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HAIDA LAAS

Newsletter of the Haida Nation

December 2011

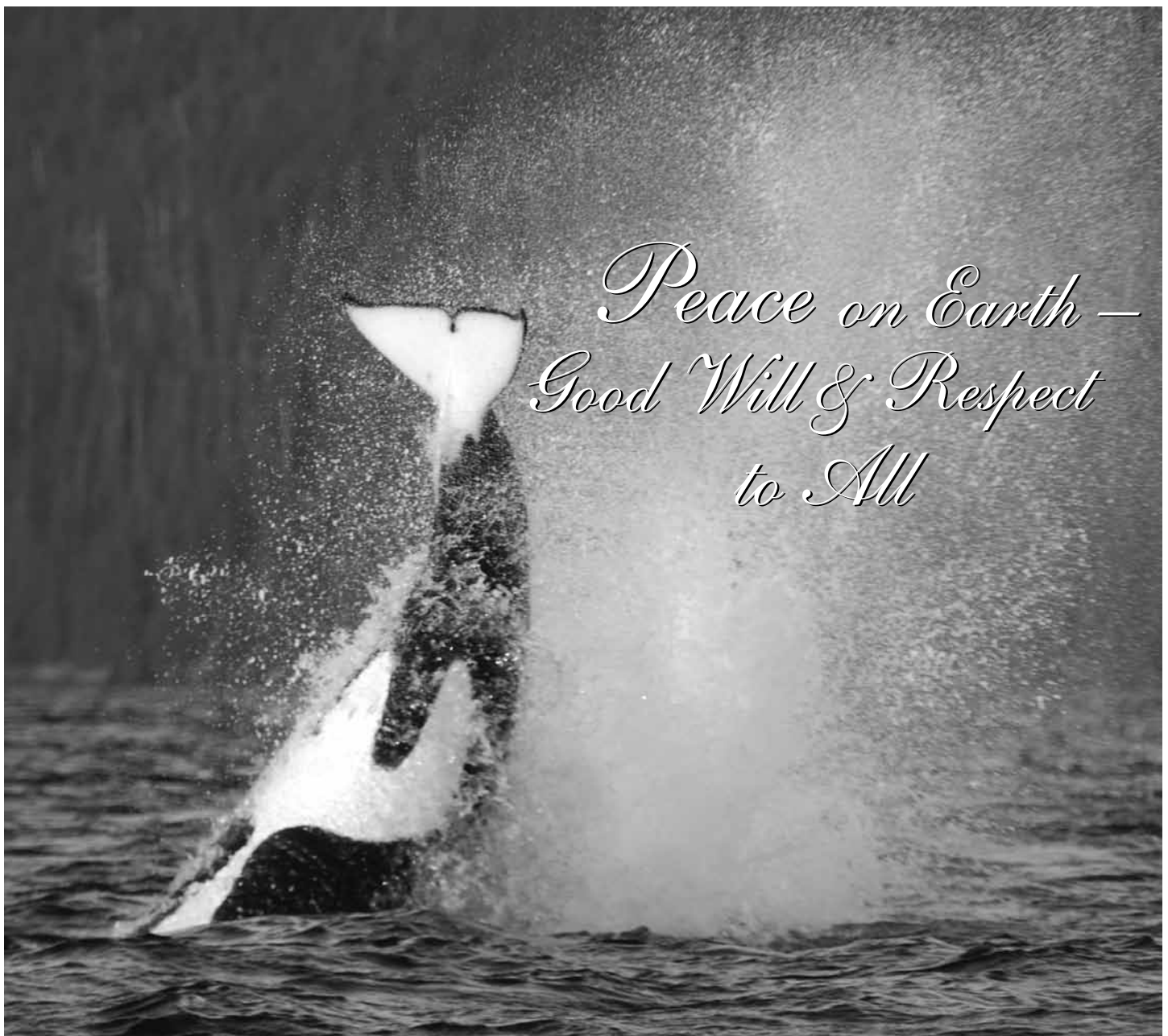


Photo: Debbie Gardiner/Parks Canada



HAIDA LAAS

NEWSLETTER of the HAIDA NATION

published by the

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DECEMBER 2011
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- it's all good -



COUNCIL OF THE HAIDA NATION RESULTS OF THE NAIKUN WIND GENERAL VOTE TO ALL OLD MASSETT HAIDA CITIZENS

As per the Council of the Haida Nation Election & Referendum Regulations, the Naikun Wind Farm General vote has been denied, as the total votes cast was not 50% plus 1 in favor, the ballot count was as follows and I, Jennifer Russ as Chief Electoral Officer certify the numbers to be true and correct:

	YES	NO	Spoiled Ballots
Old Massett Regional Votes & Mail In	52	308	3
Skidegate Regional Votes	92	75	1
Prince Rupert Regional Votes	14	65	4
Vancouver Regional Votes	23	57	2
TOTALS	181	505	10

Total Votes Cast: 696


Jennifer Russ – Chief Electoral Officer


Date Dec 10/11



New Skidegate Correspondent Welcomed

Tawla Jaad, *Kelsey Pelton* has been hired as the new Skidegate Correspondent for *Haida Laas*. Ms Pelton is in Grade 12 at Queen Charlotte Secondary School and upon graduation intends to study Natural Resource Management. She is an active member of the QCSS student council and has for many years been a member of the HlGaagilda Dance Group. Ms Pelton enjoys travelling, mangoes, reading, and of course, writing.

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New Old Massett Village Council

Ken Rea was elected Chief Councillor of the Old Massett Village Council in the December 5th elections. Mr Rea received 164 votes, 24 votes more than Judy Williams who also vied for the position. Deputy Chief Councillor Ron Brown (Champ) is newly elected along with, David Smith, John T. Jones, Alfred Setso Sr, and Harold Yeltatzie. They will join Daniel Matthews and Cecil M. Brown who have another year left in their term.

Did You Know?

Did you know that 4000 people have signed up to speak to the Joint Review Panel that is looking at the proposed Enbridge Northern Gateway Pipeline. The previous record was 558 speakers who addressed a Review Panel regarding the Mackenzie Valley Pipeline issue.

Parisian Residency Awarded

The Canada Council for the Arts has awarded Lisa Hageman Yahgulanaas an artist residency at the International Residencies Program in the Visual Arts.

The residency, located at La Cite Internationale des Arts in the heart of Paris, France, begins January 2012 and runs until April.

Ms Hageman Yahgulanaas was awarded the residency to begin weaving a Raven's Tail Chief's Robe. The robe will be influenced by the patterns of Paris and interwoven with ancestral patterns, she said.

While in Paris, Ms Hageman Yahgulanaas also intends to explore museum collections in order to study the works of Northern Pacific Coastal origin, and in particular, Haida works of art.



Skidegate Band Election Nominations and Notice of Vote

The election Nomination Meeting for the Skidegate Band Council will be held on Wednesday, January 4, 2012.

The Skidegate Band Council election will be held on Wednesday, February 15, 2012.

There will be seven (7) Councillor positions and one (1) Chief Councillor's position also open for nominations. An Elector can also nominate candidates using a mail-in nomination form and Electors living off-reserve may nominate or run as a candidate for the position of Chief and Council. More information can be had from Electoral Officer, F.P. Schiffner

Enbridge Hearing Dates

The dates of the hearings for Intervenor to present evidence to the Joint Review Panel Hearings have been finalized. They are:

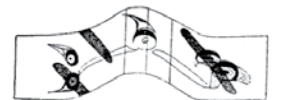
Masset

Howard Phillips Community Hall,
February 28, 2012 (9:00 am)

Queen Charlotte City

Queen Charlotte Community Hall
February 29, 2012 (1:00 pm)

The above dates are for those with Intervenor status the Oral Statement Hearings will take place March through July.



Best of the Season to All

from the

*Council of the Haida Nation,
representatives and staff*



Awards and Installations



Primrose Adams was acknowledged for her contribution to Old Massett and First Nations’ culture. Lieutenant Governor, Stephen Point, presented her with the award.

Primrose Adams and Jay Simeon

Primrose Adams of Old Massett was presented the *2011 Creative Lifetime Achievement Award for First Nations’ Art* by Lieutenant Governor, Steven Point at a ceremony this past November in Vancouver.

Ms Adams was recognized for her contribution to the community of Old Massett and First Nations’ culture through her practice of spruce-root basketry.

At the same ceremony artist Jay Simeon received an *Annual BC Creative Achievement Award for First Nations’ Art*. This award recognizes excellence in traditional, contemporary or media art. Mr Simeon is known for producing meticulous work in a variety of materials and at various scales.

Mr Simeon joins four other *Creative Achievement Award* recipients – Shawn Hunt, Heiltsuk; Vera Edmonds, Lil’wat; Stan Bevan, Tsimshian/Tahltan/Tlingit; and Sonny Assu, Kwakwaka’wakw.



Artist, Jay Simeon, is known for his meticulous work which he produces in a variety of materials and at various scales.



Singer, Terri-Lynn Williams-Davidson won Best Female Artist at the 13th Annual Canadian Aboriginal Music Awards.

Terri-Lynn William-Davidson

Terri-Lynn Williams-Davidson won Best Female Artist at the *13th Annual Canadian Aboriginal Music Awards* held Friday, November 18th in Toronto. The award comes following the release of her CD *New Journeys*, which “creates a classic, musical bridge from one culture to another”. Ms Williams-Davidson was also nominated in other categories including, Best Folk/ Acoustic CD and Single of the Year at the *Aboriginal Peoples Choice Music Awards*.

Michael Nicoll Yaghulanaas

A 43-metre-long steel sculpture created by Michael Nicoll Yahgulanaas was unveiled at Knight Street and 33rd Avenue in Vancouver, December 3. *Abundance Fenced*, which stands almost 2 metres tall, is a contemporary Haida design and serves as a railing alongside a pedestrian path. The sculpture depicts two orca facing opposite directions with their tail flukes meeting in the center. The artwork was commissioned by the City of Vancouver.



Photo: Valine Crist

“We have in front of us a great opportunity to continue this gift of language. It is up to us to commit our minds and hearts to honour that gift and embrace the values of our culture, which are communicated through [...] our language, Xaad kil.”

Jusquan Amanda Bedard,
That Which Makes Us Haida (2011)

We honour the Elders in this way

by Valine Crist

The gymnasium at George M. Dawson was packed with people, Tuesday, December 13th, to witness the occasion of “Honouring our Haida Language Elders”. The celebration was organized by the George M. Dawson, Haida language class to recognize Elders who have dedicated their time, and expertise, to teaching Xaad kil (Masset dialect), or Xaayda kil (Skidegate dialect). In addition to hosting the event, students and teachers harvested and prepared food over the last few months to share with more than 250 guests.

GMD Haida Language teachers, Colleen Williams and Marni York, as well as Dave McLean, Leadership and English teacher – the staff event coordinators – had

originally planned on celebrating the Haida-Language Elders in the spring of 2013, but circumstances changed and they decided to host the event sooner, and, as with traditional Haida custom, the potlatch was held on a cold, almost-winter afternoon.

The day officially started with a welcome and introduction by the high-school Haida class at 11:30 am. A prayer said before lunch was led by Kendra Williams, and echoed by the guests in attendance. GMD staff and students then served a lunch that added to the enjoyment of the afternoon’s events.

GMD had extended an invitation to the public, including Chief Matthews and Tahayghen staff and students, and approximately 250 people attended, filling

the hall. The guests of honour—Elders from Old Massett and Skidegate, and Haida language teachers—were seated at a head table.

MC’s for the afternoon included: Shania Williams, Cheyenne Russ, Rayne Boyko, Michelle McLeod, Megan Setso, Latisha Setso, Magalie Hassink, Natalie Hunter, Gudda Xiigans, and Stephanie Markham. These young, talented learners read excerpts from “That Which Makes Us Haida,” highlighting several of the Elders committed to teaching the language. “That Which Makes Us Haida” is a book spotlighting fluent Haida speakers and was published earlier this year by the Haida

Elders - continued next page

Elders – from page 5

Gwaii Museum Press. The students also read excerpts from the book in Xaad kil/Xaayda kil, demonstrating their knowledge of and skill with the Haida language.

Doreen Mearns, Beatrice Harley, Winnifred Casey, Gladys Vandal and Goalie Hans, Laura Jormanainan, Betty Richardson, Grace and Roy Jones Sr., and Norman Price, from the Skidegate Haida Immersion Program were recognized for their extensive work and investment in sharing and teaching the language, and from Old Massett, Claude Jones, Primrose Adams, Mary Swanson, Nina Williams, and Stephen Brown were honoured for their dedication to Xaad kil.

Event organizers said that Tsinii Stephen Brown was one of the inspirations for the event, and he was given special recognition for his contributions to Xaad kil. Tsinii Stephen was given the name Xaad Kil Skadalaaygaa, which translates to “Haida Language Teacher”. He was also given a woven-cedar fedora and a traditional-style vest.

After receiving his name, Tsinii Stephen made a speech and mentioned that he never had a Haida name before. “The only Haida name I was ever called was ‘dagwáng’ (meaning ‘dear’ in the Massett dialect),” he said. The newly-named Xaad Kil Skadalaaygaa thanked everyone for the celebration and acknowledged the dedication of his students and fellow teachers. He said that his former students at the high school were great kids and that he loved them and missed them all.

Xaad Kil Skadalaaygaa went on to explain that leaving GMD was one of the hardest decisions he ever made but he saw that after years and years of teaching Haida, nobody had learned enough to speak it fluently. He talked very candidly about what it takes to stick with teaching Xaad kil, and said that he had thought, a few times, about quitting teaching. But, in recent years, he has seen great progress and is now dedicated to teaching the future language teachers; he has also adopted an apprenticeship approach: “One-on-one is the way to do it,” he said.

At the end of the day, there were several underlying messages to the event. Mr McLean, given the nickname K’ats ts’aláa (curly hair) by Tsinii Stephen, said that this event was an important initiative taken by the high school to keep building relationships with the communities. For the youth, both Haida and youth of other cultures, it was an invaluable learning experience that had them participating in two essential and interconnected cultural principles—respect and honouring. It was also a big step in recognizing the value of the language. After all, our language is exactly what the book title says: “That Which Makes us Haida”.

Opposite and clockwise from top left: Co-organizer Marni York with Xaad Kil Skadalaaygaa, *Steven Brown*. Co-organizer Colleen Williams, and below, the Men’s Dance gets rocking, and energizes the gymnasium.



Xaad Kil Skadalaaygaa

Tsinii Stephen Brown, 88, is the only living child of Robert and Ellen Brown who had 12 children and, today, is the oldest member of the Gaw Gi’tans (Masset Gi’tans) Eagle clan. As a child, Stephen spoke only Xaad kil and didn’t learn English until he was ten years old.

Tsinii Stephen has dedicated the last thirty years of his life to the revitalization and recording of Xaad kil. He has recorded 24 hours of Xaad kil on audiotape – the equivalent of about 4,000 statements – and has made copies of these tapes and given out hundreds of recordings in an attempt to increase the number of Xaad kil speakers in the community.

After nearly 20 years of working in local schools, including stints at Chief Matthews, Tahayghen, and most recently, GMD, last year Tsinii Stephen decided to take a different approach to teaching. Today, his efforts are focused on a one-on-one mentor/apprentice method for teaching language. Tsinii Stephen works with six apprentices for one hour each day, four days a week. The language apprentices are: Jusquan Amanda Bedard, Jaalen Edenshaw, Candace White-Weir, Lisa White, Jordon Seward, and long-time apprentice, Rhonda Bell, who Tsinii Stephen proudly says is now a “better Haida speaker” than he is.

In July of this year, Xaad Kil Skadalaaygaa was also recognized, along with seven other Elders from communities throughout BC, with a Language Champion of BC award. The award was presented by the First Peoples’ Heritage, Language and Culture Council at the First Nations Languages Conference held in Vancouver.

Photo: Farah Nash



Photos: Valine Crist



Wendell's Walk

by Florence Lockyer

The morning of Saturday, November 26, arrived cold, damp and dark, but this didn't stop Wendell Williams from waking at 6 am to prepare for the arduous task of walking from Masset to Port Clements and back.

In preparation, he had a light breakfast and packed sandwiches and juice. Then, he hit the highway to take the first steps, ready for the weather in his neon-orange rain suit. Alone in the dark the thought of "why?" was going through his mind.

Why? Simply to raise awareness for Timmy's Telethon held every year by the Masset-Haida Lions Club. His mom, Cecelia Abrahams, wants people to pay more attention to the fund-raising efforts of the telethon and Wendell decided to help with this by walking to Port Clements and back.

It all began in 2006 and, since then, Wendell has accomplished this feat five times! That's an 84-kilometre trip (the distance of two marathons), five years in a row (420 km in total), and often not in the greatest of weather. On average, it has taken Wendell nine hours to reach Port Clements and about the same amount of time to walk back to Masset.

"You have to be kind of crazy to do it! It takes a lot out of you," Mr Williams said. But in the end he believes it has been worth the effort to raise money for a good cause. The first year he raised \$800, and this year he raised over \$2,000 – all of the money is donated to the telethon.

What is the inspiration behind this walk, other than promoting the telethon? "It's kind of funny when thinking about it," Wendell said. "I got stranded down-Island one time, and had no other way to get home, so I started walking and walked all the way to Tlell. So I decided that if I was ever to walk that far again it was going to be for money and for a good cause."

When asked if he will do it again next year, he said, "I've had fun doing this, but this is my last year—officially—if nothing



Photo: Archie Stocker Sr.

changes." If others are willing to take it on next year, Wendell says he'll help, but it takes more planning than just getting up and doing it.

Wendell said he wouldn't have been able to do the walk this year without the help of Elsie Bramble and Elliot Jones checking up on him every couple of hours and bringing him light snacks. Tom Jones and Marvin Marks also helped by checking on him. Harold Yeltatzie gave him a CHN flag to carry from Pure Lake on his return trip, and the Old Massett Volunteer Fire Department escorted him from the lake.



Photo: Archie Stocker Sr.

Top: Wendell Williams – carrying the Nation's flag – is accompanied by Brandon Kallio as they pass the George M. Dawson school in Masset. Mr Williams walked to Port Clements and back—a distance of 84-kilometres—to raise awareness and funds for the Masset-Haida Lions Club Timmy Telethon.

Bottom: Mr Williams enters the Howard Phillips Community Hall, waving a Haida Nation flag.

Wendell reached Masset at approximately 11 pm, mentally and physically exhausted *and* sore. He still feels the effects of the walk, nursing a sore ankle.

When he arrived in Masset he said, "That's enough!" And, after the Lions Club expressed greetings and appreciation, Francis and Janice Ingram drove him home.

Wendell extends his thanks to Lions Club members and their families for all of the volunteer work they have done on the telethon year after year. "Without them, this walk wouldn't have happened," he said.

Clearing Hearts and Minds

By Florence Lockyer



The Crew (clockwise from bottom left): Christopher Collison, Thomas Dix, Oscar Edgars, Melvin Williams, Richard Smith Sr, Marina Jones, Dennis Russ, Elliot Jones Sr, Rick Abrahams, Larry Edgars (helping out for the day), Alex Morrison, and Sean Yeltatzie. Missing from photo is Alfie Davidson III.

For many years, Marina Jones, a dedicated community member, has wanted the cemetery in Old Massett to be cleaned up so that we, as a Nation, can visit and remember our loved ones who have passed on.

When Old Massett Village Council Economic Development Officer, John Disney, approached Ms Jones about funding the clean-up of the cemetery through a Work Opportunities Program she jumped at the chance because cleaning up the cemetery was a dream of hers. Ms Jones felt it was a way to pay respect to

loved ones who have passed on, and have a clean and tidy resting place for them, she said.

A partnership between the Old Massett Village Council Economic Development, Social Development, and the Haida Health Centre brought the project to fruition. The project, partially funded by the Work Opportunities Program, attracted over 50 job applicants – unfortunately only 11 could be hired — well, 12, including Marina! After a lengthy interview process the successful applicants were: Thomas Dix, Oscar Edgars, Richard Smith Sr, Melvin

Williams, Dennis Russ, Sean Yeltatzie, Alex Morrison, Christopher Collison, Elliot Jones Sr, Ricky Abrahams, and Alfie Davidson III.

The project began last July and will finish in July of 2012. The crew receives \$10 an hour and they work Monday to Friday, rain, wind, snow, or shine. According to Project Supervisor, Ms Jones, it was difficult to coordinate the crew at first. As in any new project, start up can be difficult ... and there *were* a few imaginary

Hearts and Minds continued next page

Hearts and Minds - from page 9

quarters added to the cuss jar. But, with time, the crew has jelled and is now working as a well-oiled machine. The first job, which was to clean up the cemetery, has been completed; crew members have begun clearing brush from the roadside and elders' yards, and are taking on some rodent eradication.

The cemetery cleanup was completed in a matter of months and the crew's elation was unanimous! As they came to the end of the job, the crew members decided to erect a large cross that they'd milled themselves, to commemorate those who have been lost at sea. This rugged cross can be now been seen standing stoically against the horizon, near the edge of the beach, at the cemetery.

Working their way along the roadside from the cemetery, the crew is now almost at the halfway point in the village. As they move along, they plan to help Elders and others clear their yards. If you would like them to work on your yard, they ask only that you provide them with snacks and lunch. Future plans are to remove brush and other debris from around the sewage-treatment lagoon and clear the alder growing at New Town.

The work crew had a lot to say about the project:

- "I enjoy working. They are all good guys. It helps to keep me off the streets."
- "[I'm] glad to be able to put back into the community."
- "Haaw.aa! Thanks! It's fun working

"I am thankful to be working and it keeps me home. I'd like to thank Marina for fighting so hard to get this project and for not giving up. It's one battle done."

...

I thank her for putting up with us, even though sometimes, when we see her coming, we say, 'here comes the warden.'"

with all these guys – they're all good. It started off rough, but we are all getting along and having fun."

- "I like the job and [I like] working with nice people. I have a good boss."
- "It's nice to see the cemetery done. Need more pay."
- "After sitting at home for many years, it feels good to get a job to help clean up the community. I feel respectable and happy working hard. I hope it carries on, and, I hope people do something about their dogs."

The crew has also been given different types of training like chainsaw safety and first aid. For the first-aid ticket, they did their practicum at the cemetery, which proved to be a hilarious experience. They had to lift a mock-injured crewmember out of the bush and he played the role dramatically! Now, that sounds like a good crew!

Supervisor, Ms Jones, said that she is happy that the project is going well. She enjoys the hard-working and dedicated crew and if it weren't for their commitment, she says, she would not be there. "They are the hardest-working crew in the community. They are out there in the wind, rain and cold weather. It's a lot of work, and it's not easy," she said.

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Books for Babies

By Severn Cullis-Suzuki and SHIP

Reading to your babies and children is excellent for their personal development and a good way to learn languages. So, how about reading to your child in Haida? SHIP is producing several series of books in the Haida language for infants, toddlers, and their parents.

The project is called GidGalang Xaayda Kil Sk'aadGa Dii (Children Learning the Haida Language), and has been a year in the making. We wrote and translated simple stories for babies and children. We found several keen actors and actresses to enact the texts in the stories, and Alix Goetzinger volunteered to take the photos for the

books. It was a fun process and the actors and actresses added so many good ideas. We have produced nine stories:

- K'uudlaanuu (Colours)
- Skinxa Dii (Waking up)
- Dii Hltaaxwii (My Relatives)
- Dii NaanGa dang.ad Saabalii Giits'isGa (Baking with my Nanaay)
- Guusuu da Isdadyang? (What are you Doing?)
- Id GyaaGa GyaaGung (Our Animals)
- Tay Xidii ga (Going to Bed), Xawin Xidii (Going Fishing), K'aasda Gaaw

is Xidii ga (Going to Copper Bay).

The books are in Haida with an English key at the end; also in the back of each book there is an audio CD, with an Elder from SHIP reading the story. Copies of the books will be distributed to the schools, libraries and the Books n' Bites shelves. Many thanks to Dana Moraes at the Skidegate Band office for her help on this project.

A Call for Photos

We are in the in the midst of making more books, but we need help finding images

Books for Babies - continued next page

ID GYAAGA GYAAGUNG



The cover of ID GYAAGA GYAAGUNG, Our Animals, shows Levi (L) and Reese Burton with their dogs, Daisy (L) and Molly. The books are illustrated using photos taken by Alix Goetzinger.

Books for Babies - from page 11

for some of them. Our next two stories are about the seasons of the year, and the weather. Maybe you can help us. Do you have any photos that clearly show one of the lines of the following two stories?

Story 1: Seasonal/month activities - Kung

- January: Taada Kung
It is low tide in the dark.
We dig clams.
- February: Sgan T'al Kung
We harvest octopus.
We fish lemon sole.
- March: Ga Taa gii Halxa Kung
We pick winter seaweed.
We pick pussy-willows.
- April: K'aawdang Kung
We harvest herring roe-on-kelp.
We pick nettles.
- May: Taaxid Kung
We go to Copper Bay to net-fish for sockeye.
We gather seagull eggs.
- June: Sgaahlan K'al Kung
We harvest yellow cedar bark.
We fish for halibut.
- July: Gaan Gaalangsdlil Kung
We pick salmonberries.
We dig for spruce roots.
- August: Ts'it'an Kung
We hunt for deer.
We net-fish for pink salmon.
- September: Sk'aagii Kung
We fish for coho salmon.
We net-fish for dogsalmon (chum).
- October: 'Waahlgahl Kung
We like to potlatch.
We gather chanterelle mushrooms.
- November: Hlgidgun Kung
We hunt for geese.
We do go shopping.
- December: Sah 'Laana Guu Nang Kiiga Kung
Another Christmas for us!
We hunt for ducks!



The cover of DII HLTAAXWII, Our Relatives, shows Taang.Gunaay and Xyaalaa'a Grinder.

Story 2: What is the weather today? Gasing.uu ahaay.yad sii. ngaay giidang?

- | | |
|----------------------|-----------------------|
| It is raining today! | It is sunny today! |
| It is cold today! | It is warm today! |
| It is snowing today! | It is storming today! |
| It is windy today! | It is foggy today! |
| It is icy today! | |

If you have printed or digital photos of any of these images and would like participate in our Haida book series, please contact Severn at: 559.0076, severncullissuzuki@gmail.com, or on Facebook: Setsu Suzuke

CONTRIBUTIONS
TO THE ETHNOLOGY OF
THE HAIDA
◀ ▶
JOHN R. SWANTON

A Defining Contribution

Containing information found nowhere else, Swanton's contribution is a resource that informs and provokes debate about Haida culture. Originally published in 1905, the *Council of the Haida Nation* reprinted the text in 2004 with a new introduction and acknowledgement of Haida contributors and translators in the first edition.

This 300-page clothbound book is a fine gift that will endure many years of study. The proceeds from sales support the work of the *Council of the Haida Nation* and the books are available at Haida Laas, Skidegate – \$100⁰⁰.



All photos: Debbie Gardiner/Parks Canada

The Curve of a Whales Back

by Kelsey Pelton

It may happen only once in a lifetime – if you're lucky! On the afternoon of November 10, Debbie Gardiner and a few other fortunate folk saw six pods of Transient killer-whales frolicking in Juan Perez Sound. Ms Gardiner – a Gwaii Haanas Resource Conservation Technician – and her group had been in the Bischoff Islands doing some work, and on their way home were suddenly greeted by about 40 breaching whales.

I spoke with Ms Gardiner about what she experienced during the encounter with the whales:

Kelsey Pelton: Was this your first time seeing so many whales at once?

Debbie Gardiner: I have seen breaching whales before, but never this many. I have never seen them so active, and breaching so continuously. Seeing humpback [whales] in

the spring, that's what I find amazing – it's incredible. They're usually everywhere in Juan Perez Sound – the entire Sound is covered. It's something to see. [This time] there were around 40 killer whales, making up six pods. They were breaching, coming up with their mouths wide open.



Debbie Gardiner observed this Common Murre "playing" with the pods of Killer whales.

KP: Do you know why the whales were so excited and behaving the way they were?

DG: We had no idea. According to the Department of Fisheries and Oceans, they were just socializing, having a good time. [In amongst] them there was a Common Murre and whenever a whale came up, the bird would land on him, and slide down its mouth and back into the water!

KP: Were you scared at any point?

DG: I was way too excited to be nervous. They were swimming under the boat, and you could see their bellies. There were about five calves, and their families were teaching them how to breach. It was two weeks ago, and I'm still excited – I feel like a little kid. I don't think I'll ever see something like this again.

Curve - continued next page

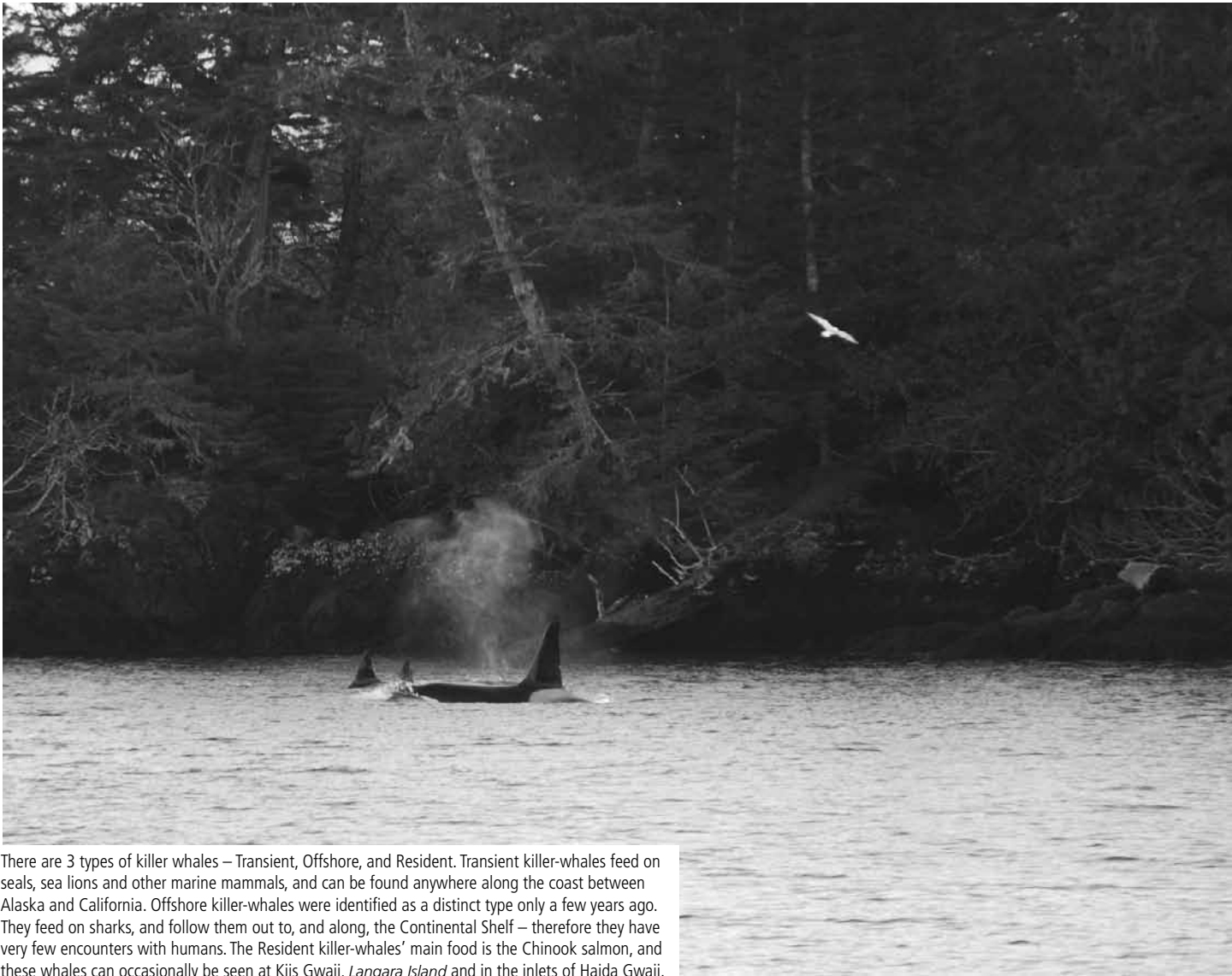
Curve - from page 13



Killer whales can be identified by their dorsal fins. Each fin is unique because of the nicks and scratches that accumulate on it as the whales age. The Department of Fisheries and Oceans has a database of photos with which they can identify an individual whale by the wear and tear on its dorsal fin.



When whale sightings are reported, that information can be added to the database, used to learn more about whale behaviour, and help identify habitat that is important to whales.



There are 3 types of killer whales – Transient, Offshore, and Resident. Transient killer-whales feed on seals, sea lions and other marine mammals, and can be found anywhere along the coast between Alaska and California. Offshore killer-whales were identified as a distinct type only a few years ago. They feed on sharks, and follow them out to, and along, the Continental Shelf – therefore they have very few encounters with humans. The Resident killer-whales’ main food is the Chinook salmon, and these whales can occasionally be seen at Kiis Gwaii, *Langara Island* and in the inlets of Haida Gwaii.

Feds Shift Criteria for Approving Northern Gateway

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When the federal government conducts its environmental assessment for Enbridge’s controversial Northern Gateway pipeline and tanker project, risks to the environment likely will not be the main concern.

If this seems illogical, here is why it is true. In the current review of Northern Gateway, there has been a subtle but significant shift in focus from a fairly straightforward environmental assessment (EA) of the project, to a review with much greater emphasis on the need for the project.

We can see this by comparing the evolving language in a chain of documents. A straightforward environmental assessment of the project was prescribed in the preamble of the Dec. 4, 2009 agreement between the National Energy Board and the minister of the environment concerning the joint review of the Northern Gateway pipeline project.

But then came the procedural direction of July 5, 2010 and the hearing order of May 5, 2011. These two documents, issued by the Joint Review Panel (JRP) charged with conducting the review itself, indicate the decision to allow or quash the project will be made by taking into account factors other than its environmental impact.

With this classic bait and switch manoeuvre, the JRP is signalling to the legions of people and NGOs who oppose the project on environmental grounds: If you want to defeat this project, you’ll have to convince the panel that it is not in the public interest.

Reversing the emphasis

In order to understand how we got to this point, we must first examine the JRP’s terms of reference, which are included as an appendix to the 2009 agreement mentioned above. These terms of reference unequivocally task the panel with conducting “a review of the Environmental Effects of the project.” Under those same terms of reference, the predominant factors to be considered in the course of the review are, once again, “the environmental effects of the project,” with “need for the project” being an ancillary factor to be considered as part of that environmental assessment.

Thus, while the JRP is supposed to consider the need for the project when deciding

whether to approve it, this is not one of the main factors to be taken into account. However, the JRP’s subsequent interpretation of its own mandate appears to differ somewhat from these original terms of reference.

In the hearing order issued by the JRP, the “list of issues” in Appendix 1 refers to the “environmental assessment of the Project and related public interest determination” that the panel is to undertake. In other words, what first started out under the JRP’s terms of reference as a rather straightforward EA of the project, with “need for the project” constituting one (relatively minor) component of that EA, has morphed into an EA plus a “public interest determination” that is related to the EA. Interestingly, the JRP keeps hammering home this “public interest” aspect in a “meet the panel” video posted on the JRP website.

This is fair enough, since under the National Energy Board Act, any project approved by the board has to meet this “public interest” standard. But both the procedural direction and the hearing order issued by the JRP turn the panel’s original remit on its head, making “need for the project” the foremost issue the JRP intends to examine, with environmental impacts listed a distant third, behind potential impacts of the project on aboriginal and commercial interests, landowners and land use.

In short, in three easy steps we go from the JRP being instructed to basically conduct an EA of the project, taking “need for the project” into consideration as part of that EA, to the JRP in effect usurping its own mandate by deciding to concentrate on the need for the project, with passing reference to environmental impacts.

Critical question of what to weigh

If this seemingly arbitrary change is not reversed before the final hearings begin in summer 2012, it could completely change the tenor of the proceedings, and possibly the outcome of the deliberations, since one of the proponent’s main arguments in favour of the project is that it is in accordance with Canada’s need to diversify away from American markets for tar sands bitumen, and expand towards lucrative Asian export markets instead.

This position is backed by statements from

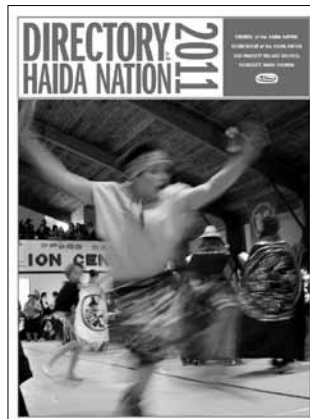
the current federal minister of natural resources. Thus, the proponent and the minister of natural resources are of one mind: the Enbridge Northern Gateway pipeline and tanker project is in the national interest. And while the JRP has yet to make its views known, it is now apparent that it views the need for the project as the number one issue associated with its review.

One implication of this sea change is that if the JRP looks at “need” first, and in the course of that examination determines that the project is indeed in the national interest, then, when it moves on to an analysis of environmental impacts, it would presumably have to find pretty compelling environmental reasons for the application to be rejected. If, on the other hand, the JRP looks first and foremost at environmental impacts, as its terms of reference instruct it to do, or at the very least accords higher priority to these impacts, and then concludes that such impacts are significant and cannot be mitigated, then it would be hard-pressed to argue that the project should proceed regardless, on the grounds that it is in the public interest.

In the final analysis, any review of this project is bound to end up examining environmental impact, the need for the project, and ultimately the public interest, since the three elements are inextricably linked. What it all boils down to, then, is the relative weight accorded to each of the three factors. Under the JRP’s original terms of reference, environmental factors were accorded greater weight, whereas in subsequent documents the JRP has turned this around, bestowing greater prominence to the “need for the project” and introducing the element of public interest.

Let’s be clear here: the JRP has every right to determine which issues it chooses to examine as it reviews the application. But it must develop this list of issues within the framework of the factors it is tasked with examining, and their relative importance – something the panel has clearly failed to do.

The bottom line is that in an environmental assessment as important as this one, the Canadian public has a right to expect that environmental impacts, rather than need for the project, will be top of mind for the panel.



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