Yukon Legislative Assembly

Issue 12 33rd Legislature

SELECT COMMITTEE REGARDING THE RISKS AND BENEFITS OF HYDRAULIC FRACTURING

Public Hearings: Evidence

Wednesday, July 8, 2014 — 6:30 p.m.

Chair: Patti McLeod

SELECT COMMITTEE
REGARDING THE RISKS AND BENEFITS OF HYDRAULIC FRACTURING

Chair:	Patti McLeod
Vice-Chair:	Lois Moorcroft
Members:	Hon. Currie Dixon Darius Elias Sandy Silver Jim Tredger
Clerk to the Committee:	Allison Lloyd
Speakers:	Rachael TomTom Jerry Kruse George Magrum William Sydney Lizzie Hall Bill Trerice Charabelle Silverfox Lee Mason Terry Simon Roger Alfred Shaheen Baker Kevin McGinty Danny Joe Alex Joe Jerry Alfred George McGinty

EVIDENCE
Pelly Crossing, Yukon
July 8, 2014 — 6:30 p.m.

Chair (Ms. McLeod): Good evening, everyone. Just before we get started, I would like to ask Mrs. Rachael TomTom to lead us off in a prayer.

Prayers

Chair: Thank you very much for that. Good evening, everyone. I would like to now call to order this hearing of the Yukon Legislative Assembly's Select Committee Regarding the Risks and Benefits of Hydraulic Fracturing. I'm going to start with introductions of the Committee.

I'm Patti McLeod. I'm the Chair of the Committee and I'm the representative for Watson Lake.

Mr. Silver: Hello everybody. My name is Sandy Silver. I'm the MLA for the Klondike and the Leader of the Yukon Liberal Party.

Ms. Moorcroft: Good evening, everyone. My name is Lois Moorcroft. I'm the Vice-Chair of the select committee. I'm the MLA for Copperbelt South and I am the NDP Official Opposition critic for the Department of Justice, Highways and Public Works and Advanced Education. I want to thank you all for coming out this evening and look forward to hearing from you. It's a pleasure to be in Pelly again. I see many familiar faces. Thank you.

Mr. Tredger: Good evening. I'm Jim Tredger, the MLA for Mayo-Tatchun. It's a pleasure and an honour to be here Selkirk traditional territory. I'm honoured to be on the Committee that comes to the communities and listens to the presentations from the communities. I look forward to hearing what people have to say and I thank you for your contributions and we consider the risks and benefits of hydraulic fracturing. Mahsi' cho.

Mr. Elias: *[Gwich'in spoken. Text unavailable.]* My name is Darius Elias. I'm the MLA for Vuntut Gwitchin in Old Crow. It's so good to be in Pelly Crossing here tonight and good to see so many familiar faces. I had the opportunity to walk around your community today and it's so good to see such a vibrant and healthy community. It's great to see. I look forward to hearing your comments and your issues with regard to hydraulic fracture stimulation and the work that we're doing as a Committee. So I look forward to hearing from you and thank you very much for your attendance here today.

Chair: Just a reminder to everyone that there is coffee in the hallway. There's water and some snacks on the side. Please help yourself at any time.

So also present with us tonight is, to my right-hand side, Allison Lloyd. She's the Clerk to the Committee. Dawn Brown is at the back at the registration table. She is helping us with registration and logistics. I also want to say thank you to our recording and transcription staff.

On May 6, 2013, the Yukon Legislative Assembly adopted Motion No. 433, thereby establishing the Select Committee Regarding the Risks and Benefits of Hydraulic Fracturing. The Committee's purpose, or mandate, is set out in the motion and it includes a number of interconnected responsibilities. The Committee has decided to fulfill its mandate in a three-phase approach.

Firstly, the Committee endeavoured to gain a science-based understanding of the technical, environmental, economic and regulatory aspects of hydraulic fracturing, as well as Yukon's current legislation and regulations relevant to the oil and gas industry.

Secondly, the Committee pursued its mandate to facilitate an informed public dialogue for the purpose of sharing information on the potential risks and benefits of hydraulic fracturing. The Committee invited experts to share their knowledge over four days of proceedings which were open to the public and are now available on our website.

Finally, the third stage of the Committee's work is gathering input from the Yukon public, First Nations, stakeholders and stakeholder groups. This is the purpose of today's hearing and, of course, the hearings that we've already held in many Yukon communities and the remaining communities that we're yet to visit. After these hearings, the Committee will be in a position to report its findings and recommendations to the Legislative Assembly.

Unidentified speaker: (inaudible)

Chair: The question was asking whether or not there is a handout. Yes, there is a handout that will speak to the work that the Committee has done to date.

A summary of the Committee's activities to date is available at the registration table. All the information the Committee has collected, including presentations from experts on various aspects of hydraulic fracturing, is available on the Committee's website.

The Committee will not be presenting information on the risks and benefits of hydraulic fracturing at this hearing, as this is the time we have come to your community to listen to you. Now, in other communities we have limited the length of time for a speaker to five minutes, but as I only have four names on this speakers list at this time, we're not going to limit the time that you have to speak to us tonight.

If you would like to present your opinion to the Committee, please ensure that you have registered at the registration desk so that we may call your name in an order. Please note that this hearing is being recorded and transcribed. Everything you say will be on the public record and available on the Committee's website.

I want to thank you all for taking the time out of your busy lives to attend tonight. We look forward to hearing what you have to say.

Now you have a couple of shy people who don't want to go first here, so perhaps I can call on Mr. Danny Joe. If you're not ready sir, we're going to move on to someone else.

Jerry Kruse. Please start whenever you're ready.

Mr. Kruse: First of all, I'm co-chair for Selkirk Renewable Resources Council and we've gone over this issue and we've been at lots of your meetings. It says, "Gain an understanding to hydraulic fracturing." Now if you guys — I'm putting you on the spot: Have you got an understanding of what this is all about and what actually can happen and can't happen?

Chair: Well, I'm afraid that we're not at liberty to give you an answer to that question at this time. You can see by our list of activities that we've undertaken how we've attempted to achieve our mandate. Those sorts of discussions will take place later this year when we've concluded our community visits and are ready to start work on a submission.

Mr. Kruse: Okay. Well, out of all the meetings that I've been to, I have never heard or seen anything positive that comes out of it. First of all, we live in a mountainous area where the structure of the rocks goes up and down here. They don't go flat like they are on the prairies. So your possibilities of things leaking out from down below is much, much greater than it is down there. Even though we have a lot of wilderness and it's going to happen way out in the middle of nowhere, it doesn't matter. If it happens, it's going to destroy water. It's going to destroy the environment, wildlife, whatever.

As a council, we've talked about it probably — for the last four meetings, we've talked about it. We sent you a letter, I think. We sent a letter stating that our recommendation is hold off — a moratorium for at least 15 years or something. There's not enough proof one way or the other whether it's going to be good or it's going to be bad, but in a 15-year moratorium, science will either prove that it is feasible to do this and they'll do it — and probably by that time the technology will totally change anyhow. I heard that there's technology now where they've got to use to use about one-tenth of water they started out when they first started fracturing. So it's all going to change within the next 15 years.

From what I gathered from our council and everything else, there's no need for it here now. All I'm saying — there's no way it's not going to cause problems, from what I've seen in Fort Nelson — with the presentation they put on — and a lot of that, of course, is leftover surface stuff, but it's just too big a risk for our environment.

I can't ask, personally what do you think? So you can't give us any — okay, whatever.

Chair: No, sir, we're not in a position. I think if you asked each member of this Committee any question, we would have six different answers. So we're not prepared to respond to those sorts of questions.

Mr. Kruse: Okay. All right. Well, I don't speak for everybody in this room, but I speak for a lot of them. I don't think there's anybody who wants it. Thank you.

Chair: Thank you, sir.

George Magrum — please, when you're ready.

Mr. Magrum: Hi. My name is George Magrum. I'm a Wolf councillor in Selkirk First Nation and also the lands manager with Selkirk First Nation. We've researched a lot about fracking and we've learned a lot about fracking in our department. The idea of one million gallons per well mixed with acids, chemicals and sands and whatnot coming from our stream waters and coming from our ponds to be used for drill sites is completely against what we believe in terms of clean water, clean air and clean land and protecting our animals, which protects our people.

The 30-percent flowback treatment that will be pumped back down into the ground in deep injection wells is something that we also don't agree with. We don't agree with the current technology. Each drill pad can drill up to two dozen wells and wells have short life spans of three to five years, then have to be replaced. Once they lose that pressure in that original well, they'll have to be replaced by six more wells. These wells have their own infrastructure and each well will have to get their water somewhere. They'll have to have drinking water wells, disposable wells, they'll have to have a drilling pad and they'll have to have storage ponds. That's for one drill, one site.

So if you lose that one drill pad and you have to build six more, it's that much more infrastructure and that much more footprint that you have to put in to keep — just to gain that same productivity that you lost. So over a span of 25 years to 50 years, what's that area going to look like? — which you also cannot answer.

Our water levels will be affected in areas of high production, because wells will hit groundwater and underground aquifers, which feed our wetlands and our springs and our hot springs and our rivers, our creeks, our lakes and our ponds. How creeks flow in the winter depends on their groundwater aquifers. If our aquifers are drained and used up, we lose those streams.

To begin with, in the Yukon, they don't even know how much water we have. There is no data out there stating what our water table looks like throughout the Yukon. We don't have any data to say what's there to begin with before we start messing with it.

Over time, these deep well seals degrade and the target zones will flow into aquifers once the well has passed its lifetime and the target zone has been used. We have to rely on the casings and cement sealings, and they do leak. One of the concerns that we also have when it comes to the casings is permafrost, because the warm gases will be continuously released from that drill hole. From each drill hole that goes in, those gases will continuously flow out because that hole will be there forever. Then those warm gases will warm the casing and that will thaw the permafrost around the casings. We're already having engineering nightmares up here with the mining projects that are trying to deal with the permafrost. They don't know how to deal with permafrost right now.

The methane gas that will be released is also, you know — it's also a concern because it's another contributor to climate change and global warming which is thawing out our land, drying up our moose ponds. The disposal wells that will be pumping this — the wastewater back underground — deep underground — through our research, we found that these also create man-made earthquakes. These man-made earthquakes

due to hydraulic fracturing can cause damage to the sealings and casings which can be destroyed by earthquakes as well. The methane gas will more likely be found in shallow aquifers in proximity to drill sites. Most of our aquifers up here in central Yukon are pretty much shallow. There's few regulations regarding monitoring of wells. There's no requirement to monitor disposal wells in the Yukon.

In the Yukon, to build a dump, you have to drill monitoring sites. You have to have monitoring wells just to put in a dump, but to pump dangerous chemicals and unknown agents underground into our aquifers — without regulation, without supporting data that says our water won't be harmed — then we have yet to see it.

The pathways that can be created from hydraulic fracturing also causes concern because, you know, the fracture lines will cross natural fractures causing pressure to reach ground and surface water sources. Aquifers provide flow and temperature control which also, in the streams, our salmon there are very sensitive to. Speaking of salmon, we're in a battle right now to try to save our Yukon River salmon. In order to do that, we need our water clean as well. We already have, you know — we have all this placer mining operations in the Yukon right now that are pumping dirty water into the Yukon River. We have Alaskans — commercial fisheries attacking our salmon. Also, we have all these megaprojects that are on-line. This is one more pressure that we're adding to our life source. Our breadbasket can only take so much. Without water, do we have life? That's a very simple question that everybody knows the answer to. That's the last thing that we want to lose.

Also, the Selkirk First Nation is also signatory to CYFN resolution of no fracking in the Yukon. Thank you.

Chair: Thank you very much.

William Sydney.

Mr. Sydney: My name is William Sydney. I'm the Lands director for Selkirk First Nation. The first thing I want to bring up is that we have a final agreement in place, a constitution, and a self-government agreement. Our final agreement speaks to great quantity and quality and flow of water shall not be altered in any which way. Then that final agreement is based on looking after the environment. Our elders that started the process in 1973 — they seen a vision and the vision that they had was to look after the land, the animals and the water and air. When we do planning, we look after seven generations down the road. Those little guys that you see behind you — that's their interests that we're looking after.

There's no scientific data that could back up hydraulic fracturing. For the stuff that I've seen down at Fort Nelson, when I came to the Legislature when they had the open house, the Fort Nelson band was invited to speak on the history of what happened down in their traditional territory. There they have an agreement in place — they're Treaty 8 Indians. Their agreement was signed in 1913. When it was signed, they have no authority in place that represents their people. Any kind of development that happens within their traditional territory — the B.C. government has the ultimate say as to what kind of development is going to happen. They have to work with the process.

From the stories that I heard from the standing committee and from the site visit that we went down to earlier this spring, in March — it's scary. There was a fellow got up in front of the whole auditorium talking about hunting. He said one time he went out and he shot a moose. He said when he came to that moose, it was all full of blisters on the lips and on the hooves. He said he wouldn't touch it. He wouldn't take it. He said the same thing is going on with the beavers. He said those beavers got big sores on them and their hair is falling out and they don't eat their game any more from around Fort Nelson. From that site visit, I asked him — well, they got an elk. They had to go all the way to Muncho Lake to hunt. That's over 350 miles from Fort Nelson.

There was a girl — a young girl that got up when I was there. She talked about her mom hunting when she first went there when she was a little girl. She said her mom went out and shot a caribou close to Fort Nelson. She said that caribou — the whole stomach was full of pus. That's their livelihood that we're talking about. It's too bad that the almighty dollar speaks because if it wasn't for that dollar, they would still have what they have today.

Another guy got up and started speaking. He said, "When I was a little boy, we used to cross this one river in a boat to go hunting on the other side." He said, "I never ever figured the day that I would be able to drive my quad across that creek — across the river." They're losing their water. That's the most important thing for anybody — even for us to survive, we need water — clean water.

Then when you look at what's happening down there, there was a girl that was at their heritage — their culture and heritage centre — and she was talking about sinkholes that happen from drilling. If that's happening there, the same things can happen here. Then when you look at — like Alberta, it's turning into a desert. A friend of mine lived there. He's living down in Calgary. He said the water table and their water reservoirs are depleting.

When we were down at that tour in Fort Nelson, we went on an hour and a half flight. Way out in the middle of nowhere, they got a water treatment plant, treating water. That's over 50 miles out in the bush. When we asked — me and Dean asked him how come they're treating water way out there, we couldn't get a clear answer. What's so scary about the whole thing is that when the companies come in, they don't have to divulge any kind of chemicals that they use when they're drilling their wells. That's scary, especially when you look at all the different chemicals that they're using to pump that natural gas out of the ground.

Another thing that they talked about was that their elders can't go out on the land and do the stuff that they did in the past. They can't go out and make tea; they can't go out and camp. This elder said when we go out and camp or go out hunting, they have to take water from the house out into the bush. From what the chief said at YTG's open house — the

standing committee's open house — was that her elders can't make muskeg tea any more.

You look at how long the people have been here. We go back over 10,000 years. You look at the site that they found down at one of our creeks within our traditional territory. They carbon dated back 10,000 years and we've been here longer than that.

The biggest concern that I have is the amount of water that is used for one well. That's three Olympic sized swimming pools that they use. For them — when they start drilling into the aquifers like George was talking about, you're depleting your water. How the pressure works is the water goes down and it forces the water back up. Once you reverse that flow, you're going to lose the water like down in Alberta — it is turning into a desert.

We don't want that here — never. We can never, ever give up what we have for our future generations. Like I say, we plan for seven years down the road — seven generations down the road — and I'm probably about, I don't know, the fourth generation. It's for the little ones that we have to look after what we have today. We can't give them anything that's not going to be short — we can't shortchange them. We've just got to watch. There is no scientific data on fracturing. Until we see it, we're not going to feel comfortable with what's going to happen.

You look at global warming. Canada signed on to that Kyoto agreement. If we're going to allow what's going to be happening, how are we going to be penalized? Are we going to be selling our points to somebody else, just for them to meet their goal? That's not who we are. We are here to protect our land for future generations. That's all I have. Thank you.

Chair: Thank you.

Lizzie Hall, would you like to come up and speak now?

Ms. Hall: I agree with all the people that talk ahead of me. You know, long time ago our elders all talk to every one of the elders sitting behind there to us. They said, "One day people going to come into the land. They are going to destroy our land. They are going to destroy everything that we got." It's right here, now. They told us that way back. Now I really feel bad because of what these people said, "We want to save our water for our generation". See that little baby right there? That's who we're thinking about behind us. You know, that would include all of us. Not only the First Nation — everybody is going to be included in there.

We're working against our own life. That's why I really think about it. I really hate what they're going to do, because they destroy — even Pelly River — not very long ago in '60 we used to pack water from there. But all the mines spoil our water in the river. We can't make tea like we used to do. So we've got the well water. They give us the well water. Now the well water is spoiled because — because, I don't know — they had the dump pile up there. The water flowed down this way. I used to have real good water; now nothing. We can't use any kind of water; just certain place the water is good, that's all. Rachael's house — only two houses in Pelly.

That's what's going to happen. That — whatever they want to do — I don't know what. You know, I'm thinking about — I used to be a translator. People, some of the elders — even me, I don't even know — fracking — me, I don't want to say wrong word too. I don't know what that means. That's why I ask to see if it's in here — see if it explains things to us. At least we know we're looking at.

It's really important — that water, air and land. I remember I was raised on trapline. We drink water from everywhere before white man came. We look after our land before they came. We look after everything — health — everything. Whatever you are with the government today, we look after it. It was really good until the government took over from us — take us right off our land. I don't like that. Just like we were no people — like he say Fort Nelson can't talk for themselves — we were like that here too until '97. That's when the land claim passed, and I told the people — just like I said before, that I couldn't even say a word for myself. I said just like I was a dog tied behind my house and I'm tied. So today I want to talk for my people too, because all generation are important behind us.

I feel really bad. I just feel like crying when I think about it, because what they are doing with that thing there — to dig for gas — it's no good. I don't think they should even bother with that. I disagree with it. Now, today, we are talking even though we got land settlement, just like we're nobody to nobody. The government — I don't know who you going to talk to now after you hear from us. Who you guys going to talk to?

Chair: To tell you the truth, we are not finished our community visits —

Ms. Hall: I'm not saying that. I say, after you hear from us, who are you going to report to?

Chair: To the Yukon Legislature.

Ms. Hall: All the Yukon First Nation and the Yukon — YTG — they should be — the First Nation be included when they're reporting there too because not only YTG is our ruler. No, we're here, we got land claim passed, and we're here to be taking our land over again. It seems like they just still pushing us down, so I don't like that. Just like what we're saying is nothing to the people. They have to have committee for this and that, instead of agreeing with us, meeting with us. The YTG should meet with us here too, so they can hear from us with their own ear. So I really feel bad. I just don't like that thing to go on any further. Thank you.

Chair: Thank you. Bill Trerice, please. Whenever you're ready, please.

Mr. Trerice: First of all, I would like to welcome you here today — welcome your support staff. I would also like to thank everyone else for coming out today. It's nice to see such a large community response.

I'm going to defer any kind of opinions about fracking at this point in time. What I would like to say is that I find it peculiar that so much resources have gone into studying something such as this, which is obviously so controversial. Judging by the comments we've had today and what I've

heard from other communities is that there's not a lot of support for fracking right now in the Yukon.

But that aside, I think my opinion about it is that if you look at the economy, we all have economic needs here and we have a large population, a growing community, a need for lots of employment, careers and whatnot. In a sense, the fracking industry provides investment, jobs, whatnot. That's a good part of it — positive benefits of fracking.

I think what I would like to see first is a more mature economy developed before fracking occurs, that meaning that we shouldn't just be having industry — Minto mine is an example right now. There's no other economic opportunities. If young people want to have a career, jobs — aside from the First Nation office or the school — basically you have to go to the mine and I don't think that's right. I think people should have opportunities to have meaningful lives, careers, employment, educational opportunities. While fracking could provide some of these, I think there's a whole range of industries and businesses and development options that are available that the government should be studying as well.

I think my recommendation I would take back to the government is that — come back with another special committee on developing the economy. That could include sustainable development. It could include industry. That's fine. But coming in and just talking about your single mandate, I don't think is appropriate. Like, we're in a development curve and we are where we are. But we all need an economy and I think that's the common ground. Thank you.

Chair: Thank you very much.

Charabelle Silverfox, please.

Ms. Silverfox: Hello. Good evening. I'm sorry, I'm not really used to this, but I'm just a worried mother, I guess you could say — for my son and his children — because I don't really know that much about fracking myself. Just a little bit of stuff I have sought — I looked up my own reasons. I've seen *Gasland*, that DVD — you guys probably — I presume you guys probably know of already. That's where most of my information came from as people who are being affected themselves by fracking and stuff.

That's kind of my questions about what — my question is: Why are they trying to stop it and we're trying to start it here? One thing that I'm worried about is my son's drinking water in his lifetime. Not only that — it's not only humans I'm worried about. I'm worried about this Mother Earth we should take care of — that we presume that we're abusing right now. Sorry to say about — I don't want to say it, but about money. We're destroying our lives about it.

I know fracking could offer jobs and money to people who really need it, but I don't think the risks involved in it is worth it in the long run because we could have a gas leak somewhere — like out in the woods and we wouldn't even know about. When we find out, animals wouldn't be around there. They would be like — I don't want to say it, but like, they actually had a problem like this somewhere in that DVD. They said there was a woman who found upon a bunch of animals that they had a gas leak and they were actually found dead laying around there — birds, little creatures and stuff. There was no explanation for it from the companies besides saying it was from natural reasons.

That's what I'm worried about is that I don't want my land here for my future people and our generations to have no food. Like we were saying, we are already going through a bad problem with salmon. I'm worried that my son won't be able to eat salmon — and his kids. It hurts me to think that we're just going to do it because, like I said, we're already going through hard times in the economy about money and jobs and I'm just so worried that everybody is going to go for it because of that reason.

Like, a lot of people I went around today — trying to get people to come. I'm sad that a lot of people I talked to never showed up. But at least I got to talk to them personally and got them to know that I have a DVD I am willing to lend out to people — that information is out there. They have to know before we say yes or no to it. To everybody — the elders, the middle people, the young people, the children — everybody should know about it — the real side of it, both sides, our side, your side — and the people who are being affected down south. I feel for them because it literally made me cry watching them — watching what they had to say.

I believe in my heart that Yukon is the heart of Canada because our place is so beautiful. Everybody come around the world to visit us and it's true. Still to this day, I look at the mountains and I say I can never give this up for nothing, no matter what it costs. I think everybody should do the same.

Thank you. That's all I have.

Chair: Thank you very much. Is there any other person who would like to address the Committee at this time?

Please state your name for the record.

Mr. Mason: My name is Lee Mason. I'm the National Director of the Young Warriors Network based out of British Columbia. I travel across Canada to First Nation communities across Canada. I've been up to the tar sands. I've been in a number of places where the tribes are completely affected by what oil and gas is doing to the environment.

We are part of an organization called Sacred Trust. To us, Mother Earth — this is our mother and she's sacred and we will not stand by to let corporations destroy her. Through what happened with the Chilcotin Supreme Court decision that was handed down, you're not allowed in our territories unless we give you permission to be there. As far as the Northern Gateway pipeline goes, it's a dead issue now because we killed it. I have seen the damage that's caused by fracking.

Oklahoma has shut fracking down because it has been causing earthquakes. I've seen the contamination to the waters. I don't believe any First Nation person that isn't selling out for a dollar would support this in any way because this is filthy extraction that leaves nothing but damage behind. You want to take our fresh drinking water and you want to destroy it. You know, you're going to dry up a water source for natural gas. We won't stand for it.

Because I travel to First Nation communities across Canada, I speak about the importance of all of us standing up and saying "No. Enough is enough." We have two words for the fracking industry: frack off.

Thank you.

Chair: Would any other person like to address the Committee? The alternative is that perhaps we could break for 15 minutes and spend a little time talking among yourselves and perhaps there will be more speakers to come forward after.

Unidentified speaker: (inaudible)

Terry Simon, would you like to address the Committee? Start whenever you're ready, please.

Mr. Simon: All about fracturing and all this stuff here — Tatchun Creek, they're using rocks from the mine to block up the road there so they can build a bridge. They were stopped by water rights from Whitehorse. Why are you using it again to open it?

Once you drill and blast, those rocks are no good no more because they got that powder on it. It's going down Tatchun Creek into Yukon River and the salmon's going to get into it. Why they allow that? It's just like you guys want to drill for gas here. Why should we allow you doing that? Why did — water rights open it up for them saying it's okay building a bridge. I work in underground before lots of time — long time. I know those rocks are no good any more after you blast — drill and blast them. They still got that powder and all that crap on it. The fish going to get it and then they going to die. We'll have no fish left. Who okayed that? Who is the boss? You see dead fish floating down, you're not going to be smiling. That's your food on the table. Why are you smiling? You don't eat fish? So I just want to know why they okayed it.

Once they stop it, they should just say, "Okay, take those rocks back. Put it someplace else away from the water." But no, they build a bridge over it. They used it. It's running through Tatchun Creek just from here to the (inaudible) there's Yukon River. Water's running from the Yukon River from the rocks going to get washed off. You're going have a bunch of dead fish in Yukon River. It's just like George was saying — placer mining — bunch of water coming down. Look at Clear Creek going to Dawson. It's not clear any more. All you see is mud coming down from placer mining. That's what you're going to see going down Yukon River from Tatchun Creek. Why couldn't they just put a culvert there — a big culvert, instead of building a fancy bridge or something?

So I built a culvert up in Silver King there up in Elsa when I was younger. It's still going. Nothing happened to it. Why couldn't they do the same thing in Tatchun Creek instead of putting a fancy bridge in and using rocks from the mine that's been drilled and blast? Can you answer that, you guys? You guys are a bunch of big shots — come on.

Chair: I'm sorry, we do not have the answer to that question. We're here to listen to your opinions.

Mr. Simon: I know, but why couldn't you find out why they okayed it once they stopped it? They stopped it before they used it. Now it's in the water. Something has got to be done about this, guys. Money, money, money — all you guys think about is money. What about the people that's living around here, eating the fish? You guys, you eat fish too, don't you? You don't eat fish? There must be something wrong with you if you don't. So I just want to know why they okayed it, like after they put a stop to it.

Chair: We're unable to answer that question. That's —

Mr. Simon: Well, why don't you go find out?

Chair: I'll leave that with your MLA.

Mr. Simon: Him? Why him? Why couldn't you guys answer? All you just want to get up here from us is it's okay to drill for gas. That's a bunch of —

Chair: I'm sorry, sir. You must understand that this Committee is neither advocating for or against the practice of hydraulic fracturing. We're here to hear what Yukoners have to say about this. That's our mandate.

Mr. Simon: Is that all?

Chair: Yes, sir.

Mr. Simon: That's all I have to say.

Chair: I would like to recess for 15 minutes and then we'll resume and see if we have additional names to speak.

Recess

Chair: Welcome back, everyone. We have one additional name that has been submitted to speak before the Committee this evening so far. His name is Roger Alfred.

Thank you. Start whenever you are ready, please.

Mr. Alfred: Roger Alfred, traditional law researcher, Selkirk First Nation.

I am going to talk a little about the history of First Nation people across the Yukon Territory, just in case you didn't hear the history prior to contact. First Nations believed in following their visions and directions through their predictions from their spiritual leaders, telling the First Nation people what was bad for them within the ecosystem, the environment and what needs to be done to have everything clean, et cetera, from our surroundings that we live with and that we need and use as natural to our well-being.

It was so pure back in them days that the First Nation people respected and cared for it. Why? Because it was told to us through our spiritual leaders and these were the prophecies of our people. Those prophecies speak about all the good things and particularly all the bad things that we're going to face in the future through their visions and their directions. One of those prophecies was they predicted there was going to be black, slick, muddy water. They told our people, "Don't go there. Keep away from those things there."

We have seen history repeat itself when first contact by the gold miners. We have seen what happened to our people back at that time, because at that time our First Nation people weren't ready for these contact there because of gold and greed. It cost us many things as First Nation people of Yukon throughout history and throughout today. When they talk about caring and respect of our environment and our

ecosystem, they made sure to mention that we are telling you all things because of our future generations.

Second, during the contact back in history for the gold in Yukon, First Nations sacrificed many things. With that, went their knowledge, their visions, their culture, their spirituality, their identity, their dignity. All those went with the First Nation people and were given up for the gold that non-natives had to reap from. Now we're facing another situation here today.

I would like to remind you, as the Committee, of the past — the Berger inquiry. I'm not a lawyer, but I have my own opinion of the Berger inquiry. It asked for a land claim settlement throughout the Yukon Territory with 14 First Nations, so we can go through what we are going through today, which you call consultation. But under that legal opinion from the Berger inquiry, I don't think it's so, because we don't have 14 First Nations that settled that land claim agreement.

With respect to consultation, there are two different versions of it. One, the legal and the other is the illegal. During that inquiry of Berger, it asked for due respect and caring of our First Nation people before we go to a pipeline.

I will leave it at that, and thanks for hearing me out. Thank you.

Chair: Thank you very much. Just as a point of clarification, I would just like to ensure that people know that this is not a consultation. That is a different process. We are simply trying to hear from Yukoners on this very important issue of hydraulic fracturing in the Yukon Territory. Please don't think that this is a consultation by any definition. Thank you.

I don't have any other names that have been submitted to address the Committee, so does any other person want to speak?

Yes ma'am. Please state your name for the record.

Ms. Baker: Hello, my name is Shaheen Baker. I am the youth councillor for Pelly Selkirk First Nation. I'm a Crow. I just wanted to say that education about fracking is not really out there. I just found out about it last year. I have seen a video on-line of someone lighting tap water on fire. I asked somebody — like, I told somebody about it and they said, "Yeah, that's fracking". I was like, "Fracking? What is that?" I had no idea. I think getting us younger people educated about that would be a good idea, because we will be the ones that will be trying to fight for our land later on in the years in the future.

I wanted to mention something about water. I am a very spiritual person. I believe that water is living. It's a life. I watched this video and this Chinese doctor — he does studies on water crystals. He sends love to one water and hate to the other. Then he freezes them and he studies them. They freeze different. The one that has been frozen with love is a beautiful crystal and then the one that is frozen with hate is all deformed and everything. We have 90-percent water in our bodies, so we are water. We are living water. I have lots to say, but right now, it's kind of nervous talking like this in a mic. Don't put that in the record.

Fracking is very scary. I can't believe — I couldn't imagine having my water set on fire. It would frighten me a lot. I care a lot about the animals, because the animals — back thousands of years ago, we used to speak to the animals. We had a good relationship with them and we still do. They feed us and they help us grow. Our elders tell us that even a little bite of that traditional hunting game could be in that little child, in that little baby. The spirit of that animal will be in that baby. We need our animals around and we need clean water. I'm babbling now. Okay, thank you.

Chair: Thank you very much. Does anyone else wish to address the Committee?

Rachael TomTom, please.

Ms. TomTom: My name is Rachael TomTom. I am a grandma of 10 grandchildren and I have two great ones. I am a very proud grandma. I really love my grandchildren and I want good health for them. I know we all need water. Without water, we cannot survive.

In my days, I remember when we even were travelling on the river — we used to get a cup of water right from river into the boat. We used to drink water — nice, clear water. Creeks — this is what we had been using before all the water pumps come up.

Now, what they doing — and I don't like their plan at all. What you call — you know, there's animals. They need water, too. Plants — so just — all I want to say is I do not like their plan at all. It's a very bad one. Thank you.

Chair: Thank you, ma'am.

Chief McGinty.

Mr. McGinty: Well, I'd just like to thank the Committee for showing up here today, coming to our community and listening to our citizens here who voiced their concerns and their opinions on what they think and their opinions on what fracking means to them. I respect the process. I think it's a process where, obviously, you don't want a committee to lead the public in making their views of what they feel about fracking. You hear from some of our citizens and some of our people in the community — they're not having the full picture of what is fracking and what is the extraction of oil and gas and how does that pertain to themselves and the fresh water and really looking at the big picture.

Myself, as a chief, it's a tough role and we always look at trying to maintain balance, harmony. You're listening to your people. Your past history leads your future. I can't see myself, with this fracking process, having balance, as you can't maintain your way of life — the fresh water, the animals — and you try to maintain about, well, how do we move our people forward? How do we build a better life for our people and our communities? How do we improve on infrastructure? How do we build economy?

To me, fracking is either you support it or you don't. There's no in-between right now. Technology has not proven that it is 100-percent safe. I think we have endured a lot and

we have moved a lot as First Nation people and as Yukon people over the last 70 years — 60, 70 years. That was not supported by fracked gas or oil and gas. I think if we could wait another 40 years to let technology catch up in that it is a 100-percent safe method of extracting the resources, then I think maybe people will have a different opinion, but right now, this method is — it's too controversial and it has a long-lasting negative effect on our way of life.

I'd just like to share one moment that I had with what I call balance. This occurred last year. Not too many times in your life where the whole world freezes and you have a glimpse at what Mother Nature has to provide for us. A lot of times, we're so caught up in trying to build a career, trying to build an image and trying to leave legacies that we don't have time to actually smell the roses and see a sunset at its fullest.

Last year, I had that one moment where the world and time froze. It was that picturesque moment where I was sitting on a side hill and it was during hunting season. It was about 7:00 or 8:00 and the sun was going down and the cranes were going home back south. Just being there, and there was nobody around. There was no work. There was no vehicles. It was just me within my own time and having everything come to a complete halt and really realize what part — how fortunate that I am a part of this balanced ecosystem that we have with this — the connection that we have with the world and Mother Earth.

You know, I wish that everybody could have that feeling. It really hit home for myself as you're just a small speck in a big picture and I think we all have a responsibility, especially within our First Nation and our community, about stewardship and about preserving that priceless moment so four or five generations from now can also experience that. The potential of destroying our waters and our fresh water — we could take that away from them.

As Yukoners — I strongly believe it is not a First Nation issue; it is a Yukon issue — that we need to preserve some of our natural resources so that generations can benefit from that too.

You can really look at the gas and oil and the system that's been set up right now. Sure, I look at how do we build our economy, how do we build wealth and how do we build sustainability and all of this. Right now, the way things are, are bit confusing for myself where our resources are being exported out of Yukon and out of Canada anyway. So really, if gas and oil does occur within Canada or within Yukon, then that's the property of China. It's a bit confusing — and then our resources come from Saudi Arabia and Iraq — and you name it — it seems like it's kind of backward here.

You look at well, what are the positive benefits? We're all not oil riggers, so obviously it's going to be out-sourced. You're going to have Canadians that are experts in those areas — probably a lot of them coming from Alberta to come up and work on these. So Yukoners are not really going to be benefitting from that unless there's a training program that's attached to it. Our resources are being exported out, so we're not benefitting from that. We'll probably get royalties. Maybe that's the only thing we could see as beneficial to Yukon.

So, to me, there's a lot of risk that outweighs the benefits within this venture that goes on. So I just want to bring a few of those up to your attention. Then, from what our citizens said here today — that it's a 100-percent definite no for our community on fracking. So thank you for allowing us to voice our opinions and hopefully they will not collect dust on the shelves and that Yukon does hear our voice. Thank you.

Chair: Thank you very much.

Would any other person like to address the Committee? Please come up.

Please state your name for the record and begin whenever you're ready.

Mr. Joe: Thank you. Thank you for not putting me on the spot — the first one — but I couldn't go first. Anyway, just a few words — you know, I'm sort of upset about what's all taking place here — going to be taking place — things like that. Oil and gas and hydro — you name it. There's no guarantee that we're going to have good water. How they're going to take care of the good water? Everybody needs good water — animals, whatever will live on it, they need the good water.

You know, this — I'd like to tell you one story about back — my father's young days. There's a preacher — six, seven of them travel. The guy's name was Jonathan Wood — prophesied about what's coming up — from planes, airplanes, helicopters, big mosquitoes, airplanes — he name it all — there's planes, helicopters — you're going to see this coming. People going to fly around, going to land up on top of the mountain and they're going to walk. That's coming. It did happen. We see all kinds of choppers, plane — all kinds of planes nowadays.

Another bad thing, you're going to see bad water — yellow water coming on the river. You get that, you're going to have big problem. It's something that everything — whatever he told people — it's on today.

I think our government is a little too pushy. Slow down. For me to learn about all this is going to take time. Why should I support anything like this? I don't even read this letter here. Why you put me on the spot?

What I was going to say — whatever taking place with oil and gas and things like this and mining and all that — (inaudible). Government make all kind of agreements today that will help the government to do anything as they please. I'm telling you, I'm not going to trade nothing for oil and gas. I like to keep my water. That's all I have to say to you today.

Chair: Thank you very much. Does any other person wish to address the Committee?

Yes, sir. Please state your name.

Mr. Joe: I'm Alex Joe, Selkirk First Nation elder. First of all, I'd like to thank my brother who just spoke and my chief and my young people. I'm very proud of them to come up and speak up. For me, this fracking thing, I don't think it's proven. Maybe we're going a little too fast. Why not

hold off until you know for sure? Therefore, no fracking for me.

As we all know, you don't have water, there's no life. Thank you.

Chair: Thank you very much.

Please state your name for the record.

Mr. Alfred: Jerry Alfred, Selkirk RRC. Going through your notes, I kind of noticed that there isn't much mention of First Nations — like being — just the names of people you contact, invited and stuff. But I just wanted to say fracturing is like poison to us up here. I know it's a money-making project and stuff. It's good for people that want to make money, but we're not those big companies. We're people that look after the land, water and animals. It's a way of life for us to look after the land and to make sure there's plenty for our people to carry on the life we live. I know you talk about oil and gas and bringing all that up to the top of the earth. But when you go down, how far down do you go and probably break ground all the way down? It comes up to the top, all the money has been made and what's left behind is the land is trying to heal. In some cases, those healing go on forever. I think a lot of changes will come with the animals, with the water, with the people. I'm one of those that just support the land as it is. Thank you.

Chair: Thank you very much.

Yes, sir. Please state your name.

Mr. McGinty: I'm George McGinty, Selkirk First Nation citizen.

I was just sitting back listening. I mean, I'm just soaking it all in, see what's all this fracking is about. As for me, I have a daughter and I would like to see her get fresh water out of — for her in the future when she grows up and for all my younger generations that come behind us. I think it's very important to take care of water. It's a livelihood for animals and our fish. It keeps our water pure — that goes down to the ocean.

I think I fully support Yukon for no fracking. I think water is very important to us in our lakes, in our creeks and everything gets purified through fresh water. It purifies the water and the sea where the salmon comes up to spawn. I think it's time for us to start taking care of our land and our Yukon. You know, it's a pristine place. It's one of a kind that you're not going to see anywhere else in the future.

I hate to see fracking go around Yukon, sticking a whole bunch of wells all over the place in Yukon. To me, it's just like a ticking time bomb — like one of those mines they put down in war just underneath the ground. Right now, way down there, they can't even walk around on their own land because it's unsafe. They don't know where the mines are. There are millions all over the place in the world there. I think fracking is probably just a sitting time bomb. You know, you put wells in and you cap it — whatever — and there could be some rusts are happening — leakage or earth shifting. Everybody knows the earth is shift to make a mountain. There could be earthquakes happening and there's all kinds of other disasters — volcanoes or — you know, there's a lot of disasters.

But anyway, I wouldn't want no fracking in my traditional territory or in the Yukon for that matter because we must keep our land clean and pristine and healthy for our future generations too. Thank you.

Chair: Thank you. Is there anyone else?

I want to say that the turnout here in Pelly Crossing has been very, very good and probably so far, the best attended Committee meeting that we've had in any Yukon community to date. We appreciate your interest and certainly thank you for coming out and sharing your evening with us.

Before we recess, is there any other person who wishes to address the Committee?

If this format isn't for you — I understand it may be a bit formal for some folks to feel comfortable speaking — we'll take your communication in any format that you choose. There's a form on-line that you can use to provide your comments. If you prefer to send us an e-mail or a hand-written note, please do so. We will be accepting all comments until after the public hearings in Whitehorse at the end of September.

Thank you very much for your attention.

Prayers

The Committee adjourned at 8:37 p.m.