

# **Kakisa Meeting Notes**

**February 17, 2004**

**1:00 p.m.**

## **Opening Prayer**

### **1. Welcome/Introductions/Opening Remarks**

Chief Lloyd Chicot welcomed the MVEIRB, and reminded the Board of the ongoing importance of traditional practices to Kakisa.

Review Board Chair Todd Burlingame expressed his appreciation to the community for hosting the meeting, noting that this was the first hearing south of Great Salve Lake, and the first with the Mackenzie Valley Land and Water Board in attendance. Todd introduced Board members Bernadette Stewart, Gabrielle Mackenzie Scott, John Stevenson, Danny Bayha and Percy Hardisty. Todd also introduced the MVEIRB staff, and translator Alex Campbell.

Chief Loyd Chicot introduced band staff and band members in attendance (see attached list) and consultant Joe Acorn.

Melody McLeod introduced the board members of the Mackenzie Valley Land and Water Board, present as observers. These were Steven Nielsen, Jack Van Camp, Violet Camsell-Blondin, and Joyce Stewart. Melody also introduced ED Bob Wooley and Regulatory Officer Steven Mathyk. She outlined what the MVLWB does, emphasizing the distinction between it and the MVEIRB. Melody also thanked the Chief for receiving them.

Todd Burlingame stated that after the developer's presentation, the community is welcome to make comments, and ask questions. Todd further outlined differences between the boards, specifying that the MVLWB receives applications and issues permits, while sometimes referring development to EA. The MVEIRB conducts EAs, and sends developments back to the MVLWB if the MVEIRB approves them. Paramount has applied to the MVLWB, which sent it to the MVEIRB. The MVEIRB is holding this community hearing to gather evidence.

At Danny Bayha's request, Todd explained how MVEIRB recommendations turn into MVLWB conditions.

## **2. Paramount Presentation**

Mr. Doyle and Shirley Maskant, and Ken Brink of Paramount made a presentation of the proposed development, illustrated with a series of map overlays. Daryl Johannesen, Todd Collar, Corey, Neil Kelley, Nadine Berg (counsel), Martin with Golder. Thanks for the opportunity.

Described existing, proposed and foreseeable development, using overlay sequence. Described what the central battery is. Described 2d seismic, pipelines, 3d seismic. Gas wells. Liquids and solids get sent to Bischo, then to Zama, and eventually back up north as product. Proposed 5 additional wells, tie-in 9 wells, fuel to 7 wells. When we applied, we were referred to EA. Were paying attention to Cumulative Effects Assessment. Last 2 EAs looked at the development in isolation.

### **Q- how many wells will you drill?**

Discussions to predict this with geophysicists led to the plan to make additional 48 wells, to total of 48 wells, over 10 years (about 5/yr). May not drill all, if not economic.

Increased disturbance is 7.6% within SDL. But Paramount tries to use roads and seismic already existing.

### **Q- Can we take a break, for translation?**

Yes. (10 min break).

### 3. Community Presentation

Chief Chicot: We've been doing lots of negotiation work, dealing with IMAs, TK and why our community has such a big concern over Cameron Hills developments. They directly affect our commercial fishery. Some of the Elders will explain.

Margaret Leishman and Gabe Chicot:

ML: Right in the area around Beaver Lake, Kakisa Lake, and Tathlina Lake we fish and trap. Our people are traditional harvesters, traveling with the seasons. In the late 50's, our people moved from this area to build houses near Kakisa Lake. We still have hunters and trappers go into the bottom (foothills) to do trapping, and that's our livelihood. We practice our traditions, and that's how we survive. When we talk about development, we know it is going to be disruptive. We say 'try to be careful' but I know the land will be disrupted. When you do something else to the land, the linkage is broken.

Gabe has been a trapper all his life. The river from Tathlina Lake is very spiritual. Cameron Hills also has legends and stories. Our people all their lives have traveled through this area.

Gabe: When we lived at the mouth of Beaver Lake, we traveled down to Tathlina to do beaver trapping. People from Fort Providence accompanied trappers. Poor monitoring led to a large forest fire. That forced people to move to Kakisa and Beaver Lakes, to give the land a chance to grow again.

ML: So the land into Tathlina and Cameron Hills is really important to us. It's our livelihood. We still practice hunting and trapping. Once a year, the elders travel to Tathlina, because they feel homesick. Once we're there, we do spiritual activities and remember how it was. I'm very emotional, because it's not how it was before. Wellness is out the window. Traditionally, Dene people always viewed big lakes and mountains as spiritual, and as spiritual images.

**Bob Wooley: When land is disturbed by fire, how many years go by before the land is used again for traditional purposes?**

ML: Five or six years, but I remember after 5 years, the fish my Dad caught there were just little. For a long time, we didn't go back there. People here believe that you have to look after the land. A community leader would say that we won't trap a given area one year, to allow regeneration and recovery. Lots of stories, lots of ancestors buried in the area, before my time. Elders said that ours was a big area that included Cameron Hills.

Chief Chicot: Both lakes, there used to be a chief, Margaret's dad was chief for Fort Providence and here, for 40 years. The way they used to look after the land, a group of elders used to get together, and decide how to manage the land. The nature in our logo demonstrates who we are as Dene people in Kakisa. The practice of our elders governing the land. We have people who don't know where the elders are coming from making decisions for future generations. That's an issue that you yourself deal with. These decisions are hard for us to make.

In those two lakes, we have a commercial fishery, 20 000 pounds. Further south, at a lake, first contact happened there. At the lake with commercial fishing, it fluctuates quite a bit, we go every year, some stay out. Over the last 3 years, with money from fundraising, we've made a trip out with elders to make sure everything's OK out there. You have to be out there on the land to know what's happening and to manage. The biggest concern is the lake there, because it's shallow. With global warming, last 3-4 years we haven't caught as many fish, because of the level and temperature of the water. We caught pickerel, which are finicky fish, they need right temperature of water. Fish have been down for a while, that's another big concern.

There's another big river through Cameron Hills that gets thousands of geese, and we go out there. Our people, they don't like too much development out there, and that's why.

**Q: Are there unidentified gravesites in there?**

ML: Lots of our people think there are graves far inland that need to be identified.

Gabe Chicot: At one time, our ancestors used to cover the whole area, moving with seasons and animals, using wooden traps. Even people from Trout Lake came there, and into northern Alberta.

ML: I was told by an elder that when we look at burial grounds, we think its just around the lake, but really, people would follow the animals inland. So we know there are burial sites, but the elders who know where are dead now. I'm very emotional now, talking about ancestors.

We had our own trails and roads to go to Providence, but today, you see so many cut lines, but our trails are still visible. My parents used to say that something that's someone's path is important, not to be disturbed. When we go to Tathlina, there's a camp we stay at. I notice animal trails all around the lake. Bears, porcupines. We're very close to the animals, all the trees and everything.

**Q: Any recent changes in wildlife over 3-4 years?**

ML: No, still the way it is. We know they move around to rich habitat. Everything is still good and healthy.

**Q: How about woodland caribou?**

ML: They hang around between Tathlina and Kakisa. We see lots in the area too. Moose are all over, hunts in the fall. Most of the big game and beaver comes from the area south of Tathlina Lake. And the best pickerel comes from here. The water is very sensitive, we have big concerns. Water comes from Cameron Hills. Also, berries and medicine are gathered, from the scared parts.

**Q: Is water the biggest issue?**

ML: I'll speak only for me, yes it is.

Chief and Gabe: Yes, it's important for wildlife and animals. Lots of muskeg around Tathlina.

**Q: How about trapping of fur bearing animals?**

Chief: They go right into Cameron Hills to trap, but haven't for the last few years because there's development. The last 10 years, we don't go far that way, because there's too much activity. Fewer animals, not too many tracks. Also, some moose and caribou are used to people. You can walk up to them and they're easier to shoot.

Margaret: Yeah, but some are till untouched and truly wild.

**Q: On the big lake, have any studies been done by DFO/RWED?**

Chief: Since the 60's, big outfits from Hay River used to come and take 90 000 kg of pickerel. Since then, we've sat down with DFO to see if fish are declining. Studies have been going on and off since 60's. Were still catching fish, but lots of people fishing in Tathlina were shut down for 3 years, and this year opened it to 5000 kg, but they only caught half that. We don't know what's happening to the stocks. Lots of fish, but mostly jack, whitefish, suckers, moria. Only 5 years ago they got 20 000 kg in 10 days.

Chief: At south end, there's muskeg, now flooded. Whole area floods, including harvesting areas, and impacts on the fish. Results don't look too good.

Margaret and Gabe: There's almost a tide at the east end. Tathlina Lake is shallow. Direction of the wind will move the water.

**Q - Can you travel by boat all the way to the Big Lake (Great Slave Lake) from Tathlina?**

ML: yes.

Todd Burlingame asks if there are any other questions.

Ken Brink (Paramount): Thank you for your presentation. We've understood the importance of the water in the region. Thanks.

#### **4. Question and Answer period/Discussion**

**Q – Is there any funding support for TK studies from developer?**

Shirley- in one of the prior Environmental Assessments, we submitted under confidential cover, we submitted TK studies with the Ka'a'GeeTu and West Point First Nations. We respect the confidentiality of TK studies, and we were very appreciative of that opportunity, we went out on land for a number of days.

Violet Camsell-Blondin: that's not TK. TK is independent of industry. For WKSS, our process was quite impacted, and many parties got together, formed a society, and developed a TK committee and project steering committee. Sponsors gave us funding. Something like that should exist here. Research must be independent of industry. You can't do TK with industry without compromising authenticity of knowledge. It needs Aboriginal persons and elders, and say what kind of study, where it should take place and priorities.

This area, and other parts of Deh Cho, must be studied fast. Elders are passing away every day. And, it's a means to get info for negotiations. TK takes years of research, it's not just a visit on the land. Place names, own data.

**Q: How long will it be before the gas is gone, and everything gone, before regeneration can happen?**

Mr. Doyle: 10-20 years.

**Q: So 2035, 2040?**

Mr. Doyle: Probably sooner. Some revegetation is already occurring.

**Q: How many flare stacks in your area, up or planned over 10 years?**

A: COGOA has requirements. Gas well >1%H<sub>2</sub>S got to have a stack. Every one like that has a flare stack. 20 will be gas wells, of proposed development, maybe 14 will have a flare stack. We don't want to use them, they're only for emergencies. Between 30-60 ft, most average 40. See DAR.

**Q: Are there many people from Kakisa working there?**

A: Yeah, full time from Fort Providence. And Kakisa has helped with roads, or employed w service companies aligned w other firms. Community reps participate as heritage monitor. Also for monitoring.

**Q: How many full time employees?**

A: 2 shifts, 7. We'd like to see 100%. We currently bring people in from south at great expense. Has northern trainee.

**Q: What is the status of Impact Benefit Agreements?**

Shirley: Paramount has a Benefits Plan approved by the minister of Indian Affairs, addresses training for northerners. We submit an annual report, address results of winter activities. No other documents. Benefits plans are required under s 5.2 of COGOA.

Todd Burlingame: There are no other questions?

Chief Chicot: Originally, with TK, we did a joint TK study. The community didn't support the way it was done, it was going along with industry, didn't capture the perspective of the elders' knowledge of the area. Especially with medicinal plants and cultural stuff that we won't discuss here, but that they voiced concerns over. We've tried to work together with other communities, because of our shared history. We've tried to approach IBAs and other agreements on that basis. No progress. One is playing against the other. Especially recommendations put forth by Julian on behalf of our community. No compensation has been agreed to. No agreements with Paramount to address environmental or social issues. We've talked about the harvesting agreements, but we've been in conflict with other communities about past use. It needs to be sorted out on a political level first. We want to take a lead role in monitoring and looking after the land, because of where we are and our ties to the land. We couldn't come to an agreement, and only came to a working relationship with other communities recently. IMAs don't include past developments, only new ones.

Since the TK study, we've sat down with elders, done a video on past Oil and Gas, and that's helped. We've done more work with elders. Elders want a working committee to address these issues, because the whole area is used for harvesting. We're trying to approach it as a community, but there's a lack of funding and resources. We've accepted no money from Canada, to address these issues. We've tried to deal with them, and done a good job.

Joe Acorn: Tomorrow, I'll point to that the IBA issue, Paramount has never acknowledged any requirement to make an agreement. We asked an IR, and the company said there is no requirement to do so. Well, diamond companies had no requirement to do so, but they did it anyway.

The Benefits Plan was never signed on by Aboriginal communities, and is not enforceable. Nothing is in place for this development.



Shirley Maskant: In addition to the Benefits Plan, Paramount has been working with a mediator to develop a wildlife harvesting compensation plan, from the last EA, up until spring 2003. Communities asked for it to be put on hold. We had developed a draft plan. Also, some years ago, we made a business proposal to communities, but they have a hard time reaching consensus. We proposed a Community Investment plan, to give them part ownership of the pipeline with no risk. Trouble was, we didn't want to cut a deal with only one community, we wanted all 5, but no one could figure out how to slice the pie.

**Q: What about environmental problems on site; erosion, pipeline breaks and spills that happened in the area.**

A: We had a pipeline failure after opening. It was detected on surface by odor, no oil on surface. Small crack due to stress. Fluids were contained in trench, excavated, 37 000 litres, or 120 barrels. The spill was contained, never near surface waters.

Erosion occurred with the original construction, it was quickly mitigated, with help from Golder. Land use inspectors from DIAND and others believe that issues have been addressed adequately. We've learned from this.

Golder- noted concerns and said they were immediately remediated. Channeled water off, fixed as soon as heavy equipment could be brought on site (frozen ground). Ongoing monitoring.

Joe Acorn: Over 90 sites needed either repair or preventive measures applied. There was exposed pipe and 15000 tons of soil contaminated. DFO has been concerned of sediment at stream crossings and down into Tathlina Lake. The community was never informed directly of any of these problems. I found this information digging through files in Yellowknife.

Paramount: Part of our emergency response plan- since the spill was contained, not leaving, and the environment was not at risk, and in order to prevent alarm, and to prevent causing undue stress, we didn't tell them. Because they might not understand the significance of it. The 90 erosion sites were not significant, they were dealt with in a timely manner. With the oil spill, regulators and inspectors were involved in a timely manner. If it was a situation where oil would have gone into waterways, we would have contacted communities immediately.

Neill Kelly: A level 1 emergency is contained on site, there's no need to tell neighbours. If it isn't working, we'd change it. If there's a need to talk, we would have. Regarding the 90 events, some are small, some are pretty severe. Were going to make mistakes, but we'll try hard to avoid doing that again. Last season, there were no erosion problems. We learn.

**Q: With the developer just 60 km away, how is it affecting trap lines?**

A: The plan from last EA was that we were only aware of one trapper on the hills, he's still trapping there, quite successful, but we've no access to trapping records.

Melody Macleod: RWED could have documents of trap line value.

Shirley M.: there was one request from a couple of years ago, I think we replaced traps and gas. We mitigate by letting trappers know where we will be active.

Melody Macleod: Thanks, this has been very valuable to hear from the public today. We take it seriously, we'll consider this as we go through the process.

**Q: Saying there's a whole lot of activities, are there any independent monitors out there?**

A: Environmental inspector, works for 3<sup>rd</sup> party, plus community environmental monitors and representatives from DIAND and RWED.

A: We're doing a multi year permafrost revegetation access control monitoring program, with community monitors.

A: When we pick routes for access, we invite communities. Local trapper is involved.

**Q: How significant and how important is the land to the people of Kakisa?**

Chief: I go to the school to ask that to the kids. They'd tell me it's the land that's the most important. Look at what the little ones are eating day to day; fish, caribou, moose, 'rats. To me, that's an indication from parents, elders, people here, that the land is the most important thing. I do trapper training every year, plus summer camp, for 10 days in summer, and more in winter, how to survive, how to hunt, trap, survival. That's the biggest indicator. Their outlook on life, I see over the years, since 1984 we've had graduates, girls, because guys are out on the land. The few graduates testify how important the land is. I could talk about it all day. We need to carry on the torch, and we're trying to instill it in them. Lots of community members have taken the good life, sober, and taken a look at the issues.

Margaret: The land is really important to me as a Dene person, the ancestors, the formation of the land and us. It shapes us. Spiritual connections, we're grateful for the connection we have. It's who I am today.

**Q: After years, when paramount leaves, will people of Kaksia still feel the same way about the area as if they hadn't been there?**

Chief: We've survived for a long time, and others came here, and if you ask the average person, they don't really care. We have what we need. We couldn't care less, if we had what we needed, but looking at the long term, elders say we need alliances with other users of the land, from other communities, that they inform the communities, that they understand the land users. That hasn't happened, no community consultation. Needs to be resolved. I think we'll still be here after 30- 40 years, we'll still be using the land, doing what we need to survive.

Mr. Doyle: We've been here a number of times, but this has been the most productive meeting here yet.

Todd Burlingame: Thanks. Chief, would you like to close the meeting?

Chief Chicot: Thanks for coming over, listening to us. It's not just one individual that's yelling and screaming. It's about the concerns of the whole community. We want to ensure that we have our land in the future.

### **Closing prayer**

Closing comment by Todd Burlingame, thanking community and developer.

**END**