



# Pehdzeh Ki First Nation

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Band 756

February 19, 2025

To the Mackenzie Valley Environmental Impact Review Board,

## **Re PKFN Indigenous knowledge and alternate routing**

I would like to inform the Review Board why PKFN has not yet submitted more detailed information regarding our land use, sensitive locations, and proposed alternate MVH route.

PKFN members, knowledge-keepers, and leaders are in a difficult situation. We have responsibilities to protect and use our knowledge according to our Dene laws. Some information is not meant to be shared or even spoken about except in very particular circumstances. Some of our Indigenous knowledge has been documented in the past, but those who shared it did not imagine that it would be used in a public process like an environmental assessment. Some knowledge was shared with us by relatives who have passed with the expectation that we would keep it private.

We understand that the Review Board offers opportunities to share information using a confidentiality process. We have also prepared a confidentiality agreement with the GNWT. However, there are limits to the protections.

Our interests at stake are profound. We must protect our Aboriginal and Treaty rights and title, and to uphold our Dene responsibilities to protect our N'deh, for its own sake and for our future generations. To effectively participate, we understand that we must share our concerns and the reasons for them. However, we must also work within our own Dene responsibilities.

The Supreme Court of British Columbia commented on a similar situation in *Yahey v British Columbia*, 2018 BCSC 123. The Court stated that "confidentiality is essential" to maintain a "relationship of trust" between an Indigenous government and its members regarding Indigenous knowledge. If members do not trust how their knowledge will be

used, they will not share it. It is in the public interest to protect this relationship of trust, because without it, consultation is not possible (paragraph 24).

This predicament has caused distress. We have been meeting as a community to address these serious concerns.

I look forward to updating you further as soon as possible.

Mahsi,

A handwritten signature in black ink, consisting of a large, stylized initial 'J' followed by a horizontal line and a small flourish.

Chief Jamie Moses