

# JANES FREEDMAN KYLE LAW CORPORATION

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May 24, 2013

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**Delivered by E-file**

Joint Review Panel  
444 Seventh Ave. SW  
Calgary, AB T2P 0X8

File No. 1023-005

Attention: Anne-Marie Erickson  
Secretary to Joint Review Panel

Dear Sirs/Mesdames:

**Re: Northern Gateway Pipelines Project (the “Project”)  
Hearing Order OH-4- 2011  
Response to Undertaking – U-88**

Please find enclosed a Response to Undertaking U-88 by Leslie Beckmann dated May 24, 2013.

Yours truly,

Janes Freedman Kyle Law Corporation

Per:

A handwritten signature in cursive script, appearing to read 'Virginia C. Mathers'.

Virginia C. Mathers  
VCM/ejr  
Enclosures

For

**Gitxaala Nation****Joint Review Panel  
Hearing Order OH-4-2011  
Undertaking U-88**

Response to Undertaking given by Leslie Beckmann on behalf of the Gitxaala First Nation to Northern Gateway Pipelines Limited Partnership at Transcript Volume 175, Paragraph 28065, to compare two maps to confirm that the area laid out as the broader area within the evidence of the expert witnesses as being the traditional territory of the Gitxaala First Nation contains the traditional territories that are asserted by a variety of other First Nations.

**Undertaking:**

To compare two maps to confirm that the area laid out as the broader area within the evidence of the expert witnesses as being the traditional territory of the Gitxaala First Nation contains the traditional territories that are asserted by a variety of other First Nations.

**Response:**

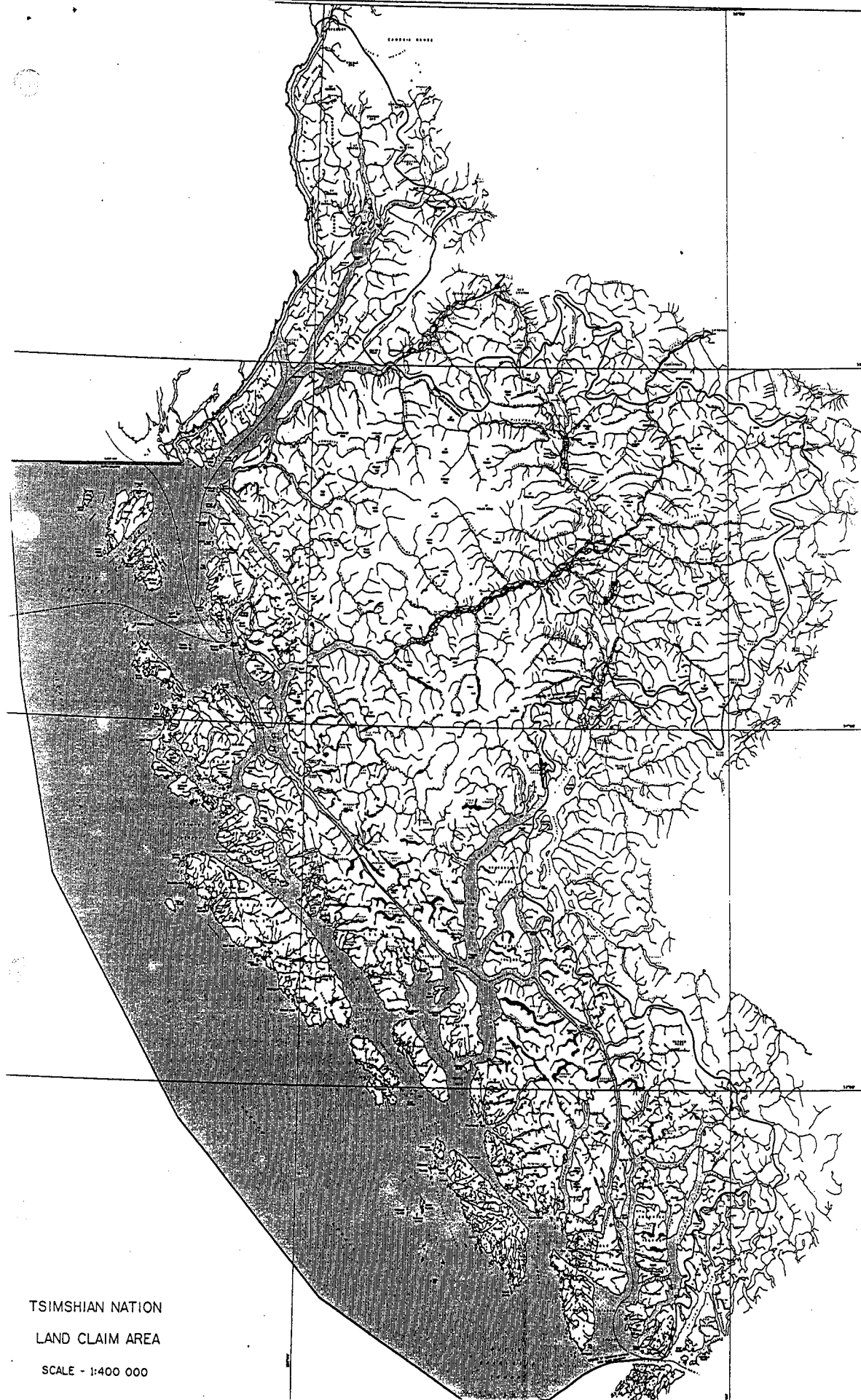
Gitxaala confirms that the map found at Adobe page 4 of Exhibit E9-6-27 covers some of the same area as Gitxaala's Traditional Territory as illustrated by the map found at Adobe page 1 of Exhibit D72-32-03.

Gitxaala notes that the map found at Adobe page 1 of Exhibit D72-32-03 does not show the entirety of Gitxaala's Traditional Territory. For a map of Gitxaala's entire Traditional Territory see Exhibit D72-22-04 at Adobe page 10.

The map found at Adobe page 4 of Exhibit E9-6-27 appears to have been based on the Statement of Intent map filed by the Tsimshian Tribal Council when it entered the B.C. treaty process in 1994, although there are some differences between the two maps. A copy of the Statement of Intent map filed by the Tsimshian Tribal Council is attached. This map continues to be found on the BC Treaty Commission's website. At the time the map was filed with the BC Treaty Commission, Gitxaala was a member of the Tsimshian Tribal Council. The area claimed by the Tsimshian Tribal Council therefore included the Traditional Territory of the Gitxaala First Nation.

In December of 2004, a new body called the Tsimshian First Nations was established and a revised Statement of Intent was submitted to the B.C. Treaty Commission on behalf of the Tsimshian First Nations. The Gitxaala Nation is not a member of the Tsimshian First Nations.

To date, a revised map of the area claimed by the Tsimshian First Nations has not been provided to the B.C. Treaty Commission in conjunction with the Tsimshian First Nations' revised Statement of Intent and, as a result, the map filed with the B.C. Treaty Commission is still the map originally submitted by the Tsimshian Tribal Council, which included Gitxaala's Traditional Territory.



TSIMSHIAN NATION

LAND CLAIM AREA

SCALE - 1:400 000