We believe the proposed
23 construction of the Inuvik-Tuktoyaktuk highway is
24 generating much excitement among residents of the
25 Beaufort Delta, with prospects of a higher standard of

1 living, increased access and mobility, job creation,
2 and economic development on the horizon.

3 Our goal is to manage this public
4 infrastructure project in a manner that upholds the
5 department's integrity. We will use lessons learned
6 from the construction of the access road to Source 177.
7 When complete, the additional 137 kilometres will be
8 managed with that same environmental integrity as the
9 existing 2,200 kilometres of all-weather highway.
10 Routine highway patrols will help manage and reduce the
11 risk of highway incidents during the operation phase.

12 The Department of Transportation will
13 continue to receive and consider communities' and
14 residents' input as we move forward towards advancing
15 the aspiration that northerners have held for decades:
16 to build a highway connecting Canada to the Arctic
17 coast.

18 Thank you for your kind attention.
19 These are but a few brief comments. We look forward,
20 during this hearing, to help all better understand how
21 this project might proceed and how we propose to manage
22 and mitigate related impacts. Thank you, Madam Chair.

23 THE CHAIRPERSON/FACILITATOR: Thank
24 you, Mr. Stevens. What we would propose now, because
25 this is a community hearing, is that, if there are any

1 questions for the Developer from the public, please
2 identify yourself and -- and ask your questions.

3 MR. JIM STEVENS: Madam Chair...?

4 THE CHAIRPERSON/FACILITATOR: Yes, Mr.
5 Stevens.

6 MR. JIM STEVENS: I erred in
7 introducing -- Mayor Gruben was going to follow me with
8 just some short opening remarks. My apologies.

9 THE CHAIRPERSON/FACILITATOR: Sorry.
10 Yes. Okay. Mayor Gruben...?

11 MAYOR MERVEN GRUBEN: Good morning. I
12 forgive you for that one there, Jim. Just a few
13 comments. I'll make it brief here so we can get down
14 to the -- our hearings here.

15 I'd just like to say good morning,
16 ladies and gentlemen, and respected Elders, panel.
17 Welcome to Tuk. If you haven't been here before,
18 welcome. Hope you come back once we get the all-
19 weather road done.

20 I would also thank the panel -- it's Liz
21 -- Liz Snider, Cathy Cockney, Roland Kikoak, Herbert
22 Felix, and Bruce Chapman -- for coming to Tuk to listen
23 to the community on this very important subject of our
24 proposed all-weather road.

25 As you are aware, the Inuvik-Tuk Highway

1 has been a long-standing goal in this community, and we
2 have been the leader in promoting this road. I must
3 emphasize to you that the government has never been
4 that excited about taking this project on, but it has
5 been, through the help of the people of Tuk, and some
6 help from others that this has been a -- we have been
7 able to convince the government that this is a
8 beneficial project.

9 For the record, it's been on the agenda
10 for more than thirty (30) years and only within the
11 last three (3) years that we have been able to make
12 this a reality, or close to a reality, through the
13 perseverance and determination of our past TCC Board
14 and chair, and with our MLAs, and my many meetings with
15 the Prime Minister, and with the support of the Hamlet
16 of Tuktoyaktuk, and also with the Minister of --
17 Ministers of Northern Affairs as -- as well as as many
18 Ministers as we can meet with, and the GNWT, and of
19 course with our support from IRC chair.

20 This all-weather road is not just an
21 all-weather road. For the start it means jobs. Not
22 only for the community but for the entire regions. And
23 these jobs will continue for long after the
24 construction is com -- completed. Jobs mean hope and a
25 future for our people and we -- when people are happy

1 they are happy and healthy people.

2 In the past when people are working they
3 are much more healthy and happy and proud of themselves
4 when they can purchase material items, buy their own
5 vehicles, houses, snowmobiles that can take us back on
6 the land and back to our culture.

7 They can provide a better life for our
8 children and when -- when they're growing up and better
9 education. As you see in the community -- most of the
10 communities now we cannot offer much to our young
11 people with -- with the way the ecom -- economy is
12 going.

13 There is not much for them to do and
14 lots -- lots of time for them to get into trouble.
15 Only once we get complete the EIRB review we are -- can
16 they release the funds, the 150 million that the
17 federal government has committed. That's the only
18 time, once we get through your review, that we can get
19 the mon -- money started flowing.

20 We have been trying for the last few
21 months to get advance monies to get the training
22 started right now, but they keep telling us we'll have
23 to wait until the -- the Review Board is complete. And
24 -- and I as well as many people really need to stress
25 to you that we need not drag this any longer and that

1 we can get something happening this coming winter.

2 It seems all our fate rests in your
3 hands. I must again say this is an important goal for
4 most of the people in Tuk and in Inuvik and what the
5 people want they should get, especially when this is
6 only going to benefit our people and make for better
7 lives for all of us. Thank you.

8 THE CHAIRPERSON/FACILITATOR: Thank
9 you. Thank you, Mayor Gruben.

10

11 (BRIEF PAUSE)

12

13 THE CHAIRPERSON/FACILITATOR: Mr.
14 Stevens, are you good for questioning now? So I'll
15 open the floor again to members of the public if they
16 have any questions for the Developer about this
17 project, or if you want to make statements that's fine
18 too.

19

20 QUESTION PERIOD:

21 THE CHAIRPERSON/FACILITATOR: No
22 questions about the -- to the Developer? Then what
23 I'll do is I'll actually ask our other parties, as we
24 did in Inuvik, if they have any questions, and I'll go
25 through my list.

1 Mr. Baetz...? Could you just identify
2 yourself and just say --

3 MR. CONRAD BAETZ: Conrad Baetz, with
4 Aboriginal Affairs. No questions.

5 MS. AMANDA JOYNT: Amanda Joynt, with
6 Fisheries and Oceans, no questions.

7 MS. SUSANNE FORBRICH: Susanne
8 Forbrich, Environment Canada, no questions. I asked
9 the questions in Inuvik, so no questions here. Thank
10 you.

11 MR. JONATHAN PRITCHARD: Jonathan
12 Pritchard, Infrastructure Canada, no questions at this
13 time.

14 MR. JEAN-FRANCOIS BISAILLON: Jean-
15 Francois Bisailon, Parks Canada, no questions.

16 MR. ALEX BRADLEY: Alex Bradley,
17 WMAC/NWT, no questions at this time.

18

19 (BRIEF PAUSE)

20

21 THE CHAIRPERSON/FACILITATOR: Could you
22 just say your name to start out with, please?

23 MR. LENNIE EMAGHOK: Lennie Emaghok,
24 from Tuktoyaktuk. With you, Madam Chair -- you're in
25 Tuktoyaktuk now for the hearings. It would be good for

1 the people that stood up and talked for a bit saying
2 that they've got no questions or want to talk. I mean,
3 they did that -- they did their work at Inuvik with the
4 hearings first. It would be good for them to say the
5 words that they said in Inuvik, because we're here in
6 Tuk. Thank you.

7 THE CHAIRPERSON/FACILITATOR: So if I
8 understand what you're asking me, you'd like them to
9 actually give a brief summary of their positions?

10 MR. LENNIE EMAGHOK: Of -- yeah, the
11 presentation of what they did in Inuvik, briefly --
12 briefly, it would be good. I know some of the briefing
13 that they will bring up, and it's lengthy. But just
14 briefly would be good. Thank you, ma'am.

15

16 RECAP OF INUVIK PRESENTATIONS/QUESTIONS:

17 THE CHAIRPERSON/FACILITATOR: Thank
18 you. So maybe what we can do is go back and just maybe
19 starting with you, Mr. Baetz, if you don't mind just
20 giving sort of a brief summary of your -- your
21 questions and -- and the outcomes in Inuvik.

22 MR. CONRAD BAETZ: Thank you.

23 THE CHAIRPERSON/FACILITATOR: Please
24 identify yourself. Yeah.

25 MR. CONRAD BAETZ: It's a good thing I

1 brought a -- a copy of my presentation with me. What
2 we went through in Inuvik, from an Aboriginal Affairs
3 perspective, is three (3) things: what our mandate, is
4 in terms of the environmental assessment process and
5 our involvement here as well as some of our regulatory
6 responsibilities that come along after if -- if this
7 project is to proceed into -- to fruition. And I'll
8 start with -- I'll try and be brief.

9 From a regulatory perspective, we look
10 after land use on Crown land under the Territorial Land
11 Use Regulations. We look after water use under the NWT
12 Waters Act related to licences that the NWT water board
13 issues. Land tenure, that's disposal and leasing of
14 Crown land in the ISR, and as well as granular resource
15 management.

16 We accept and review land use permit
17 applications -- excuse me. We issue the authorization
18 upon proper consult -- consultations, and we provide
19 and -- and do quite a bit of follow-up with the
20 Proponents and the Developers through having regular
21 dialogue, as well as with the environmental monitors,
22 on a -- on the operations as well.

23 We inspect all land management aspects
24 of the project. From a water use perspective, we
25 participate in the application review process with the

1 NWT Water Board. We also provide follow-up and -- and
2 conduct and hold lots of dialogue with the Proponents
3 at the beginning and throughout the project, as well as
4 ensure that we have appropriate dialogue with the ILA
5 monitors on site as well.

6 We provide and are responsible for
7 conducting inspections of all water-related aspects to
8 the project, and provide those inspection reports to
9 the Developers as well as land -- from a land tenure
10 perspective, Aboriginal Affairs leases and disposes of
11 Crown land in the ISR under the Territorial Lands Act.
12 Upon completion of the highway, that portion that
13 overlies the Crown land, upon a declaration that it is
14 indeed a highway it becomes territorial land under the
15 charge of the GNWT.

16 We also, in terms of land management, is
17 we manage granular resources in the ISR and Crown land.
18 We accept and review quarry permits. We review
19 associated development plans. We issue quarry permits
20 as appropriate. And as -- as I mentioned earlier, we
21 do a lot of follow-up with the Developers and ensure
22 there's open lines of communication and dialogue. And
23 we provide inspections.

24 Inspections is our primary tool, beyond
25 education, to ensure compliance. And they are designed

1 to assess the project activities adherence to terms and
2 conditions of permits and licences. They are conducted
3 by either a resource management officer, or a water
4 resources -- or a water resource office -- officer.

5 And, again, inspection reports are provided to
6 Proponents shortly after the reports or the inspection
7 takes place.

8 A lot of times, any noncompliance issues
9 are dealt with in the field at the time or very shortly
10 afterwards. Also, if there are noncompliance issues
11 that are noted in reports, we do follow-up inspections
12 to ensure that -- that the changes and the -- and the
13 recommended mitigations have occurred.

14 From an environmental assessment
15 perspective, as applicable we conduct environmental
16 effects determination under the new CEAA Act of 2012.
17 We participate in coordinated federal processes where
18 multiple authorities are involved. We participate in
19 environmental assessments, such as this. And we
20 provide advice to the respective Boards and -- and
21 committees that exist in the ISR.

22 Some of the issues that we raised in
23 Inuvik were mostly related to access, and related to
24 access of the temporary winter roads that are going to
25 be built to the granular sites. So there's local

1 access of local users during construction, temporary
2 winter road accesses to quarry sites, and the impacts
3 of those during construction, temporary winter road
4 accesses during the operation of the highway over the
5 next fifty (50) years, as well as the footprint of
6 staging and stockpile areas adjacent to the right of
7 way.

8 So the first issue which includes local
9 access during construction, it was noted that some of
10 the quarry sites that have been proposed to -- to be
11 utilized lie right over top of, for example, the trail
12 between Inuvik and Husky Lakes. And that is an issue
13 that could impede local hunters, trappers, and users of
14 the area be -- including recreational users if there's
15 no clear access either through or around those specific
16 quarry sites.

17 Temporary winter road access to the
18 quarry sites during construction, and those are the --
19 the construction years where there is successive years
20 of -- of winter access built to the same, overtop of
21 the same -- the same area. Successive accesses over
22 the same tundra a lot of times has impacts that we
23 don't believe were accounted for in the -- in the EIS
24 that was submitted. And we think that those need to be
25 -- those need to be dealt with.

1 Operations and maintenance in the
2 context of winter road accesses to the quarry sites
3 during operations. There will be no permanent roads
4 built to the borrow sources. We all know that there is
5 going to be a requirement for borrow material from some
6 of the same sources, and repeated construction over
7 successive years, or even every second year or third
8 year, using the same -- the same route to the same
9 borrow sources again will cause, in our opinion, some
10 type of impact to the tundra.

11 Staging of stockpile areas adjacent to
12 the right of way. I don't recall seeing in the EIS
13 additional land set aside or required to -- to store
14 the large amount of stockpiles perhaps not only for
15 construction but also during the operation of the
16 highway through the next bunch of years. It's ob --
17 it's obvious to us that additional land requirements
18 will be needed.

19 Future submissions. In terms of -- we
20 had some concerns in terms of where we're at with some
21 of the submissions, such as the granular development
22 plans that we haven't seen yet, but also recognize that
23 some of these can be dealt with and reviewed during the
24 regulatory processes. And the timing of this
25 additional information is -- is important.

1 I had four (4) bullets on this next
2 slide that relate to wildlife management, fisheries
3 management, granular resource management, and water
4 management. And I had quite a few speaking notes --
5 and I'm going off the top of my head here, but
6 essentially what I was trying to say in that -- in
7 concluding remarks we -- we exercise some cautious
8 optimism.

9 And in relation to these four (4)
10 bullets, the wildlife, fisheries, granular resource,
11 and water management issues, we wanted to illustrate or
12 highlight the fact that those of us that are in this
13 room that have a legislative responsibility to ensure
14 management plans are in place, for example, to have
15 certain controls on -- on fishing if they're needed, to
16 have certain controls on caribou harvest if they're
17 needed, that we're willing to step up and -- and create
18 and develop these management plans as -- as required
19 and as -- as expected by not only our communities but
20 also through the legislation that we deal with.

21 Aboriginal Affairs is satisfied with the
22 Developer's responses and the commitments that they've
23 provided us to date. We recognize again that
24 additional detail will be required during the
25 regulatory phase. And with this additional detail to

1 come Aboriginal Affairs is confident that the possible
2 adverse impacts can be properly mitigated. Thank you.

3 THE CHAIRPERSON/FACILITATOR: Thank
4 you, Mr. Baetz. DFO...?

5 MS. AMANDA JOYNT: Madam Chair, Amanda
6 Joynt, with Fisheries and Oceans Canada. DFO is
7 responsible for, and our submission was based on,
8 issues specifically related to management of fish and
9 fish habitat along the highway corridor. And the
10 issues -- I'll just list them off quickly -- that we've
11 been tracking include water course crossings,
12 sedimentation, water withdrawal, fisheries management
13 and harvesting along the corridor, borrow sites
14 monitoring, blasting, and the creation of a no-net-loss
15 plan for any fish habitat that was lost, as well as
16 cumulative effects assessment.

17 We will be available during breaks and
18 throughout the day tomorrow if you have questions
19 specifically with regards to any of those. We will
20 have our non-technical summary at the side, as well as
21 our presentation that was given in Inuvik. I don't
22 think going through them all right now is probably very
23 helpful.

24 So I will just say that we will continue
25 to work with the Proponent on information that's

1 required for the regulatory phase. That's including
2 things like fish habitat, details on the crossings,
3 fish habitat compensation, and the mitigation measures
4 and the monitoring that's required for those crossings
5 for authorizations.

6 THE CHAIRPERSON/FACILITATOR: Thank
7 you, Ms. Joynt. Environment -- Environment Canada...?

8 MS. SUSANNE FORBRICH: Yes. Susanne
9 Forbrich, Environment Canada. My apologies. I'm going
10 to sit down, because otherwise I can't read my binder
11 here. I really -- I want to thank you for the
12 question, because I think it's important for the folks
13 in this community to hear what was done in -- in
14 Inuvik.

15 From an Environment Canada standpoint,
16 we're not a regulator. Our -- our role here is an
17 advisory nature to the Board and Board staff with
18 regards to this particular project.

19 There are some legislation that do apply
20 to this particular project, and I just want to mention
21 them here: the Department of Environment Act, the
22 Canadian Environmental Protection Act, the pollution
23 prevention provisions of the Fisheries Act, the
24 Migratory Birds Convention Act, and the Species At Risk
25 Act.

1 And in relation to those particular
2 pieces of legislation, we framed our draft submission
3 that we provided to the Board for their consideration.

4 The issues that we were concerned with
5 related primarily to water quality fuel storage during
6 construction; spill contingency reporting and planning;
7 waste management during construction; and wildlife,
8 including migratory birds and species at risk. In
9 general, the Proponent has provided the information
10 that we have been looking for, and we agree with the
11 conclusions.

12 One of the outstanding concerns that we
13 do have is related to that there's some plans that are
14 outstanding which are normally provided after the
15 project is approved for prior -- but prior to
16 construction, and these plans contain -- outline
17 specific risks and specific mitigation measures.

18 We would like to see those particular
19 plans once they're finalized. The intent is for
20 Environment Canada, regulators, and other interested
21 parties to provide input and advice prior to the
22 construction, should the project proceed. And these
23 plans relate to the management of explosives, sediment
24 erosion, control plans, spill contingency planning, as
25 well as environmental emergency response planning,

1 waste management plan, and the wildlife management
2 plan.

3 So I -- again, I have my presentation,
4 as well as the non-technical summary, and I'll put it
5 out on the table there. And if you have any questions
6 now or during the breaks, feel free to approach me.
7 Thank you.

8 THE CHAIRPERSON/FACILITATOR: Thank
9 you.

10 MR. JONATHAN PRITCHARD: Thank you,
11 Madam Chair. Jonathan Pritchard here, with
12 Infrastructure Canada. I'd like to just give a sort of
13 summary of our role and mandate at Infrastructure
14 Canada. Our department provides funding to support
15 enhanced development of public infrastructure in Canada
16 through capital investments in infrastructure projects.

17 In -- budget 2011, provided \$150 million
18 to support the construction of the all-season road
19 between Inuvik and Tuktoyaktuk here in the Northwest
20 Territories. We are the administrator of the federal
21 contribution to the project, and Infrastructure Canada
22 is the responsible authority under the Canadian
23 Environmental Assessment Act, and the competent
24 government -- sorry, and a competent -- where am I --
25 and a competent government authority under the

1 Inuvialuit Final Agreement.

2 We will lead the coordination of the
3 Government of Canada's single response in the EIRB --

4 THE CHAIRPERSON/FACILITATOR: Excuse me
5 for interrupting, but could we just slow it down a
6 little tiny bit for the interpreters?

7 MR. JONATHAN PRITCHARD: Sorry, I
8 apologize. I had a cough --

9 THE CHAIRPERSON/FACILITATOR: Thank
10 you. No, we're all -- we all do the same thing. Thank
11 you.

12 MR. JONATHAN PRITCHARD: I'm feeling a
13 little under the weather, as well. So we -- we rely on
14 scientific expertise of other federal government
15 departments and will lead the coordination of the
16 Government of Canada's single response to the EIRB
17 panel report.

18 We look forward to working with the
19 Government of the Northwest Territories, the Inuvialuit
20 Regional Corporation, and the local communities to move
21 this project forward. Thank you very much.

22

23 (BRIEF PAUSE)

24

25 MS. ADRIANE BACHESCHI: Hi -- hi,

1 Elizabeth. Hi, I'm Adriane Bacheschi with Parks
2 Canada. Our presentation was quick, and it dealt
3 mostly with the Pingo Canadian Landmark. Parks Canada
4 is not a regulator for this project. We are concer --
5 our concerns with the highway relate to how close the -
6 - the road is to the pingos. And we just talked in
7 general, explained what we do in Tuk, the programs that
8 we offer related to the Pingo Canadian Landmark.

9 We also discussed the fact that we built
10 a boardwalk in 2010, and that was to minimize access to
11 the tundra and to offer the potential economic benefit
12 of having tour operators that take boat -- boats to the
13 boardwalk and then would take people on a walk there.

14 In terms of concerns or issues, Parks
15 Canada did not raise any issues related to the
16 construction of the highway. We said we had two (2)
17 concerns. One of them was related to the potential of
18 dust and noise during the construction of the highway
19 and after -- during the operation on nesting birds, the
20 nests on the area.

21 The other concern was related to the
22 speci -- specific to the newly constructed boardwalk
23 and the idea that because the road will get so close to
24 the pingos, and we all know that this is a very flat
25 landscape and you see those little hills over there.

1 So people will -- will stop very far away as when they
2 get close, to try to look at the pingos, potentially to
3 walk to the pingos. And that would maybe cause some --
4 some impact on the tundra and maybe also would
5 potentially have less people interested in getting the
6 boat to the boardwalk.

7 But in terms of mitigation, so in -- in
8 terms of things that we said should be done to -- to
9 resolve our concerns, one of them related to the dust
10 and noise. We said we wouldn't -- we wouldn't have any
11 extra mitigations. We think that what the Proponents
12 have said they will do during the construction, and if
13 they follow their guidelines and all the other
14 environmental, sort of, specifications, we think
15 everything will be okay. So we have no concerns with
16 the dust and noise.

17 And in terms to the lo -- to the
18 boardwalk, we have suggested, and we talked to the
19 Proponents about this, about creating a pullout where
20 there would be a nice view of the pingo. This way, we
21 kind of direct traffic to that point, put some signs
22 there that talk about the pingo, talk about the Tuk --
23 talk abo -- about Tuk, and talk about potential tour
24 operators that could take people to the boardwalk. And
25 this way we think any concerns that we had related to

1 that would be solved. And that's it for Parks Canada.

2 MR. ALEX BRADLEY: Alex Bradley,
3 Wildlife Management Advisory Council. Madam Chair, if
4 it's all right, I'm also going to take a seat so I can
5 -- more able to read off my laptop.

6 THE CHAIRPERSON/FACILITATOR: Go ahead.

7 MR. ALEX BRADLEY: The WMAC, as many of
8 you know, is not a regulatory body. It's an advisory
9 body. We advise appropriate ministers on wildlife
10 habitat, harvesting, and setting harvest quotas. So
11 again, we're not a regulatory body. But we did have a
12 few concerns with the Developer's EIS, which we shared
13 again in Inuvik. And I'll just kind of briefly
14 highlight some of the points that we went over.

15 And so one of them is the cumulative
16 effects assessment, the first one being the spatial
17 boundaries. The Developers, in WMAC's position, set
18 the boundaries more -- arbitrarily were selected. What
19 WMAC would like to see is a more science-based approach
20 to it. It needs to encompass key life history
21 characteristics of VECs. An example is home range and
22 herd range, things like that.

23 And it needs to include the indirect
24 effects of the road, such as things on caribou
25 avoidance, increased wolf predation, and increased

1 human harvesting, which is something that we think may
2 very well happen with the road construction.

3 The second thing having to do with
4 accumulative effects assessment was the temporal
5 boundaries. WMAC's concern is that the ten (10) years
6 that the Developer is proposing after the construction
7 of the highway is too short. We would like to see
8 fifty (50) years post-construction to better help
9 mitigate and make up for the temporal boundaries.

10 The -- WMAC disagrees with the
11 Developer's worst-case scenario for the highway. Their
12 position is that the worst case would be some sort of
13 tanker spill in and around Husky Lakes, which they said
14 would cost in the range of four hundred and eighty-six
15 thousand dollars (\$486,000) to clean up.

16 WMAC's position is completely different,
17 and we feel that the worst-case scenario very well
18 could be a huge disruption in the caribou -- barren-
19 ground caribou in the area, or possible even a loss of
20 the entire herd. And based on harvesting data and the
21 price caribou meat sells for, we feel this could be
22 somewhere in the range of seven hundred and fifty
23 thousand dollars (\$750,000). And this could be an
24 indefinite thing, and this is something we're very
25 concerned about.

1 The last thing we're concerned about is
2 the mitigation and remediation. As a consequence of
3 the inadequate cumulative effects assessment, both
4 mitigation and remediation measures presented by the
5 Development are local, short-term, or non-existent.

6 WMAC's position is that without an
7 appropriate cumulative effects assessment, effective
8 mitigation and remediation measures are impossible to
9 formulate, and an appropriate science-based cumulative
10 effects assessment needs to be conducted for the
11 proposed highway.

12 And thank you, Madam Chair, for the
13 opportunity, and we look forward to working with the
14 Devel -- Developer further and to our meetings next
15 week. Thanks.

16 THE CHAIRPERSON/FACILITATOR: Thank
17 you. I didn't -- is there someone from the FJMC here?

18

19 (BRIEF PAUSE)

20

21 THE CHAIRPERSON/FACILITATOR: Okay.
22 And Transport Canada, is there -- do we have someone
23 here from Transport Canada?

24

25 (BRIEF PAUSE)

1 THE CHAIRPERSON/FACILITATOR: I note
2 that there's also a number of GNWT departments here,
3 and I wondered if you could just briefly talk about
4 your programs if that's -- would you be okay with that?
5 So maybe starting with ENR.

6

7 (BRIEF PAUSE)

8

9 MS. MARSHA BRANIGAN: It's Marsha
10 Branigan, with ENR in Inuvik. I'm not prepared to do
11 this, but we'll do it anyway. ENR's mandate is related
12 to wildlife and wildlife habitat, it's -- for the
13 division that I work with.

14 We also have forest management and
15 environmental protection. So spill responses is -- is
16 under ENR's mandate. So -- and we have been providing
17 advice to the Developer through the -- through this
18 project. And we want -- if this road is approved, we
19 see that we will have a role in the -- these aspects of
20 our mandate and would -- would continue to work with
21 the co-management bodies and other bodies in the region
22 to ensure that the commitments that were made under the
23 Development would be met.

24 THE CHAIRPERSON/FACILITATOR: Thank
25 you. And I think there was -- is it Infrastructure?

1 MR. DON CRAIK: ITI.

2 THE CHAIRPERSON/FACILITATOR: ITI, yep.

3

4 (BRIEF PAUSE)

5

6 MR. DON CRAIK: Don Craik, Industry,
7 Tourism, and Investment. The main thing we responded
8 to in Inuvik, and I think that's what the original
9 question was, was some information that was requested
10 by the -- the committee of experts and the panel.

11 The one was -- one of the things was:
12 Did we have any -- were we developing any special
13 programs to respond to the effects of the highway? And
14 our quick response was that -- to that was that we felt
15 that our existing programming would -- would cover any
16 effects of the highway, particularly with regard to
17 tourism aspects. We did recognize the need for tourism
18 infrastructure, should the road be constructed.

19 And as was mentioned by Parks Canada and
20 DOT at the Inuvik meeting, that there will be a need
21 for some roadside pullouts, complete with garbage cans
22 and that type of thing to -- both for safety reasons
23 and to alleviate any garbage or that type of thing
24 along the road.

25 We do see this project as an econobi --

1 economic opportunity, both during construction stage
2 and upon completion. Again, with tourism, with Tuk
3 Harbour development, with offshore drilling, and of
4 course -- of course, exploration on -- on land as well
5 as near shore.

6 I'm like Marsha; I wasn't quite prepared
7 for this either. I think that's about all the
8 questions that we were asked there and our -- our
9 response -- our brief responses to them. Thank you.

10 THE CHAIRPERSON: Thank you.

11 MS. ALANA MERO: I just wanted to make
12 sure it was on. Alana Mero, Northwest Territories
13 Housing Corporation. We, of course, don't take a
14 position on the highway at Housing. We know nothing
15 about building roads, and should -- shouldn't even try.

16 So our questions were around: If there
17 was an increased need for housing, either here or in
18 Inuvik, how would that be handled? And that would be
19 handled through our usual process, where we get data
20 from the NWT statistics, from the federal census, from
21 the communities, and also from the housing associations
22 about the need.

23 We would make that case to Yellowknife,
24 to the government, and basically make that part of our
25 capital plan to meet that need. So we don't have any

1 concerns about the highway and would try to meet any
2 need that came out of it.

3 THE CHAIRPERSON: Just behind you
4 there, Richard.

5

6 (BRIEF PAUSE)

7

8 MS. ARLENE JORGENSEN: Hi. I'm Arlene
9 Jorgensen. I'm with the Beaufort Delta Health and
10 Social Service Authority. I was at the meetings in
11 Inuvik representing the Health Authority, as well as on
12 behalf of the Department of Health.

13 So the questions again had to do with
14 whether or not our department felt we had enough
15 information to develop a mitigation plan. And the
16 information that I shared was that the Department of
17 Health has met with the Developer, in terms of coming
18 up with some planning around the construction phase,
19 which included things related to if there was an injury
20 during the construction phase, the Developer would be
21 responsible for getting the individual to the health
22 care facility, making sure that any employees from the
23 South had valid health care insurance. There is even
24 some agreement around ensuring that there's healthy
25 food served at the camp during development phase.

1 In terms of long-term mitigation plans,
2 our department provides services to the residents of
3 the Beaufort Delta. We would continue to provide those
4 same services. We're hopeful that the road would
5 assist in improving some of the basic determinants of
6 health, which include reduction in food prices, which
7 includes access to economic opportunity, and so that
8 overall there would be a positive impact.

9 But we would continue to monitor our
10 programs and services and respond accordingly. And we
11 continue -- we keep stats. We respond according to the
12 need. And so that's what we would continue to do.

13 THE CHAIRPERSON: Thank you. I think
14 that covers all of the parties. I hope that was
15 helpful to you.

16 MR. LENNIE EMAGHOK: Thank you.

17 THE CHAIRPERSON: And I think there
18 were offers in the presentations that if there's
19 questions either during break or lunch or something
20 like that, and there's some information at the back on
21 some of these programs. Also, I will say that if
22 during the proceedings at any point you'd like to ask
23 questions to any of these parties, please stand up and
24 do so.

25 I think that we have a few questions

1 from our technical advisors for the Developer on the
2 basis of their presentation. And -- and we'll move on.
3 So I'll turn it over to that side.

4

5 CONTINUED QUESTION PERIOD RE. DEVELOPER'S PRESENTATION:

6 THE CHAIRPERSON/FACILITATOR: Ms.

7 Birnie...? Dr. Komers...?

8 DR. PETR KOMERS: Thank you, Madam

9 Chair. This is Petr Komers. We talked about the
10 management plans and we've heard about that this
11 morning from some of the agencies. We also heard from
12 the community members, their views are recorded in the
13 traditional land use studies about the need to develop
14 a wildlife management plan. And we also heard that
15 they believe that ENR and DFO need to step up to do
16 their job in managing and protecting wildlife.

17 The question is: Have you completed a
18 wildlife management plan, one that would have included
19 the concerns and questions raised by the community
20 members?

21 THE CHAIRPERSON/FACILITATOR: Mr.

22 Stevens...?

23 MR. JIM STEVENS: Madam Chair, thank
24 you for that question. We have a draft wildlife
25 effects monitoring plan. And our commitment to the

1 panel is to provide that draft by October 6.

2 THE CHAIRPERSON/FACILITATOR: Thank
3 you. Dr. Komers, do you have other questions?

4 DR. PETR KOMERS: Thank you. Petr
5 Komers. Thank you very much for that. Just one (1)
6 follow-up question on the other plans.

7 I believe Environment Canada noted a
8 number of plans, including the spill contingency plan,
9 the hazardous waste management plan, erosion and
10 sediment control plan, explosive management plan, waste
11 management plan, the wildlife management plan we were
12 just talking about. Also, DFO at some point talked
13 about the no-net-loss plan. And in Inuvik we were
14 talking a great deal about monitoring plans that are
15 needed as part of all of those management plans.

16 We hear from the Tuktoyaktuk
17 participants in the traditional land use studies that
18 they said that they want the road, but they also want
19 to protect the environment. All these plans would be
20 needed to protect the environment.

21 Did you provide the information about
22 the plans, all these plans, to the agencies and co-
23 management committees, such as WMAC and FJMC, so that
24 they would be enabled to do their planning and their
25 advice?

1 And, again, would those plans integrate
2 the views and concerns of the community?

3 THE CHAIRPERSON/FACILITATOR: Mr.
4 Stevens...?

5 MR. JIM STEVENS: Madam Chair, we have
6 provided, I guess, the framework of the plans, but we
7 were thinking a better plan would be to work with the
8 co-management groups and work with them to develop
9 those management plans.

10 Our proposed meetings next week, or
11 later this week actually, in Whitehorse with Fisheries
12 Joint Management Committee, Inuvialuit Game Council,
13 and ultimately the week after, WMAC, it's -- we will
14 start the discussion on what those plans should
15 contain. Thank you.

16 THE CHAIRPERSON/FACILITATOR: Thank
17 you.

18 MS. MEGHAN BIRNIE: Thank you, Madam
19 Chair. Meghan Birnie. In the traditional knowledge
20 study for this project, the Tuk participants said that
21 they're concerned that the road will impact their
22 harvesting.

23 Some of the examples they provided are
24 that the road will result in increased harvesting of
25 caribou. And they said there will need to be more and

1 improved bylaws related to car -- caribou harvesting
2 and that regulatory agencies will have to step up and
3 enforce those regulations. They also said the road
4 could result in overfishing in the lakes and decreased
5 quotas of bears available for harvesting.

6 You've identified some of the parties
7 that are responsible for managing harvested resources,
8 as WMAC, FJMC, IGC, the HTCs, and the ILA. Some of
9 these parties say they don't have enough funding to
10 manage impacts from the road.

11 Building on the answer that you just
12 provided to Petr, can you tell us if you have met with
13 all of these parties already so that they know what
14 they're responsible for and to make sure that they have
15 enough funding to do this?

16 THE CHAIRPERSON/FACILITATOR: Mr.
17 Stevens...?

18 MR. JIM STEVENS: Madam Chair, the
19 meetings that will be held later this week will start
20 the initial discussions on how the -- how we will work
21 with these groups and ultimately how we can provide
22 some resources or all the resources required, necessary
23 for the -- these plans.

24 THE CHAIRPERSON/FACILITATOR: Thank
25 you. Ms. Birnie...?

1 MS. MEGHAN BIRNIE: Thank you, Madam
2 Chair. Many of the comments that were raised about
3 harvesting are related to the increased land access
4 that people will have to Inuvialuit lands.

5 Have you shown, in your submissions, how
6 access to the land could be managed to discourage the
7 public and tourists from entering on Inuvialuit lands?

8

9 (BRIEF PAUSE)

10

11 MR. JIM STEVENS: One moment, ma'am --
12 Madam Chair.

13 THE CHAIRPERSON/FACILITATOR:

14 Certainly. Go ahead.

15

16 (BRIEF PAUSE)

17

18 MR. JIM STEVENS: Madam Chair, there
19 are inferences relative to the role and responsibility
20 of the Inuvialuit Lands Administration in terms of
21 management and access to Inuvialuit lands, and also I
22 understand or I believe that Conrad Baetz in his
23 submissions in Inuvik and just a high-level overview
24 today has referred to the responsibilities of
25 Aboriginal and -- Affairs and Northern Development

1 Canada to the question of access to Crown land.

2 THE CHAIRPERSON/FACILITATOR: Thank
3 you. Ms. Birnie, do you have other questions?

4 MS. MEGHAN BIRNIE: Thanks, Madam
5 Chair. Meghan Birnie. So who will control access to
6 Inuvialuit lands for the public and tourists?

7 THE CHAIRPERSON/FACILITATOR: Mr.
8 Stevens...?

9 MR. JIM STEVENS: Madam Chair, I can't
10 take direct responsibility for responding to that. It
11 is under -- our best understanding that access and
12 management to ILA -- ILA lands will be done by the
13 Inuvialuit Land Administration.

14 THE CHAIRPERSON/FACILITATOR: Thank
15 you.

16 MS. MEGHAN BIRNIE: No more questions.
17 Thank you.

18 THE CHAIRPERSON/FACILITATOR: Oh.
19 Thank you.

20 MS. MEGHAN BIRNIE: Related to that
21 point, sorry, other questions.

22 THE CHAIRPERSON/FACILITATOR: Go ahead.

23 DR. PETR KOMERS: Madam Chair, this is
24 Petr Komers. I just have one (1) specific question
25 that I would like to cover, and that relates to the

1 gravel sources and the development of -- of gravel
2 pits. In the traditional knowledge study for this
3 project the Tuktoyaktuk participants say that you will
4 need to recover those places where gravel is taken to
5 prevent permafrost from melting and creating ponds.

6 Have you done a reclamation plan that we
7 could review for these gravel pits?

8 THE CHAIRPERSON/FACILITATOR: Mr.
9 Stevens...?

10 MR. JIM STEVENS: Madam Chair, I'll ask
11 Erica Bonhomme to respond to that.

12 THE CHAIRPERSON/FACILITATOR: Ms.
13 Bonhomme...?

14 MS. ERICA BONHOMME: Erica Bonhomme,
15 Kavik-Stantec. Reclamation plans for borrow pits will
16 be included as a part of the pit management plans,
17 which will be submitted to AANDC and ILA in support of
18 applications for quarry permits.

19 The general objectives of reclamation
20 plans will follow the guidelines for the management of
21 pits and quarries in the Inuvialuit settlement region.
22 But the site-specific procedures that would be followed
23 would have to be discussed. And the -- the sort of
24 things that would go into a site-specific reclamation
25 plan would be discussed during consultation with

1 communities, and also during consultation with those
2 specific regulators. And I'm talking here the
3 Inuvialuit Land Administration and Aboriginal Affairs
4 and Norther Development Canada.

5 THE CHAIRPERSON/FACILITATOR: Thank
6 you. Ms. Birnie...?

7 MS. MEGHAN BIRNIE: Thank you, Madam
8 Chair. In the traditional knowledge study for this
9 project, the Tuktoyaktuk participants said that gravel
10 taken too close to Husky Lakes may affect water quality
11 in the lake, and that sources of gravel closer to the
12 community should be left for community use.

13 Can you tell us again which gravel
14 sources you're using to make sure that none of those
15 gravel sources affect those -- those issues?

16 THE CHAIRPERSON/FACILITATOR: Mr.
17 Stevens...?

18 MR. JIM STEVENS: Madam Chair, I'll ask
19 Robyn McGregor to respond to that, please.

20 THE CHAIRPERSON/FACILITATOR: Ms.
21 McGregor...?

22 MS. ROBYN MCGREGOR: Thank you, Madam
23 Chair. Robyn McGregor, Kiggiak-EBA. The gravel
24 sources that will be used for construction and
25 operation of the highway are identified in our

1 submissions.

2 I'll list the names and numbers of the
3 sources: Source 325/314, Source 309, Source 174, Source
4 170, Source 177, Source 173/305 for future operations,
5 and Source 307 we have listed, currently do not
6 identify any material to be taken from that source.

7 Source 325/314 is the source that is
8 closest to Husky Lakes near the south end of the
9 project. But the area that would be disturbed, or
10 material taken from, is well outside of the 1 kilometre
11 buffer around Husky Lakes. Source 177, which the
12 members of the community know very well, is the source
13 that is identified in the ISR's granular resource
14 management plan for use for the community of
15 Tuktoyaktuk.

16 We have recognized this in the amount of
17 material that is estimated to be taken out of the
18 source for the highway leaving behind material for the
19 use of the community of Tuktoyaktuk. Thank you.

20 THE CHAIRPERSON/FACILITATOR: Thank
21 you, Ms. McGregor. Okay, thank you.

22 MS. MEGHAN BIRNIE: Thank you, Madam
23 Chair. People from Tuktoyaktuk participated in the TK
24 study for this project and asked their questions,
25 raised their concerns, and made their recommendations.

1 In the technical session, I asked if you had responded
2 to these, and you provided some tables to the Board
3 with your answers.

4 Did you provide your answers to the
5 people who participated in the study so that they can
6 know if you addressed their concerns and accepted their
7 recommendations? Thank you.

8 THE CHAIRPERSON/FACILITATOR: Mr.
9 Stevens...?

10 MR. JIM STEVENS: Madam Chair, I'll ask
11 Erica Bonhomme to respond to that, please.

12 THE CHAIRPERSON/FACILITATOR: Ms.
13 Bonhomme...?

14 MS. ERICA BONHOMME: Erica Bonhomme,
15 Kavik-Stantec. The traditional know -- the short
16 answer is no. The traditional knowledge workshop
17 reports were provided to the HTC's of the two (2)
18 communities, but the specific responses to the concerns
19 raised in the report were not discussed with them.

20 THE CHAIRPERSON/FACILITATOR: Thank
21 you. Ms. Birnie...?

22 MS. MEGHAN BIRNIE: No more questions.

23 THE CHAIRPERSON/FACILITATOR: Mr.
24 Donihee, do you have a question?

25 MR. JOHN DONIHEE: Yes, thank you,

1 Madam Chair. My name is John Donihee. I'm counsel to
2 the Board. In -- in Inuvik I asked the Developer about
3 wildlife compensation in particular. And I asked
4 whether they had contacted the Inuvialuit Game Council
5 or the HTCs to address wildlife compensation. It's a
6 quite common practice in other circumstances,
7 development circumstances, for the issue of wildlife
8 compensation to be addressed up front through some kind
9 of an agreement.

10 And when I asked about that in Inuvik,
11 the answer was that there had been no such discussions
12 with the Game Council.

13 Now, I -- I'd just remind the Developer
14 that Section 13.3 of the IFA guarantees Inuvialuit --
15 makes it mandatory that wildlife compensation for
16 actual and future harvest losses resulting from
17 development on 7(1)(b) and Crown lands be paid.

18 So in response to the question that Ms.
19 Birnie asked just a moment ago, it sounded as though,
20 when she was asking about increased access and
21 increased harvesting pressures, that the Developer was
22 simply saying that, you know, managing that access and
23 harvesting is going to be somebody else's job.

24 I -- I think the question I have really
25 is the -- you know, I don't doubt that it's going to

1 take cooperation to manage these issues, but, you know,
2 how -- how is the Developer going to address these
3 compensation obligations that arise from reductions in
4 harvest, if they do, if they haven't talked to the
5 Inuvialuit institutions that are responsible for these
6 kinds of compensation agreements?

7 THE CHAIRPERSON/FACILITATOR: Mr.
8 Stevens...?

9 MR. JIM STEVENS: Madam Chair. Thank
10 you for that question. I first would like to reit --
11 reiterate the Developer's commitment to respect the
12 Inuvialuit Final Agreement in all undertakings. We
13 have also previously stated our commitment to work with
14 the co-management groups.

15 And with regard to the specific question
16 Mr. Donihee just posed, I would suggest the answer to
17 that question will start with our discussions later
18 this week when we start meeting with the Inuvialuit
19 Game Council and the Fisheries Joint Management
20 Committee. Thank you.

21 THE CHAIRPERSON/FACILITATOR: Thank
22 you, Mr. Stevens. Mr. Donihee...?

23 MR. JOHN DONIHEE: Thank you, Madam
24 Chair. John Donihee again. Mr. Stevens, can I simply
25 then ask you to make a formal commitment to address

1 this issue of compensation in those meetings with the -
2 - these two (2) institutions, Game Council and WMAC?

3 THE CHAIRPERSON/FACILITATOR: Mr.
4 Stevens...?

5 MR. JIM STEVENS: Madam Chair, I can
6 confirm that issue will be on the agenda for all
7 meetings in the near future. Thank you.

8 THE CHAIRPERSON/FACILITATOR: Thank
9 you. Mr. Donihee...?

10 MR. JOHN DONIHEE: Thank you, Madam
11 Chair. And, Mr. Stevens, if -- if the Game Council,
12 for example, requests consideration of a -- a
13 formalized arrangement, such as a -- as a compensation
14 agreement, would the Developer commit to at least
15 giving consideration to that approach to addressing
16 this problem?

17 THE CHAIRPERSON/FACILITATOR: Mr.
18 Stevens...?

19 MR. JIM STEVENS: Madam Chair, subject
20 to our discussions, I would suggest that, if we do
21 reach a consensus and agreement, the whole process
22 forward would be covered by an -- sort of a blanket MOU
23 which would lay out the principles and the actions that
24 we would undertake.

25 And, in parallel with that, there would

1 be a contribution agreement that would require those
2 parties to live up to a few obligations. But that
3 would be the mechanism from which funding would flow.
4 Thank you.

5 THE CHAIRPERSON/FACILITATOR: Thank
6 you, Mr. Stevens.

7 MR. JOHN DONIHEE: Thank you, Madam
8 Chair. John Donihee. I'm just reacting to the -- this
9 news. That's great. My -- my reaction, though, is
10 that an MOU may not exactly be a binding agreement, but
11 I'll leave that to the parties to deal with.

12 And when you speak of a contribution
13 agreement then, are you saying that, should it be
14 necessary for the Government of the Northwest
15 Territories to assist Game Council, the HTC's or WMAC in
16 getting this work done for the benefit of all, that the
17 Government of Northwest Territories will consider
18 providing some funding to these organizations in order
19 that they may meet their side of that bargain?

20 THE CHAIRPERSON/FACILITATOR: Mr.
21 Stevens...?

22 MR. JIM STEVENS: Madam Chair, I can
23 commit to that obligation, again, subject to the size
24 of resource, obviously. I would have to put some kind
25 of conditions; but in principle, that's what we propose

1 to do.

2 THE CHAIRPERSON/FACILITATOR: Thank
3 you.

4 MR. JOHN DONIHEE: Thank you, sir.
5 Thank you, Madam Chair. I -- I have a different topic
6 to address now.

7 I'm just wondering whether the
8 Government of the Northwest Territories intends to
9 negotiate a -- a participant -- pardon me, a
10 participation agreement or a -- an access and benefits
11 type agreement to -- to address the provision -- the
12 promises, I guess, that have been made about
13 socioeconomic benefits for Inuvialuit which may arise
14 from this -- from this development.

15 THE CHAIRPERSON/FACILITATOR: Mr.
16 Stevens...?

17 MR. JIM STEVENS: Madam Chair, the
18 proposed Inuvik-Tuk Highway is -- is public
19 infrastructure. It's being proposed for the benefit of
20 the residents of the Inuvialuit settlement region. And
21 at this time there is no discussion or intent to
22 conclude that type of agreement.

23 THE CHAIRPERSON/FACILITATOR: Thank
24 you. Mr. Donihee...?

25 MR. JOHN DONIHEE: Thank you, Madam

1 Chair. John Donihee. Mr. Stevens, it's a fairly
2 common practice for the Government of the Northwest
3 Territories to ask all commercial developers to enter
4 into these kinds of socioeconomic agreements. And
5 through them, the Government of the Northwest
6 Territories has ensured significant benefits to the
7 Yellowknife area, for example, as a result of
8 socioeconomic agreements at the two (2) diamond mines.

9 I'm just wondering why, you know, when
10 you're asking commercial developers to do this sort of
11 thing, it's okay, but when you're doing it yourself,
12 you're saying that you don't have any intention to --
13 to approach the benefits in this way.

14 THE CHAIRPERSON/FACILITATOR: Mr.
15 Stevens...?

16 MR. JIM STEVENS: Madam Chair, this
17 project will cost, basically, the federal government
18 and the Government of the Northwest Territories
19 something in the order of \$300 million. This project
20 will yield significant benefits to the residents of
21 Inuvik and Tuk. For instance, in a reduction of cost
22 of living, there is a projected annual savings of over
23 a million dollars. There is an estimated \$2.7 million
24 worth of tourism benefits that will flow to the region.
25 We see the benefits of the highway providing that kind

1 of support referenced in those agreements.

2

3 (BRIEF PAUSE)

4

5 THE CHAIRPERSON/FACILITATOR: Thank
6 you. Mr. Donihee...?

7

8 (BRIEF PAUSE)

9

10 MR. JOHN DONIHEE: Thank you, Madam
11 Chair. Three hundred (300) million dollars is a big
12 project. And it strikes me that, if you're going out
13 to let contracts, hire staff, and all the rest of it,
14 that the, you know, the economy of the Delta region is
15 pretty small and there's going to be a lot of spillover
16 and that it's inevitable that some of these benefits
17 are going elsewhere, outside the territories, as well
18 as inside.

19 And, you know, it -- it seems, from --
20 from the experience that I have with the diamond mine
21 agreements, that the important things about projects
22 like this, which are going to generate four (4) years
23 of construction and then rather little work thereafter,
24 is to give people opportunities for work, initially,
25 training, and to give them something to take away that

1 they can use to better their lives in the future. And
 2 these kinds of agreements, which address training,
 3 contracting, employment and that sort of thing, are --
 4 are rather important.

5 And why -- why is it so different, you
 6 know, that for this project than it is for the other
 7 projects that the GNWT gets involved with?

8 THE CHAIRPERSON/FACILITATOR: Mr.
 9 Stevens...?

10 MR. JIM STEVENS: Madam Chair, I guess
 11 again I'll reiterate that this is a public
 12 infrastructure project, overseen by public governance.
 13 It's being provided for the benefit of residents within
 14 the ISR and beyond. I'm comfortable in saying that the
 15 core programming that is in existence now with GNWT
 16 departments and agencies are solid and will help
 17 provide residents as we go -- benefits as we go forward
 18 with this project.

19 In terms of training, again, we've had
 20 initial discussions with Aurora College. One of the
 21 objectives of this project is to maximize local
 22 employment, contracting opportunities, and training.
 23 And training will be at the forefront of any activity
 24 on contracting as we go forward.

25 THE CHAIRPERSON: Thank you, Mr.

1 Stevens. Mr. Donihee...?

2 MR. JOHN DONIHEE: Thank you, Madam
3 Chair. I'm just going to leave that where it is. In
4 Inuvik, and -- and actually for purposes of this
5 meeting or tec -- hearing in -- in Tuk, the WMAC
6 indicated that it held some fairly different views
7 about the conclusions drawn on the impact assessment,
8 in particular about cumulative effects. And I -- I
9 think the -- because these matters are simply on the
10 record, I can say that although FJMC is not here, they
11 -- they expressed very similar points of view.

12 In -- in Inuvik, the Developer had the
13 opportunity to question WMAC and the FJMC, but you
14 didn't really challenge them. What you just said was
15 that you respectfully disagreed with them.

16 And so I think that, you know, really it
17 would help the panel if you would explain first why you
18 think FJMC, and second why you think that the WMAC's,
19 conclusions should not be accepted by -- by the panel
20 for purposes of writing its decision.

21 THE CHAIRPERSON: Mr. Stevens...?

22 MR. JIM STEVENS: Madam Chair, one
23 moment, please.

24

25 (BRIEF PAUSE)

1 MR. JIM STEVENS: Madam Chair --

2 THE CHAIRPERSON: Mr. Stevens...?

3 MR. JIM STEVENS: -- I'm going to ask
4 Rick Hoos to respond to that question, please.

5 THE CHAIRPERSON: Thank you. Mr.
6 Hoos...?

7 MR. RICK HOOS: Rick Hoos, Kiggiak-EBA.
8 I think I'll initially just discuss in general terms
9 the -- the WMAC position. Actually, I should really
10 pull out some of the material I have in front of --
11 with me, but I don't have it in front of me right now.

12 But basically, they were -- they --
13 their feeling at the end of the day is that wildlife --
14 and caribou in particular, possibly grizzly bear as
15 well -- could conceivably be severely impacted as a
16 result of -- of possible harvesting in relation to the
17 development of -- of the road, of the highway.

18 The Developer, in its EIS and in
19 subsequent documentation, has certainly made it very
20 clear that we -- we appreciate that concern but feel
21 that there are other mechanisms. There are existing
22 mechanisms, and there can be further mechanisms
23 developed, to manage those kinds of activities so that
24 that kind of effect, which is translated to be a
25 cumulative effect as a result of the highway, should --

1 should not ever occur.

2 And -- and examples of the kind of
3 existing management systems that are already in place
4 are things like the current ban on caribou harvesting
5 between Inuvik and Tuk, which has been in place since
6 about 2006, and the fact that it is anticipated that it
7 will continue to be in place for as long as is needed
8 in order to allow, hopefully, the caribou herds that
9 move through this area, allow them to recover to a
10 healthy and sustainable level, at which point the
11 management, the co-management Boards, the IGC, and
12 other parties may well decide to recommend other
13 options for management of perhaps a controlled harvest
14 at that time.

15 But we do not believe that the
16 construction of a highway will necessarily lead to a
17 significant harm to the existing caribou herds in the
18 area.

19 WMAC also was concerned about the -- as
20 was mentioned earlier today, with the spatial
21 boundaries, the temporal boundaries related to the
22 highway. The Developer has explained its position on
23 those boundaries, the fact that they followed the
24 current EIRB guidelines -- EIRB and EISC guidelines for
25 conducting cumulative effects assessments.

1 And for spatial boundaries the bas --
2 one of the basic tenets is that the boundaries should
3 be large enough to include the possible residual
4 environmental effects related to, in this case, the
5 proposed highway project as well as the possible
6 cumulative residual effects related to other projects
7 that either have taken place in the past, may be in
8 existence today, such as the Ikhil pipeline, or may be
9 proposed in the future such as the Mackenzie Gas
10 Project and a few other projects.

11 We are confident that the spatial
12 boundary that we have selected, which includes most of
13 the area north of Inuvik to Tuk from the Husky Lakes on
14 the one side to the Mackenzie River on the other side
15 is -- is definitely the -- the spatial boundary which
16 in -- within which any kinds of measurable effects, if
17 any, may occur for any of those projects.

18 From a temporal perspective, we
19 indicated that -- or we -- we indicated that it's very
20 difficult to look fifty (50) years down the road,
21 pardon the pun, because so many things might change
22 between now and then in terms of the normal cycling of
23 wildlife populations and -- and many other factors.

24 So what we had indicated in our
25 cumulative effects assessment was we would -- we would

1 evaluate the next ten (10) or so years, which included
2 about four (4) years for a construction program and
3 about six (6) years during which the road would be in
4 operation.

5 We made our predictions based on that
6 sort of a temporal boundary. We also do appreciate,
7 however, that any lessons learned from those ten (10)
8 years, and anything we learn from research that will be
9 conduct -- ongoing research that will be conducted on
10 the health and well being of the wildlife populations
11 and other parameters can all feed into future
12 predictions of where things might go beyond a certain
13 point of time.

14 One could consider that adaptive
15 management. One could consider it to be just an
16 appropriate way of managing the future rather than
17 trying to predict what we think is an appropriate level
18 of prediction extending fifty (50) years into the
19 future on the environmental characteristics of the --
20 and health and status of the animals in this area.

21 WMAC also talked about a worst-case
22 scenario and they agreed -- they did not agree with the
23 worst-case scenario that we had selected. The worst-
24 case scenario that we had selected we had actually
25 discussed with a number of parties, regulatory parties

1 in particular during the early development of the
2 worst-case scenario. And we felt we had to -- we
3 should really concentrate on a worst-case scenario that
4 could be directly related to the either construction,
5 or more likely, operation of the road its -- of the
6 highway itself.

7 And we concluded in that regard that a
8 more possible, although hopefully it'll never happen,
9 worst-case scenario could be one that would involve a
10 truck going over the side of a bridge or -- or the
11 highway into a fish-bearing stream that leads directly
12 to the Husky Lakes.

13 We do know that the Husky Lakes are
14 located in relatively close proximity to the highway
15 and that many of the streams do flow into the Husky
16 Lakes. So it seemed like a reasonable hypothetical
17 scenario that that could potentially occur. And we
18 evaluated that particular scenario.

19 When we first evaluated the costs we
20 evaluated costs associated with environmental effects
21 and compensation for those kinds of effects. And
22 without knowing the -- recalling the number
23 specifically, it was very close to half a million
24 dollars.

25 Subsequently, the EIRB, the Board, asked

1 us to also evaluate the costs of actual cleanup. And
2 those kind of numbers approached another half a million
3 or so dollars. So, in fact -- and John, perhaps you
4 can confirm this, but I believe that if you combined
5 the two (2) sets of costs associated with such a
6 potential spill-related, worst-case scenario the total
7 cost that would need to be compensated by some party
8 would be getting -- approaching \$1 million.

9 WMAC, on the other hand, viewed a -- a
10 worst-case scenario that could result in significant
11 damage -- and I think they use har -- harsher words
12 than that to identify perhaps a complete loss of
13 harvesting of caribou in the area between Inuvik and
14 Tuk.

15 Although we acknowledge that -- that we
16 know ourselves, myself in particular -- I've been
17 coming up here long enough to know that everyone is
18 concerned about the health and well being of the
19 caribou herd, or herds, and everyone would like to be -
20 - assurance that those herds will continue to be
21 protected.

22 And I mentioned -- as I mentioned
23 previously, considering that there is a ban on the
24 complete harvesting of the caribou at this point in
25 time, and provided those kinds of provisions are

1 maintained as long as is necessary, it's hard to
2 envisage a circumstance where that kind of a worst-case
3 scenario could be realized.

4 MR. JOHN DONIHEE: Is there --

5 MR. RICK HOOS: Sorry. So I've talked
6 quite a bit about the WMAC position. Now I'll just
7 very quickly turn to the FJMC position.

8 They made several key points, one in
9 particular that we certainly did not agree with at all,
10 and we indicated that in Inuvik. Their statement was:

11 "The Proponent's statement that there
12 will be no impact from this
13 project..."

14 This is a statement they -- they
15 professed we had made. We have never said that there
16 will be no impact from this project on any portion of
17 the -- of the environment.

18 We have regularly stated that we
19 anticipate that virtually all impacts or effects will
20 be of a very localized nature. Many will be rapidly
21 reversible. Others can be mitigated with time. But we
22 do not see any potentially significant residual effects
23 associated with the construction or operation of the
24 highway.

25 They made the point that they -- they

1 emphasize the need for community-based fishing plans
2 that will address the protection of these resources in
3 proximity to the highway corridor.

4 We agree with that. And we have
5 indicated that not only are we arranging to meeting
6 with the FJMC at this point in time, but we -- we do --
7 we are also aware that there are other organizations,
8 such as the Department of Fisheries and Oceans, the
9 HTCs, and other -- and even other parties that would
10 like -- that should be involved in helping to develop
11 those kinds of fishing plans and management measures to
12 ensure the protection of the fisheries resources.

13 I guess there's a -- another thing that
14 FJMC may have said at one point in time in their March
15 30th letter, or did say. They -- they identified that
16 perhaps management restrictions may need to be applied
17 differently to recreational sport fishers and to
18 subsistence fishers.

19 I guess that's not a -- that's not an
20 unreasonable position for them to take, given that this
21 is the Inuvialuit settlement region that they are also
22 representing the interests of. And -- and if it -- you
23 know, the kind of dialogue that DFO and the Joint
24 Management Committee, the I -- Inuvialuit Game Council,
25 and other parties will be undertaking can certainly

1 consider those kinds of options.

2 I guess the -- the last statement that -
3 - that perhaps goes to the core of some of their
4 concerns is they felt that the information presented by
5 the Proponent, either in the environmental impact
6 assessment or in subsequent information provided to the
7 Board, in their view remains insufficient to conduct an
8 EIA, except at a superficial level.

9 We don't really agree with that. But
10 apart from that, when we prepared the environmental
11 impact statement -- and since this is the Fisheries
12 Joint Management Committee, we understand that these
13 issues relate primarily to fish and fish habitat.

14 Our -- our approach -- well, first of
15 all, we identified all of the potential streams that
16 could be crossed by the highway. And in the initial
17 stages -- and this is before site-specific field work
18 had been done, we identified perhaps ten (10) or
19 fifteen (15) streams out of the total that we
20 anticipated could be relatively significant fish-
21 bearing streams. And most of those streams we
22 recommended would be crossed by -- by a bridge
23 structure to completely prevent, hopefully, or avoid
24 creating a significant HADD of any sort.

25 For various other streams that were

1 intermediate -- not necessarily fish bearing; in some
2 cases they might have had -- they might have contained
3 sticklebacks -- we recommended the installation of
4 suitably sized culverts to handle flows and, again, to
5 permit passage of any fish if in fact they were
6 present.

7 And yet -- and still, beyond that for
8 other stream crossings of a -- of a let's say a temp --
9 temporary or ephemeral nature, we did not feel that any
10 special precautions were needed other than to make sure
11 that the culvert sizes were appropriate to handle
12 flows.

13 We basically concluded, in our
14 environmental assessment, that with the application of
15 the standard and readily available mitigation measures
16 designed to protect fish and fish habitat, that we
17 should not have any significant effects on fish or fish
18 habitat.

19 Subsequently, there have -- there's been
20 a considerable amount of follow-up --

21 MR. JOHN DONIHUE: Excuse me, Mr. Hoos?

22 MR. RICK HOOS: Yes?

23 MR. JOHN DONIHUE: Par -- pardon me. I
24 just wonder if you could try to stick to the question
25 that I asked rather than reviewing the EIS. I'm just

1 asking --

2 MR. RICK HOOS: Okay.

3 MR. JOHN DONIHEE: -- you about what
4 FJMC said. And it's a quarter after 12:00.

5 MR. RICK HOOS: Okay.

6 MR. JOHN DONIHEE: And, you know, if --
7 if you'd like some more time to think about the
8 question, Madam Chair, perhaps we could take the lunch
9 break and --

10 MR. RICK HOOS: Okay.

11 MR. JOHN DONIHEE: -- Mr. Hoos can
12 finish his answer afterwards.

13 THE CHAIRPERSON/FACILITATOR: Would
14 that be ...?

15 MR. RICK HOOS: Madam Chair, no
16 actually, I -- I appreciate John's reminder. I guess I
17 started to ramble and I apologize for that a bit.
18 Bottom line, though, is that we feel that the
19 assessment conducted in the EIA, and particularly
20 considering the additional new field data that have
21 allowed us -- that will allow us to help refine our
22 stream crossing designs and whatnot, and the work
23 that's ongoing now, is more than adequate to ensure
24 that fish and fish habitat will be adequately protected
25 as this project is constructed and operated in the

1 future. Thank you.

2 THE CHAIRPERSON/FACILITATOR: Thank
3 you. I think we will break for lunch now, because I
4 know that you have some time restraints here. And we
5 will come back at 1:30 and maybe continue with our
6 questioning. Thank you.

7

8 --- Upon recessing at 12:16 p.m.

9 --- Upon resuming at 1:32 p.m.

10

11 THE CHAIRPERSON/FACILITATOR: So I
12 think we're good to resume now. I have a number of
13 people who would like to make presentations from the
14 community and a number of people who would like to
15 speak, and I want to again say we're here to hear the
16 community views on the proposed highway project, so
17 please stand up and speak up at any time.

18 One thing we would like to do to just
19 sort of conclude what we were doing this morning is I
20 have some panel members who would like to ask a couple
21 of questions to the Developer, and then we'll move
22 right into the other -- the other presentations from
23 the community.

24 So I'll start maybe down at -- with
25 Herbert.

1 MR. HERBERT FELIX: Herbert Felix. No
2 questions at the moment.

3 MS. CATHERINE COCKNEY: I just have a
4 couple of questions. There was an archeological survey
5 that was submitted. It was done by a company in -- in
6 Calgary. One of the recommendations that they wanted
7 is to have another archaeological or heritage site
8 survey to be done.

9 Will that be done?

10 THE CHAIRPERSON/FACILITATOR: Ms.
11 Bonhomme...? Go ahead.

12 MS. ERICA BONHOMME: Erica Bonhomme,
13 Kavik-Stantec. There are probably two (2) reports that
14 you're refer -- so maybe you could just clarify which
15 report you're referring to. I do have an answer to
16 that question, but I -- I just want to make sure I'm --
17 I'm -- there -- that I'm referring to the right report.

18 MS. CATHERINE COCKNEY: I'm referring
19 to the archaeological survey that was done by a Calgary
20 firm, and I was wondering if there was any -- because
21 of the importance of Husky Lakes area to the community
22 residents, I was wondering if there was any local
23 residents that were involved in -- in the survey.

24 The survey was mainly on checking out
25 the known sites and not -- not really conducting a sur

1 -- archaeological site survey.

2 THE CHAIRPERSON/FACILITATOR: Mr.

3 Stevens...?

4 MR. JIM STEVENS: Madam Chair, I
5 believe the report the panel member is referring to is
6 a report prepared by IMG-Golder for the Developer, and
7 I'm unaware of those specific details at this time.

8 THE CHAIRPERSON/FACILITATOR: Would you
9 undertake to get a response to the panel member's
10 question?

11 MR. JIM STEVENS: I would be prepared
12 to, Madam Chair.

13

14 --- UNDERTAKING NO. 4: Developer to indicate if
15 residents were involved in
16 archeological survey
17 referred to in a report
18 developed by IMG-Golder

19

20 MS. CATHERINE COCKNEY: Then another
21 question I have is just to get a better idea of the
22 possible footprint that the project will -- will have
23 on the land and the environment. We don't really have
24 a clear understanding of -- of where the access routes
25 or the roads to the -- the gravel sites, the borrow

1 sites, will be -- will be made.

2 I think it's important that we -- we
3 have at least an idea of where the access sites will --
4 will be and the impact on the -- well, the footprint.

5 THE CHAIRPERSON/FACILITATOR: Ms.
6 Bonhomme...?

7 MS. ERICA BONHOMME: Erica Bonhomme,
8 Kavik-Stantec. As we said before, there won't be any
9 permanent access roads to the borrow sources, so all of
10 them will be winter access roads.

11 The way in which winter access roads are
12 -- are typically constructed are that they maximize the
13 use of lakes for travelling. And so -- and -- and they
14 minimize, you know, steep areas where there are water
15 course crossings and access to hills. So it
16 facilitates the overland portages and -- and
17 transitions between lakes and -- and land.

18 The exact location of the winter access
19 roads has not yet been determined but would be part --
20 would be detailed in the applications that would be
21 submitted to AANDC and ILA for their land-use permits.

22 MS. CATHERINE COCKNEY: Thank you for
23 that. We -- we did have the opportunity to fly over
24 the site the other day. It was a beautiful day. It
25 really gave us a good idea of -- of the -- the routing,

1 the more -- the more definite route. We did take a --
2 a fly-over in 2009, but it was -- you know, I have a
3 little bit more information with this. This flight was
4 very useful.

5 And we did -- we did land in a couple of
6 spots in -- on the Source 177 road, and we noticed that
7 -- that there was some -- some work there.

8 Is that remedial work that -- that's
9 occurring there, and who is paying for that?

10

11 (BRIEF PAUSE)

12

13 THE CHAIRPERSON/FACILITATOR: Mr.
14 Stevens...?

15

16 (BRIEF PAUSE)

17

18 MR. JIM STEVENS: Madam Chair, Gurdev
19 Jagpal will answer that question, please.

20 THE CHAIRPERSON/FACILITATOR: Thank
21 you. Mr. Jagpal...?

22 MR. GURDEV JAGPAL: Gurdev Jagpal, from
23 Transportation. This 19-kilometre road has been
24 constructed about three (3) years ago. We haven't done
25 much maintenance on this. Recently, just before the

1 winter starts, we want the road to be safe for people
2 to travel. There was some settlement and there was
3 some sloughing of the side slopes. So we got it done
4 recently. This was the first maintenance we did --
5 department did on their own. So the money was spent
6 from the Department of Transportation for the first
7 time. Thank you.

8

9 (BRIEF PAUSE)

10

11 THE CHAIRPERSON/FACILITATOR: Okay.

12 Oh, yes, Mr. Stevens...?

13 MR. JIM STEVENS: Madam Chair, if you
14 wish, we can go back to the question on local
15 involvement in the archeological study if you wish.

16 THE CHAIRPERSON/FACILITATOR: Yes,
17 please do.

18 MR. JIM STEVENS: To Ms. Cockney's
19 question, there were three (3) people: archeologists,
20 assistants, and wildlife monitors. And four (4) local
21 people from Inuvik assisted in providing advice on
22 cultural significance.

23 MS. CATHERINE COCKNEY: So there was no
24 local involvement in -- in the surveys even from here
25 to Husky Lakes because of the significance of the Husky

1 Lakes to the local residents?

2 THE CHAIRPERSON/FACILITATOR: Mr.

3 Stevens...?

4 MR. JIM STEVENS: For the Golder
5 report, there is only the four (4) local people from
6 Inuvik that contributed to that.

7 THE CHAIRPERSON/FACILITATOR: Thank
8 you. Mr. Kikoak...?

9 MR. ROLAND KIKOAK: Roland Kikoak here.
10 My question to the Developer is: You'll be utilizing
11 the lakes for access roads for snow. I'm wondering if
12 you'll be surveying those lakes prior to construction
13 for -- to check and see if there's muskrats on those
14 lakes?

15 THE CHAIRPERSON/FACILITATOR: Mr.
16 Stevens...?

17 MR. JIM STEVENS: Madam Chair, we've
18 started to do some of the bathymetric surveys and
19 related studies related to water extractions. We are
20 prep -- filing a technical memo for the section from
21 kilometre 105 to 120, prior to October the 10th. There
22 will be additional studies related to water extraction
23 if the project proceeds.

24 THE CHAIRPERSON/FACILITATOR: Thank
25 you.

1 MR. ROLAND KIKOAK: Thank you, Chair.

2 So when you're doing your bathymetry, say, for the
3 lakes, you -- you'll be including a survey as well for
4 potential muskrats on those lakes, muskrat push-ups?

5 THE CHAIRPERSON/FACILITATOR: Mr.
6 Stevens...?

7 MR. JIM STEVENS: Madam Chair, I
8 understand when they do the bathymetric surveys there's
9 no dedicated survey of, you know, muskrats, those type
10 of things. But those are, if observed, they are
11 reported.

12 MR. ROLAND KIKOAK: Roland Kikoak here.
13 To build overland access roads, are you going to
14 utilize snow from the lakes?

15 And if you don't do a survey prior to
16 construction of those lakes that has potential muskrat
17 push-ups in them, I think it would be benefit --
18 beneficial for the Developer to do so. So that was one
19 of your commitments to protecting the wildlife and the
20 wildlife habitat.

21 See, if you do it prior to construction
22 season, there's not enough snow yet on the ice that --
23 that you probably could notice the muskrat push-ups on
24 the lakes, because when you wait for snow to be
25 utilized for your overland access roads, the snow will

1 be too high. You'll -- you'll not know that there's
2 muskrat push-ups on the lake, so.

3 That would be my question. Thank you.

4 THE CHAIRPERSON/FACILITATOR: Mr.
5 Stevens...?

6 MR. JIM STEVENS: Madam Chair, could I
7 ask for a little clarification on the question? Is the
8 concern relative to the destruction of the muskrat
9 habitat or are there other issues that you want
10 answered?

11 MR. ROLAND KIKOAK: In your commitment
12 to protect the wildlife and wildlife habitat, you said,
13 "other fur-bearing animals."

14 So I guess I'm -- I'm looking for the
15 protection of the muskrat push-ups on -- on the lakes
16 that will be utilized.

17 THE CHAIRPERSON/FACILITATOR: Mr.
18 Stevens...?

19 MR. JIM STEVENS: Madam Chair, I guess
20 what we can do is commit to -- prior to any water
21 extraction, there would be a survey done to, I guess,
22 get a measure of what muskrat habitat and related
23 issues were at the sources that we're going to extract.

24 I guess if there's more specific rigour
25 to the study, I guess that's the advice we need from

1 the panel.

2 MR. ROLAND KIKOAK: Yes, thank you.

3 That's all I had there, Chair.

4 THE CHAIRPERSON/FACILITATOR: So we've
5 left that that there's a commitment to actually do the
6 survey of the muskrat push-ups?

7 MR. JIM STEVENS: Madam Chair, that
8 would be our understanding.

9 THE CHAIRPERSON/FACILITATOR: Thank
10 you.

11

12 --- COMMITMENT NO. 1: Developer to complete a
13 survey of the muskrat push-
14 ups

15

16 THE CHAIRPERSON/FACILITATOR: Mr.
17 Chambers...?

18 MR. BRUCE CHAMBERS: Bruce Chambers. I
19 have a -- a question related to the proposed Gravel
20 Source 325/314 and learn that there is a potential land
21 tenure issue there with a lease for grazing.

22 And I just wondered whether or not the
23 Developer has spoken at all to either the lessee or to
24 federal lands abou -- about this.

25 THE CHAIRPERSON/FACILITATOR: Mr.

1 Stevens...?

2 MR. JIM STEVENS: Madam Chair, we'll
3 need a moment, please.

4 THE CHAIRPERSON/FACILITATOR: Okay.

5

6 (BRIEF PAUSE)

7

8 THE CHAIRPERSON/FACILITATOR: Just
9 maybe for clarity for -- for you, I think Mr. Chambers
10 is referring to the reindeer grazing rights.

11 MR. JIM STEVENS: Madam Chair, maybe
12 what I should do is just give a higher-level answer to
13 the whole issue of land tenure for the road right-of-
14 way and then get to the specific question on the
15 reindeer grazing lease.

16 In terms of land tenure for the right-
17 of-way there's two (2) issues. One, the highway covers
18 about -- crosses about 50 percent Inuvialuit lands.
19 And we are in negotiations with IRC and ILA on securing
20 land tenure for that section of the highway.

21 With regard to land tenure for those
22 lands on Crown lands, once the highway is constructed,
23 there is a process through the NWT Act that will allow
24 us to gain land tenure for the highway.

25 On the iss -- specific issue of the

1 reindeer grazing station lease, we haven't had any
2 discussions specific to that issue, but I presume if
3 the grazing lease is on Crown land, that would be
4 brought to our attention as we go forward, or vice
5 versa. If it's a lease with ILA, I presume they would
6 flag that issue as we move forward on land tenure for
7 their -- for sections on private lands.

8 MR. BRUCE CHAMBERS: Bruce Chambers.
9 One (1) other question. It's -- I gather that this --
10 there would also be a construction site prop -- or, a
11 conser -- construction camp proposed for this area.
12 And -- and that would be sort of like a double -- a
13 double impact if there's gravel extraction plus a camp
14 on winter grazing.

15 And I gather that the -- the grazing --
16 the winter grazing is -- is very good there for them,
17 so I think it's something that should be looked at.

18 THE CHAIRPERSON/FACILITATOR: Mr.
19 Stevens...?

20 MR. JIM STEVENS: Madam Chair, just one
21 moment, please.

22

23 (BRIEF PAUSE)

24

25 MR. JIM STEVENS: Madam Chair, maybe

1 for the sake of keeping things moving, can we come back
2 to that question in a few minutes?

3 THE CHAIRPERSON/FACILITATOR: Yes, we
4 can do that. So we'll come back to that question a
5 little later, and I think there may be a couple of
6 other questions. But I -- I would like to open the
7 floor to the community representatives that are here,
8 because they've taken the time to come out and express
9 their views and tell us what they think about the road.

10 I have a number of people who have
11 indicated they would like to make a presentation, and I
12 have a number of people who have indicated that they
13 would like to actually make a statement or -- or ask
14 questions. And I thought maybe we would just try to
15 mix the two (2) things back and forth so you don't get
16 a whole lot of presentations and then just get a chance
17 to ask questions.

18 So I'd like to maybe start with opening
19 the floor to see if there's any questions or -- or
20 statements on where we are and -- and what you want.
21 And then I'll -- I'll move into the Tuktoyaktuk
22 Community Corporation presentation and questions that
23 we have on our agenda.

24 So is there any general questions or
25 statements that people would like to make to start out

1 with? Yes...?

2 MR. JAMES POKIAK: Yes. Thank you,
3 Madam Chair and the panel. I just got a few questions
4 here that I would like to pose to the Proponents and
5 also to the consultants.

6 As we all know, this all-weather road is
7 -- is important to the region, but it should be done in
8 a -- in a way that it's not going to harm the
9 livelihood of some of us people who still make a
10 majority of our living on the land, even though we live
11 in town.

12 My first one is, you know, on the cost
13 of this road there was all kind of figures shooting
14 back and forth. And I think we heard a figure of 300
15 million earlier this morning. And -- and that money,
16 I'm wondering, like Source 177 has already been funded
17 with a large amount, and we found out the other day
18 that it -- it went from 17 million, all of a sudden it
19 went up to twenty-three (23).

20 And to date, that road is not complete
21 yet. You know, they started a project. It hasn't even
22 been finished yet. And the community has been waiting
23 long, long time to access gravel, not only for
24 individuals but also for the Hamlet. And on -- on this
25 proposal here we got different figures: got 137

1 kilometres, we got 140 kilometres.

2 But I'm wondering, with the funding
3 that's made available for the construction of the all-
4 weather road between Tuk and Inuvik, is that portion
5 included in that overall cost, or is that over and
6 above what's projected?

7 THE CHAIRPERSON/FACILITATOR: Thank
8 you. Mr. Stevens...?

9 MR. JIM STEVENS: Madam Chair, I -- I
10 can advise that the estimated \$300 million cost for the
11 Inuvik-Tuk highway also includes the costs related to
12 upgrading the existing Source 177 access road. Thank
13 you.

14 MR. JAMES POKIAK: Okay, thank you for
15 that. The other one is: I'm -- I'm really curious and
16 interested to find out who all the consultants are in -
17 - in the pro -- proposed construction of the all-
18 weather road? Is it just on business standpoint of
19 view from consultants that are hired to do that, plus
20 engineer work, and all that kind of stuff?

21 Does that also include potential
22 contractors that are going to be constructing this
23 road?

24 THE CHAIRPERSON/FACILITATOR: Mr.
25 Stevens...?

1 MR. JIM STEVENS: Madam Chair, the
2 consultant team that has furthered the environmental
3 impact statement and supplementary information is made
4 up of consultants from a number of consulting firms,
5 all with local offices here in the Beaufort Delta.

6 We have had the use of some local
7 contractors. For instance, in last winter's
8 geotechnical program, we utilized a local contractor
9 out of Tuk.

10 THE CHAIRPERSON/FACILITATOR: Other
11 questions...?

12 MR. JAMES POKIAK: Okay. Thank you.
13 The -- the other is, you know, you brought up a lot of
14 goods points into -- for the building of this road,
15 mainly cost of food, educating, housing, tourism,
16 social issues. But I think one area that I don't see
17 any improvement at all being done with that road is the
18 cost of petroleum products.

19 Every day, every time we turn around,
20 that -- the local people are -- are being charged more
21 and more for those products. And a lot of the local
22 people here, when they go out on the land, the first
23 thing we hear about is the cost of gas. And now -- now
24 it's turning down to the cost of heating your home now.
25 Many of us burn firewood, which is a blessing for us.

1 But for those who don't burn wood, the
2 cost of fuel is so bad, like, it's unbelievable how
3 that product, every few months, goes up.

4 THE CHAIRPERSON/FACILITATOR: Mr.
5 Stevens...?

6 MR. JIM STEVENS: Madam Chair, we have
7 looked into what various cost elements the road might
8 influence. Unfortunately, at this time, it is our best
9 -- the best information we have available is that
10 petroleum products will still be barged into the
11 community. There -- that may change over time. But
12 right now, we understand that petroleum products will
13 continue to be shipped in via barge, and therefore, the
14 road would have no direct impact on the cost of that
15 product.

16 THE CHAIRPERSON/FACILITATOR: Thank
17 you.

18 MR. JAMES POKIAK: Thank you for that.
19 You know, I got no problem in paying for the cost of
20 it. But I tell you one thing that I'm really cheesed
21 off about is they bring their product to this area at a
22 certain amount of money they spent on it, and they go
23 by world prices all the time. You're still working on
24 last year's product, and that -- that product is going
25 up.

1 Why is that?

2 THE CHAIRPERSON/FACILITATOR: Mr.

3 Stevens...?

4 MR. JIM STEVENS: Madam Chair, I'll
5 freely admit that we're entering into an area that I
6 don't have any expertise in, other than I realize that
7 the world market for oil pricing and that is very
8 volatile and subject to many, I guess, factors. But
9 beyond that, maybe I better leave it to an expert some
10 day later to give the story on that.

11 MR. JAMES POKIAK: Thank you for that
12 again. Well, you know, the reason why I brought that
13 up is -- it's like those areas that I pointed out, and
14 -- and petroleum products should be no different than -
15 - than the -- than the benefit we're going to be
16 getting from -- from that road for the other stuff that
17 you mentioned here, and that's why I brought that up.
18 And fuel and gas is very important, no matter where you
19 live.

20 The other part is bridge work. When --
21 when it comes down to the bridge aspect of it, are the
22 prime contractors, whoever is building the road, going
23 to be the ones that -- that are doing these bridge
24 work?

25 THE CHAIRPERSON/FACILITATOR: Mr.

1 Stevens...?

2 MR. JIM STEVENS: I think earlier I
3 referenced that there's been no decision made on
4 procurement by the government at this time. Again,
5 when any procurement decision will be made in the
6 future, it will have the end objective of maximizing
7 local employment, regional contracting, opportunities,
8 and training for people in the ISR.

9 THE CHAIRPERSON/FACILITATOR: Go ahead.

10 MR. JAMES POKIAK: Thank you, Madam
11 Chair. Again, I refer to that question, because, in
12 previous consultation work within the community here,
13 some of the bridge work stuff was mentioned, and that's
14 why I posed this question. There's somebody out there
15 that might be interested doing something like that.
16 And to -- for my -- quite -- my answer to him -- I was
17 only trying to find answers for that person.

18 So, you know, that's going to be the
19 overall project, and part of it is that bridge work.
20 So I -- I request that information for that type of
21 work is -- is made better known so other people out
22 there can have the opportunity to maybe pursue it.

23 THE CHAIRPERSON/FACILITATOR: Mr.
24 Stevens...?

25 MR. JIM STEVENS: Madam Chair, I -- I'm

1 confident that Mr. Pokiak's comments will be considered
2 as we move forward.

3 MR. JAMES POKIAK: Okay, thank you for
4 that. Anyway, I'm -- I'm glad to be here today. I
5 really appreciate you guys coming down here to -- to
6 sit down and hear the views and -- and ideas of some of
7 the local people here.

8 But, you know, in listening to what went
9 on this morning, I think it was Mr. Hoos that brought
10 the question up about the wildlife. I think he should
11 be made aware that there isn't a hunting ban. There --
12 there is things in place for us to follow and abide by,
13 but there -- there's no such thing as a hunting ban.
14 There's zones that -- that we use.

15 So stuff like that regarding the
16 wildlife is important. And it makes it sound like
17 we're not allowed to go out there and hunt caribou.
18 But there's specific areas that we can go. There's a
19 tag zone area. So these are important. Thank you.

20 THE CHAIRPERSON/FACILITATOR: Thank
21 you. So I think what we'll do is, we'll ask the Tuk
22 Community Corporation to make their presentation.
23 There's a table at the front here if you'd like to use
24 it, or if you're more comfortable just using the mic,
25 whichever your preference is. Thank you. And maybe

1 just before you start, if you don't mind saying your
2 names so that its recorded for the record.

3

4 STATEMENT BY TUKTOYAKTUK COMMUNITY CORPORATION:

5 MR. JOHN STEWART, JR.: Thank you.

6 John Stewart, Jr., Director of Tuk Community Corp.

7 MR. LENNIE EMAGHOK: Thank you. Lennie

8 Emaghok, Director for the Tuk Community Corporation.

9

10 (NATIVE LANGUAGE SPOKEN)

11

12 MR. JOHN STEWART, JR.: Good day. On

13 behalf of the Tuk Community Corporation and the

14 Inuvialuit of Tuktoyaktuk, welcome to our community. I

15 would like to share with you brief highlights of the

16 Inuvialuit Final Agreement in relation to the

17 Inuvialuit of Tuktoyaktuk, our community.

18 The land surrounding Tuktoyaktuk

19 consists of 700 square miles of Inuvialuit private

20 lands, known as 7(1)(a) lands. The lands surrounding

21 the area of land and water known as Husky Lakes, which

22 is located to the south and southeast of Tuktoyaktuk,

23 are known as Tuktoyaktuk 7(1)(b) lands. This means the

24 Inuvialuit have ownership to the surface rights in

25 these lands. The same lands surrounding Husky Lakes

1 are also given special recognition in the IFA. This
2 special recognition is found in Section 8 of the IFA.

3 These lands were used by Inuvialuit from
4 Tuktoyaktuk throughout generations, and these lands
5 will always be used by Inuvialuit from Tuktoyaktuk.
6 These lands are important and were claimed by the
7 Inuvialuit of Tuk in the IFA land claims agreement
8 between the Inuvialuit and Canada.

9 Husky Lakes holds much traditional
10 cultural and spiritual values for the Inuvialuit from
11 Tuktoyaktuk. I will share with you some of our oral
12 history. This his -- this story is taken from the
13 Prince of Wales Northern Heritage site on the internet.

14 "The Inuktuyuut. The Imaryungmiut
15 were Inuvialuit who lived and hunted
16 in Imaryuk year round. According to
17 legends, Imaryungmiut were a peaceful
18 people, and as a result, their
19 neighbours often raided them.

20 "One legend tells about people from
21 Kitigaaryuk coming to steal caribou
22 skins. Although Imaryungmiut Elders
23 said that peace was more important
24 than fighting, some of the young men
25 became resentful. One (1) young man

1 took some action. He waited until
2 the leader reached the camp. Without
3 warning, he aimed with his bow and
4 killed him. The Kitigaaryungmiut
5 fled in surprise.

6 "The Imaryungmiut were astonished
7 that one (1) of their own would kill
8 someone. They said to the young that
9 it was their rule than anything that
10 was killed had to be eaten. One (1)
11 Elder cut a small piece of the thigh
12 of the murdered man and made the
13 young Imaryukmiut eat it. From then
14 on he was called "Inuktuyuut", a
15 man-eater.

16 "Knowing that the Kitigaaryungmiut
17 would take revenge, they left the
18 area and moved to the east. It was
19 reported that after many years, one
20 (1) woman reached Greenland."

21 If you are interested, you can listen to
22 Raddi Kuiksak tell his story on the PWNHC website.
23 This story has much spiritual and cultural significance
24 for Inuvialuit that travelled to Husky Lakes for
25 traditional and subsistence purposes.

1 In the new book titled, "Taimani", this
2 story is expanded to include oral history related to
3 Husky Lakes. The story can be found in Chapter 1 on
4 page 27. It says:

5 "Imaryukmiut. Stories of our past
6 tell us about the Inuvialuit group
7 from Imaryukmiut Husky Lakes, the
8 Imaryukmiut people from Husky Lakes
9 who disappeared very mysteriously.
10 These people are described as fend --
11 friendly but independent. They did
12 not come to hunt in the areas, nor
13 did they come to our winter
14 gatherings. They preferred, it
15 seems, to keep to themselves. Their
16 territory buffered the coastal
17 Inuvialuit from the Itqilit. These
18 Inuvialuits seemed to understand the
19 Itqilit and their ways."

20 This small part of oral history gives
21 you an insight as to what the lands and the waters of
22 Husky Lakes are important to us. I would like to bring
23 to mind the principles that envelop our IFA land claims
24 agreement. The principles in the IFA says:

25 "The basic goals expressed by the

1 Inuvialuit and recognized by Canada
2 in concluding this agreement are:
3 "A) to preserve Inuvialuit cultural
4 identity and values within a changing
5 northern society;
6 "B) to enable Inuvialuit to be equal
7 and meaningful participants in the
8 northern and national economic --
9 economy and society; and
10 "C) to protect and preserve the
11 arctic wildlife, environment, and
12 biological productivity."

13 These principles are guiding spirit for
14 our land claims agreement. The spirit of preservation,
15 enablement, and protection hold much meaning and intent
16 in the provisions of the IFA.

17 The IFA also references the bodies that
18 are responsible for implementing, managing, and
19 carrying out the responsibilities of the IFA. I will
20 highlight how the Tuktoyaktuk Community Corporation is
21 given legal recognition in the IFA:

22 "A) The following bodies shall be
23 responsible for the management of the
24 compensation and benefits received by
25 the Inuvialuit pursuant to this

1 agreement;
2 "B) The Inuvialuit Community
3 Corporation, without share capital,
4 for each community, together to
5 control the Inuvialuit Regional
6 Corporation."

7 The following principles shall apply to
8 the bodies described in Subsection 1:

9 "And control of the Inuvialuit
10 corporations shall be vested in the
11 Inuvialuit beneficiaries throughout
12 the Inuvialuit Regional Corporation
13 and their community corporations.
14 Control of each community
15 corporations shall be vested in the
16 Inuvialuit resident in that
17 community."

18 This is why we are before you today. I
19 will point out that the matters that must be taken into
20 account for the proposed Inuvik to Tuktoyaktuk Highway.

21 The proposed highway is important. It
22 will become a permanent feature within our traditional
23 lands and region. We have vested interest to make sure
24 of our way of life, traditions, culture, and livelihood
25 continues within our Inuvialuit settlement region and

1 our private lands once the highway is completed.

2 Now I'll hand you over to my colleague,
3 Lennie.

4 THE CHAIRPERSON/FACILITATOR: Thank
5 you.

6 MR. LENNIE EMAGHOK: The Inuvialuit
7 Land Administration, ILA, has an important role in the
8 management of Inuvialuit private land. A few years
9 ago, the ILA was given a chal -- given the challenge to
10 develop the policy for Husky Lakes area. This policy
11 took many years to develop, and many challenges and
12 obstacles were faced in the development of this policy.
13 The title of this policy is Husky Lakes Special
14 Cultural Are -- Area Criteria.

15 I would like to make reference to the
16 executive summary of this policy. It says:

17 "One of the most striking features of
18 the Inuvialuit settlement region is a
19 series of interconnecting lakes that
20 are collectively know as Hus -- Husky
21 Lakes. This saline -- these saline
22 lakes are located to the south and
23 southeast of the community of
24 Tuktoyaktuk, roughly be -- between
25 latitudes 68/42 and 69/38 North and

1 latitudes (sic) 133/30 and 130/50

2 West.

3 "The lakes provide habitat suited for

4 the wide variety of wildlife, both

5 adequate (sic) and terrestrial, which

6 are important resources to the

7 Inuvialuit. For many centuries, the

8 wildlife in and around Husky Lakes

9 have been harvested for food and fur

10 by the Inuvialuit. The lakes have

11 been used for transport.

12 "Similarly to the lands and waters

13 that make up Husky Lakes are highly

14 important to the Inuvialuit for the

15 spiritual and cultural per --

16 perspective. As a result, sustaining

17 the environmental (sic) of Husky

18 Lakes area is a crucial aspect of the

19 land claim management strategies to

20 design and preserve Inuvialuit

21 history and identity."

22 The Inuvialuit of Tuk still view it the

23 main intent of the IFA and the organizations and the

24 institutions established in the IFA, such as the Tuk

25 Community Corporation, is to uphold the principle and

1 preservations of the IFA. The protection and promotion
2 of our traditional and cultural way -- cultural way of
3 life in Husky Lake is still a vital part of our life,
4 and we want to keep it going and keep it strong.

5 The Inuvialuit of Tuk want to see
6 wildlife, birds, marine life protected and ensure they
7 have a safe, secure environment for one -- from one
8 generation to the next.

9 We are in favour of the permanent
10 highway between Tuktoyaktuk and Inuvik. We welcome the
11 highway.

12 We will continue our obligation to
13 protect and enhance our traditional and cultural way of
14 life. We will do our du -- duty to preserve, enable,
15 and protect our Inuvialuit way of life and uphold the
16 principle of the IFA.

17 We believe the construction and
18 maintenance of the pro -- proposed highway for our way
19 of life as Inuvialuit can coexist and be a blessing to
20 benefit to all people in -- involved.

21 The proposed highway will provide an
22 economic base and spark growth in our aspects of our
23 community during the construction and annual
24 maintenance of the highway. The highway between Tuk
25 and Inuvik is expected to lower cost of the living of

1 our community, and we welcome this expectation.

2 The highway will provide training and
3 journeyman careers related in the construction and
4 maintenance of the highway. We welcome these
5 opportunities for Inuvialuit of Tuk.

6 The TCC would like Inuvialuit businesses
7 from Tuktoyaktuk are signif -- significantly involved
8 in the construction and the maintenance of the proposed
9 highway. The Inuvialuit of Tuk and Inuvik should
10 receive first opportunities for businesses, employment,
11 and training.

12 Tuktoyaktuk businesses and workers
13 should represent 75 percent of the project
14 opportunities on the Tuktoyaktuk portion of the
15 project.

16 The involvement of the business and
17 people of Tuk should be confirmed prior to construction
18 of the highway. The TCC should receive weekly reports
19 confirming the involvement of business and workers from
20 Tuk, and any shortfalls of the perc -- percentage
21 should be resolved immediately.

22 I would like the EIRB panel to remember
23 the interests of the proposed Tuktoyaktuk between --
24 the highway between Tuktoyaktuk and Inuvik began in the
25 '70s. It is important to point out the Inuvialuit have

1 not been involved in these proposals for the highway in
2 the early years.

3 When government studied and chose the
4 proposed routing of the Tuk to -- Tuk to Inuvik
5 Highway, they did not include or take into any account
6 Inuvialuit interest. I remind you, the Inuvialuit of
7 Tuktoyaktuk have travelled this land of ours for many
8 generations. We travelled from Tuktoyaktuk -- around
9 Tuktoyaktuk to the southern part of our settlement
10 region even before there were communities such as
11 Inuvik. We know the favourable route from Tuktoyaktuk
12 to southern parts of our settlement region.

13 The favourable route between Tuktoyaktuk
14 and Inuvik is known today as the Elders' Route.
15 Another important factor to take account is the impacts
16 of construction of permitted roads have a traditionally
17 sensitive and environmental-sensitive areas in our
18 settlement region. Let us rely and depend on the TCC
19 and the THTC and the IFA agencies to preserve and
20 minimize these impacts.

21 Now let me review the discussions,
22 meetings, and talks over the last two (2) years
23 concerning the route of this proposed highway between
24 Tuktoyaktuk and Inuvik.

25 There have been meeting -- there have

1 been public meetings held in the community of
2 Tuktoyaktuk in 2011 concerning the proposed highway
3 between Tuktoyaktuk and Inuvik. And engineer
4 representatives from ILA, Hamlet Tuktoyaktuk,
5 Tuktoyaktuk Community Corporation, along with many
6 Inuvialuit from the Tuktoyaktuk were presented at the
7 meeting.

8 Following much discussion, the maj --
9 majority of the public at this meeting favoured the
10 Elders' Route for the proposed highway. It should be
11 noted that the public favoured and supported the
12 construction of the highway.

13 The Tuktoyaktuk Community Corporation --
14 Corporation board of directors passed a formal
15 resolution held at a regular board -- at a regular
16 board meeting of the corporation in 2011 that favoured
17 the Elders' Route for the proposed highway between
18 Tuktoyaktuk and Inuvik.

19 There -- there is also a formal
20 resolution from the annual general meeting of the Tuk
21 Community Corporation held in Tuktoyaktuk on August
22 16th, 2012, that favours the Elders' Route between
23 Tuktoyaktuk and Inuvik for -- for the proposed highway.

24 I want again -- once again emphasize how
25 important the Husky Lakes area is to the Inuvialuit of

1 Tuktoyaktuk. Husky Lakes has always and will always be
2 traditionally, culturally, and spiritually important to
3 the Inuvia -- Inuvialuit of Tuk.

4 Orally and written -- written history
5 process is to the importance of Husky Lake to the
6 Inuvialuit of Tuk. The Inuvialuit of Tuk fav --
7 favours a per -- permanent highway between Tuktoyaktuk
8 and Inuvik with conditions that meet our interest and
9 protect it from preserving Husky Lakes area.

10 We favour a permanent highway between
11 Tuktoyaktuk and Inuvik as long as there's the
12 protection of the environment and the wildlife that are
13 -- that -- that use our settlement area near and
14 adjacent to the road.

15 The Inuvialuit of Tuktoyaktuk favours a
16 highway between Tuktoyaktuk and Inuvik. It will
17 provide jobs and contracts to Inuvialuit -- Inuvialuit
18 businesses from Tuktoyaktuk during the construction and
19 the maintenance of the highway.

20 The Tuktoyaktuk Community Corporation
21 would like to work with the EIRB and the Promonent --
22 Proponent of the highway, the GNWD -- NWT, the Town of
23 Inuvik, the Hamlet of Tuktoyaktuk, in an -- in an
24 expedient and timely manner to make sure the routing
25 takes into account the interests of the -- of the

1 Inuvialuit of Tuk.

2 The EIRB has responsibility to ensure
3 our Inuvialuit interests are -- are at the forefront of
4 the construction and the maintenance of the proposed
5 highway. The EIRB is in a position to make these pro -
6 - this proposed highway a reality and to make this
7 decision on an expedient and timely man -- manner,
8 while taking into account the interests of the
9 Inuvialuit of Tuk.

10 I would like to summarize the interests
11 of the Tuktoyaktuk Community Corporation in regards of
12 the proposed highway between Tuktoyaktuk and Inuvik.
13 The TCC and the people of Tuk are in support of the
14 highway project, provided the environment is protected,
15 the wildlife is protected, the traditional and cultural
16 way, Husky Lakes is protected.

17 The Inuvialuit of Tuk and Inuvik receive
18 first opportunities for businesses, employment and
19 training opportunities. Tuktoyaktuk businesses and
20 workers should represent 75 percent of the project
21 opportunities on the Tuktoyaktuk portion of the
22 project. The involvement of the businesses and people
23 of Tuk should be confirmed prior to construction. The
24 TCC should receive weekly reports confirming the
25 involvement of businesses and workers from Tuk and any

1 shortfalls in the percentage should be resolved
2 immediately.

3 The TCC and the people of Tuk are
4 prepared to discuss and finalize the routing of the
5 highway with the Proponents. The TCC and the people do
6 not wish to delay the project and wish to finalize the
7 routing as soon as possible. The routing should
8 recognize the culture and the traditional value of
9 Husky Lake. And any routing of the highway should
10 minim -- dist -- distances from any cabins or Husky
11 Lake itself. For example, near area we call Rough
12 Hills and Zed Lake.

13 A significant part of the highway will
14 be on Tuk 7(1)(a) and 7(1)(b) lands, and we re --
15 recommend the responsibility for officially naming the
16 Tuktoyaktuk and Inuvik Highway to be given to the
17 Inuvialuit of Tuk. (NATIVE LANGUAGE SPOKEN). Thank
18 you for the opportunity to make this important
19 presentation to the panel. Thank you.

20 THE CHAIRPERSON/FACILITATOR: Thank you
21 very much. It is an important presentation and we will
22 certainly take it into consideration when we look at
23 the materials. Thank you very much.

24 I wonder if I could ask Calvin Pokiak to
25 come up. He has a statement he'd like to make. So if

1 you could just identify yourself for the record first
2 and then go ahead.

3

4 STATEMENT BY MR. CALVIN POKIAK:

5 MR. CALVIN POKIAK: Chair and also the
6 members of the panel.

7 THE CHAIRPERSON/FACILITATOR: Sorry,
8 could you just say your name?

9 MR. CALVIN POKIAK: There's a -- a
10 couple of things that I'd to clarify in my submission
11 that -- that I became aware of. So, I'll say it as I
12 come along. The first one is the year I graduated
13 should be '74. And the second, the 500 million should
14 be 150 million. So that's just for clarification.

15 Madam Chair, my name is Calvin Pokiak,
16 and I have been a resident of Tuktoyaktuk for most of
17 my life. I'd like -- at this time, I'd like to welcome
18 you and the panel to Tuktoyaktuk to hear what we have
19 to say.

20 The public hearing on the all-weather
21 road is underway. And already, as you noticed in
22 Inuvik, there was a demonstration about the project,
23 which is very vital to our -- to the Beaufort Sea for
24 our people.

25 Tuktoyaktuk will always be my home for

1 me and my family. We live in Beaufort Sea, and I'm
2 sure, as you flew by to our community, each of you
3 became mesmerized by the beauty of our vast homeland
4 and what we call the biggest swimming pool, the
5 enormous Beaufort Sea.

6 We are proud and independent people, and
7 can be very vocal when an activity is to take place on
8 this, our beautiful and pristine land and water.

9 Prior to the final -- Inuvialuit Final
10 Agreement, we relied on Indian and Northern Affairs
11 Canada to look after our interest of the land, the
12 wildlife, the environment, and the water. INAC, I
13 believe, at that time didn't look after our interests
14 as they could have. I believe at that time we didn't -
15 - oh, I'm sorry. Therefore, in my personal opinion,
16 the proponents at that time may have taken advantage
17 and operated without regard for our land, water, the
18 environment, and the wildlife.

19 This was a concern, so the Inuvialuit
20 decided to negotiate a land claim with the federal
21 government. The Inuvialuit recently started to take
22 the responsibility of the protection of our land, the
23 wildlife, fish and marine mammals, and the environment
24 within our -- into our own hands, all because of
25 dedication of a couple of helpful and hard-working

1 Elders in providing their knowledge of the land,
2 wildlife, and environment.

3 Many of these Elders have since passed
4 on. The knowledge these Elders provided about the
5 land, environment, and wildlife were prepared for a
6 very young, dedicated, and most stubborn land claim
7 negotiators in negotiating a land claim on our behalf.

8 This became the reality when the
9 Inuvialuit, the federal, and territorial governments
10 signed a historic land claim agreement. This agreement
11 is one reason why each of you are sitting here today
12 and listening to the concerns of the people who will be
13 impacted by any development, whether it is the
14 construction of the all-weather road or other projects.

15 We must be doing something right, as
16 three (3) of the five (5) panel members are Inuvialuit,
17 as you can see. For this, I thank the Chair and panel
18 members in coming to our community to listen and hear
19 firsthand the concerns the people of Tuktoyaktuk may
20 have in regard to the construction of the proposed
21 Tuktoyaktuk-Inuvik Highway.

22 I am a strong advocate for development,
23 mainly because I believe our agreement gives us the
24 tool in protecting our most valuable resource: our
25 land, water, environment, and wildlife. This is done

1 through our claim which establishes certain co-
2 management boards. These boards each have a specific
3 mandate with regard to the environment, land, and
4 wildlife issues.

5 The establishment of the Environmental
6 Impacts Screening Committee and Environmental Impact
7 Review Board provides the Inuvialuit with some comfort
8 that when the Board reviews any proposed development,
9 they will do so in a manner to ensure our land,
10 wildlife, and environment is protected from any long-
11 term effects that would be caused by any developer for
12 the use of Inuvialuit and Crown land.

13 The Boards should use due diligence in
14 this regard. Madam Chair, this brings me to why I'm
15 here today. I am but only one (1) voice, and if I sit
16 back and not say a word about the proposed all-weather
17 road, my thoughts will forever be embedded in me, and
18 wonder to myself and say, Why didn't I speak when I had
19 the chance. Well, Madam Chair, today is an opportunity
20 for me to provide some comments in this -- in regard to
21 this project.

22 I would like to start by saying I have
23 no experience in the design and construction of a --
24 for a project of this magnitude. Individuals such as I
25 do not have the luxury of hiring consultants to

1 interpret or question the validity of the material
2 presented in the project description. So in this
3 instance, I will have to rely on the expertise of the
4 panel and the Intervenor consultants in -- in
5 interpreting all the scientific jargon presented in the
6 project description.

7 You and your consultants have the
8 expertise in asking and seeking answers to the
9 scientific questions to the Developers and, vice versa,
10 the Developers will or should have all the answers.

11 Madam Chair, the comments I am about to
12 make will -- will be taken from my heart. Everyone
13 here in the audience today either may or may not like
14 my opinion or comments, but that is why we are here
15 today.

16 I recall when I graduated from high
17 school in 1974 our leaders at that time talked about
18 constructing the all-weather road from Tuktoyaktuk to
19 Inuvik. Even when I became councillor and mayor in the
20 late 1970s and early 1980s, the all-weather road was in
21 the forefront. We talked -- we wanted that road
22 constructed to link us to the rest of Canada. Today,
23 thirty (30) some-odd years later, here we are still
24 talking of an all-weather road.

25 I know the Conservative government has

1 allocated \$150 million towards this project. Should
2 the project proceed at like -- at least one think I
3 know will happen, as the late Prime Minister John
4 Diefenbaker dreamed of, to connect Canada from coast to
5 coast to coast will become a reality, and probably in
6 spirit join Inuvialuit to cele -- celebrate this
7 historic event.

8 At this time, I would like to provide my
9 views on the construction of the Tuktoyaktuk-Inuvik
10 Highway. Madam Chair, the Beaufort Delta has seen many
11 ups and downs associated with projects such as seismic
12 offshore and onshore drilling activity in the past.

13 Many of these projects were short-term
14 and seasonal. A project such as all-weather road will
15 bring us an economic base, albeit for a short time. We
16 need something like this to stimulate the -- the
17 economy in the Beaufort Delta. Today, we rely too
18 heavily on the territorial government for assistance.

19 I said earlier, Madam Chair, we are a
20 proud people, and getting assistance today from the
21 territorial government today is -- is a necessity, not
22 because we want a handout but because of the economy.
23 We shouldn't be ashamed to be -- to accept these
24 handouts. This is the reality in the Beaufort Delta,
25 and across the territory as a whole.

1 We need our people. We need to get out
2 people back to work so that we can prove to the
3 territorial government that we are not lazy people. We
4 just need some kind of stimulus to get us -- us back on
5 our feet. And this is one project I believe that will
6 accomplish that.

7 We cherish our values in life. Madam
8 Chair, by approving the construction of the all-weather
9 road it will provide employment, contracts, and give
10 businesses the stability needed to survive until the
11 next project, the Mackenzie Gas Project.

12 The completion of the road will enable
13 the people from Tuktoyaktuk to gain access to cheaper
14 food, furniture, et cetera. And I am positive that the
15 businesses in Inuvik will welcome our dollars.

16 The Inuvialuit and federal government
17 will get royalties from the gravel, we know that. If
18 the road is constructed the people from Tuktoyaktuk and
19 Inuvik won't have to rely on the ice road, maybe the
20 ice road truckers will miss travelling on the ice
21 roads, but hey, they'll probably start a new series
22 called "The Gravel Road Truckers."

23 It will enable us to visit family and
24 friends in the Delta more often. These are just some
25 of the benefits that will come with the road from

1 Tuktoyaktuk to Inuvik. Madam Chair, and panel members,
2 we all know the economy drives the stability and
3 success and failures of our community.

4 Whenever there's a project of any kind
5 happening in the Northwest Territories, Nunavut, or
6 Canada, there will be negative impacts associated with
7 the project. What I see will happen is an influx of
8 alcohol and drugs, social problems, i.e, an example,
9 family violence may increase, neglect of children in
10 our community, and of course, more importantly,
11 environmental damages to our land.

12 I can go on and on and this will be
13 endless. But, Madam Chair, this is reality. One can
14 make an argument by saying these social impacts are
15 inevitable, but in reality it is already happening in
16 Tuktoyaktuk.

17 We should ask ourselves, are we prepared
18 to accept these negative impacts even though they're
19 already here. How can we prepare for these added
20 negative impacts. Impacts of a neg -- negative social
21 nature will always happen, but if we, as a community,
22 band and unite together these impacts can be minimized
23 with the help of the territorial and federal government
24 by providing the community with the resources and the
25 infrastructure.

1 Madam Chair, the Developers always say
2 they will minimize the impacts by showing us how they
3 intend to proceed with the project. Any time you
4 disturb any land or water will impact the vegetation,
5 the ecosystem, the lakes, and rivers, and so on.

6 The footprints of the extraction of
7 gravel sources will be forever visible, albeit
8 replacing the overburden to minimize further damages.
9 How can we minimize the impact of these gravel sources.
10 My view is to extract the gravel sources from within a
11 certain area that can accommodate most
12 or all of the road that's to be constructed.

13 This is why the Developer should show
14 all the available gravel source locations and how they
15 intend to gain access to them. A footprint is a
16 footprint. Once you disturb the land, the impact is
17 just beginning and it is no longer considered pristine
18 environment.

19 I understand that if the Mackenzie River
20 route have sufficient gravel sources this may be the
21 route to consider, which leave me to say my preference
22 would be the route along the Mackenzie River. The
23 scenery would astonish and amaze all travellers as they
24 marvel at the almighty Mackenzie River. Travellers
25 would be able to see the mountains to the west by

1 Aklavik, again scenery that travellers would love to
2 see and talk about.

3 Another concern I have is that if the
4 project is to proceed, the all-weather road should be
5 completed. And by this I mean, Madam Chair, proper
6 basing and topping. I say this because the access road
7 to Gravel Source 177 was constructed in 2005/2006. To
8 this day, that road requires proper basing.

9 The other concern I have is the location
10 of gravel sources, as I mentioned earlier. The IFA is
11 clear that ILA must identify gravel sources within
12 close proximity to the communities. ILA should ensure
13 that any sources identified, that the communities will
14 have first priority for sufficient gravel sources to
15 supply their needs for at least over a twenty (20) year
16 period. In this case, Tuktoyaktuk.

17 ILA should ensure proper enforcement and
18 management of the road on Inuvialuit land and the
19 federal departments should do the same. I say this
20 because the access road to Source 177 is used by the
21 residents of Tuktoyaktuk for recreational purposes.
22 This is not a problem. Where the problem comes in is
23 when we -- when we, as private land owners, have no
24 regard for our land.

25 Today, people use Ski-Doos and ATVs to

1 go to Husky Lakes, and this is in the summer and fall.
2 ILA and the Aboriginal Affairs and Northern Development
3 must find ways to minimize the impact to protect this
4 fragile land from recreational users. We always want
5 developers to have respect for our -- and care of our
6 land when conducting activity. So we, as land owners,
7 should comply with our own wishes in keeping the land
8 pristine.

9 Madam Chair and panel members, these are
10 just my thoughts on the construction of the all-weather
11 road from Tuk to Inuvik. I took the opportunity to
12 think and reflect why this road would be beneficial to
13 us. I envisioned it will take us away from isolation
14 and, more importantly, for my children and their
15 children to travel and see this wonderful country we
16 call Canada.

17 Imagine starting that journey by dipping
18 our toes in the Beaufort Sea, travel to the Pacific
19 Ocean, and eventually end the journey at the Atlantic
20 Ocean. On the return trip, imagine we can travel to
21 the United States. Who knows, maybe it's only a dream
22 for now, but by completing the all-weather road it will
23 give us that opportunity to travel through all ten (10)
24 provinces, the Yukon, and the United States of America.

25 And who knows, down the fu -- the future

1 generation, will connect the communities of Paulatuk,
2 bridges to Ulukhaktok and Sachs Harbour, and finish off
3 by connecting to our neighbours to the east and
4 Nunavumiut people. Remember, this is a possibility.
5 Just look at the con -- confederation bridge that they
6 built.

7 Madam Chair and panel members, after the
8 hearings the ball is in your court to determine if this
9 project should or should not proceed. I am confident
10 that you will take the time in reviewing all of the
11 submissions, suggestions and recommendations from all
12 the Intervenors and the Developer. I urge you to use
13 due diligence in making the right choice in providing
14 your recommendations to the appropriate federal
15 minister for his approval or disapproval.

16 Bear in mind, Madam Chair, the federal
17 minister may or may not accept the recommendations of
18 the panel. I understand the IFA is very specific and
19 clear that the federal minister has thirty (30) days to
20 respond to your recommendations or the project will be
21 considered dead.

22 Madam Chair and panel members, thank you
23 for giving me the opportunity to provide my views about
24 the proposed construction of the road between
25 Tuktoyaktuk and Inuvik. This may be the dawn of a new

1 beginning where you, as panel members, can take us out
2 of the era -- era of walking sticks and to what our
3 young people would say, Hello, fast cars.

4 How many of you have seen the movie,
5 "The Good, The Bad, and The Ugly"? This project can be
6 seen as that. The good: connects us to the rest of
7 Canada and the United States year round. The bad:
8 increased social problems with -- with probable family
9 violence, alcohol, and drugs. And the ugly: our land
10 and water will not be pristine. But that comes with
11 the territory in our society today. Where must we be -
12 - where we must sacrifice to expand our horizons.

13 In conclusion, Madam Chair and panel
14 members, do we need the road? These are questions you
15 as panel mem -- panel members will have to answer to
16 why, when, where, what, who, and how. The submissions
17 brought before you will guide you in answering some of
18 these questions on whether the project should or should
19 not proceed.

20 Your recommendations must surely answer
21 these questions. With that, Madam Chair and panel,
22 merci beaucoup, mashi cho, thank you, and kuyannaini.

23 THE CHAIRPERSON/FACILITATOR: Thank you
24 very much for bringing your views to the panel. You've
25 given us a lot to think about, and we will certainly

1 take it into consideration.

2 I do have to say that I'm glad those
3 bridges you were talking about to Paulatuk and Sachs is
4 another panel's issue and not ours. Thank you.

5 MR. CALVIN POKIAK: Thanks a lot.

6

7 (BRIEF PAUSE)

8

9 THE CHAIRPERSON/FACILITATOR: Sorry.

10 Ernest Pokiak had asked to speak.

11

12 STATEMENT BY MR. ERNEST POKIAK:

13 MR. ERNEST POKIAK: Thank you, Madam
14 Chair. I don't have much but I -- I'll probably be
15 repeating some of the things I said to transportation
16 department last week. Some of the things I'm going to
17 say will probably just -- added onto what I've heard
18 already this morning from the -- some of the people
19 that were speaking.

20 I'm more concerned about some issues
21 that may and probably will happen after the road has
22 been started and completed. And some people said some
23 things about that that -- for example, have the ILA
24 that would probably work with the government to ensure
25 that things don't get out of hand, you know, because we

1 are dealing with people that will have easier access to
2 Husky Lakes.

3 And we -- for example, I think from the
4 get-go I think Inuvialuit and even government for that
5 matter, they should -- I know training is always one
6 (1). I think that goes with any work. I think
7 Transportation should identify the needs for highway
8 transport officers between Inuvik and Tuk, and train
9 local people so they don't have to go elsewhere to hire
10 people for that purpose.

11 I think there's ways to do that, and I
12 think -- from the get-go I think if you start public
13 education process for the people and the public I think
14 that would be the way to go rather than after the road
15 is officially open. And that's my personal view on
16 that one. I think it's -- that's an important one.

17 And in regards to the public tender
18 process, I think that's one thing that Transportation
19 should really make sure that it -- it's a public
20 process, and I say that -- I'll tell you why. You
21 know, I've been a consistent taxpayer for over fifty
22 (50) years. And part of that money I've put into that
23 all the years I've worked and paid taxes will be going
24 towards it even today, which I don't mind that. It's
25 for a good purpose.

1 But I think a public process is the way
2 to go that, in that way, you know, we don't end up with
3 looking for more funds to -- to complete or to finish
4 what you started off. A good example, that Source 177.
5 I've heard it mentioned before. I think it's important
6 that public process is taken into consideration.

7 And in regards to the gravel, I've heard
8 a few comments about it today. And I think my view is
9 that I think gravel has been an issue for -- in
10 Tuktoyaktuk for a number of years, and the cost of it.
11 I think we're talking about footprint, but I think it's
12 important that there's -- there's some fill materials.
13 But we also need some good topping materials.

14 I think it would be -- it should be
15 taken into consideration that some of these borrow
16 sites that there's some good gravel for topping the
17 fill. And rather than have to access them in the
18 winter time and you have to use water and you have to
19 use snow and -- I think in regards to these couple of
20 sources, it's important that maybe the -- there should
21 be an access road to these couple of sources. Thank
22 you.

23 THE CHAIRPERSON/FACILITATOR: Thank you
24 very much. I had Roger Gruben and the Tuk Business
25 Corporation wanting to make a presentation. Do you

1 want to do that now, Roger?

2

3 (BRIEF PAUSE)

4

5 THE CHAIRPERSON/FACILITATOR: Do you
6 have enough chairs up there? So if you don't mind just
7 introducing the people you have at the table with you.
8 And go ahead.

9

10 STATEMENT BY TUKTOYAKTUK BUSINESS ASSOCIATION:

11 MR. ROGER GRUBEN: Thank you very much,
12 Madam Chair, and members of the Environmental Impact
13 Review Board. My name is Roger Gruben and I'm
14 representing my own business, RT Gruben Services
15 Limited based in Tuktoyaktuk, 100 percent Inuvialuit
16 owned.

17 We have Peter Louie from J and L
18 Transport, also based in Tuktoyaktuk. And we have
19 Russell Newmark, the CEO of E. Grubens Transport based
20 in Tuktoyaktuk. And we also have Peter Louie, Jr.,
21 also from J&L Transport based in Tuktoyaktuk.

22 So we are pleased to be here today to
23 make some comments regarding the construction and
24 maintenance of the Tuk to Inuvik Highway on behalf of
25 the Tuk/Inuvialuit business community. The businesses

1 with me today are all owned by local Inuvialuit who
2 live in Tuk and use the Husky Lakes area for
3 traditional and cultural activities.

4 We strongly support the highway project,
5 conditional on proper procedures and rules in place to
6 protect the environment and the wildlife resources, and
7 conditional upon maximum participation by local
8 businesses and workers in the project through local
9 business contracting, local employment and local
10 training.

11 Firstly, and most importantly, we
12 believe this project will provide significant and long-
13 lasting benefits for Tuktoyaktuk, for the region, for
14 the north, and for Canada as a whole, and that it can
15 be undertaken without any significant or negative
16 environmental impacts.

17 We have gained a tremendous amount of
18 local experience and knowledge through our
19 participation for many years in oil and gas projects
20 and in the construction of the Source 177 access road.
21 Through this experience, we have learned how to
22 construct all-weather roads, minimizing impacts to the
23 environment and to the wildlife. We are confident we
24 can build this all-weather road on the permafrost and
25 in a sensitive environment. We're also confident that

1 proper procedures, plans, organizational oversight, and
2 mitiga -- mitigative measures are currently in place to
3 protect the environment, the wildlife, and the
4 harvesting activities of local Inuvialuit harvesters.

5 An important aspect of this is to ensure
6 that the actual roadway is placed away from local
7 cabins and important cultural and harvesting areas.

8 Secondly, the ability to move this
9 project forward is the result of four (4) levels of
10 government -- the federal, territorial, local, and
11 Aboriginal governments -- demonstrating a unique and
12 remarkable degree of cooperation to bring forward a
13 project that has been a primary objective of the
14 Inuvialuit from Tuktoyaktuk for over thirty (30) years.

15 This may be a once-in-a-generation
16 opportunity and any further delays in bringing this
17 project to -- to fruition could lead to its
18 cancellation. It could then be another thirty (30)
19 years before the combination of the political will and
20 outside financing are in place to reconsider the
21 project.

22 Thirdly, these benefits are desperately
23 needed. As you are aware, the Tuk region has
24 experienced a major economic slowdown. This has had
25 negative impacts upon the ability of local residents to

1 secure meaningful employment. Our economy is severely
2 depressed, and it has affected the social well-being of
3 the community.

4 This is shown by increasing --
5 increasingly high levels of unemployment, dependence
6 upon social assistance, and ongoing indicators of
7 social distress within the community.

8 This highway project will bring much-
9 needed jobs and business opportunities to Tuk. This
10 project can be undertaken in its entirety by the local
11 and regional business community. And almost every job
12 on the project can be filled by local and regional
13 residents.

14 We have the experience and the
15 capability to undertake this work, and it will be
16 extremely important that local business, employment,
17 and training is maximized, confirmed, and legally
18 contracted prior to the issuance of the actual permits
19 and commencement of the project.

20 We would encourage government to
21 negotiate the contracts with the Tuk and Inuvik local
22 Inuvialuit business community, as this will ensure the
23 maximum level of Inuvialuit and local participation.

24 Due to the nature of the work and the
25 types of jobs available -- such as truck drivers,

1 equipment operators, wildlife monitors, labourers, and
2 catering staff -- this type of project provides more
3 local benefits than any other type of development
4 project. This was demonstrated during the Source 177
5 access road construction, where this work was completed
6 entirely by -- by our Inuvialuit business community and
7 over 85 percent of the employees were local and
8 regional residents. We believe this high level of
9 local and regional participation can be duplicated on
10 this highway project.

11 This project will not only create
12 economic benefits during the construction, but these
13 benefits will continue for many years during
14 maintenance activities and include enhanced tourism
15 activities, potential future development of the Tuk
16 Harbour as an Arctic port, and the potential for oil
17 and gas resource developments. The possibility of
18 these potential developments will be greatly enhanced
19 by the existence of an all-weather, year round road.

20 Furthermore, there will be many other
21 social and economic benefits that will be delivered to
22 the community and the region as a whole, including
23 lower cost for food, travel, and household goods and
24 supplies; increased opportunities for intercommunity
25 recreational, cultural, and social activities; and

1 greater access to health, educational, and other vital
2 services.

3 In addition to these general comments I
4 would like to address a few specific issues. Although
5 there has been ongoing discussions in the community
6 regarding the preferred routing for the highway, we
7 must emphasize that very close to 100 percent of the
8 local residents support the construction of the highway
9 and believe that this project will provide benefits to
10 all members of the community.

11 Although there may -- may be differences
12 between residents regarding which routing is
13 preferable, we believe that the professional engineers
14 who have designed this project have selected the best
15 route for the highway, taking into consideration
16 engineering, environmental, social, and cultural
17 factors, together with cost effectiveness.

18 Very importantly, the currently proposed
19 route is the most direct and has the fewest curves and
20 hills, while preserving the requested 1-kilometre
21 buffer from Husky Lakes. In addition to providing the
22 safest and most cost-effective construction routing, it
23 will also provide a highway routing that minimizes
24 closure due to storms, drifting, and snow buildup.

25 With respect to certain of the technical

1 issues raised regarding gravel sources and construction
2 methods, we would point out to the panel that our pilot
3 project, the Source 177 access road, has performed
4 remarkably well, considering that the road was designed
5 only to be a community access road and was severely
6 hindered by cost and other restraints.

7 The road is currently in good, drivable
8 condition for its full 18 kilometres, despite the fact
9 that the absolute minimum embankment depths on the
10 slide-sloping designs were constructed due to cost
11 constraints. As well, the surface of the -- surfacing
12 of the access road with gravel has not yet taken place.

13 The performance of this access road
14 under these constrained conditions and of the local
15 Inuvialuit business community in completing this work
16 should provide the panel with a high level of
17 confidence that a similar and even an improved level of
18 performance, without permafrost damage or degradation,
19 can be achieved on the Tuk to Inuvik Highway project.

20 And, finally, before closing, we would
21 encourage the EIRB to conduct any future reviews in a
22 more expeditious manner. The number of extensive
23 steps, phases, and processes in any such review needs
24 to be in proportion to the size, magnitude, and
25 potential impacts of this project.

1 This highway project is not a
2 multibillion-dollar resource project promoted by
3 private industry, but a public infrastructure project
4 proposed and developed by Inuvialuit from Tuktoyaktuk
5 and Inuvik. And in contrast to other industry-proposed
6 projects, such as the Mackenzie Valley Gas Project,
7 this is a public, modestly sized, non-resource
8 development project, principally in Inuvialuit lands,
9 and totally within the Inuvialuit settlement region.

10 The potential impacts of this type of
11 project are well known and understood. Given this
12 project's features, size, and scope, we do not need to
13 endlessly study and model speculative scenarios of the
14 cumulative impacts of other potential projects which
15 may or may not occur at some distant time in the
16 future.

17 There is nothing unique or particularly
18 impactful about this project which should cause further
19 delays or require more scrutiny. We must emphasize
20 over and over again that there are various plans,
21 procedures, and mitigative measures which the
22 regulatory bodies -- including the ILA, AANDC, the NWT
23 Water Board, and DFO -- have in place that are well
24 known and well understood. We have worked with these
25 plans, procedures, and measures for many years. They

1 are adequate -- excuse me. They are adequate to
2 mitigate any potential adverse environmental impacts.

3 Thank you very much.

4 In closing, I would like to repeat that
5 this is a project that has been promoted by Inuvialuit
6 from Tuk and Inuvik over thirty (30) years. It has
7 been developed specifically to benefit local and
8 regional residents, and can be undertaken without
9 significant impacts to the environment or the
10 harvesting activities of local residents.

11 Thank you very much.

12 THE CHAIRPERSON/FACILITATOR: Thank you
13 very much for your presentation and your views. They
14 certainly will be taken into consideration, and thank
15 you.

16 I think we'll take a short break now,
17 fifteen (15) minutes. And Mr. Jacobson, your MLA,
18 would like to say a few words so we'll have him come up
19 when we get back.

20

21 --- Upon recessing at 3:05 p.m.

22 --- Upon resuming at 3:29 p.m.

23

24 THE CHAIRPERSON/FACILITATOR: Okay.

25 Thank you very much. I guess we can resume. We'd like

1 to start out this afternoon, Mr. Jacobson, your MLA,
2 would like to make a statement. Just if you don't mind
3 identifying yourself just for the record before you
4 start. Go right ahead.

5

6 STATEMENT BY MR. JACKIE JACOBSON:

7 MR. JACKIE JACOBSON: Thank you, Madam
8 -- Madam Chair. Good afternoon. I'm Jackie Jacobson,
9 Speaker, Legislative Assembly for the Northwest
10 Territories, and MLA for Nunakput.

11 It's my pleasure to welcome you here to
12 our region here today. I've spent most of my life in
13 the Nunakput region. Only time leaving home was for
14 work or going to school. Today I want to build -- like
15 all of us in the Nunakput region, like all of us here -
16 - want today to build a great future for the people of
17 Nunakput and across the arctic.

18 The construction of all-weather road
19 between Inuvik and Tuk would be a building block for
20 the future. Right now, the nation -- if the world has
21 -- has the world's attention turning toward the North
22 for the great opportunities it has to offer. More than
23 ever, the North is open to scientific, social, epi --
24 economic resources for all the oil and gas we have in
25 the Beaufort, and resource development. The all-

1 weather road opens a way to reaching that potential.

2 The most important for myself is the
3 people in my region here are struggling with the high
4 cost of living. Our Elders are having to survive off
5 of income support cheques, our in -- their monthly
6 cheques that they get from the federal government. And
7 it's only lasting two (2) weeks because of the high
8 cost of food here in our community, and that's not
9 right.

10 We have youth having no opportunity to
11 travel, not unless it's in the wintertime or having the
12 high costs for flying, and having -- that's not right
13 for the -- for the youth here in Nunakput or in Tuk,
14 but having the opportunity other youth have across the
15 North and the South.

16 More than ever, all -- the all-weather
17 road opens in reaching the potential people in my
18 region. That con -- the construction of the project,
19 the Tuk and Inuvik highway would bring jobs for the
20 youth that are graduating now and for the people that
21 need work today, not next year. It's been two (2)
22 years -- two and a half (2 1/2) years since this
23 project's been going and trying to get forward on this
24 whole -- project as a whole. We need the work. People
25 are struggling. Only people that are going and getting

1 ahead in -- on this project are the consultants.

2 The construction project is a major
3 undertaking with many unique challenges, but the
4 Inuvialuit have long shown anything posi -- anything is
5 possible when we work together for a common goal.

6 But the Inuvik-Tuk Highway is no
7 ordinary road. This key piece of Canadian -- linking
8 our country from coast to coast to coast is a
9 sophisticated project, requiring the most advanced
10 engineering road construction technology we can bring.

11 It would attract the attention from
12 around the globe, not only for the scope of the
13 significance to Canada, but the planning and the
14 expertise required to build the highway through the
15 rugged, untouched Mackenzie Delta.

16 The highway would give Canada a greater
17 presence in the Arctic region, helping secure Arctic
18 sovereignty, offering all Canadians advantages that
19 increased infrastructure can bring.

20 The Northwest Territories is expecting -
21 - is exciting to this point in their history. You know
22 where -- the Mackenzie River? We have a bridge project
23 since it was spoke about since 1950 that's almost
24 completed. The major oil companies are optimistic
25 about the -- you know, the shale and -- and the

1 resources in the Central Mackenzie Valley.

2 Negotiations towards our devolution
3 agreement in the Northwest Territories have advanced
4 further than ever before. The biggest key piece I've
5 been working on for the -- and all the people here
6 today, from what I heard, all in support. We've all
7 got our little issues that we've got to deal with and
8 that could be worked out if we work together.

9 The Inuvik-Tuk Highway is an integral
10 part of the blueprint of the future of the Canadian
11 North. I'm proud to call myself a Northerner today,
12 and I work on behalf of the people in Northwest
13 Territories and, most of all, the people of Nunakput,
14 building a future that we can all look forward to and
15 working together to make this possible.

16 I just want to remind every one of you
17 here, people are going hungry here in the wintertime;
18 no work, not everybody has government jobs or local
19 government from the hamlet, not everybody. People got
20 to go income support and rely -- try to live off of six
21 hundred dollars (\$600) for two (2) weeks, or for the
22 month, try to feed your family.

23 You know, take a -- take five (5)
24 minutes and look in the community. Take a walk in
25 their shoes. You guys got to move forward. This is

1 too long dragging out. Two and a half (2 1/2) years is
2 too long. People need this project to happen. You
3 heard it from the people all -- before me. It's all
4 good that you're looking out for our interests, but at
5 the end of the day, I'm Inuvialuit. I was born and
6 raised here, and every one of you, we want this project
7 to happen.

8 And, you know, I'm tired of, I guess,
9 living off people, having to live off income support,
10 having my Elders run short every two (2) weeks, having
11 my youth not able to travel because of the high cost of
12 living. You know, you guys should really think about
13 that.

14 I thank you for all the work you've
15 done, but it's time to give the people what they want
16 on a go-forward basis of this project. And it's not
17 all going to be all perfect. We're going to deal with
18 issues that we have to deal with, but we'll deal with
19 them as Inuvialuit and the people of Tuk as a whole,
20 like we deal with everything else here when nobody
21 seems to care what's going on.

22 So I stress to you, this project has to
23 go forward. There shouldn't be no more delays in this
24 project. We have to push it forward for the people.
25 We need the work. People are going hungry.

1 Madam Chair, thank you.

2 THE CHAIRPERSON/FACILITATOR: Thank you
3 very much.

4 I have a couple of other people who have
5 expressed an interest in making a statement or a
6 comment, but I understand that a couple of you would
7 like to do it tomorrow. I -- Robert Gruben was one of
8 them, and I think that he'd like to do his presentation
9 tomorrow. So I -- I don't -- tomorrow?

10 So I'm going to ask Eddie Dillon to come
11 up. He'd like to make some comments.

12

13 STATEMENT BY MR. EDDIE DILLON:

14 MR. EDDIE DILLON: Thank you, Madam
15 Chair. My name is Eddie -- Eddie Dillon. I'm
16 presently a hamlet councillor. I sit on the Tuktoyak -
17 - Tuktoyaktuk Community Cooperation. And a lot of you
18 know too, I'm also the chair of the NWT Water Board,
19 but I come before you as an individual.

20 I notice both your responsibility to
21 hear both the technical aspect and the environmental
22 aspect of this road construction. I've sat on the
23 councils in the past when we put together numbers that
24 were needed to convince people that we need a road.
25 The cost of living, the comparison of food prices

1 between here and Yellowknife, those things were all put
2 on paper and part of the convincing process that was
3 used to get the monies identified for the road.

4 A lot of people have spoken about
5 needing the jobs. You heard our MLA speak to the
6 desperate situation we're in for jobs right now. I've
7 got nothing against the jobs, we need them, we deserve
8 them. If the road goes ahead, I think the majority of
9 the community would like to be going to work on the
10 project.

11 I read -- I've read the technical
12 reports that you have had with your individuals, the
13 professional aspects of their answers in regard to
14 different technical questions to the -- to the concerns
15 of the panel.

16 Let me draw you to one (1) example, the
17 177 road, a lot of people have spoken to the issue
18 today about how it's not finished. When that road was
19 put forward under project description, there were
20 certain aspects of it that had real engineering
21 drawings by Mr. Walter Orr himself from Ferguson Simic
22 (phonetic) at that time.

23 And I don't have to be an engineer or
24 know that it did meet the specs that is on that project
25 description and that's why you hear people talk about

1 it's not finished.

2 The whole concept of having that road
3 built to 177 was to get gravel. To this day I can tell
4 you that not one (1) spade, never -- never mind a truck
5 load, one (1) spade has gone into any community
6 projects, not one. And that is the whole concept of
7 that road.

8 We've all heard everybody say that, We
9 need the road, we need the jobs. We do. You know,
10 times are tough here, the economy is quite low. There
11 are good prospects for offshore work and once this road
12 is -- is put into works, I think there'll -- a lot of
13 people will be going to work and be happy for it, and
14 proud, because when you're working you're supplying
15 your family with something; that's pretty important.

16 I think the important aspect of the
17 Review Board in this whole application is that: How
18 true is that plan? They can give you the world design
19 right now on paper, but what -- how do they live up to
20 it?

21 We've got a Road 177, nobody's lived up
22 to it. It's an eye -- it's almost like a goat road
23 you'd call it down south. We don't even have one (1)
24 spade of gravel brought into the community.

25 Sure it was good for the economy, it was

1 good for a two (2) year project, but it's not finished.
2 It was approved to a certain degree. Engineers came
3 and promised that this is what it's going to look like.
4 Engineers sit here today telling us what the Inuvik
5 road's going to look like but it's not that. They
6 didn't come here to make sure that it lived up to its
7 standards.

8 Usually when you have a highway being
9 built by the Department of Transportation you have
10 engineers on -- on site sitting there with -- with
11 their transects and stakes in the ground to see how
12 high that road -- gravel is supposed to be piled, that
13 wasn't done.

14 You know, you're -- you can ask the
15 department and in terms of Mr. Stevens, just how well
16 this is going to be monitored. I think that's one (1)
17 of the biggest aspects. We can get the best design on
18 paper. Who's going to watch it for us? Who's going to
19 monitor it to make sure that the money that the
20 Government of Canada gives, the GNWT gives, is going to
21 be spent properly? We're going to get the -- the
22 project that's on paper right now. Who's going to --
23 who's going to promise us that?

24 We need the jobs, we know that, but
25 who's going to promise that the end result is what's on

1 paper. It's good to talk about it beforehand, but the
2 hardest thing on any approved project in the world is
3 the monitoring side. Who monitors it? Who makes sure
4 it lives up to the standards that they says it's going
5 to be?

6 There's a lot of things that I'd like to
7 speak to but people have spoken to quite a few of them
8 today. I won't take up any more of the panel's time.
9 I'd just like to thank you for taking your time to come
10 to our region, to hear us from the community level,
11 from individual's aspects viewing this project. We
12 need the work.

13 But Mr. Stevens, I think we need more,
14 somebody to monitor and make sure that the -- the
15 promises you have today lives up to itself. Thank you.

16 THE CHAIRPERSON/FACILITATOR: Thank you
17 very much. Is there anyone else who would like to make
18 a statement or make a comment? Yes, James...?

19

20 STATEMENT BY MR. JAMES POKIAK:

21 MR. JAMES POKIAK: Thank you, Madam
22 Chair. My name is James Pokiak. I've lived in
23 Tuktoyaktuk most of my life. You know, there's a lot
24 of good discussion happening right now regarding this
25 all-weather road. And we just had a -- a group of

1 local businesses sit up here in front of the table
2 here. And I'd like for everyone here to know that
3 those are not the only businesses that are within the
4 community. You know, there's tourism, there's other
5 stuff -- businesses that are within this community who
6 have something to gain out of this whole project.

7 And I wasn't going to say anything more,
8 but after listening to what the earlier presenters said
9 about this all-weather road, I -- I feel obligated to
10 come up here and -- and represent myself as a tourism
11 operator, big game hunter, and a subsistence user.

12 First of all, I've been a subsistence
13 hunter/ trapper all my life. And I saw an opportunity
14 in the '80s to -- to build on what I know, living off
15 the land, making use of the animals, the wildlife in
16 this region, which was passed down from my father and
17 my great grandfather and other people, Elders within
18 the community who have taught me anything and
19 everything that I wanted to know about living on the
20 land. And I've gained all that from my -- from my
21 uncle, a very good friend of mine Gordon Naviak
22 (phonetic), and other Elders who have taught me along
23 the way.

24 As a child growing up I -- I used to
25 wait in the spring time for the Wolki family to come in

1 from Bailey Island (phonetic) after their winter's
2 harvesting over there. And it was always a dream of
3 mine, because that's where my grandparents came from.
4 And I had the opportunity in the early '70s to -- to
5 experience that, the first time ever living on the
6 land. No communication, no phones, no radio. We went
7 out there. Nobody knew anything about it until we came
8 back. And that happened even prior to my going out
9 there.

10 There's a lot of good points that have
11 arisen from some of the submissions, especially from
12 the Proponents regarding the benefits to the community.
13 I'm sure jobs are needed. Health needs to be looked
14 at, maybe up to a certain level. In my view, all those
15 points that have arisen, what the all-weather road is
16 going to do for our community, we've already
17 experienced that. We have a lot of people who have
18 gone into the education field, but what do they do with
19 their education when they come back?

20 I've -- I'm very proud to have seen both
21 -- all three (3) of my children graduate in
22 Tuktoyaktuk, in Mangilaluk School, and they're all
23 doing very well. And I'd like to stress that education
24 is important, but what do you do with it after you're
25 done? My oldest daughter, she's a consultant, just

1 like some of these guys here, an Inuvialuit consultant
2 that not many people know, you know. She sacrificed a
3 lot of her life getting that education. She got a -- a
4 degree in archeology. She got a teaching degree and
5 now she's a consultant on her own, which I'm very proud
6 of.

7 My son Jacob does the same thing. He --
8 he started following in my footsteps, living off the
9 land with -- with big game guiding. And not very many
10 young people like him has done what he has done. He
11 had two (2) guided hunts for polar bear and -- and he
12 built his own home in this community with that money
13 that he made.

14 And those are areas where they're
15 regulated, we can do so much per year. But not -- not
16 put aside all the subsistence harvesting that is done.
17 A lot of our people do that.

18 Job -- jobs are important, but I really
19 strongly believe that the consultants were told many
20 years ago that if they chose the upland road like the
21 people wanted they could have started construction
22 three (3) years ago but, no, they had to hire all these
23 people to study the area and the -- and the route that
24 they wanted to chose to -- to build the road.

25 They say they listened to us. Maybe up

1 to a certain point, but I think it's time to start
2 pushing instead of shoving. There's no doubt that
3 people in this region will benefit a lot out of it.
4 But like I raised some of those other points before,
5 this is a daily thing that all of us have to live and
6 abide by.

7 We got no control over what the northern
8 store charges for their product. We certainly don't
9 have any control over the people who supply us with our
10 petroleum product whatsoever. We -- I can raise a few
11 other issues regarding the petroleum product. When the
12 GNWT used to look after it, it was pretty good; but
13 after they privatised it, it really, really hit
14 everybody hard.

15 The land is very special to us. The
16 waters. The wildlife. And I -- and I take it from my
17 father who said the land is his bank, and is now our
18 bank. And my father and others who led the -- the --
19 in the signing of the final agreement, we -- I am very
20 proud of those people who worked hard. It's just too
21 bad they -- they're not around to see the benefits of
22 what they had to struggle for. So this is not
23 something new for us. We had to struggle all our lives
24 for where we are today.

25 A couple of weeks ago I was out caribou

1 hunting. I had my grandson, five (5) year old
2 grandson. We were sitting around a campfire, and there
3 was about ten (10) ugiuks (phonetic) swimming around
4 below us. They come right up on the beach. I said to
5 my little grandson, I said, Edward, a hundred (100)
6 years ago every single one (1) of those ugiuks would be
7 dead right -- right now. But we don't need it so we
8 just let them -- let them be.

9 Today -- people are not struggling today
10 like they did in my father's era, and -- and his father
11 before him. All our lives, the Inuvialuit as a people
12 have had to struggle to survive. And these things are
13 nothing new to us. They did without it then, we could
14 do without it now. But the road is definitely, in my
15 view, going to be a goal regardless which route they
16 going to use.

17 But I just hope and sincerely pray that
18 the views from individuals will be heard as loud as
19 they are from the con -- contractors. I mean, in my
20 view, this land was put there for a reason, and I
21 really believe as an Inuvialuit people we are making
22 the best of it. Thank you.

23 THE CHAIRPERSON/FACILITATOR: Thank you
24 very much. Thank you. Yes, go ahead.

25

1 (BRIEF PAUSE)

2

3 THE CHAIRPERSON/FACILITATOR: Could you
4 just start with your name, if you don't mind?

5

6 STATEMENT BY MS. MARJORIE OVAYUAK:

7 MS. MARJORIE OVAYUAK: Hi. My name is
8 Marjorie. I'm an Elder. I've been on income support
9 for the last eight (8) years. I have a tough time. It
10 took me three (3) years to try to get -- see a
11 specialist of my medical problem.

12 During that time, I was having housing
13 issues, social issues, handout. I couldn't get no
14 handout from government because I had to go through a
15 doctor. It went on -- took me like two and a half (2
16 1/2) years to see a doc -- to see my medical issues.
17 And I still have them today.

18 During that time, I wasn't making no
19 money because of my medical problem. I was rasing up
20 three (3) kids, doing whatever I can try to apply for
21 job. Best one (1) I had was with the harvesters field
22 work. I worked for twelve (12) years for them. It was
23 good money. Even though I wasn't feeling well I'd
24 still do it. I started working when I was nine (9)
25 years old babysitting, house sitting, cleaning up.

1 There's work out there you could do, but not -- now
2 we're in the white man's world.

3 Where's -- where's the effort to put
4 good people to work? Where is it? You know why they
5 don't have it? Because they only hire who they want,
6 who they could relate to, because they don't like
7 hiring people that are honest, truth. And you have to
8 sit in a circle, because we have leaders here that know
9 our issues, they talk about it, laugh about it. That's
10 all they could do. Not much they could do.

11 For me to be on income support for the
12 last six (6) years, you know how much I was getting
13 first? Six hundred (600) something. That'll last for
14 a week, ten (10) days, but I have to stretch my money
15 for necessity stuff.

16 Nowadays, I'm making like -- not making,
17 I'm getting like eleven hundred (1,100). But out of
18 that eleven hundred (1,100), I'm only spending close to
19 five hundred (500), because I have bills to pay. The
20 high price of food, rent, and power, imagine that. I'm
21 -- I live alone, but I have children that have
22 grandchildren. I have to think of them, because these
23 people don't care. Thank you.

24 THE CHAIRPERSON/FACILITATOR: Thank you
25 very much.

1 Is there anyone else who would like to
2 make a statement or give us their views about the road
3 project?

4

5 STATEMENT BY MS. LUCY DILLON:

6 MS. LUCY DILLON: My name's Lucy
7 Dillon. I'm from Tuktoyaktuk. I was born and raised
8 here, and probably will die here. I lived all my life
9 here, and I'm proud to be Inuvialuit. I'm proud to be
10 who my parents were, because they lived on the land.

11 Two (2) weeks ago, I was out there with
12 my children, grandchildren, and to hear your two (2)
13 year old -- when you have your own grandchildren say,
14 Let's go to Sig (phonetic), boy, that's something. It
15 hits you, and especially when your grandchildren are
16 thirteen (13), sixteen (16), seventeen (17), and
17 eighteen (18), learn to do stuff. That's culture,
18 that's tradition, that's me from -- from my parents, my
19 great-grandparents, and all my other family members.

20 And, you know, you may struggle. You
21 have hard times, but when they pick up something that's
22 so unique, it brings joy. There's not too many
23 seventeen (17), eighteen (18) year old boys that will
24 go out there, learn from their fathers, grandfathers.
25 And, you know, today, most of the leaders don't even go

1 out there one (1) day.

2 There's something wrong when they say,
3 We need this on the road. There's something wrong. We
4 don't need that road now. What we need is a community
5 assessment, because in different speeches you hear the
6 negative part: social issues, health issues, housing
7 issues.

8 You know, you heard someone, the MLA,
9 say, People are starving. I think that really hurts
10 me, because today I don't know of one (1) person that's
11 starving, because we care for each other. You've got
12 to live with our people to understand them. We have
13 faith in each other. We value each other. We help
14 each other from far and wide, from near and close, to
15 rich to poor. That's how I was raised. And so many of
16 us has lost that. Money comes first. Thank you.

17 THE CHAIRPERSON/FACILITATOR: Thank you
18 very much. Go ahead.

19

20 STATEMENT BY MR. ERNEST POKIAK:

21 MR. ERNEST POKIAK: Thank you, Madam
22 Chair. I don't have much else to say, other than I
23 forgot to mention before when I was speaking that I
24 know people do need to work. But I think I'm hearing
25 that the road, if it's started, it'll take up to five

1 (5) or six (6) years to complete. I don't -- I just --
2 the previous speaker, you know, probably wouldn't agree
3 with me on it, I guess, but it would be nice if the
4 road was started that it would be completed in three
5 (3) seasons rather than four (4) or five (5).

6 And other than that, you know, I -- I
7 think this -- the project will fill a gap, for example,
8 in regards to the all -- or the pipeline. I'm still
9 pretty confident that's going to go. And I think if
10 the road has to start -- the project starts and
11 completed in three (3) years, I think it will be about
12 the right time frame. Thank you.

13 THE CHAIRPERSON/FACILITATOR: Thank
14 you. The other thing I'll mention is I was advised by
15 a couple of the government departments, Parks Canada in
16 particular, that they won't be here tomorrow. So if
17 you have some questions for them before they leave,
18 please take advantage of this time to do that. Go
19 ahead.

20 MR. CALVIN POKIAK: Madam Chair, I have
21 a question for the Department of Fisheries and Oceans.

22 THE CHAIRPERSON/FACILITATOR: I'm
23 sorry, could you just say your name first, please?

24 MR. CALVIN POKIAK: Oh, Calvin Pokiak.
25 I have a question for the DFO. In regard to one (1)

1 submission they made about that -- about the meeting
2 that the guys had in Inuvik. I think one (1) of the
3 things that came out with this, they said they won't
4 issue an authorization to do any crossings until the
5 Developer ensures that they have the right kind of
6 crossings in place.

7 Is still that the case with DFO in terms
8 of the crossings that they're talking about?

9

10 (BRIEF PAUSE)

11

12 THE CHAIRPERSON/FACILITATOR: Sure. Go
13 ahead, Ms. Joynt.

14 MS. AMANDA JOYNT: Madam Chair, Amanda
15 Joynt with Fisheries and Oceans. Can I just clarify
16 that the question was, is that still the case with the
17 crossings?

18 MR. CALVIN POKIAK: Yeah, thank you.
19 The question I have is, I know -- I think I read
20 somewhere in the -- the stages where you guys were
21 meeting with the -- with the Developers and -- and
22 Intervenors. And at one point I read something where
23 that DFO indicated that they will not issue a permit
24 until the Developers are sure that they have the right
25 kind of, say, culverts or crossings of streams and

1 that.

2 Is that still with DFO's policy now, or
3 ...?

4 MS. AMANDA JOYNT: Okay. Amanda Joynt
5 with Fisheries and Oceans. So I'll just clarify that
6 there's a difference between the environmental
7 assessment process, which is what we're in right now,
8 and the regulatory process.

9 So the regulatory process is where DFO
10 would deal with those authorizations, so it would be
11 after this assessment has gone through and the
12 regulator -- or the Review Board has made their
13 decision.

14 So DFO doesn't require those specific
15 details for those authorizations until the regulatory
16 process. So the regulatory process would not impact
17 the Review Board's decisions. Is that helpful?

18 MR. CALVIN POKIAK: Madam Chair, I
19 think what's important is that if we're talking about a
20 project like this that if there -- if one (1)
21 department can't authorize, say, a -- say, a creek
22 crossing, water crossing, what's -- why should we talk
23 about, you know, having something like this built if --
24 if they're going to -- if they're going to be stopped
25 by a certain department?

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1 And I think that the Developer should at
2 least ensure a sit-down with DFO and said, Okay, look,
3 we have the right kind of process in place. Let's go
4 on with the project and move forward from there. Thank
5 you.

6 THE CHAIRPERSON/FACILITATOR: I think
7 there's agreement with what you're saying. Do we have
8 anybody else who would like to ask questions or make a
9 statement?

10

11 (BRIEF PAUSE)

12

13 THE CHAIRPERSON/FACILITATOR: So I -- I
14 think we'll then adjourn for the day, and come back
15 tomorrow morning. It's after four o'clock, and we'll
16 meet again tomorrow morning at 10:30 and continue.
17 There's some outstanding questions that we'll address
18 first thing in the morning about the reindeer grazing
19 lease. And we'll carry on from there. Thank you very
20 much for coming.

21

22 --- Upon adjourning at 4:03 p.m.

23

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2 Certified correct,

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8 Sean Coleman, Mr.

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