



MACKENZIE VALLEY ENVIRONMENTAL
IMPACT REVIEW BOARD

AVALON RARE EARTH METALS, THOR LAKE PROJECT

ENVIRONMENTAL ASSESSMENT

EA1011-001

PUBLIC HEARING

Mackenzie Valley Review Board:

Chairperson	Richard Edjericon
Board Member	Rachel Crapeau
Board Member	James Wah-Shee
Board Member	Percy Hardisty
Board Member	Richard Mercredi
Board Member	Sunny Munroe
Board Member	John Curran

HELD AT:

Antoine Beaulieu Memorial Hall

Fort Resolution, NWT

February 22, 2013

Day 4 of 4

1 APPEARANCES

2

3 Chuck Hubert)MVEIRB

4 Stacey Menzies)

5 Simon Toogood)

6 Cailin Maki)

7 Ralph Grismala (np))Consultant

8 John Donihee)Counsel

9

10 Crystal Thomas (np))MVLWB

11

12 David Swisher)Avalon Rare Metals

13 Mark Wiseman)Inc.

14 Kelly Cumming)

15 David Marsha (np))

16 Rick Hoos (np))

17 Doug Chambers (via telephone) (np))

18 Kevin Hawton (via telephone) (np))

19

20 Trish Auser (np))Environment Canada

21 Jane Fitzgerald (np))

22 Sarah Lacey McMillan (np))

23 Anne Wilson (np))

24 Lisa Lowman (np))

25

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2	Dave Fox	(np))Environment Canada
3	James Hodson	(np))
4	Loretta Ransom	(np))
5	Mike Leonard	(np))DFO
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7	Michael Freeland	(np))Blachford Lake
8)Lodge
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10	Paul Green	(np))AANDC
11	Nathen Richea	(np))
12	Lionel Marcinkoski	(np))
13	Robert Jenkins	(np))
14	Velma Sterenberg	(np))
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17	Derek Rains	(np))
18	Kate Witherly	(np))
19	Brittany Shuwere	(np))
20	Dave Ramsay	(np))
21	Russell Teed	(np))GNWT-MOG
22	Amy Lizotte	(np))GNWT-ITI
23	Sonya Saunders	(np))
24	Dianna Beck	(np))
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4 Aileen Stevens (np))
5 Lisa Cardinal (np)) HSS
6 Kim Balsillie (np)) ENR-EAM
7 Albert Bourque (np)) ENR South Slave
8 Bernard Park (np))
9 Alicia Kelly (np))
10 Jan Adamczeweki (np))
11 Sunny Ashcroft (np)) ENR-Wildlife
12 Glen MacKay (np)) PWWHC
13
14 Pat Simon) Deninu K' First
15) Nation
16
17 Stephanie Poole (np)) Akaitcho Treaty 8
18 Peter Liske (np)) Tribal Corp.
19 Stephen Ellis (np))
20
21 Nick Lawson (np)) Stantec
22
23 David Connelly (np)) ILE Royale
24) Enterprises
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2 Chris Aguirre (np))Transport Canada

3 Greg Black (np))

4 Craig Miller (np))

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6 Michael Tollis (np))LKDFN

7 Emily Saunders (np))

8 Elder Pierre Marlowe (np))

9 Chief Dora Enzo (np))

10 Ron Fatt (np))

11

12 Rohan Brown (np))Justice Canada

13

14 Eric Binion (np))NSMA

15 Susan Enge (np))

16 Ed Jones (np))

17 Robert Mercredi (np))

18 Wayne Langenahan (np))

19

20 Todd Slack (np)) Yellowknives Dene

21 Randy Freeman (np)) First Nation

22 Shannon Gault (np))

23 Chief Ted Tsetta (np))

24 Chief Edwin Sangris (np))

25 Roy Erasmus (np))

1 APPEARANCES (Con't)

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3 Modeste Sangris (np))

4 Alfred Baillargeon (np))

5 Judy Charlo (np))

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7 David Ramsey (np)) Department of

8) Industry, Tourism

9) & Investment

10

11 Louis Balsillie) DKFN

12 Linda Vanden Berg)

13 Rosy Bjornson)

14 Mary Pierrot)

15 Eddie Lafferty)

16 Tommy Beaulieu)

17

18 Trudy King) NWT Metis

19 Kara King)

20

21 Andrew Cassidy) Town of Hay River

22 Jordan Stackhouse)

23

24

25

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1	LIST OF UNDERTAKINGS		
2	NO.	DESCRIPTION	PAGE NO.
3	3	Avalon to update the commitments	
4		to make sure that it encapsulated	
5		all of its commitments in	
6		addition to the ones that are	
7		already with the Board, to be	
8		filed by March 12	81
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1 --- Upon commencing at 10:34 a.m.

2

3 THE CHAIRPERSON: Good morning. I
4 want to start this public hearing this morning. But
5 before we do that, I want to ask Rosy Bjornson to come
6 up, and we can do the opening prayer.

7

8 (OPENING PRAYER)

9

10 THE CHAIRPERSON: Good -- I want to
11 say thank you to Rosy Bjornson for doing the opening
12 prayer. I want to call Chief Louis Balsillie to do
13 the welcoming remarks. Chief Louis Balsillie...?

14

15 (BRIEF PAUSE)

16

17 OPENING STATEMENT BY CHIEF LOUIS BALSILLIE:

18 CHIEF LOUIS BALSILLIE: I guess I'd
19 like to thank everybody for being here. I'd like to
20 thank my members and the community members, and the
21 guests that are with us today. And, you know, like
22 we're in dire need of this project to move ahead,
23 because our people are not being recognized on the
24 north side of the lake and impacts that come with it,
25 you know.

1 Like I'm listening to the news and
2 stuff about how the other communities are not
3 supporting this. And, you know, like Avalon's been
4 fair. They've been going to the communities and
5 meeting with the communities. They came to our
6 community when this project first started. We
7 supported it from day 1. We're still supporting it.

8 There's some things that we have to
9 iron out but, you know, it's going to be told by -- by
10 Avalon what needs to be done by the Board and by the
11 community at large. But to -- you know, to go out and
12 make statements because are most impacted and we
13 should be -- they should stop this project, that --
14 that's not -- you know, that's not a thing of why it
15 should be stopped, you know. Like we need the work.
16 Our community needs the -- the ability to go out and
17 get the contracts. We do have an agreement with
18 Avalon, and we're -- we're ready for business.

19 And if we go into three (3) or four (4)
20 years down the road, you know, it's not going to work
21 out for us. You know, I'm not -- I'm not here to say
22 -- to twist your arms and say, Hey, you know, agree
23 with me. I'm just letting you know where we stand.

24 And with Avalon, we had a good work --
25 working relationship over the years with Don Bubar,

1 Dave Swisher, and their group of people. And we're
2 comfortable with what they have to offer.

3 So, you know, with all that stuff
4 that's going on in different places, you know, we were
5 never consulted of other mines that were -- were put
6 out there. And we -- we should have been at the time
7 because we're all in Treaty 8 area as the Akaitcho
8 territory.

9 This is an Akaitcho territory. We
10 don't look at it as every other community having their
11 own -- own place of business. I mean, this is
12 Akaitcho. And we believe in what -- what we're doing
13 is right for our people, for our youth, and for our
14 Elders in the community.

15 So with that, you know, I'd like to
16 thank you people for being here, supporting what's
17 going on. I'd like to thank the members in supporting
18 Deninu Kue. And masi for being here.

19 And I'd like to take this opportunity
20 to welcome Linda and her group of people who would be
21 speaking on our behalf, Linda, who is with us today.
22 So with that, masi. Thank you.

23 THE CHAIRPERSON: Okay, thank you. I
24 just want to quickly go through the agenda for today.
25 We had a meeting in -- all week. In Yellowknife we

1 had meetings in -- from Monday, Tuesday, and
2 Wednesday, and we also went into the evening. And we
3 had a break yesterday, and today we're going to be
4 here until we're done the agenda.

5 So the agenda is also at the door, if
6 you don't have it. The -- it's laid out. We had the
7 Chief do his welcome remarks. Next on the list is
8 Avalon is going to do their presentation. We'll take
9 a lunch break. And DKFN will do their presentation
10 after at 12:45. Then we're going to go into comments
11 and questions from DKFN. And then a health break. At
12 2:45, comments and questions from DFN, and then at
13 3:30, comments and questions from the public, Town of
14 Hay River, and statements. So they -- they can --
15 they can make statements from the public for the
16 record, and so it's there. The other ones -- then we
17 got closing statements from the Chair and closing of
18 the hearing.

19 And so I believe -- I just have a quick
20 question for my staff. Originally, we were supposed
21 to have the Fort Resolution Metis Council on this
22 presentation. Were they going to be doing a
23 presentation?

24 MR. CHUCK HUBERT: Mr. Chair, the --
25 the Board has not received a presentation from Fort

1 Resolution Metis Council.

2 THE CHAIRPERSON: Okay. Thank you.

3 I'll continue on. Also just so that I -- when I was -
4 - we did a public hearing in Behchoko in the fall
5 time. And during the public hearing, we had Elders
6 here. And they -- they wanted to know what the
7 process was as to why we were sitting there.

8 So I just maybe -- I want to quickly do
9 a little quick summary of why we're here in -- in this
10 community, talking about Avalon.

11 As you know, the -- the Mackenzie
12 Valley Resource Management Act was created in 1998.
13 And of -- of that Act, there's two (2) parts to it
14 that -- that reflects to -- Part 4 of that Act deals
15 with the Mackenzie Valley Land and Water Board, and
16 Part 5 deals with the Mackenzie Valley Environmental
17 Impact Review Board. And on the Mackenzie Valley
18 Environmental Impact Review Board, they deal with
19 permits and licensing, and this Board here deals with
20 environmental assessments and environmental impact
21 reviews.

22 And of all the applications that come
23 in the Northwest Territories, of a hundred (100)
24 applications that come in, ninety-five (95) of those
25 applications are dealt with with the Land and Water

1 Board. They -- that includes permits for culverts,
2 quarries, or -- or whatever, all that stuff. They
3 deal with those types of permits. But the last five
4 (5) applications that are -- that are usually really
5 big applications gets referred to our Board. And they
6 deal with mines, pipelines, whether they be through
7 the joint review panel, et cetera.

8 So this file, the Avalon file, has been
9 referred to us back in the fall of 2010. And there's
10 a whole process when you go through a referral to the
11 Board. The Board has to do a scoping of the -- of the
12 project. And so what happens is that our staff will
13 go into the communities and ask questions about this
14 project and what are the -- what are the impacts that
15 you feel that are -- that are going to impact this
16 community.

17 So it would be fish. It could be
18 caribou. It could be water, air quality, anything
19 like that. So after our staff goes out and does all
20 that, then they put it into a document. And then a
21 letter, all that is sent over to the developer. And
22 they come up with a delfer -- development assessment
23 report. They call it a 'DAR'. And they submit it
24 back to the Board.

25 And the Board will go through it to see

1 if it meets the conformity of the Review Board. And
2 if it's yes, then, from there -- but if there's
3 anything that's missing, they go out and ask for a
4 request for -- information request. And so the Board
5 will tie up the loose ends and so on.

6 While that's happening, from 2011 to
7 today, impacted communities that are the nearest to
8 the mine could apply for a party status. And when you
9 become a party status, it gives you the privilege to
10 speak in front of the Board. You could do a
11 presentation and -- that impacted your community and
12 so on.

13 And you could also -- if you also have
14 concerns about a project, and whether it be water
15 quality, for example, you could request for
16 information request. It does to the -- to the Board.
17 And then -- and then from there it gets circulated to
18 everybody else. And then the company will come back
19 and answer that question, and it gets back to you. So
20 everybody has an opportunity to see all that
21 information. So there's a process in that whole
22 thing.

23 And then after all that in -- after all
24 that part is done, it goes to a technical meeting
25 before the public hearing like this here. And then

1 after the technical hearing, they have a pre-hearing
2 conference to iron out any last-minute details. So
3 there's a whole process that you have to go through
4 before you even get here.

5 And then after that, the -- everybody
6 will pre -- submit their presentations to the Review
7 Board. And that's why it's in our binders. And it's
8 on our web registry as well. And then what we do here
9 is that we -- the Board will look at everything. And
10 this is a quasi-judicial Board, so it's like a court-
11 like setting. So the Board will hear all the
12 evidence. And so whatever's on the public registry,
13 anything that we -- that -- the letters that are sent
14 to anybody and everybody or information requests or
15 anything related to this project is on the public
16 registry. So then you see it.

17 So when the Board meets, it will make
18 its decision based on the evidence on the Board. So
19 when we come to these meetings, we ask the people in
20 the community to come up and speak. We ask that you
21 speak to the presentation. And then it's on record.
22 So then we take that as evidence as well.

23 So I just want -- and I also ask that
24 people be respectful of each other when we come up and
25 speak. And when you come up to speak, also you have

1 to say your name for the record. And if you represent
2 the community, it'd be nice to know that too so it's
3 on the registry.

4 So I just wanted to just kind of give
5 you the picture of that. And then once the Board
6 finishes its public hearing, the Board will meet.
7 They will look at the evidence and look at whether
8 this project should go ahead or not. And after then,
9 if the Board agrees to approve this project, there
10 could be measures put in place. There's also
11 commitments made by the company. All that will be
12 part of the process. And then once we -- if it goes
13 ahead, we agree, then it goes to the Minister.

14 The Minister will go out and talk to
15 all the responsible ministers as well to see if
16 there's any issues. And then if there's no issue,
17 then he could go ahead and approve it. Or he can send
18 it back to the Board for further consideration. Or he
19 can also order an environmental impact review, which
20 could also take another two (2) years.

21 So in this case right now, we just want
22 to gather all the evidence, hear from everybody, and
23 then the Board will meet. And then I would kind of
24 want to explain that process, because in Behchoko when
25 the Elders were speaking, they want to know why they

1 were speaking, and they didn't understand the process.
2 So I just wanted to take a few minutes to do that so
3 you guys understand that.

4 So anyway, I'm going to go into my
5 opening comments. Again the public hearing in Deninu
6 Kue, I want to thank the host Chief, and your
7 delegation, and your Chief and council, all the
8 Elders, for us to come into your community and have
9 this public hearing. Masi.

10 I want to say good morning. Welcome to
11 the public hearing. As you know, I'm the -- my name
12 is Richard Edjericon, and I'm the Chair of the
13 Mackenzie Valley Environmental Impact Review Board.
14 We are here to listen to what you have to say about
15 the Thor Lake rare earth element project.

16 The Developer is Avalon Rare Earth
17 Metal Inc. Avalon prop -- proposes to construct and
18 operate a closed -- a rare earth element mine. The
19 mine is located at Thor Lake. It will be underground.
20 The project includes a metallurgical plant at the
21 former Pine Point mine area, an access road at Thor
22 Lake, and a barge docking facility on Great Slave
23 Lake.

24 We have reached one of the final stages
25 of the environmental assessment process: the public

1 hearing. Today the Board wishes to hear from -- the
2 views and opinions the parties may have regarding the
3 proposed development. Over -- over the course of the
4 day, we ask that you do your best to help the Review
5 Board to understand your views about the proposed
6 development's potentially environmental, social,
7 economic, and cultural impacts and your view of this
8 potential significance of these impacts.

9 The Review Board will fully consider
10 these views while it -- it's deliberating on its
11 decision in this environmental assessment process.
12 Once the decision is made, the Board will write it
13 down in a report of environmental assessment and send
14 it to the Minister of Aboriginal Affairs and Northern
15 Development for his consideration.

16 Before we go any further, I would like
17 to introduce our Board -- our Board members and our
18 staff. So I'll -- what I'll do is I'll go to my far
19 left. Well, maybe if I go to the lady in the back.
20 She's -- does all the transcribing. So maybe we could
21 just do this, if you could introduce yourself for the
22 record, as well?

23 MS. LORRAINE DOUGLAS: Lorraine
24 Douglas.

25 THE CHAIRPERSON: Thank you.

1 MS. RACHEL CRAPEAU: Rachel Crapeau,
2 from Dettah, Review Board member.

3 MR. PERCY HARDISTY: Percy Hardisty,
4 from Fort Simpson.

5 MR. JAMES WAH-SHEE: James Wah-shee,
6 from Behchoko, Board Member.

7 MR. RICHARD MERCREDI: Richard
8 Mercredi, from Fort Smith, Board Member.

9 MS. SUNNY MUNROE: Sunny Munroe, from
10 Yellowknife.

11 MR. JOHN CURRAN: John Curran, from
12 Yellowknife, and I'm a Board Member as well.

13 MR. JOHN DONIHEE: My name is John
14 Donihee. I'm the Board counsel.

15 MR. CHUCK HUBERT: Chuck Hubert, with
16 Review Board staff, and with me are Stacey Menzies,
17 Simon Toogood, and Cailin Maki.

18 THE CHAIRPERSON: Thank you. Again,
19 the Review Board is a co-management body established
20 by the Mackenzie Valley Resource Management Act that
21 makes its decision by consensus.

22 Our members are Northerners nominated
23 by the First Nation and by the Tlicho, territorial,
24 federal governments. Our goal is to make decisions
25 that will benefit the North for all residents and for

1 future generations.

2 I have some additional comments on
3 today's proceedings that I hope will help make sure
4 everything goes smoothly. We have again limited time,
5 and the Review Board wants to hear what everybody has
6 to say. Please note that there is an agenda at the
7 door for the hearing, which is -- at this pre-hearing
8 conference, parties described their time requirements.
9 So it's laid out in the agenda.

10 Board staff made every effort to meet
11 these -- this request, so I ask that everyone respect
12 the time allotted for their presentation and questions
13 and to use their time effectively. Presenters will be
14 timed and given five (5) minutes' warning if need be.
15 Be advised that when your time is up, you may be
16 interrupted as well. Keeping your -- keeping to your
17 allotted time is important to make sure that everyone
18 gets their fair chance to be heard. The Board is
19 committed to fairness.

20 The Review Board will be producing the
21 official transcript of this hearing. Just to let you
22 know as well, the transcripts are on the Review Board
23 website. And if you wanted to read it, you could read
24 it on the website for Monday, Tuesday, Wednesday. And
25 the transcript for this one here will probably be on

1 the website, I'm not sure when, on Monday. So
2 anything that's said here today, it'll be on the
3 website.

4 The transcripts will again -- parties
5 should be aware that they will be invited to ask
6 questions in turn after each presentation. The order
7 of questions will follow the list of parties shown on
8 the agenda. After the party questions, I will invite
9 questions of staff, counsel, and technical advisors.
10 Please address all questions through the Chair.
11 Avalon will give a presentation first. After they
12 have given that presentation, we'll have scheduled
13 time allotted for parties to ask questions.

14 The order of questions after each
15 presentation, in this case, after we're done, Avalon's
16 done their presentation, Deninu Kue will have an
17 opportunity to question them. And also, the way it's
18 laid out is -- that's it. Okay, so...

19 And then, after that, what we hear is
20 that we have a list too, as well, at the door. So
21 people that want to sign up and make statements
22 regarding this project and they want to come and put
23 it on the record, again, we'll -- you only can make
24 statements. There'll be no questions. So we'll --
25 that'll be on the registry, as well. So again, when

1 you come up, I ask you to identify yourself. And so -
2 - and questions could be asked with the microphone.

3 And, also, the headsets we have,
4 Chipewyan is on channel 1 and English is on channel 2.
5 And again, you know where the emergencies are. The
6 washroom is here in the back. The coffee facility's
7 here. And that's it.

8 So I guess maybe what we could do is we
9 go ahead and have Avalon do their presentation. And
10 again, I just ask that everybody be very respectful.
11 I also wanted to just recognize also -- as people come
12 in I'll try to recognize as much people as I can. And
13 I'll get a list of the Elders that are here too so I
14 can recognize them as well. But I want to just
15 recognize Don Balsillie in the back, former Chief, who
16 has no per diems. I just wanted to point that out. I
17 still got my per diems here.

18 Okay, I'm going to go to Avalon. Thank
19 you.

20

21 PRESENTATION BY AVALON RARE METALS INC.:

22 MR. DAVID SWISHER: Thank you, Mr.
23 Chair. I'd like to quickly introduce our team here.
24 I'm David Swisher, vice president of Operations. To
25 my right is Kelly Cumming, our Northern Relations

1 manager located out of Yellowknife. And to my left
2 here is Mark Wiseman, our vice president of
3 Sustainability.

4 In our presentation I just wanted to go
5 through a few items where -- for -- that I'll be
6 presenting briefly as an overview for the project. We
7 have a project animation that we're going to be
8 reviewing. We have a water quality -- water qua --
9 we're going to be discussing key line of inquiry about
10 water quality, barging, air quality, traditional
11 knowledge, wildlife. We -- we definitely want to --
12 to talk about the uranium and thorium associated with
13 this deposit and those effects, closure,
14 socioeconomics, and then the engagement activities.

15 First though, we'd like to show an
16 animation. It's about a ten-minute animation. And if
17 you're like me, I like to see things, because I can
18 learn from them visually. So we'll play the
19 animation. Thank you.

20

21 (VIDEO PLAYED)

22

23 (BRIEF PAUSE)

24

25 MR. DAVID SWISHER: Got it. Thank you

1 for that. Hopefully that video was enlightening. I -
2 - I always like looking at pictures, because it's much
3 easier to understand, versus having somebody stand up
4 here and talk to you, which I'm about to do. So bear
5 with me. I'm going to go through the -- the rest of
6 the presentation here. And I want to talk a little
7 bit about water quality.

8 So water quality is an important
9 component to the project. It's also very important to
10 our communities, as we know, to make sure that we are
11 being responsible with regards to the water. And in
12 the -- when we talked about the water, we talked about
13 what's being discharged. And at the -- the Nechalacho
14 site, we have a tailings management facility there
15 that receives inert waste product, and then the water
16 settles and is stored for no less than thirty (30)
17 days before it's discharged into the -- the downstream
18 environment.

19 But the good thing about the tailings
20 management facility is we were able to engineer the
21 facility along a naturally topographic feature, which
22 minimized the amount of material for construction and
23 additional clearing of the -- the area.

24 It also allowed for us to locate that -
25 - that feature in a non-fish-bearing ponds that are

1 there that are very shallow and create a looped system
2 for us to really monitor the water in the -- in the
3 systems. We've also developed water treatment systems
4 that will go within our -- into our flotation plant to
5 further treat the waters.

6 And this is just a -- a plan view of
7 the tailings management facility. You have the
8 pipeline that feeds this facility. And it just shows
9 the -- the natural topography within the area here
10 that minimizes the amount of -- of berms that have to
11 be built to contain everything over the twenty (20)
12 year life.

13 So the total height of a tailings
14 management facility is usually a major concern in any
15 operation. And fortunately for -- for us and because
16 of the natural topography here, the highest berm that
17 we have is actually in -- in this region here, and
18 it's only 8 metres high, or around 25 feet. So it's -
19 - you know, the height of it isn't any higher than the
20 building here. So that's -- that's good, because it
21 minimizes any potential concerns or -- or concerns of
22 failures in the future.

23 The water itself, after it -- it has a
24 chance to settle for no less than thirty (30) days,
25 will discharge into Drizzle Lake. Drizzle is also a

1 non-fish-bearing lake. It drains into Murky Lake.

2 And Drizzle and Murky Lake, they freeze through in the
3 wintertime, and the water become an -- becomes anoxic,
4 so it can't support fish, before it naturally flows
5 into -- into Thor Lake.

6 And we pick up fresh water here out of
7 Thor Lake as well. So it -- it creates this -- this
8 looped system, if you will, that just allows another
9 level of -- of monitoring and -- and mitigation that
10 most operations are not capable of -- of having. So
11 we're very fortunate in that regard.

12 So at the Nechalacho site, we're
13 committed to the water quality and biological
14 monitoring. And we've committed to the most stringent
15 guidelines within Canada for our site-specific water
16 quality objectives, and that is meeting the CCME
17 guidelines. So it -- I don't think you're going to
18 find any other operation, or it's very rare to find
19 any other operation, that can meet those guidelines.
20 So that's -- that's our commitment to the water at the
21 Nechalacho site as well as the -- the Pine Point site.

22 And at the Pine Point site, we have --
23 our -- our tailings is also an inert waste product
24 that gets discharged into what we're calling the L-37
25 open pit. It's an existing open pit. This is a

1 picture of that open pit. And it basically allows the
2 -- the tailings to refill that open pit over the
3 twenty (20) year life. It allows us to recap at the
4 end of that life, to cap the open pit, and reseed it.

5 And so essentially we're progressively
6 reclaiming an old, historic open pit that otherwise
7 would just remain open to the elements. And so it's -
8 - it's -- we're also fortunate to have that available,
9 but it's also a reason -- one (1) of the reasons we
10 chose to locate the facility there, because we could
11 do progressive reclamation. And that's in line with
12 our social commitments to the environment.

13 We also modelled the water, so there's
14 a -- a major aquifer in this area. And I'll go to the
15 next slide. So this is the hydromet plant, and then
16 just a kilometre away is the pit, L-37, for the
17 tailings location. And then water that has settled in
18 this location for more than thirty (30) days gets
19 pumped to the N-42 pit, which is open to the aquifer.

20 And the aquifer in this area is -- is -
21 - it's non-drinking water. It's -- it's high in -- in
22 sulphur and sulphides. And so it's -- and many of you
23 are, I'm sure, very aware that along the Buffalo --
24 the Big Buffalo River, if you're -- you're walking
25 along the river, you -- you walk past down through

1 Paul Harrington's (phonetic) camp, and down -- down
2 below you'll find that there's sulphur springs,
3 natural sulphur springs, that are actually welling up
4 from the ground and running into the river.

5 So the aquifer itself is a really poor
6 aquifer, and it's not drinkable. So the water that
7 actually comes from here and gets put back into that
8 aquifer ends up being cleaner than the aquifer, to the
9 most part. And so it allows us a very nice way of --
10 of discharging of the waters without having any
11 environmental impacts or discharging to the surface
12 environment. So it's a very clean and -- and
13 environmentally friendly way to do that. And -- and
14 we're fortunate to have that here.

15 So what we've committed to in -- for
16 the hydromet plant at Pine Point, is to make sure that
17 we're -- we're monitoring the groundwater quality.
18 We're installing monitoring wells downstream of those
19 pits so that we can monitor the aquifer as well, to
20 make sure there are no adverse effects to the water,
21 even within the aquifer. We measure, we -- we compare
22 those measured groundwater qualities with what we've
23 already modelled in the groundwater. And we re --
24 reassess that model to make sure that it aligns with
25 what we predicted.

1 So the water itself, in terms of the
2 significance at Nechalacho, is that the water quality
3 at Thor Lake and further downstream is not anticipated
4 to be adversely affected by the -- the mining
5 activities. And at the hydromet facility, the
6 projected concentrations of all parameters of concern
7 are lower or within the range of existing conditions
8 at the Great Slave Lake.

9 One (1) thing I forgot to mentioned is
10 in the modelling -- I don't think I have a map here.
11 But we did model that water once it is re-infiltrated
12 here. It -- it would take, conservatively, forty (40)
13 plus years for it to reach the -- the Great Slave
14 Lake.

15 And -- and just to clarify -- and thank
16 you for that, Chief and Linda -- the -- the hydromet
17 plant is a process plant, a process building, where
18 the concentrate from the mine gets further upgraded.
19 And we separate out the rare earths from the rest of
20 the waste rock, which is granites, some irons,
21 basically inert or non-harmful products. And -- and
22 those products are what get discharged into this open
23 pit for disposal.

24 MS. LINDA VANDEN BERG: Can you
25 explain what an aquifer is in plain English?

1 MR. DAVID SWISHER: I -- I will try.

2 An aquifer is basically a -- a --

3 THE CHAIRPERSON: Excuse me for a
4 second.

5 MR. DAVID SWISHER: -- water --

6 THE CHAIRPERSON: Point of order here.
7 I just wanted to clarify your name again. So for the
8 record.

9 MR. DAVID SWISHER: Linda Vanden Berg
10 just asked me a question about explaining the aquifer
11 in -- in laymen's terms, which I'll do -- I'll try to.
12 An aquifer is a water body that -- from rainwaters in
13 the Caribou Mountains, that filter into the ground.
14 And it filters into the ground in the Caribou
15 Mountains. And this -- this water body is about 150
16 metres below the surface, except at Pine Point.

17 And eventually it flows very slowly
18 from the Caribou Mountains towards the Great Slave
19 Lake. And that flow of water, in the path of -- of
20 that flow, it intersects different rock formations,
21 and it picks up and -- different minerals from those
22 rocks. And when it picks up different minerals from
23 those rocks, they transport with that water to the
24 Great Slave Lake. So hopefully that -- that explained
25 what a -- an aquifer is.

1 It -- it's like a big underground lake,
2 except it -- it's not a freshwater lake. It's a --
3 it's a lake you wouldn't want to swim in. And it --
4 it moves very, very slowly. Less than -- less than a
5 quarter of a metre -- less than about a foot a day the
6 aquifer travels underground.

7 So barging was also another component
8 of interest for this ,because we are barging from the
9 north shore of the Great Slave Lake at the Nechalacho
10 site to the Pine Point site. And when we're barging,
11 we're going to be working with a barging company who's
12 going to be providing those services for us, because
13 we're not in the barging business. But when we looked
14 at the history of barging, it has a reliable history
15 on the Great Slave Lake. I believe there's over
16 seventy-five (75) years that have gone by that there
17 have been no barging incidents. There have been a lot
18 more recreational boating incidents than there have
19 ever been barging incidents. So it's a very safe
20 means of transportation.

21 We will also be transporting fuel
22 barges to -- from Hay River to the Nechalacho site.
23 And the fuel barges are -- are not just a container.
24 So if you look at this photo here, those are two (2)
25 trailing barges. And I would -- I think those are

1 probably fuel barges that are loaded. And within
2 those barges, you have a lot of isolated compartments
3 within those barges. And so the barges will -- all
4 the fuel within those barges will be isolated to
5 prevent any major spills to the lake. And they've
6 been doing this for -- for many, many years on the
7 Great Slave Lake and -- and along the Mackenzie River.

8 The barges are annually inspected and
9 certified. They're not loaded to full capacity. So
10 there's a fa -- factor of safety involved in -- in
11 those bargings -- barges that are being used. And the
12 schedule allows us to transport the barges during a
13 sixty (60) day window. And we know the barging season
14 opens up somewhere around the 1st of July and ends
15 midway through October, depending on the weather
16 conditions.

17 And what we've committed to do, and
18 certainly through the barge company that we'll be
19 working with, is follow the Transport Canada marine
20 guidelines. And we'll have our own spills contingency
21 plan, but there is requirements for the -- the barging
22 company to have their spills contingency plan. And
23 we'll make sure the -- the greatest of the two (2) is
24 followed for the barging of the products.

25 Now, in -- in an unlikely event there

1 was a barge that sank, the products that are being
2 shipped in the containers, the concentrate, or the
3 materials being shipped from Nechalacho, those
4 materials are inert, meaning they're -- they're not
5 hazardous to the water. They -- they are not soluble,
6 meaning that when water touches it, it -- nothing will
7 dissolve from the material, unlike, say, sugar or
8 flour. When you put water on it, it dissolves into
9 the water. Our material won't do that. So then it
10 doesn't disperse into the water and it doesn't create
11 any concerns to the water environment.

12 But in the event there was a container
13 that happened to sink, we have several containers on a
14 barge. It's in our best interest to recover those
15 containers, because they're still very valuable to the
16 operation that need to go to Pine Point. So we --
17 we've committed to do everything we can to recover
18 those containers, not because we believe they're --
19 they're a hazard to the water, but because they're --
20 they're valuable. Obviously, if they were a hazard to
21 the water, we'd want to -- to do that. But
22 fortunately, they aren't in this case. So we're --
23 we're fortunate in that regard. And, of course, so
24 barging -- the rare earth concentrates or -- or
25 materials are essentially inert and non-reactive to

1 the water.

2 The barge traffic creates very small
3 wakes with no effix -- effects to fish and wildlife.
4 So a regular speedboat on the Great Slave Lake will
5 create a larger wake than a slow-moving barge with a
6 barge train.

7

8 (BRIEF PAUSE)

9

10 MR. DAVID SWISHER: And the barge
11 landings, so these barge landing areas, they -- they
12 improve safety for any recreational or traditional
13 users. And what we mean is they are an area of
14 retreat, because as everybody knows, out on the lake
15 the weather can turn very quickly. And so it -- they
16 are areas of safety or shelter in the event people are
17 caught in the lake. And we -- we welcome and, of
18 course, would -- would support anybody seeking that
19 shelter.

20 Air quality is another important
21 component to the project. Our project at Nechalacho
22 has sources of air quality emissions from our
23 ventilation rays (phonetic) underground, from the mine
24 air heaters, the diesel generators, transfer and
25 handling during the summer months when dust can be

1 created, as well as vehicle emissions, as -- as
2 mentioned, road dust.

3 And we mitigate that by using the --
4 the normal winter low-sulphur diesel and making sure
5 that our maintenance programs on our equipment are
6 kept up to standards. We also, in our plan, put our
7 underground crushing station underground. And we did
8 that to control the noise, to control the dust, and to
9 reuse as much of the heat generated from the crushing
10 activities for the underground environment.

11 The dust control is also in -- simply
12 used, water. We use water for controlling dust. And
13 you spray water on the roads; that -- that dampers the
14 dust. And we've committed to doing that during the
15 summer months. The -- the other important aspect to
16 controlling dust is keeping everything indoors. And
17 so the plant facilities, on the surface, are all
18 inside or in contained buildings.

19 We've committed to air quality
20 monitoring and a management plan, stack testing -- sta
21 -- excuse me, stack testing of our diesel generators
22 after we commission or start them up. We have an
23 incineration management plan that we will have in
24 place for Nechalacho, and we'll conform with the GNWT
25 and WSCC standards for mine and -- and process plant

1 air quality. And, of course, as mentioned before,
2 low-sulphur diesel that -- in conjunction with a -- a
3 good preden -- predictive and preventative maintenance
4 program for the engines and equipment.

5 At the hydromet plant, we have sources
6 of contaminants in the hydromet plant itself and
7 vehicle emissions and roads. And the mitigations are
8 that we have a scrubber that we use at the hydromet
9 plant to reduce emissions. The hydromet plant is
10 powered by hydroelectric power from the Taltson Dam,
11 and not coal. We originally looked at using coal, but
12 then we discarded that thought very early in the
13 process. The concentrates are shipped by containers
14 that are closed to minimize fugitive dust. And we --
15 the project access roads will be watered during the
16 summer months to -- to control that dust.

17 And what we've committed to at Pine
18 Point is that the air quality monitoring and
19 management plan will be in place. We'll stack test
20 the hydromet plant when we start that facility up. We
21 use the existing highways for our vehicle traffic. We
22 incorporate dust-control measure -- measures during
23 the summer on all of the non-paved roads. We secure
24 and contain the concentrate during transportation, and
25 of course, using low-sulphur diesel and -- and proper

1 maintenance on any of the surface equipment.

2 So air emissions will be localized,
3 short term, periodic, low magnitude, and rapidly
4 reversible. And the maximum emission concentration is
5 predicted to be lower than the NWT air quality
6 standards. So we're actually going to be lower than
7 the air -- the -- the standards that the NWT has put
8 in place. So that -- that's a good thing, and we're -
9 - we're quite proud of that.

10 So briefly going into traditional
11 knowledge, we did in early 2010 conduct traditional
12 knowledge in the community of Fort Resolution with the
13 Deninu Kue First Nation, as well as the Fort Res
14 Metis. And -- and that was a very meaningful exercise
15 for us. We did sign an agreement with the community
16 in order to do those studies. And we -- we did
17 receive prior informed consents and worked with the
18 community because it was a community-driven exercise.
19 And so it was a very positive exercise.

20 The studies focussed on the terrain,
21 the climate, vegetation, wildlife, the water,
22 traditional use was obviously the most important part
23 of that study, and -- and significant sites. And what
24 we -- what was identified by many of the Elders and
25 community people were that there -- there were some

1 cultural -- culturally significant sites within the
2 areas -- general areas of the project site.

3 But -- but nothing -- fortunately, with
4 -- we did not identify anything directly on the --
5 where the building would go. But certainly within the
6 area there were some -- some areas of interest that
7 were identified in those -- in those studies, which
8 were -- were also later, I think, proven through our
9 two (2) years of archeological studies that we did at
10 both sites, as well.

11 We -- we utilized that -- that
12 knowledge, as agreed to, in our developer's assessment
13 report. And we understand the North Slave Metis
14 Alliance submitted their TK study to the Board just
15 recently.

16 The studies are, of course, only the
17 first step. It's important in -- in our arrangements
18 that we work together and, as a component of our
19 agreement, that we continue utilizing and enhancing
20 the knowledge within the communities at every stage of
21 the -- the project development. And that's exactly
22 what we -- we intend to do.

23 The wildlife is another important
24 component and an importance of -- of everybody in the
25 North. There are valued species that -- of -- of

1 significance within the Pine Point area in particular.
2 We have moose. We have the woodland caribou; black
3 bear; the fur bearers; breeding birds; raptors; and of
4 course the SARA-listed species, Peregrine falcons,
5 whooping cranes, that are very important to the area.

6 And what we have committed to doing is
7 developing a wildlife habitat protection plan. We've
8 submitted a conceptual-level plan but recognize that
9 before activities take place, we need to make sure
10 that we secure how that plan looks, communicate it to
11 contractors and the communities so that they're fully
12 aware of -- of the animals within the area and what to
13 identify, and make sure it's being reported when
14 sited. And as mentioned, it's important to get that
15 input from everybody prior to the construction
16 activities.

17 Cumulative effects are also a concern
18 right now, in terms of developing meaningful
19 information with regards to what exactly are the
20 impacts of cumulative effects. So it -- it will be
21 important for us to work with the GNWT, and we've
22 committed to doing so, and our communities with
23 regards to developing meaningful cumulative effects
24 that the communities can understand and recognize, and
25 actually use, versus just submitting reports for the

1 sake of submitting a report. We want to make sure
2 that it's a meaningful process and that it can be used
3 by the communities.

4 We don't believe the project will have
5 significant impacts. And as mentioned, we're
6 committed to engaging with the GNWT to define the
7 expectations for the program they're envisioning but
8 also working with our Aboriginal partners to make sure
9 that it's in -- in alignment with them as well and
10 that we're getting the feedback from -- from you.
11 We'll continue to engage in the way of wildlife, as
12 well. That's an important component.

13 So I think an important component to
14 the project is the uranium and thorium, which
15 everybody knows is called 'radioactivity elements' or
16 'radioactive elements'.
17 And 'radioactive' tends to invoke concern or even fear
18 to a great degree when we hear that. And I just want
19 to remind everybody that we're all exposed to
20 radioactivity every day. And I'll explain that a
21 little bit later in -- in more detail.

22 Our deposit does contain uranium and
23 thorium, but they're in very, very small amounts. In
24 fact, they're so small, they don't trigger any
25 additional permitting requirements or any

1 transportation of dangerous goods and resources, and
2 I'll explain why. But they are -- are -- they're what
3 they consider naturally occurring radioactive
4 materials, or NORM is what it's considered.

5 And our ore body, as well as the
6 concentrations through the process, are amongst the
7 lowest of any rare earth deposit. And you can see
8 this in this chart, where the Nechalacho deposit, when
9 you compare with thorium, is much lower than all other
10 deposits that are out there today.

11 So just to give you an example, we have
12 a hundred and fourteen (114) parts per million of
13 thorium in the deposit. When you look at some of the
14 projects that are coming online in other countries,
15 say in Australia or even in the US -- Bear Lodge is in
16 the US; that has over twelve (12) -- it looks like
17 twelve (12) to thirteen hundred (1,300) parts per
18 million, ten (10) times the amount that Nechalacho
19 has.

20 And I point that out because, as many
21 of you know, in the '90s at Thor Lake there was a
22 deposit called the T-Zone. Now, we're not interested
23 in the T-Zone, but they mined underground a bulk
24 sample from the T-Zone. And that T-Zone contained on
25 average around twelve (12) to thirteen hundred (1,300)

1 parts per million of thorium, ten (10) times the
2 amount of uranium and thorium.

3 And it was mined underground safely.
4 And there was no adverse effects to the people. All
5 the patches and tests that were done showed that it
6 was within safe levels. And all the waste product
7 that was stockpiled on the surface basically started
8 growing -- the -- the surrounding environment started
9 growing out of those waste stockpiles, which we then
10 reclaimed and used to construct our airstrip.

11 So I just wanted to make that point as
12 a comparison, in terms of an actual comparison of what
13 we knew from history at that site to where we're at
14 today with our deposit.

15 We hired SENES Consultants to do our
16 radioactive radiation pathways assessment as well as a
17 radiation protection plan, because they are well known
18 to be the -- the leading experts in the world when it
19 comes to radiation.

20 And in their reports, they looked at
21 potential worker exposures, including assumptions of
22 direct exposures and those assays -- associated with
23 inhalation and ingestion of even the ore dust. And
24 what they did is they looked at all aspects of the
25 deposit. They calculated that the estimated dose for

1 a person at Nechalacho would be 1.4 millisieverts per
2 year. Millisieverts are just a unit of measure that's
3 recognized within the regulatory communities.

4 To put this in perspective, the average
5 Canadian receives 1.8 millisieverts per year of
6 natural background radiation. And if you're in
7 Yellowknife, your natural background is actually 3.1
8 millisieverts per year. It's much higher. If you
9 were in Winnipeg, you would actually receive more.
10 The natural background in Winnipeg is over 4
11 millisieverts per year.

12 And so the Health Canada dose limit is
13 20 millisieverts per year for workers who work within
14 NORM, naturally occurring radioactive material. So
15 the estimated dose at 1.4 millisieverts per year is
16 well below that limit. What they evaluated is that
17 since we were at one point four (1.4) and it's
18 estimated that it would be above 1 millisievert per
19 year, and that is considered incidentally exposed,
20 it's good practice to implement a radiation protection
21 program, which is what -- exactly what we'll be doing.

22 It's not required though, because it's
23 only required at doses above 5 millisieverts per year.
24 So even though it's not required for our operation,
25 part of our commitment to sustainability and -- and

1 the health of our people is to still have that program
2 in place.

3 And when I mentioned that we -- we are
4 so low that we don't have any other regulatory body,
5 such as the Canadian Nuclear Safety Commission or the
6 Canadian or US transportation regulations, our
7 deposit, for example, is a hundred and fourteen (114)
8 parts per million thorium, twenty-three (23) parts per
9 million uranium. When we concentrate that, we end up
10 between five (5) and seven hundred (700) parts per
11 million. Transportation of dangerous goods and
12 regulations don't call for any action on any materials
13 until you get above around three thousand (3,000) to
14 thirty-one hundred (3,100) parts per million. So
15 we're well below those guidelines.

16 And -- so this is the -- this picture
17 here is some of the rock outcroppings at the site as
18 well. I want to mention that because these types of
19 rock outcroppings are granites, and granites are often
20 cut for your kitchen's countertops.

21 Well, those granites, no matter where
22 you have them within in the world, they -- they give
23 off radiation. In fact, some granites give off higher
24 amounts of radiation than others. So that's where you
25 get a lot of incident exposure from radiation, is just

1 the surrounding rock within the -- the earth itself.

2 So with the independent reports of the
3 low concentrations of these projects, it -- we are
4 well below any of the thresholds, both in what we
5 transport as well as in the tailings management
6 facility, because most of that material reports with
7 the products through the -- the process stream.

8 It does not invoke any additional perdi
9 -- permitting, or special transport regulations. And
10 we've committed to providing a protection program,
11 even though it's not required, as we move forward.
12 And so we -- as has been studied, we will have no
13 adverse effects on any wild air - wildlife, air,
14 water, or -- or human health. So we're -- we're very
15 happy about this.

16 But the reason I go through in more
17 detail on this slide, because perceptually I think
18 it's an important topic for everybody. And so it's
19 important for you to know that we have considered it
20 and taken it very seriously, and we've investigated
21 it. And we've committed to things that were -- that
22 are not even required of us to commit to with regards
23 to ensuring the health of -- of people and -- and the
24 aquatic life in the future.

25 So I'll let Mark Wiseman discuss our

1 closure plan here for just a moment.

2 MR. MARK WISEMAN: Thanks, David. The
3 mining industry has, over the many years, done a
4 really lousy job of closing mines. And that's one of
5 the reasons we have such a bad reputation and why
6 people don't like mining. And -- and so that's one of
7 the reasons why before you even start a mine, you need
8 to know how you're going to close it out, and you need
9 to make sure you got the money in order to be able to
10 do that.

11 So that's exactly what we've done. And
12 -- and there's a lot of things that we can do to make
13 sure that when we do go to close this mine, we can
14 make it as easy and as cost effective as -- as
15 possible.

16 So the first thing you do is make sure
17 you disturb as much land -- as little land as you can.
18 A Freudian slip there, eh? And -- and that's --
19 that's really important, because the less land that
20 you disturb, the less land you have to clean up. This
21 is a small mine. We are not talking about a huge mine
22 that's -- you know, that you typically see. So we're
23 -- we're not disturbing very much land.

24 Our closure design is such that we're
25 not going to have to run a water treatment system, for

1 example, forever. Our materials, our tailings are
2 inert, as we said earlier. Some tailings in other
3 mines generate acid, for example, and that causes
4 water pollution for a long, long time. Our materials
5 don't do that. We're lucky. There's no sulphur in
6 our tailings, so it doesn't generate acid. So we
7 don't have to worry about having a long-term water
8 treatment problem, for example, after we leave.

9 We're not going to have any landfills
10 on site, so that's one (1) other risk we don't have to
11 worry about. We're going to do as much reclamation
12 before we close the mine as -- as we can. So anything
13 that we disturb that we don't need to use any more,
14 such as a lay-down (phonetic) area or an access road,
15 or something like that, we'll -- we'll clean that up
16 long before it gets to -- to the close -- the -- the
17 end of the mine. And an example is shown in that
18 picture, where there's an old corduroy road, where --
19 where things are coming back quite nicely.

20 We're going to put as much of our
21 tailings back underground as we can. Now,
22 regrettably, when you drill and blast, the quantity of
23 rock actually gets larger, because you have more air
24 space. So unfortunately, you can't put it all back
25 underground, as much as we'd like to. But we're going

1 to be able to put about 60 percent of it back
2 underground, which means we have less material on the
3 surface.

4 Before we -- before we start putting
5 our tailings out there, when we start constructing our
6 facilities, we're going to collect and we're going to
7 save all the topsoil so that that soil is there for us
8 when we do go to close, and we can put that back
9 overtop of the disturbed areas and -- and reclaim
10 them.

11 Our docks are not going to be permanent
12 docks at the Nechalacho area. They're just there on a
13 temporary basis. They're there in the summer; we
14 remove them in the fall. So we don't have a lot of
15 infrastructure that we have to leave. The same with
16 at Pine Point.

17 The tailings themselves, as I mentioned
18 earlier, we're going to take that -- save topsoil and
19 we're going to cap the tailings area. And we're going
20 to revegetate to get things growing again. Our
21 downstream embankments, they're -- they're going to be
22 progressively reclaimed during operations.

23 All of the surface runoff in the area
24 will be designed so that there won't be any erosion,
25 there won't be any material that's washed away

1 downstream, and -- and those flows will be controlled.
2 Permanent spillways will be constructed, and in many
3 cases we'll actually breach the -- the dams where --
4 so that there's -- there's nothing behind it that can
5 -- that can wash away.

6 Everything that's not required on site,
7 we're going to haul it away. To the extent we can,
8 we're going to send it to other locations for reuse.
9 There are things, for example, at the Pine Point site
10 that might be valuable to the local communities,
11 things like our maintenance facilities, for example,
12 might -- might find a use in the local communities.
13 If -- if they don't have a direct use, then what we'll
14 do is -- is we'll try and recycle them. And where
15 that can't be done, well, then we're going to send
16 them to approved landfill sites as -- as per
17 regulatory requirements. We might put a little bit of
18 -- of inert material, like old cement blocks and
19 things like that underground at the mine in -- at the
20 Nechalacho site.

21 With regard to the hydrometallurgical
22 facility over at Pine Point, we're actually quite
23 pleased as to what's going to do there. First of all,
24 we're not damaging any healthy land. It's already
25 been quite damaged. And -- and while it's starting to

1 heal, I think we're going to certainly help with that
2 process.

3 We're putting the tailings into that
4 old open pit. And when we're done on that site, we'll
5 be able to take some of the material that's around
6 that pit, cover it up, and again, we'll reclaim it.
7 So something that was a mess that -- that really isn't
8 healing very well, at the end of the day, we'll be
9 healing it.

10 We're also, as part of our process,
11 some of the old waste rock dumps in the area, they're
12 quite ugly and unsightly. Some of that material is
13 actually going to be useful for us in our process. So
14 over the twenty (20) years of operations, we're going
15 to take some of those old waste rock dumps that are
16 there, we're going to grind it up, and we're going to
17 use it in our process. So that's also going to help
18 to -- to heal the land.

19 We're going to start checking on how to
20 do that kind of reclamation very, very early on so
21 that we're not going to wait till the mine closes to
22 try and figure out how we're going to grow grass on
23 the ends of the -- you know, or - or whatever we -- we
24 decide as a -- as a group here and with the
25 government, needs to be put in place when we leave.

1 And, again, any infrastructure that's
2 not required will be removed and/or reclaimed or sent
3 to approved disposals.

4 We have started this process. We've
5 put together a conceptual closure plan. It's been
6 submitted. And you can see it in the MVEIRB files.
7 We are committed to continue to communicate with all
8 of their communities, our Abor -- Aboriginal partners,
9 the regulators to refine that plan, put more detail in
10 place so that it meets all of the needs of -- of
11 everybody to the extent that we can.

12 We're not going to just do that over
13 the next, you know, few months. We're going to have
14 to do that regularly during the life of the project,
15 because regulations can change. The requirements of
16 the Aboriginal partners or the local communities can
17 change. The process might change a little bit. So we
18 need to make sure that we adapt to that and -- and
19 make sure that the closure plan remains viable and
20 effective.

21 And -- and we're not going to just do
22 this little bit of work and walk away. We need --
23 we're going to need to be able to make sure that the
24 plants that we are -- have started growing are going
25 to remain growing in perpetuity, or forever. We need

1 to make sure that structures that are left behind are
2 stable. They're not going to have sediments or
3 materials that are going to wash away with the rains.
4 We need to make sure that any water quality is -- is
5 not going to be negatively impacted for now or into
6 the future.

7 So we think that because our wastes are
8 -- are inert, are -- are -- they don't dissolve or --
9 or cause impacts to water, we think that, you know,
10 we'll know that fairly quickly. But we're committed
11 to monitor for at least a period of three (3) to five
12 (5) years to make sure that all of these objectives
13 are met. And I think that's it -- that's it for
14 closure.

15 In terms of socioeconomics, I think
16 we've discussed quite a bit with -- with everyone the
17 -- the obvious economic benefits that the project is
18 going to -- to make for the local communities and our
19 Aboriginal partners, to the governments through taxes
20 and that sort of thing.

21 We -- we've committed to do a
22 socioeconomic agreement with the Government of the
23 Northwest Territories. We've already started talking
24 to them about that. We're committed to be open and
25 transparent about our performance in these areas.

1 That's everything from water quality through to the
2 jobs from different areas through to how much money
3 we're spending in the North.

4 All of those things, we're going to
5 commit to report to you guys in an open and
6 transparent manner every year in our sustainability
7 reports. And we've -- we've got our first one that we
8 put out last year. We're putting another one out this
9 year. And it gives you an idea of -- of what we're
10 doing. We're going to put our mistakes in there as
11 well so that you guys know what we're knowing in order
12 to be able to fix them. We're hope -- hopeful and
13 pretty confident we're not going to have any, but
14 we're going to make sure that you know about
15 everything that's going on.

16 So that's about it.

17

18 (BRIEF PAUSE)

19

20 MR. DAVID SWISHER: So lastly, the
21 last -- last couple slides here, I just want to talk
22 about our engagement activities. Simon, can you
23 advance that for me, please?

24 So our engagement activities started
25 early on in the -- in the project, in 2005. And we

1 started working with a lot of the communities. But it
2 really wasn't until about 2009 that it was determined
3 there was actually a deposit that may be of -- of
4 economic value there. And so that's when the plans
5 started to be put into place and develop in 2009 --
6 late 2009/2010 with regards to a potential plan. And
7 that's how it then fostered into the project that we
8 know today.

9 And it's been important, through site
10 tours and through community engagement activities, to
11 keep yourselves and other communities informed
12 throughout the process. And in our agreement process,
13 we have -- we're currently negotiating with the
14 Yellowknives Dene First Nation. We are also
15 negotiating with the Northwest Territory Metis Nation
16 and the North Slave Metis Alliance. Lutsel K'e Dene
17 First Nation, we are in a pro -- closing process
18 there. And we did complete our agreement with the
19 Deninu Kue First Nation. And I appreciate them
20 loaning us this -- this photo. And that concludes
21 the presentation. Thank you very much.

22 THE CHAIRPERSON: Okay, thank you.
23 Thank you for your presentation. It's about seven (7)
24 minutes to 12:00 now. I think the food is here. Then
25 after lunch, I think we start at 12:45, according to

1 the agenda, and then we'll go to DKFN to do your
2 presentation.

3 So I'll stop here, and we'll come back
4 at 12:45. Lunch is provided, so enjoy your lunch.

5

6 --- Upon recessing at 11:53 p.m.

7 --- Upon resuming at 12:53 p.m.

8

9 THE CHAIRPERSON: Okay, Rosy, we'll --
10 we'll continue on. I'll call the pub -- public
11 hearing back to order. It's now almost seven (7)
12 minutes to 1:00. Next on the agenda is a presentation
13 from Deninu Kue First Nation, so I'll turn it over to
14 Rosy Bjornson.

15

16 PRESENTATION BY DENINU KUE FIRST NATIONS:

17 MS. ROSY BJORNSON: Good afternoon,
18 Chair Richard. My name is Rosy Bjornson. I am the
19 resource management coordinator under the IMA with the
20 interim measures agreement with the Deninu Kue First
21 Nations Akaitcho Territory. I'm here today to present
22 on behalf of Chief and council and their membership.
23 I have with me Linda Vanden Berg, and a couple of
24 other Elders, Mary Pierrot, and Tommy Beaulieu.

25 So Deninu Kue First Nation members are

1 descendants and signatories to Treaty 8 Adhesion that
2 was signed on the shores of Deninu Kue in July 1900.
3 Our memberships rely on the areas in and around Thor
4 Lake and Pine Point, the proposed mine and processing
5 plant sites, for traditional pursuits such as hunting,
6 trapping, and fishing.

7 The Deninu Kue First Nation membership
8 believe that development within our traditional
9 territory is ever-increasing, as demands for the non-
10 renewable resources are growing, creating pressure on
11 the land base and upon our livelihood. Deninu Kue
12 First Nation members have utilized the renewable
13 resources of this land for thousands of years to
14 sustain life. We want to ensure that the life -- that
15 the life of the land and on the land is going to be
16 there for generations to come. Denes have learned to
17 adapt to the changes witnessed on the land, the water,
18 and the animals.

19 Dene people now have to sustain
20 themselves by combining sub -- subsistence activities,
21 jobs such as mining, saw mills, and other industries.
22 But as Dene, we have a responsibility to the land that
23 when development happens within our territory, we re -
24 - request diligent environmental monitoring of the
25 water and the land.

1 We are looking for change, strange
2 occurrences, and impacts. These impacts need to be
3 addressed in a remediation plan before they happen.
4 The Deninu Kue First Nations want to educate the youth
5 to obtain the data required to analyze impacts and
6 changes upon the environment to become scientists one
7 day. It is a priority for the Elders to get the youth
8 trained in the sciences so that they can watch for
9 changes and tell government that too much has
10 occurred.

11 Social: The Nechalacho project will
12 have significant social impacts, both positive and
13 negative in nature. The pros of this project are
14 employment and business opportunities for the
15 community and community members of Fort Resolution.
16 The cons of this project will be an increase of
17 alcohol and drug abuse. This is a fact, because we
18 live it today. There are three (3) other diamond
19 mines and many exploration camps.

20 The Deninu Kue First Nations see the
21 need for increased child care and early childhood
22 development funding in order to assist parents while
23 receiving training or working.

24 Economic: Deninu Kue First Nations has
25 signed an accommodation impact benefit agreement with

1 Rare Earth Metals Incorporated, an agreement which
2 includes business training and employment
3 opportunities, among other benefits, for the Deninu
4 Kue First Nations and its members.

5 However, if the project could have
6 negative environmental and health effects on our
7 people, we do not want the project to proceed until
8 Avalon has committed to remediation protocols for
9 unexpected outcomes related to the processing and
10 transportation of heavy rare earth element
11 concentrate.

12 Spiritual: The Deninu Kue First
13 Nations have a spiritual relationship with the water
14 and the land that surrounds them. Deninu Kue First
15 Nation members obtain their livelihood using the
16 resources from the water and the land. Our membership
17 have hunted, fished, trapped, and gathered since time
18 immemorial in this area, discussed in our Deninu Kue
19 ethno-history report.

20 Environmental: Deninu Kue First
21 Nations has concerned about the -- concerns about the
22 potential effects of the radiation exposure resulting
23 from 1) mining and processing work, considering that
24 DKFN members will be employed by the mining company,
25 and 2) from a major accident, such as a barge spilling

1 into the lake, for example, impacts on water quality,
2 and safety of the fish to eat.

3 Because the mine is not a nuclear plant
4 or a uranium mine, it is not regulated for potential
5 radiation impacts; for example, by the Canadian
6 Nuclear Safety Commission. With the -- with the
7 apparent lack of regulatory oversight, there is a
8 heightened concern.

9 Deninu Kue First Nations request a
10 review of Avalon's environmental assessment and its
11 conclusion regarding radioactive products and other
12 contaminants of concern in the ore in relation to the
13 environmental and human health. This review should be
14 conducted in a manner of human health risk assessment
15 and an ecological risk assessment, and should involve
16 a quant -- quantitative review of the data and
17 information used to formulate a conclusion.

18 Conclusion: The Deninu Kue First
19 Nation believe that monitoring of the land and water
20 is essential. Without specific information pertaining
21 to rare earth mining methods, how will this
22 environmental assessment process be carried out --
23 being carried out by the Mackenzie Valley
24 Environmental Impact Review Board be able to ensure
25 protection of the land, the water, and the animals for

1 as long as the sun shines, the rivers flow, and the
2 grass grows?

3 With that, I'd like to introduce Linda
4 Vanden Berg, who's the Deninu Kue First Nations
5 negotiator, who has been involved in the negotiations
6 with Avalon, to present the findings of the DKFN
7 ethno-history report and expand on the questions above
8 regarding environmental concerns. Thank you.
9 Linda...?

10 MS. LINDA VANDEN BERG: My name is
11 Linda Vanden Berg, and I'm not doing a presentation as
12 -- as Rosy has done. I'm -- I'm not a Band member. I
13 work for the Band as a negotiator.

14 We pulled together -- I'm going to read
15 my little blurb first, and I -- then I can hand it up.
16 And then I'll describe how we pulled it together. But
17 we pulled together a major report, it's four hundred
18 (400) pages. There'll be a test later, for anybody
19 who's read it on the -- on the Board. It's -- and
20 I'll -- I'll read what I've written.

21 The Deninu Kue report: During the mid-
22 1960s, Cominco began operating a lead/zinc mine at
23 Pine Point. The federal government funded the
24 building of the dams on Nonacho Lake, the Taltson Dam,
25 and associated construction activities and

1 infrastructure to provide power to the mining
2 operation. The government also funded the
3 construction of a railway and highway from Hay River
4 to the mine site.

5 Cominco built a small town, replete
6 with stores, schools, and associated governmental
7 offices. The mine operated into the mid-1980s.
8 Despite Cominco's promises, the closure of the open
9 pit mining operation left in its wake open pits,
10 tailing ponds, roads, and remnants of the
11 infrastructure of the town.

12 Pine Point is now just recovering, and
13 the wildlife are returning. Trapping activities have
14 increased; the price of furs is on the rise. But the
15 membership fear that the wildlife will leave once
16 more, should industry return. And the mining
17 companies make promises, consult with those they want
18 to see as politically expedient, in their drive to
19 get a mine up and operating.

20 Avalon has a large hurdle to jump: that
21 of assuring the bands that you are not like other
22 mines, that you are good corporate citizens who keep
23 their promises. Your future is awaiting you; you only
24 need to honour the intent behind the commitments made
25 in your accommodation agreement with the DKFN in order

1 to build trust.

2 As Dr. Carl Sagan has stated, "You have
3 to know the past to understand the present." The
4 Deninu Kue membership are in the process of melding
5 traditional pursuits with education and training in
6 areas that ensure that present and future generations
7 can benefit from both worlds. In order to do this,
8 the youth, the mining industry, and government, and
9 you, the commissioners, need to come to understand the
10 history of the Deninu Kue, the actual history and not
11 the one spread about by those with vested interests.

12 Hence, the production of a
13 comprehensive ethno-history report detailing the
14 history of the DKFN, from the first explorer's journal
15 entries to interviews with Elders and youth at DKFN.
16 These interviews not only chronicle the use of the
17 land by parents and grandparents of the interviewees;
18 they also chronicle the impact of the mining industry
19 on the wildlife hunted, trapped, and fished by these
20 people.

21 These interviews at times include
22 continuous use of the area by the DKFN in and around
23 Thor Lake, although they do not focus on Thor Lake,
24 nor the Nechalacho mine. They establish a use of the
25 north side of the Great Slave Lake by the Chipewyan

1 and Yellowknife ancestors of the present-day DKFN.

2 The report will be added to in the future; in a way,
3 it is far from complete.

4 The report was filed with the Review
5 Board about -- well, it was first filed on the Gahcho
6 Kue, De Beers's Gahcho Kue project site. It was then
7 filed as -- as a consequence of the Avalon hearing.
8 It establishes a continuous use of the area on the
9 north side of the lake by the ancestors of the DKFN,
10 beginning in 1769 and continuing to the present.

11 The use -- the intensity of the use has
12 changed over time. The material culture, meaning --
13 I'm an anthropologist, so I shouldn't use those terms,
14 but the -- the technology used to exploit the
15 resources of the land has changed over time. But the
16 people continue to use it. They now use Ski-doos
17 instead of dog sleds.

18 A number of the Elders -- and David
19 knows a number of the Elders well. He's talked to
20 them about his mine in an area that they used to fish,
21 hunt, and trap in. We have a few here today who can
22 talk about their use of that area. They are aware of
23 the agreements that Avalon has concluded. They have
24 concerns. The concerns have to do with the thorium
25 and -- and uranium content. You heard the questions

1 that Patrick Simon put to the commission up in
2 Yellowknife.

3 The concerns are real, in -- in that
4 'thorium' and 'uranium; are scary words. There has
5 been a commitment from David Swisher to provide
6 information that will assist in allaying those fear --
7 fears. And we hope to negotiate with him a
8 remediation agreement in -- in case the uranium levels
9 turn out to be higher than anticipated -- and that can
10 happen -- something in place that would allow any
11 exposure that the employees might have to be outfitted
12 with the proper equipment so that the mine would not
13 have to close down, thus, you know, shortening the --
14 the period of time that the people were working.

15 We're not out to delay the process
16 here. We're not out to stop the mine. We're simply
17 out to ensure the safety of the workers in the mine.
18 That's what Rosy meant with her comments at the end of
19 her talk. The -- and I'll -- I'll return to this
20 report.

21 This report -- David, if you would like
22 more on the Thor Lake area, we can include it if you
23 need it. It's -- it really is a work in progress.
24 We're hoping someday to turn it into a history
25 textbook for the high school students, because it

1 really does go to all the documents. I -- I think
2 you'll find it interesting.

3 In the future, the commission should be
4 able to use it for almost any project on the north
5 side of the lake, realizing that the DKFN need to be
6 consulted. And they need to be consulted in such a
7 manner as -- as that they're included in any
8 agreements that happen in the future.

9 They just -- it isn't just that they
10 were on the south side of the lake. There is a
11 concurrent Treaty 8 report that explains that the
12 Treaty 8 rights are on the south side of the lake, and
13 the DKFN have Aboriginal rights and title on the north
14 side of the lake. Even though there is a Treaty 11,
15 those rights don't disappear.

16 So this is a rather important report.
17 It will be expanded to include more on the south side
18 of the lake for any future developments on the south
19 side of the lake, such as the Site C dam.

20 That's my presentation. If there are
21 any questions about what is in the report, I can
22 answer them later if the commission has the time.

23 I have -- there are a few Elders who
24 can speak on the use of the Thor Lake area. We know
25 that that is rather important at this moment in time,

1 given some of the news reports that we've heard. So
2 I'd like to introduce Mary Pierrot. She will speak in
3 Chipewyan, so we need the translator.

4

5 (INTERPRETED FROM NATIVE LANGUAGE INTO ENGLISH)

6

7 MS. MARY PIERROT: Mary Pierrot -- my
8 -- my name is Mary Pierrot. I'm going to speak in my
9 language.

10

11 (BRIEF PAUSE)

12

13 MS. MARY PIERROT: When my -- Henry
14 used to fish before Pine Point, we used to travel from
15 Dawsonlaner (phonetic) for people that went fishing
16 from -- from Fort Res. It was Edward Sayeen
17 (phonetic), my uncle Ernest (phonetic) -- and from
18 Rush River.

19

20 (BRIEF PAUSE)

21

22 MS. MARY PIERROT: (ENGLISH LANGUAGE
23 NOT RECORDED) we used to go to Marine Point
24 (phonetic). And then where I'm they call the back --
25 backwoods, the only one (1) from Behchoko. There was

1 nobody from Rush or Yellowknife that used to fish in
2 the summer. And when we arrived at East Arm from the
3 way back, we -- we had camped over at Groo (phonetic)
4 camp. Just Rush -- just Rush River and Fort
5 Resolution appear every summer, used to fish every
6 summer, harvesting fish. We never had anybody from
7 Yellowknife.

8 There was only one (1) individual from
9 Fort Rae, but only Rush River people and Fort
10 Resolution used to travel the land and use the land.
11 There's from -- Lutsel K'e there was only Rabseca
12 that he was -- that went fishing one (1) summer with
13 us. But every summer we used to travel to -- for
14 fishing, so I know -- so I have to know about it. And
15 we had Cree and we had Slavey people, South Slavey
16 people that went fishing.

17 I wanted to mention that the -- the
18 Fort -- Fort -- people are talking, like the Fort
19 Resolution people, don't use the land. But people
20 from Rush River, only Rush River and our people from
21 here were fish -- used to fish every year. I nev -- I
22 -- I had mentioned that I haven't mentioned that --
23 that I haven't seen anybody from Yellowknife and one
24 (1) individual from Behchoko.

25 So people make it sound like we don't

1 use the land from this side of the lake. The only one
2 (1) that I mentioned that -- only Rabescas that used
3 to fish in the summer, but I never seen people from
4 that side of the lake fishing every summer like us.
5 And that's all I wanted to say for now. That's all I
6 want to say for now. Thank you.

7

8 (INTERPRETATION CONCLUDED)

9

10 MS. LINDA VANDEN BERG: Thank you,
11 Mary. That was very good. It's a good thing there
12 was a translator, or I wouldn't have understood you.
13 That was very well done. I'd like to introduce Tommy
14 Beaulieu next, and he'll talk about his use of the
15 particular area around Thor Lake as well.

16

17 (BRIEF PAUSE)

18

19 MR. TOMMY BEAULIEU: Okay, I'll just
20 say it in English here. What we're going through now,
21 quite a few years ago, I'm sure you guys are aware of
22 this. All this -- we went through all this before.
23 The people from Buff River (phonetic), Fort
24 Resolution, Little Fishery (phonetic), Jean River, to
25 the Taltson River, Rush River. People used the land

1 on -- on the side of the lake here. People like --
2 the Elder just mentioned about fishing, I had -- I
3 witnessed that myself. I seen peoples fish all
4 through Simpson Island, the other side of the lake.

5 And also people from all these small,
6 little places here, they would hunt caribou every
7 winter around Simpson Island, the other side of the
8 lake. Year after year, ever since I remember people
9 done that from this side of the lake.

10 And now Yellowknife people are trying
11 to say that people from this side of the lake never
12 been on the other side of the lake to trap, hunt. I'm
13 sure -- I remember there was a book made about this.
14 They went through -- they asked all the people all
15 kinds of questions, they made that book. I'm sure
16 that book is someplace in Yellowknife.

17 And if you look back on it, the thought
18 of people -- you know, they talk about what they went
19 through. And they don't know what they're talking
20 about. I remember years ago -- just like all animals,
21 sometimes we -- we don't have -- like muskrats,
22 beaver, we don't have them here on this side of the
23 lake. People used to go to the other side of the
24 lakes -- to inland lakes to trap rats and beaver.

25 So I don't know why Yellowknife keeps

1 saying that we never use that line across the lakes
2 here. Even myself, two (2) summers, I went other side
3 of the lake from the Thor Lake other side of the shore
4 line, I went prospecting with Eddy Jones who was my
5 uncle. I went prospecting with him, I took him out
6 there with my elders two (2) summers.

7 And he didn't find what he was looking
8 for but I remember we found a lot of cast iron not far
9 from Thor Lake, northeast of Thor Lake. And the --
10 now, Yellowknife keeps saying that people from this
11 side of the lake never did any work on the other side
12 of the lake.

13 And I'm sure they know they're wrong
14 but I don't know why they keep bringing this up.
15 That's all I have to say. Thank you.

16 MS. LINDA VANDEN BERG: I'd like to
17 introduce Eddie Lafferty next and Eddie can also talk
18 about the use on the North shore of the lake. He has
19 a -- a few concerns about the environment that he
20 might mention. And I'll introduce him right now.
21 Eddie...?

22

23 (BRIEF PAUSE)

24

25 MS. LINDA VANDEN BERG: Just give your

1 name.

2 MR. EDDIE LAFFERTY: Yeah. Hello, my
3 name's Eddie Lafferty. I was born and raised here.
4 And from what I just heard the Yellowknife people are
5 saying that we don't use the area. Our great
6 grandfathers and great uncles were all -- all in the
7 bare lands -- all on that side of the lake.

8 My grandfathers -- my grandfather
9 travelled all the way to Inuik for spring hunt. And
10 my other grandfather went all the way to McMurray to
11 get his groceries. So we use it -- we use this whole
12 land areas. And I'm sure we are all -- we all used it
13 together. And now -- now it looks like we're fighting
14 over this little area that we all use. Just because
15 we don't live near the area doesn't mean we don't use
16 it. We make use of this whole area to -- to live off.

17 And some of the fish that spawn here,
18 spawn in those areas. Some -- some fish spawn in
19 different areas, they travel back and forth year after
20 year. Some years they'll spawn here and they don't
21 come back for a couple more years. So they're --
22 they're using the whole lake.

23 And when the migration of caribou's
24 going through, we hunt all in that area too. We go
25 all the way through Yellowknife and we use those mine

1 roads going all the way into the bare lands too. So
2 they can't say we don't use it.

3 Our great uncles who went all the way
4 in the -- in the bare lands and trapped white foxes,
5 caribou, muskox. We use the whole area. They can't
6 say we're just from here. And when Yellowknife did
7 start, when the treaty was signed, there was only
8 twenty (20) people in Yellowknife and Snowdrift wasn't
9 even there. And now it seems like we're fighting with
10 those two (2) -- two (2) places to -- for our rights
11 here.

12 This whole lake, I believe, is -- is
13 important to us here. The -- the water, it gives life
14 to everything. And now we're fighting over minerals
15 and gold, diamonds, and whatever. And I -- I don't
16 feel that that's -- that's right. We should be like
17 how -- how our ancestors shared the land and shared
18 what -- whatever we got off the land, we shared with
19 each other. That's how we survived in the past. And
20 now it looks like we're fighting for this little bit
21 of money here and there.

22 And I don't think we should fight for
23 something we already own. We should be sharing it
24 with each other yet and stop -- and stop the fighting,
25 and stop the -- stop everything that goes with it, and

1 work -- start working together so we can all benefit
2 from it. And if things do happen to go wrong, we all
3 --we're all in it together so we all have to work as a
4 -- as a problem (sic). We can't keep fighting against
5 each other.

6 There's -- there's lots -- that lake,
7 it feeds everything that -- that survives around it:
8 all the animals, the birds, the fish, the plants.
9 Everything comes from that lake. That lake is the
10 most important thing here in the North. So we kind of
11 got to protect it, too, at the same time, what we
12 still need work.

13 There's lots of history on the Great
14 Slave Lake. All our ancestors were all over, all
15 through the -- right to the Arctic, right -- all --
16 all different sides of the lake they've been --
17 they've been all over. Just because we're stuck on
18 these little towns here doesn't mean we use the -- we
19 still use the area. We go out there and hunt caribou.
20 We fish out there. Now, we're going back up there for
21 -- probably to get fresh water, and once a year just
22 to go -- travel back in the East arm to have some of
23 that fresh water that's there.

24 I can't see anybody stopping us from
25 going over there, and saying -- together we -- we own

1 everything. It's -- it's crazy for us to be --
2 continue fighting year after year over some little
3 piece of land just for the minerals and stuff. Should
4 -- I believe we should start working together so --
5 see things happen in the right way.

6 So I'd like to see plans too, and
7 disasters do happen. I'd like to see plans there to -
8 - not only for us, but for the animals and fish.
9 What's going to happen if things happen and it gets in
10 the water. The water is what gives life to everything
11 around this lake. If that's ruined, then we're all
12 ruined. So we got to kind of watch that at the same
13 time. But we still have to make money at the same
14 time to feed our kids to go to school, and stuff.

15 So all the fish that's on that lake, it
16 doesn't only stay in one area. They move around, too.
17 They spawn in different areas, different years, so.
18 And anything that -- that's mined around these lakes,
19 they're all eventually going to hit the lake. It
20 might take three (3), four (4), eight (8) years, but
21 it's eventually going to hit Great Slave Lake and out
22 to Mackenzie.

23 So we got to kind of watch the -- these
24 things for our future generation that's coming behind
25 us. Like when I was a kid, I used to go anyplace,

1 even in this little area here, and get fresh water and
2 make tea. Now I can't. There's just certain places
3 that we can do that now. That's a knowledge we got to
4 pass down to our generation. The knowledge we used --
5 that our Elders passed down to us, now we got to kind
6 of change it and pass it to the -- our younger
7 generation.

8 So I -- I can't see us fighting over
9 this little piece of land. And if that's all we're
10 going to do is fight over it, we have to start working
11 together and figure out a plan how -- how everything
12 is done in the right way. Start doing things in the
13 right way. So everything benefits, not only us, but
14 the animals and the birds and the fish. We got --
15 they can't come to the meetings and talk for
16 themselves. But they're the ones too that are going
17 to pay for it at the end.

18 So that's all I have to say. And where
19 this -- this mine is going to be located in Pine
20 Point, there -- there, too, I got another issue,
21 because it's only going to be 3 or 4 miles from my
22 cabin. And that whole area got wasted on me for about
23 forty (40) years. And now it's slowly picking up, but
24 now it's all starting over again, that I have to --
25 and I don't have another forty (40) years, thirty (30)

1 years to wait. And all these lines I cut in there,
2 it's all going to be -- I have to leave it now because
3 of these things.

4 But I'm still willing to -- to meet
5 with the people that are doing it and meet with the
6 other trappers, and see what we can do about it. How
7 it's going to help us, and help them. But we have to
8 start working together. That's all I have to say.
9 Thank you.

10 MS. LINDA VANDEN BERG: Wilfred Simon
11 is going to speak later on the potential of -- of an
12 increase in drug and alcohol abuse through employment
13 at the mines and the processing plant and a -- and a
14 change of -- of what's happening within the society
15 itself over time.

16 I have also a young speaker, Myranda
17 Calumet, who wishes to speak at about 2:30, if that's
18 possible. There are a few other young people that
19 will arrive, two (2) others, and that should -- should
20 help.

21 At the present time, I understand that
22 -- oh, what is that, Rosy? Would you like to talk?
23 No? David Pierrot was -- was going to speak on the
24 barging issue, but he has already spoken to David
25 Swisher about it, and we think that will suffice for

1 the present time. And I'm done. Thank you very much.

2

3 QUESTION PERIOD:

4 THE CHAIRPERSON: Okay. Thank you. I
5 just -- I just want to mention thank you to Avalon
6 this morning for doing their presentation, and the
7 Deninu Kue First Nation.

8 I just have a quick question for
9 Avalon: Did you have any questions for Deninu Kue on
10 their presentation?

11 MR. DAVID SWISHER: David Swisher,
12 with Avalon. We thank Deninu Kue for their
13 presentation, and we have no questions, Chair.

14 THE CHAIRPERSON: Thank you. I'm
15 going to go to Rosy Bjornson, from Deninu Kue. Do you
16 have any questions for Avalon and their presentation
17 this morning?

18 MS. ROSY BJORNSON: No, not at this
19 time. Thank you.

20 THE CHAIRPERSON: Okay. Thank you.
21 Then I'm going to go to the Review Board legal
22 counsel, and staff, and then I'll go to the Board, if
23 you have any questions to Avalon or Deninu Kue on
24 their presentation.

25 MR. JOHN DONIHEE: Thank you, Mr.

1 Chairman. It's John Donihee. I'm Board counsel. I
2 have two (2) questions. The first one (1), the
3 animation that you showed today identified an area
4 which was outside and referred to a temporary ore
5 stockpile on the surface. Is that -- is that actually
6 something that Avalon is planning to do? I guess I'm
7 -- I was just caught a little by surprise by that.

8 Is that -- is that some -- I -- I had
9 understood that everything would come straight from
10 underground and go into your mill.

11 THE CHAIRPERSON: Thank you. I'll go
12 to you, Avalon.

13 MR. DAVID SWISHER: Sorry, Chair.
14 David Swisher, with Avalon. Yes, that's been a part
15 of the project description within the DAR from the
16 beginning. That temporary ore stock pile is some of
17 the low-grade material that we encountered during the
18 initial decline development.

19 THE CHAIRPERSON: Thank you. Mr.
20 Donihee...?

21 MR. JOHN DONIHEE: Thank you, Mr.
22 Chairman. Just one other request of -- of Avalon, and
23 that is: There have been some commitments made this
24 week, and we were hoping that Avalon would undertake
25 to review their notes at the conclusion of the hearing

1 against the list of commitments that's been filed so
2 far and just update it right to the --the close of the
3 -- the session today so that the Review Board has the
4 -- the most up-to-date list of your commitments when
5 it begins its deliberations.

6 THE CHAIRPERSON: Okay, thank you, Mr.
7 Donihee. Mr. Donihee, we would have a copy of the
8 list of the commitments and -- and undertakings, so
9 can we share that with them? Or -- or you already
10 wrote that down? I'm not sure. Mr. Donihee...?

11 MR. JOHN DONIHEE: Thank you, Mr.
12 Chairman. We have one. I believe it's pretty much up
13 to date. I don't think there's much change, but we're
14 just asking to have sort of a final list from the
15 Company. So I'm -- I'm requesting -- or asking them
16 if they would undertake to do that for the Board and
17 file it by the 12th of March.

18 THE CHAIRPERSON: Okay. Thank you,
19 Mr. -- I'll go to Avalon.

20 MR. DAVID SWISHER: Thank you, Mr.
21 Chair. David Swisher, Avalon. Yes, we -- we intended
22 to update the commitments with -- to make sure that we
23 encapsulated all of our commitments in addition to the
24 ones that are already with the Board. We will submit
25 that prior to the 12th.

1 THE CHAIRPERSON: Okay, thank you.

2 Mr. Donihee?

3 MR. JOHN DONIHEE: Thank you, Mr.

4 Chairman. I just note, for the record, that then

5 would be Undertaking number 3.

6

7 --- UNDERTAKING NO. 3: Avalon to update the
8 commitments to make sure
9 that it encapsulated all
10 of its commitments in
11 addition to the ones that
12 are already with the
13 Board, to be filed by
14 March 12

15

16 MR. JOHN DONIHEE: And the -- I think
17 there's one (1) other housekeeping item, if I may.

18 And that was we asked you for an update to that table
19 of the components, I think, of the effluent from the
20 hydrometallurgical facility. You indicated that you
21 would have that to file today.

22 Is that -- if -- if you don't, then we
23 could -- we could just ask you to give us an
24 undertaking to file it.

25 THE CHAIRPERSON: Thank you. I'll go

1 back to Avalon.

2 MR. MARK WISEMAN: Mark Wiseman,
3 Avalon. I -- I think I got a response from Chuck
4 there that said he's got it. So...

5 MR. JOHN DONIHEE: My apologies, Mr.
6 Chairman. A miscommunication at this table. We have
7 it. Thank you, that's all the questions I have, sir.

8 THE CHAIRPERSON: What, have we got a
9 failure to communicate? Okay, thank you. Before I
10 continue on, I just want to ask Avalon this morning
11 that also there were some changes to -- made to Deninu
12 Kue in their presentation this morning.

13 So do you have any objections with the
14 presentation made this morning, to the presentation?

15 MR. DAVID SWISHER: David Swisher,
16 with Avalon. No, we have no objections to the changes
17 made to the presentation. Thank you.

18 THE CHAIRPERSON: Thank you. Okay.
19 I'm going to go to my Board members, to my far left,
20 Rachel Crapeau. Do you have any questions for either
21 Avalon or Deninu Kue First Nation on their
22 presentation made this morning and this afternoon?

23 MS. RACHEL CRAPEAU: Excuse me. The
24 only question that I -- I had was for Avalon. The
25 concerns raised about the thorium and the uranium, are

1 you going to be coming to the community again to
2 provide more information that will give them comfort
3 in knowing that maybe things are going to be as safe
4 as you make it sound?

5 I just wanted to know if you're going
6 to be meeting with the people from here again.

7 THE CHAIRPERSON: Thank you. I want
8 to go to Avalon.

9 MR. DAVID SWISHER: Thank you, Ms.
10 Crapeau. David Swisher with Avalon. The answer to
11 that question is yes. In fact, we've -- we've
12 endeavoured to come to the community. I think today
13 we've also talked about some high school discussions
14 and some training or workshops in the local high
15 school that Mark here will be undertaking soon.

16 The intent is to make sure that we are
17 working closely together to address those concerns so
18 that everybody understands fully what those
19 requirements and what their concerns are, and -- and
20 how we've addressed those concerns; and also what is
21 entailed within the protection program that we
22 committed to doing. Thank you.

23 THE CHAIRPERSON: Thank you. Board
24 member Rachel Crapeau...?

25 MS. RACHEL CRAPEAU: A question again

1 for Avalon. The other question I had in mind was: On
2 this side of the lake, where you're going to be
3 building the docking facility for the barges, have you
4 checked to see what the depths of the water along the
5 shoreline would be like?

6 Is everything going to need a lot of
7 work so that you've got deep enough waters for your
8 docking facilities?

9 THE CHAIRPERSON: Thank you. I'm
10 going to go over to Avalon.

11 MR. DAVID SWISHER: David Swisher with
12 Avalon. Yes, we've done two (2) seasons of bathymetry
13 analysis on that proposed area for the Pine Point
14 docking area, which led us to the design of -- that we
15 currently have to account for the shallower waters
16 that are within two (2) to 300 metres from the shore
17 so that we don't impede -- or have any problems with
18 shipments of concentrate -- concentrate coming in.

19 THE CHAIRPERSON: Thank you. Board
20 member Rachel Crapeau...?

21 MS. RACHEL CRAPEAU: Just one (1) more
22 question for Avalon. The people here have been using
23 the land all over the Northwest Territories, and
24 especially where the Pine Point site, where the -- the
25 plant is going to be. And are you going to be coming

1 back here to settle your -- your arrangements with the
2 First Nation here pretty soon? I mean, I just heard
3 that somebody has a cabin quite close to where you're
4 going to be operating, and they've been impacted
5 before. So I was just wanting to know, you did sign
6 an agreement, you said, but there's going -- sounds
7 like more details need to be worked out.

8 I was just wondering if you're going to
9 be committed to finishing it -- the work started.

10 Thank you.

11 THE CHAIRPERSON: Okay. Before I go
12 to Avalon, maybe just expand on that question too, as
13 well. I guess, how would you address those issues and
14 concerns raised by members that -- that have cabins
15 close to the area? Thank you. Avalon...?

16 MR. DAVID SWISHER: David Swisher,
17 with Avalon. I've -- I've personally worked with
18 Eddie in the past, as well as George Larocque and some
19 others with regards to the known trap lines in that
20 area. And part of our commitments through the
21 agreements are to also work through the Band in a
22 structured way so that it is a fair analysis but it's
23 also overseen by Chief and council as well so that it
24 -- so that it is -- it is fair and not just -- we want
25 to make sure that we're transparent when we are

1 dealing with those stakeholders. So that is the
2 intent with regards to the agreements we have in place
3 with the -- the community as well.

4 THE CHAIRPERSON: Okay, thank you.
5 Board member Rachel Crapeau...?

6 MS. RACHEL CRAPEAU: No more
7 questions, Mr. Chair. Thank you.

8 THE CHAIRPERSON: Thank you. Board
9 member Percy Hardisty...?

10 MR. PERCY HARDISTY: Masi, Mr. Chair.
11 I just have one (1). I'm just kind of curious in
12 regards to your docking facilities. You know, the
13 past few years, you know, there's been a lot of talk
14 about the water being dropped on the lake itself.

15 And do you have any plans of whether to
16 dredge or not? Yes or no?

17 THE CHAIRPERSON: Thank you. I'll go
18 over to Avalon to the question.

19 MR. DAVID SWISHER: It's David
20 Swisher, with Avalon. We've certainly investigated
21 that, yes. But in terms of plans right now, no.
22 We've investigated in our discussions with the barging
23 company, because it's -- it's their responsibility for
24 the safe transport of those supplies because we are
25 contracting to them. So it's impor -- and -- and they

1 have mentioned that they would work through Transport
2 Canada and the Coast Guard to determine the best methods --
3 best methods.

4 And so when we approached with our
5 method, they said, Yes, we can do that, but we'd also
6 like to look at other methods, because that's
7 incumbent on us to make sure it's done as safely as
8 possible and taking into account the -- the weather
9 that -- that is seen within the -- the Great Slave
10 Lake as well.

11 THE CHAIRPERSON: Thank you. Board
12 member Percy Hardisty...?

13 MR. PERCY HARDISTY: Masi, Mr. Chair.
14 That's all the questions that I had.

15 THE CHAIRPERSON: Thank you. Board
16 member James Wah-Shee...?

17 MR. JAMES WAH-SHEE: Thank you, Mr.
18 Chair. I just want to thank Avalon for their
19 presentation, and -- and I have no questions. Also,
20 I'd like to thank the Deninu Kue First Nation for
21 their presentation and members of the First Nation
22 that have come forward and made their presentation.
23 Thank you.

24 THE CHAIRPERSON: Thank you. Board
25 member Richard Mercredi...?

1 MR. RICHARD MERCREDI: Thank you, Mr.
2 Chair. I do have a question. It's in regards to your
3 facility at Thor Lake.

4 Once you process the ore and it goes
5 through your -- your plant that the -- at the back
6 end, I guess, the tailings coming out, and the
7 tailings are de-watered and treated and then
8 reintroduced back into your damp material and the
9 tailings go to the tailings pond, I'm just wondering
10 what material is removed once that water goes into the
11 treatment plant, and whatever is removed, how is it
12 disposed of?

13 THE CHAIRPERSON: Thank you, Mr.
14 Mercredi. I'm going to go to Avalon.

15 MR. MARK WISEMAN: Mark Wiseman, with
16 Avalon. We're not exactly sure yet what we're going
17 to do until we actually get that -- enough of that
18 material to -- that we can test it.

19 There are a number of options that we
20 can use. One (1) would be to, as long as it's also
21 inert material, we can put it back with the tailings.
22 If we find out that that material is not inert, then
23 it might have to go to an approved landfill site.

24 THE CHAIRPERSON: Thank you. Richard
25 Mercredi...?

1 MR. DAVID SWISHER: Sorry, I wasn't
2 quite --

3 THE CHAIRPERSON: Sorry, Avalon.

4 MR. DAVID SWISHER: Yeah. David
5 Swisher, with Avalon. Actually, what we have been
6 thinking, in terms of -- and -- and maybe I should
7 have answered this first -- is that that material,
8 because we are putting and mixing with cement and fly
9 ash, that that material would be first materials that
10 we would mix and neutralize in the cement mixture to
11 go back underground as paste fill. That's the initial
12 plan that we would do for that.

13 But Mark is correct that through some
14 additional testing, if it's deemed to be safe, then we
15 have another avenue. But the first priority would be
16 that we would neutralize it and mix it in our paste
17 fill and send it back underground.

18 THE CHAIRPERSON: Thank you. Richard
19 Mercredi...?

20 MR. RICHARD MERCREDI: Okay. Thank
21 you, Avalon. Thank you for your presentation. That
22 was my only question.

23 THE CHAIRPERSON: Thank you. Now
24 we'll go to Board member Sunny Munroe.

25 MS. SUNNY MUNROE: I'd like to thank

1 Avalon and Deninu -- Deninu Kue for their
2 presentations. I have no questions. Thank you very
3 much.

4 THE CHAIRPERSON: Thank you. Board
5 member John Curran...?

6 MR. JOHN CURRAN: Thank you, Mr.
7 Chairman. I'd like to thank both parties for their
8 presentations. Mr. Swisher, I noticed that you had
9 the -- the WEMP in your presentation.

10 I'm just wondering if you could clarify
11 Avalon's position on the Wildlife Effects Monitoring
12 Program?

13 THE CHAIRPERSON: Sorry. Avalon...?

14 MR. DAVID SWISHER: David Swisher,
15 with Avalon. Yes, we -- we put it in the presentation
16 because we knew that the GNWT was requesting that we
17 put it in there simply not to avoid it, but to address
18 it and the fact that we -- we don't feel there's a
19 need from a WEMP, but we do feel that there is a need
20 to work with the GNWT and our stakeholders and -- and
21 what makes sense for the operation with regards to
22 cumulative impacts.

23 As it stands right now and as we
24 understand it, the WEMP is -- is a system that is
25 still in -- in reorganization and redevelopment with

1 the GNWT. We just want to make sure that we're not --
2 we're not doing something for the sake of doing of
3 doing something, but we're actually contributing to a
4 program that makes sense for all stakeholders. Thank
5 you.

6 THE CHAIRPERSON: John Curran, Board
7 member...?

8 MR. JOHN CURRAN: Thank you, Mr.
9 Chairman. I have one (1) question as well, I guess,
10 for a -- a representative of Deninu Kue. Just when we
11 arrived here in town, I saw core boxes (phonetic) out
12 by the airport. I see the results of a welding
13 training program.

14 I'm just wondering if someone could
15 speak to some of the training that's been going on in
16 the community?

17 THE CHAIRPERSON: Thank you, Mr.
18 Curran. I'm going to DKFN, Chief Louis Balsillie.

19 CHIEF LOUIS BALSILLIE: Yeah, good
20 afternoon, again. The training programs that were
21 putting on, we're trying to gear the people to work,
22 get them ready for Avalon and other mining companies
23 that are coming up. We accessed dollars through ASETS
24 (phonetic) program in the community. So we're
25 educating our people on -- on different training

1 opportunities out there.

2 So this helps with -- with the economy
3 in the community, because there's -- right now at this
4 point, there's not too much happening in our
5 community. So with the core boxes, we're also in
6 business for core boxes. And Avalon has bought quite
7 a bit off of us. De Beers is slowing coming around.
8 Now they're starting to buy the boxes off of us.

9 So you know, the more training programs
10 we can put on, gear our people up for the mines that
11 are coming so that we're prepared for -- for the
12 ongoing work that's going to be coming. So masi for
13 bringing that up.

14 THE CHAIRPERSON: Thank you. Board
15 member John Curran...?

16 MR. JOHN CURRAN: Thank you, Mr.
17 Chairman. No further questions at this point.

18 THE CHAIRPERSON: Okay. Thank you.
19 Next on the agenda, I guess -- it wasn't on my list
20 here, but the NWT Metis Nation I believe, Trudy King
21 wants to make a presentation. Is she here? Please
22 come up and -- to the table and also introduce
23 yourself and your delegation.

24

25 (BRIEF PAUSE)

1 PRESENTATION BY NWT METIS NATION:

2 MS. TRUDY KING: Hi, good afternoon.
3 My name is Trudy King, and I'm here on behalf of the
4 Northwest Territory Metis Nation. I do believe you
5 were given a copy of this last week in Yellowknife,
6 and I did give another copy again this morning. I'm
7 just going to go on to the last paragraph and --

8 THE CHAIRPERSON: I'm sorry, Trudy, to
9 interrupt you. Can you just also introduce your
10 delegation for the record.

11 MS. TRUDY KING: I have Kara King here
12 with me. She's president of the Fort Resolution Metis
13 Council.

14 The transportation of raw rare earth
15 elements across Great Slave Lake from Thor Lake to the
16 shores -- the sou -- south shores is not supported by
17 the Northwest Territory Metis Nation prior to a full
18 consultation process in impacts explored should the
19 hauling of the ore go through the ice or marine mishap
20 on the lake should -- should it be barged.

21 Other unknowns at this time, Teck
22 Cominco currently is the party responsible for the
23 water licence to the tailings pond that is mentioned
24 in the proposal. Will Avalon Inc. be applying for a
25 separate water licence, or will they be using the same

1 tailings pond as Teck Cominco? The preference is se -
2 - a separate tailing pond for the Avalon activities,
3 if required, in the area.

4 Will Teck Cominco be released of its
5 responsibilities with regards to reclamation of the
6 area, or is it Avalon Rare Metals Inc. going to assume
7 full responsibility for the reclamation should a
8 shared tailings pond surren -- scenario be used?
9 Thank you.

10 THE CHAIRPERSON: Okay, thank you.
11 Trudy, what we'll do is I was going to get Avalon to
12 go through -- there's questions that we're going to go
13 around just to ask you for, so -- and is that document
14 you're making reference to, that's on the public
15 registry as well, and -- and -- MS. TRUDY KING:
16 It's not on the Board registry, I don't -- I don't
17 think so, but I know that -- is it?

18 THE CHAIRPERSON: Chuck...?

19 MR. CHUCK HUBERT: Thank you. Chuck
20 Hubert with Board staff. It -- we will post it on the
21 registry the updated version that Tim Herron
22 submitted. Thanks.

23 THE CHAIRPERSON: Okay. All right,
24 thank you for that. Yes, it will be on public
25 registry then.

1 And so I'm going to go over to Avalon
2 to see if they want to respond, and then I've got a
3 list of orders to go through and ask you some
4 questions as well.

5 Thank you. I'll go to Avalon.

6

7 QUESTION PERIOD:

8 MR. DAVID SWISHER: Thank you, Mr.
9 Chair. David Swisher from Avalon. And thank you,
10 Trudy and Kara, for the questions.

11 I can answer the question with regards
12 to using the tailings ponds at the Teck Cominco site.
13 We do not plan on using those tailings ponds. That
14 was an initial idea initially, but after doing further
15 geomechanical investigations, we determined it -- it
16 didn't make sense and there posed some potential
17 concerns and liability.

18 So we determined not to do that, which
19 led us to looking at the old open pits and that's when
20 we saw the L-37 open pit as a -- a great opportunity
21 to utilize that open pit as -- as a form of
22 progressive reclamation for the tailings to actually
23 start filling in some of those pits.

24 I think you also had a question --
25 yeah. So with regards to the licensing, we -- we

1 currently would not be on any of Teck Cominco's lease.
2 They do have a surface lease out there, you are
3 correct. The lease is -- I think the -- covers about
4 a 1 square kilometre on the north end of their
5 tailings' facility. Because I think they -- they are
6 still treating the waters before discharging once a
7 year. So you are correct, they have a lease, but we
8 will not be on that lease.

9 And yes, we are -- we are accepting the
10 responsibility for the reclamation and making sure
11 that we are working with your community to -- on that
12 plan as we progress through the -- the project to make
13 sure that everybody is -- is okay with the plan for
14 the -- for our closure and reclamation activities.
15 Thank you.

16 THE CHAIRPERSON: Thank you. Maybe I
17 can go to Mr. Donihee if he wouldn't mind. Just --
18 based on Transport Canada's presentation in
19 Yellowknife on Wednesday and they came out and talked
20 about the barging and transporting of the -- the mater
21 -- materials from Thor Lake to the barge landing on --
22 in Pine Point area.

23 Can you shed a little bit of light on
24 the outcome of that presentation as well so -- to give
25 comfort to Trudy and her questions that -- that

1 there's some issues there it sounds like. But if you
2 could just highlight just -- or summary of what the
3 Transport Canada and Coast Guard had mentioned?

4 MR. JOHN DONIHEE: It's -- it's John
5 Donihee, Board counsel. I'll have to do this by
6 memory and try to summarize what -- we had a
7 presentation from representatives of Transport Canada,
8 and among them was a gentleman who is a sort of
9 specialist in marine safety. And there was another
10 gentleman with them from the Department of Fisheries
11 and Oceans, and he -- he actually -- the Canadian
12 Coast Guard is part of Fisheries and Oceans
13 department. And he's located here in the North.

14 And so Coast Guard -- the issues that
15 were raised in Yellowknife related to the safety of
16 the barging from the mine site down to Hay River and
17 then back. And there were a lot of questions about --
18 in particular about oil spills, or fuel -- fuel
19 spills.

20 And so the evidence that the Board
21 heard was yesterday about that, indicated that first
22 of all, of course, that the -- they were talking about
23 NTCL, but there was reference to the -- the good
24 record of the company, and its experience, the fact
25 that barging, of course, has been taking place on --

1 on Great Slave Lake for -- for many years without a
2 really serious accident.

3 There was talk about the barges
4 themselves. They're steel-hulled. They're -- they
5 only have a single hull, not double hulled, and the
6 reason for that is that the -- it's got to do with how
7 the -- the draft of the boat. You know, it's too
8 shallow in spots on -- on the Great Slave Lake and the
9 Mackenzie for them to be double hulled, for fear that
10 they would hit a sand bar or something like that.

11 But the -- the hull of the -- of the
12 barge is made out of steel, and inside the barge
13 there's all -- about twenty (20) different
14 compartments. And so when they put the fuel into the
15 barge to transport it, it goes into almost twenty (20)
16 separate compartments. And so what they were saying
17 was that it was really highly unlikely that you'd ever
18 have an accident where all twenty (20) would be
19 ruptured at once.

20 And they indicated that even though the
21 total amount of fuel in the barge could be a million
22 to a million and a half litres, that one (1) of the
23 compartments would only hold about two hundred
24 thousand (200,000); and that very often when they
25 transport oil in those barges on the Mackenzie, they

1 don't fill the outside compartments, so that if they
2 run into something and that outside compartment gets
3 ruptured, there's nothing in it. So -- so it -- it --
4 that -- that was the way they described the barge
5 safety.

6 And then with respect to spills, you
7 know, even though the Transport Canada folks were --
8 were pretty clear that they did -- thought -- they
9 thought it was highly unlikely that there would be a
10 serious spill, they said that it's the barge operator
11 that has the responsibility, initially, to deal with
12 the spill.

13 Sometimes -- they have a -- a safety
14 plan that goes with the boat, if you will, or the --
15 the barges. And they might have equipment on the
16 barge where they would respond immediately themselves,
17 but if they -- but they don't have to, it's not
18 mandatory. But it's their responsibility, regardless,
19 so if they don't have the equipment then they'd have
20 to contact the right authorities and make arrangements
21 to contain and clean up that spill right away.

22 If there was a really large spill, and
23 the barging company were not able to -- they didn't
24 have enough equipment themselves to -- to deal with
25 it, then the Coast Guard representative indicated that

1 they have equipment in Hay River, and they have
2 equipment in Yellowknife. And his testimony to the
3 Board indicated that there's enough equipment in those
4 two (2) places to cover -- to -- to clean up -- to
5 deal with a spill of more than the full contents of a
6 barge.

7 So the other things that were talked
8 about were, you know, the -- the shipping route, and I
9 think Mr. Swisher mentioned today that they've done
10 studies to see -- to make sure that it's deep enough
11 and that they have a clear pathway with no -- no
12 risks, I guess, of hitting the bottom or hitting any
13 reefs or rocks. And that was talked about.

14 And then there was some talk as well
15 about the possibility of -- of some of the concentrate
16 that's going to be in -- in metal containers going
17 over the side and the evidence the Board heard was
18 that it's inert. It's not -- even if it goes over the
19 side and it's in -- if it's in the container, the
20 container would probably just sink and Avalon would
21 come back later if they could and -- and get it out
22 because it's worth a lot of money.

23 But even if it sank and it was not
24 recoverable, you know, the material isn't -- it's not
25 going to mix -- it's not soluble, it won't mix with

1 the water. So, Mr. Chairman, I think -- I hope I
2 haven't done any disservice to our -- our friends from
3 Coast Guard but I'd -- certainly Mr. Swisher thinks
4 that I missed something important I'd -- he should
5 have at it as well.

6 THE CHAIRPERSON: Thank you for that
7 overview, Mr. Donihee. If Avalon want to add to that?

8 MR. DAVID SWISHER: David Swisher with
9 Avalon. No, Mr. Donihee did a very good job of
10 summarizing from the sessions.

11 I would just add one thing and that was
12 that Transport Canada also did an evaluation of the --
13 the project description and the -- the information we
14 had provided them and also concluded that they -- they
15 had no environmental concerns with the concentrate
16 itself. Thank you.

17 THE CHAIRPERSON: Okay. Thank you.
18 So, Trudy, this kind of gives you an update on what
19 happened. And I'm going to go to Board Members to ask
20 you questions now but did you want to add another
21 comment? Sure.

22 MS. KARA KING: Kara King, Fort
23 Resolution Metis Council. I just wanted to reiterate
24 what our concerns were and I think that, you know, it
25 was unfortunate that we hadn't heard back until just

1 now about the transportation, the barging. We also
2 have issues of the truck hauling.

3 And some questions about the processing
4 plant, you know, the quality of air and what not. And
5 the effects on the species at risk and threatened
6 species that are in the area of the processing plant,
7 such as the peregrine falcon, the woodland caribou.
8 The route that the barge takes are new -- near to the
9 -- I guess, Egg Island where the seagull are and --
10 and you know, that's a concern.

11 And also, you know, discussion on
12 uranium and thorium and beryllium exposure; that, you
13 know, that -- that we hadn't really been, you know,
14 in-depth -- had consultation on, I guess.

15 Also, we would like to talk about our
16 land use on that area too, the Thor Lake. You heard
17 earlier Akaitcho spoke about their -- De Beers'
18 traditional knowledge study that Northwest Territory
19 Metis Nation also partake -- partook in that and that
20 is currently being finalized.

21 And in it discusses our historical land
22 use in the area and -- and that's included Thor Lake.
23 And that's everything at this moment. Thanks.

24 THE CHAIRPERSON: Thank you very much.
25 What I'll do now then, I was going to go to my --

1 Avalon if you have any questions for Fort Res -- you
2 said, No, earlier. Okay, thank you.

3 I'm going to go to Review Board staff,
4 any questions for the NWT Metis Nation on their
5 presentation, verbal presentation made here today.

6 MR. CHUCK HUBERT: Chuck Hubert with
7 the Board. No questions, Mr. Chair.

8 THE CHAIRPERSON: Okay. Thank you.
9 I'm going to go to Board Member, John Curran.

10 MR. JOHN CURRAN: No. I'd just like
11 to thank the ladies for coming out. We're very
12 fortunate to have gotten that chance to hear you and
13 hear your concerns. Thank you. No questions.

14 THE CHAIRPERSON: Thank you. Board
15 Member Sunny Munroe?

16 MS. SUNNY MUNROE: Thank you, again,
17 for your presentation. I have no questions.

18 THE CHAIRPERSON: Thank you. Board
19 Member Richard Mercredi?

20 MR. RICHARD MERCREDI: Thanks, Mr.
21 Chair. Thanks for the presentation but no questions.

22 THE CHAIRPERSON: Thank you. James --
23 Board Member James Wah-Shee?

24 MR. JAMES WAH-SHEE: I'd like to thank
25 the NWT Metis Nation for their presentation. I have

1 no questions. Thank you very much.

2 THE CHAIRPERSON: Thank you. Board
3 Member Percy Hardisty?

4 MR. PERCY HARDISTY: Masi, Mr. Chair.
5 No questions.

6 THE CHAIRPERSON: Thank you. Board
7 Member Rachel Crapeau.

8 MS. RACHEL CRAPEAU: Masi, Deninu Kue,
9 Metis Council for your presentation. I'm glad that
10 you brought up those questions that were asked before.
11 It's good to hear it again because after the first day
12 since Monday, sometimes we forget what we're hearing
13 but now we know what to really pay attention to.
14 Thank you. No questions.

15 THE CHAIRPERSON: Thank you. I want
16 to say also thank you -- thank you NWT Metis Nation
17 for coming up and doing the verbal presentation. Also
18 Avalon and Deninu Kue this morning and this afternoon.

19 Next on the agenda -- I know we're a
20 little bit ahead of schedule here now but I want to --
21 maybe what we'll do is before we take a break, I'm
22 going to ask that we go into comments and questions
23 from the public. And I believe we're going to also
24 have a young lady come in at 2:30 to do a quick
25 presentation. Then we have the Town of Hay River

1 coming up.

2 And again, I mentioned this morning
3 when I did my opening comments that -- and -- and we
4 have a protocol in place. And I kind of laid it out
5 this morning. And I also asked that when people come
6 up to the microphone, we want to hear the evidence.
7 If you have any public concern or significant
8 environmental impacts that we need to hear, that's
9 something we need to hear.

10 But at the same time, I ask that we --
11 we be re -- be very respectful of each and other, and
12 I just wanted to point that out. So we'll stop; we'll
13 take a ten (10) minute break.

14

15 --- Upon recessing at 2:02 p.m.

16 --- Upon resuming at 2:23 p.m.

17

18 THE CHAIRPERSON: Okay. Can I get
19 everybody to sit down, and we're going to start.
20 Before we start with Arthur here, if need be, maybe at
21 -- if you guys need to see the presentation from
22 Avalon on the screen, if you want to speak to it, any
23 of that, let me know and then we'll pull it up.

24 So now we're going to go into the
25 presentations, the comments and questions -- actually,

1 no questions just comments or statements from the
2 community members from Deninu Kue. If we could do
3 that now.

4 First we're going -- and, oh, Arthur's
5 in a rush, so I want to do -- get Arthur in and then I
6 want to get the -- the folks from the Town of Hay
7 River to make their statement. And then we're going
8 to go to a list of speakers that I have to go through.
9 And then -- then we're pretty well wrapping up the
10 meeting after this. So I'll go to Arthur Beck.

11

12 COMMENTS BY THE PUBLIC:

13 MR. ARTHUR BECK: First of all, I'd
14 like to thank all of you for coming to our community.
15 It's beautiful weather. It's nice to see some
16 friendly faces again. And welcome to the community of
17 Fort Resolution.

18 My name is Arthur Beck. I don't sit
19 with the band or the Metis council, but I'm a land
20 user. I'm a trapper, a fisherman, traditional
21 knowledge holder. I speak the language very well in
22 this area. I know the history very well prior to
23 Europeans, during Europeans, and signing of the treaty
24 and up to now.

25 I -- but I don't want to -- I don't

1 want to get involved with that little debate that I
2 heard over there where Yellowknives and Lutsel K'e say
3 that we do not have history in this area. Well, I
4 don't want to get into it. I could explain everything
5 to you here, but I don't have the time.

6 So all I'm going to say to them is that
7 they should go back and check with the Elders on the
8 history of the people, the area that the people use.
9 I mean, they don't call the area Akaitcho Territory
10 for nothing. It's just common sense.

11 And also the area across the lake. My
12 great grandfather, Chief Snuff signed the treaty with
13 Queen Victoria. The Federal government at the time
14 was a -- a go-in-between, a servant for the Queen.
15 Somewhere along the line, the Queen is out of the
16 picture, and the Federal government now is kind of in
17 charge, not listening to the Aboriginal people up
18 here. But that's a whole other story that I can get
19 into to. But we're not here for that.

20 And, just for example, across the lake
21 in 1922 there was a Yellowknife preserve made. And if
22 you read it, you can see it in the documents. It says
23 Yellowknife Preserve, 1922. A big chunk was taken,
24 and that's where the Thor Lake sits in that area. It
25 goes right up into Great Bear Lake and Conger

1 (phonetic), Coppermine River, it goes down.

2 And at the same time they made one (1)
3 here in the -- on the west side of Taltson River,
4 right from the lake, right up to Point Beaulieu. Up -
5 - and it cuts across to the Little Buffalo River --
6 Big Buffalo, and then down to the lake and back here.
7 That's the preserve. That was for the -- made for the
8 Yellowknives in 1922.

9 And the Yellowknife people is the
10 Snuff's tribe from Rush River, not the tribe that's
11 across the lake that's calling themselves Yellowknives
12 now. They are a Dogrib tribe. They're from north
13 East Arm.

14 But the Yellowknife River itself is not
15 -- the proper name is not Yellowknife River, it's
16 Coney River, Wawoo Des Cheh (phonetic), that's what
17 it's called. It's Coney River. The real Yellowknife
18 River is Taltson River, and if you check in Mil
19 Petitot's (phonetic) book in 1863 it shows you, and I
20 have maps to prove anything I say, and documents to
21 prove anything I talk about.

22 But now what I'm here to talk about is
23 this Thor Lake project. I grew up in the area.
24 Everybody knows that from this community. My father
25 Ray Beck. My mother is sitting behind me, Doris. My

1 grandparents. Everybody. We used to live in a small
2 community called Rush River.

3 And in the early '60s they wanted --
4 they needed power for Pine Point so they shut down our
5 community in Rush River because they didn't want to
6 flood out the people in Rush River. They needed power
7 for the Pine Point mine so they put a dam on Taltson,
8 which holds -- holds back water. There's another dam
9 up in the Nechalacho it's called a spillway.

10 So since the '60s -- prior to the '60s
11 there used to be coneys going up Taltson River.
12 Elders used to say that the -- the coneys were so
13 plentiful that when they were going up river you could
14 hear their fins knocking above the water. But after
15 the '60s, what they did is they held water back in the
16 Nechalacho lake so they can power Pine Point, and they
17 flooded all the country and the Nechalacho lake.
18 Nerrolatoo (phonetic), it's called. It's lakes inside
19 -- islands inside a lake.

20 Well, I worked the forestry for quite a
21 few years as a fire ranger and fire boss, and I flew
22 over Nechalacho Lake a few times. Looking down,
23 flying over the Nechalacho Lake you could see islands
24 under water. And any time you flood country like that
25 -- you know, you flood country like that, it's

1 natural. Mercury in the plants, that goes into the
2 water, comes down the stream in Taltson River.

3 We do not -- we didn't have coneys in
4 Taltson River from the '60s until this last few years.
5 Now that the water has settled, all the mercury has
6 come out -- flushed out of the water system, the
7 coneys are back. That's leading up to Pine Point now.

8 You see, I'm very, very, very familiar
9 with Great Slave Lake. I commercial fish all over. I
10 grew up on the lake. My father was a fisherman, and
11 especially in that area, the Simpson Isle, Thor Lake,
12 Beaulieu -- Beaulieu Bay, Francois Bay. I know that
13 area very well.

14 I commercial fish myself. I had my
15 base camp at Francois Bay. And where that road is
16 coming down at the time, this was in '80 -- '88/'89,
17 and already there was a -- there was already trucks up
18 on the hill by Thor Lake at the time. I don't know
19 who owned it but I know there was activity happening
20 because we used to be running nets, and you could hear
21 activity happening up there.

22 Well, I sit on Great Slave Lake
23 advisory committee for over twenty (20) years, and in
24 1974 they shut down the -- the North Arm, I guess it's
25 called, from McKinley Point right where that -- that

1 closing area comes almost where your dock is at Thor
2 Lake, where you come down. That's closed across -- we
3 closed that area east so the trout can come back.

4 When I was a kid here I -- I seen
5 pictures of big lake truck -- trout. Guys standing
6 there, 6 foot guys, holding trout poles in the ice,
7 holding up trout. The trout looked like they 4 or 5
8 feet from the pictures.

9 When I was a kid there was no trout
10 here in -- in this area but the last ten (10) years
11 now, since we closed that big area down to commercial
12 fishing the trout has come back, and there's trout out
13 here. I fish every year, summer and winter. I have
14 nets out in the lake right now so I know all about the
15 fishing. We have beautiful trout.

16 Last winter I caught a trout in the --
17 in the lake here 53 pounds, and the picture's in the
18 Metis office up there. And every year I catch about
19 twenty-five (25) trout. I have a 50 yard net, which
20 is half a net, and two (2) nights down I catch over a
21 hundred (100) fish; good, beautiful, nice, juicy, fat,
22 white fish. And I catch all kinds of fish.

23 So I'm very concerned about that route
24 barging because they're going to barge from Thor Lake
25 they got to pass out in front, get out into the open

1 lake by Outpost Islands, and there's the whale backs
2 in there. I got -- well, I cruise around the lake
3 quite a bit. I got myself mixed up in those whale
4 backs just out in the route, and there was reefs all
5 the place. It's a good thing there was a little bit
6 of wind.

7 I got myself right stuck in the middle
8 of all those reefs. It was -- it was like whales
9 because it was big waves. And what happens when
10 there's big waves and there's a reef underneath, when
11 the waves hits it the water splashes up. I got in
12 there, and I realized, oh, there's reefs all over the
13 place. So I was only using an 18 foot boat so I
14 slowed down, and I -- I wiggled my way out of there.

15 Now talking about barges. I worked for
16 Northern Arc Shipbuilders, suppliers in Hay River. We
17 built the Gordy Gale (phonetic) and I worked on a lot
18 of those barges that he was talking about earlier.

19 The bottom of that barge is only a half
20 inch thick; that's the bottom. The sides is only
21 three-eighths (3/8), and those compartments he's
22 talking about? They're about, oh, I'd say they're --
23 there's three (3) rows. There's a row on the outside,
24 there's a row on the inside, and there's just like
25 boxes inside. And in -- I welded inside them, so I

1 know.

2 And they do put fuel on the outside.
3 They don't -- they said they don't put fuel? Well,
4 that's not right, because I know. Before we were
5 allowed to weld in those barges, we have to fill them
6 up with hot, hot water and flush them all out. They
7 use all sides of those barges.

8 And just my experience alone, I
9 commercial fish, I owned a big boat, and I worked in
10 the area. We get some very, very strong west winds,
11 southwest winds, northwest winds. When you come out
12 of that harbour, that Hearne Channel, you -- right --
13 right off the bat you're hitting -- you're going to
14 travel through reefs for 35 miles.

15 So if the wind blows those barges down
16 over those reefs, busts any of those barges, you are
17 going to sink your ship, whether you like it or not.
18 You know, like talking about -- Dave said earlier --
19 David said earlier that the barges in Great Slave Lake
20 have very, very -- been very -- have a very good
21 record. Well, I'm sorry to say, Dave, you've got to -
22 - you have to check the history better than that.

23 Because right out here where you want
24 to put your dock, there's eleven (11) Cats underwater
25 right now by Dead Man's Island. And that didn't go

1 there in the winter. It fell off a barge. But -- and
2 there's -- there's four (4) commercial fishing boats
3 in Great Slave Lake that's still on the bottom of the
4 lake right now. So, you know, you're going to have to
5 do more -- more work on gathering history. And I'm
6 very concerned of that.

7 And if you do bring it in the winter,
8 coming across that area, there's -- when the wind
9 blows, the ice -- it's called a pressure ridge. The
10 wind is so strong that it breaks the ice, it moves the
11 ice apart. And it can happen any time during the
12 night, day, or whatever.

13 A lot of times I travel -- I travel all
14 over Great Slave Lake with Skidoo. I been to the
15 barren lands at least ten (10) times, all over. So I
16 know the lake very well. I started off travelling the
17 Great Slave Lake with dogs and my father. Now I -- I
18 only raced with dogs in 2003, then I started using the
19 snow machine.

20 You know, sometimes on the lake, I
21 don't tell anybody, it's kind of embarrassing, but I
22 travel on the lake sometimes that it's -- it's scary
23 at night. I -- I put a life jacket on. In the
24 wintertime, I have a life jacket on. Not that it's
25 going to help me, I guess. It'll keep me afloat, but

1 I'd be awful cold when I get out. But I do travel
2 with a life jacket on. I just don't show it to
3 people, because they laugh at you. What are you doing
4 -- what are you doing with a life jacket in January,
5 you know? But I do, inside my clothes.

6 So like I said, I'm very concerned,
7 because like you're talking about oil spills. You're
8 not talking about the dangerous rock. I mean, there's
9 lots of stuff about this dangerous rock that you're
10 going to -- you're going to mine in China. There's
11 lots of -- there's lots of stuff about it. I don't --
12 I wouldn't get into it here, but I could. Anyways,
13 it's not good.

14 And growing up in this community, I've
15 seen a lot of impacts. I grew up here, I'm fifty-five
16 (55) years old, and I grew up here and I've seen a lot
17 of impacts. And I understand the native language, the
18 Elders speak to me lots because I speak the language
19 very well. And even the highway alone is an impact
20 here, but I -- but that's not what we're here to talk
21 about. But there is going to be impact, a very big
22 impact on this community with that there.

23 It's all good, sure, the way -- on
24 paper. Everything's good on paper. You know, if
25 you've got it up on a chart it all looks good,

1 because nothing is happening. But if one (1) of those
2 barges break on those whale backs just out by Outpost
3 Islands, by the time Coast Guard gets there, even one
4 (1) of those bulk -- one (1) of those little
5 compartments in those barges bust, even one (1) of
6 them bust before Coast Guard can get there with all
7 their flotation and all their oil spill equipment,
8 it's going to be at least two (2) days.

9 And if they -- if they were ready right
10 from Yellowknife with any boat that's big enough to
11 carry all that equipment there that the Coast Guard
12 use, it's going to take seven (7) to eight (8) hours.
13 And just outside there, you've got the whole Simpson
14 Islands, you've got the whole Taltson Bay, you have
15 the whole -- the whole east side shore. And there --
16 you're only 20 miles out from Simpson Island, so where
17 those reefs are. You could even be 3 miles out and
18 you could hit a reef.

19 Then if the wind is blowing from the
20 west all that oil and stuff that is -- comes off, if
21 it -- if it breaks they're not going to get a chance
22 to pick it up, it's going to be on the shore and on
23 the plants and animals and we're going to have to live
24 with that in the future.

25 So that all that stuff like they --

1 like they keep saying, Well, if it happens we're going
2 to do this. I would give them advice, before it
3 happens be prepared, get ready. You have the -- you
4 should have that -- whoever is going to do that
5 hauling, have his oil spill equipment ready to go, not
6 start running around looking for it, see if the Coast
7 Guard has enough equipment and all that good stuff
8 after the fact. Be prepared.

9 In this Pine Point area when I was kid
10 I used -- I heard about Pine Point starting up. And
11 we had a chief here, I used to spend a lot of time
12 with him. His name was Alexan King (phonetic), an
13 older man, but he liked kids. So I was a kid and I
14 sat down with him and he told me, he said, You know,
15 you see how beautiful it is out there now? We can
16 drink the water and we can eat the fish, we've got all
17 kinds of moose to hunt, we've got all kinds of rabbits
18 and chickens and stuff. He said, You know, my boy, he
19 said, In the future you're going to be really pitiful,
20 he told me. There's going to be -- they're going to -
21 - with all this industry coming in Pine Point there,
22 he says the effects from Pine Point the fish are going
23 to go bad, the moose are going to go away, and even
24 the chickens and rabbits are going to be hard to get.
25 And, you know, that old man is right. He wasn't

1 Master Domus, but I'll tell you for me he is a fortune
2 teller because it's happening today.

3 And I -- I'm sitting here now -- I'm
4 not on any board, but I'm speaking for the future
5 children, you know. I mean, this mine, sure it's
6 good, twenty (20) years and it's done, they go home.
7 But our people are going to have to be here; we've
8 been here before the Europeans, during the Europeans;
9 before industry, during industry, and after industry
10 we're still going to be here.

11 So my real concern is once industry
12 leaves and all that we want to have -- to be able to
13 still fish the fish I fish today and feed the people
14 and myself. You know, I want our generations to be
15 able to do that. And sure there's not much moose now,
16 there's all kinds of reasons and I don't want to get
17 into it. I've been involved in a lot of meetings and
18 you heard all of what I had to say in caribou meetings
19 and whatnot, I don't have time to get into that right
20 now, but there's a lot of effects.

21 But my main concern is -- like I told
22 David lots of times, you know, Fort Resolution, we're
23 not scared of work, we want to work. We don't like
24 this community with no work, but at what cost, you
25 know? At what cost are we going to get jobs? Because

1 like I said, once the mine and stuff is gone we have
2 to live.

3 But right now without the mines we can
4 set a net and catch hundreds of fish; nice hard, solid
5 fish right now. And we still get a few moose, we got
6 some buffalo. Caribou, we have to go a long ways.
7 That's all because of industry we have to do all that,
8 you know, the caribou and -- and the government too,
9 not protecting the caribou for the habitat.

10 The caribou had to move elsewhere
11 because most of the country is burnt. A lichen takes
12 fifty (50) years to mature before the caribou stomach
13 could digest it, but the government doesn't -- they
14 know it; they know it, but they don't seem to care,
15 you know, and they're burning up the whole country.

16 When I was a young guy in Fort
17 Resolution not big enough to work, I wanted to work to
18 make a few dollars. I used to sit on the dock there
19 and I used to watch a major campaign fire every summer
20 in Pine Point when Pine Point was in operation. Every
21 summer big fire at Pine Point, next year a pit. Next
22 year a big fire over here, another campaign to bring
23 people from Hay River, from Smith, from Yellowknife,
24 Res, fight it, put it out, next year, pit. You know
25 it's amazing, since Pine Point shut down we never had

1 another fire there.

2 It started now -- fire started where

3 the power line was supposed to go all the way down.

4 Isn't that funny? God and I are going to have to have

5 a chat over that. You know it's amazing how things

6 have changed. You know, I mean, how come God stops

7 striking Pine Point and all of a sudden starts

8 striking where the power line is supposed to go?

9 That's to bring the people off the land. Pull the

10 people off the land, burn the country. There's no use

11 going back out there, they know that, so they burn the

12 country. We don't use it, it's too rough out there

13 now, there's nothing to catch.

14 Like another time Forestry phoned me

15 and he says, Arthur, there's a big fire out on Taltson

16 by your -- by your cabin, but don't worry about your

17 cabin we're going to save your cabin. I said, My

18 friend, you know what, burn my damn cabin, save my

19 land, I'll make two (2) more.

20 You know, why save my cabin when it's

21 no good for nothing. I can't trap. I can't fish. I

22 can't do anything. What good is a cabin? But you

23 save my land for me, and my animals, and caribou, you

24 know, that's what they should do.

25 The government's got to start listening

1 to people. I'm sitting here to -- today in front of
2 you. I have a lot of traditional knowledge that's
3 passed down to me from my mother, my grandparents, all
4 the way right past Chief Snuff. History. Stories.
5 All come down to me. I sent you a lot of traditional
6 knowledge. Very -- there's not many people can sit
7 and argue with me.

8 Even scientists. I'll tell you about
9 scientific knowledge. Scientific knowledge is a
10 little over a hundred years old. Traditional
11 knowledge is over a thousand years old, so you put
12 that in school terms. Scien -- scientific knowledge
13 is like kindergarten compared to traditional
14 knowledge.

15 Scientific knowledge is -- I'll tell
16 you, I sit on a lot of Boards. Scientists; they come
17 here. They see this hole in the wall here. There's a
18 hole in the wall. Oh, measure it. They come back two
19 (2) years later and measure that hole; oh, it got a
20 little bigger. But they don't know why the hole in
21 the -- how the hole in the wall got there.

22 Traditional knowledge will tell you why
23 the hole got in the wall, when it got there, and how
24 to fix it, and fix it now before it gets bigger.
25 That's the same thing with firefighting. Straight

1 common sense. They fight fire. They call this nice -
2 - nice fancy word they call monitoring. Monitoring.
3 Monitoring. Yeah, they watch it until
4 it gets too big, then they spend a bunch of money
5 trying to fight it. It's like a little -- little
6 small campfire. You can put that out when it's small
7 with a cup -- a cup. Catch the fires when they're
8 small and they wouldn't have trouble with caribou
9 right now.

10 You know, it's really funny for me
11 listening to the government people. They always say:
12 Well, we manage caribou. We manage this. We manage
13 that. You know, it's really sad; they can't manage no
14 animals. They can't manage nothing. The only thing
15 they can manage, human beings, and they're doing a
16 very poor job at that.

17 If we manage ourselves, the humans, the
18 animals will look after themselves. First we have to
19 start looking at how much damage we're doing to the
20 land ourselves before we start trying to manage other
21 species. So this -- I'm -- this Pine Point here, you
22 know, it's sad. It's good, yet it's sad.

23 It's good that there's going to be some
24 work but when you do get that work there, what's going
25 to happen is there's going to be a bunch of rules in

1 place. Now, you have a little criminal record; you
2 can't work there. If they didn't put the highway in
3 here, didn't bring the alcohol in this community and
4 this place, there wouldn't be criminal record in Fort
5 Resolution.

6 You know, its impacts. Now, they're
7 going to set it up. Oh, you got a criminal record,
8 you can't work. The only thing you can do is wash
9 dishes. Sweep the floor. You know.

10 What I like to see here with this mines
11 here -- coming here, I'd like to see them -- what's in
12 it for Fort Resolution? This is our land. This is
13 going to affect us more than anybody around Great
14 Slave Lake. Sure, Yellowknives are -- Yellowknives
15 cross but they're not going to get affected as much as
16 us.

17 You're passing right out on our front
18 door. We've have Egg Island out here. There's
19 natural -- Egg Islands. Called Egg Island. That
20 means something. That -- those eagles -- seagulls
21 nest there every year. You know, some of those
22 species are species at risk that are out there.

23 And that's an island. You hit that
24 reef, and, you know, there could be a lot of oil all
25 over it. And this fancy rock that if it goes under

1 water, it's so valuable. They're going to take it out
2 because it's valuable. Not really saying that they're
3 going to take it out because it might hurt you people,
4 you know.

5 I don't care what kind of metal it is,
6 you leave it down there long enough (AUDIO CUTS OUT).

7

8 (BRIEF PAUSE)

9

10 MR. ARTHUR BECK: There we go. See.
11 Told me to relax, and start again. But what I'm
12 saying is Fort Resolution is going to be -- I don't
13 care what Yellowknife says, or Gahcho K'ue says, it's
14 just common sense. Where is the mine going? Where is
15 the route? Who are the people closest that are going
16 to be involved?

17 We have a beautiful delta down here.
18 Right now Fort McMurray, Bennett Dam, all that water
19 is coming down. People are -- the -- pesticides.
20 Everything is coming in the water. The smog. The
21 fumes from all that smog that's coming in McMurray.
22 That's all coming on the soil, that's all coming down
23 to our delta. Then you are going to come across in
24 front with this barge with all this good stuff, so we
25 can play iPads and all that good stuff.

1 You know, you have to wonder, this
2 community is going to -- this community is going to be
3 affected the most out of everything. I -- what I
4 would like to see is Avalon make a deal with this
5 community, maybe promise us five (5) houses a year for
6 the community, maybe education for our youth in the
7 schools, the training on the job, maybe 25 percent
8 partnership. What the hell's this 3.3 percent non-
9 transferable funds? You know that's crap. This is
10 our area. If you want to work in our area, what's in
11 it for us? Thank you very much.

12

13 (BRIEF PAUSE)

14

15 THE CHAIRPERSON: That's the first
16 time in all the public hearings I've been chairing
17 that you -- somebody blew a fuse. Thank you very
18 much, Arthur. Masi, and it's on record and we're
19 really -- you gave a really good -- comments there.

20 Next on the list I've got is the Town
21 of Hay River, and then I'm going to go to the
22 community members. If you could introduce yourself
23 and your delegation.

24

25 COMMENTS BY THE TOWN OF HAY RIVER:

1 MR. ANDREW CASSIDY: Yeah, thank you
2 very much. My name is Andrew Cassidy. I'm the mayor
3 of the Town of Hay River. I'm representing our
4 community today and preparing -- or giving a brief
5 prepared statement on our position regarding the
6 Avalon and the Thor Lake rare earth project. I'm
7 accompanied by our economic development coordinator,
8 Jordan Stackhouse.

9 On behalf of the Town of Hay River, our
10 councils and our residents, I would like to begin by
11 thanking the Mackenzie Valley Environmental Impact
12 Review Board, and especially the Deninu Kue First
13 Nations for allowing me the time to make a statement
14 at these hearings. We are all here to discuss the
15 Avalon Rare Earth Metals Nechalacho project near Thor
16 Lake, Northwest Territories.

17 As I've sat here this afternoon and
18 listened to the comments from the various
19 stakeholders, I'm encouraged by this public
20 consultation process. We've heard the voices of
21 individuals, organizations, companies, and governments
22 that are here today for one (1) goal, and -- and Eddie
23 Lafferty brought this up better than I did, but the
24 goal is to work together. We want to work together to
25 advance the interests, the growth, and most

1 importantly, the security of our communities and our
2 residents.

3 Although there are some concerns from
4 various stakeholders, and we've heard comments both
5 negative and positive, I believe that we all realize
6 that responsible, sustainable development and growth
7 for the North, and in particular, the South Slave, is
8 in our collective interests.

9 The Town of Hay River has been involved
10 with consultations with Avalon Rare Metals over the
11 last number of years. During that time, they've
12 entertained requests for meetings, for information,
13 and further to that they've been very proactive in
14 forming -- in informing us of the project developments
15 and the potential opportunities for the Town of Hay
16 River. And we've appreciated that effort
17 wholeheartedly.

18 While our discussions have been
19 focussed primarily on the proposed hydrometallurgical
20 plant tentatively scheduled for the old Pine Point
21 site, we are also encouraged by the efforts put
22 forward by the Company to ensure responsible
23 development and remediation of the mine site at Thor
24 Lake.

25 I believe we live in a day and age

1 where checks and balances for environmental protection
2 are at a level that not only promote, but ensure --

3 THE CHAIRPERSON: Excuse me -- excuse
4 me, I'm sorry to interrupt. Can you slow down just a
5 bit so the translators can keep up?

6 MR. ANDREW CASSIDY: Sure, sure.
7 Sorry about that. And I apologize for not having a
8 statement for them, but -- so I believe we live in a
9 day and age where checks and balances for
10 environmental protection are at a level that not only
11 promote, but ensure sensitivity to the environment,
12 its lands, its water, its wildlife, and most
13 importantly, its people.

14 In respect to the community of Hay
15 River, we are perhaps not the most important
16 stakeholders at this meeting. We most certainly will
17 not see the biggest benefits, nor the biggest impacts,
18 should this project go ahead, but we are here. We are
19 here today speaking with the realization that what is
20 good for Yellowknife, what is good for Fort
21 Resolution, and what is good for our neighbours at the
22 K'atlodeeche First Nation will ultimately be good for
23 the Town of Hay River.

24 So, members of the panel, stakeholders,
25 community delegates, as the mayor of Hay River, and on

1 behalf of the Town of Hay River, we advocate to you
2 our support and recommend without reservation that the
3 necessary regulatory approval be granted for the
4 responsible development of the Avalon Rare Earth
5 Metals project at Thor Lake.

6 We support it for our community, for
7 our residents, and especially for our young people, so
8 that they may have the opportunities of employment, of
9 business, and of growth right here in our community
10 that we call home, opportunities that we all once had.
11 Thank you very much. Masi cho.

12 THE CHAIRPERSON: Thank you. Thank
13 you for your statement. Next, I'm going to go to the
14 list that I have in front of me from membership here
15 that signed up to speak. Earlier today, again, I
16 mentioned that, you know, we have protocol and -- and
17 if you can introduce yourself and -- so that we have
18 it on record.

19 Next on the list I have is Phillip
20 Beaulieu if you can come up.

21

22 (BRIEF PAUSE)

23

24 MR. PHILLIP BEAULIEU: Good afternoon.
25 I -- I had some interesting questions this morning

1 before the presentation was done, but I guess I'm like
2 a lot of people from here, you know, when industry and
3 mines come into the area, it really concerns -- like,
4 myself, I grew up as a land user, been out on the land
5 lots with my dad, and I -- I -- the way we grow up, we
6 grew up close to the land, so you got this passion for
7 the land. And then Pine Point came into the area.
8 Cominco mines never compensated the people here. They
9 just left big holes in the ground. So any time
10 industry -- and that's for downstream, too, from --
11 from tar sands.

12 Just recently, a couple weeks ago, we -
13 - two (2) weeks ago, we did a big study on the effects
14 from that Bennett dam if it was having effect on the
15 muskrats and the beaver in our area when they release
16 water in the winter time. Well, we know that it
17 floods just enough to kill what's in the lodge or in
18 the muskrats. We found some muskrats were flooded
19 right to the top, big lodges, like, 2 feet up.

20 But earlier this morning, I had -- I
21 was concerned about the aquatic life that the -- in
22 the water where you have all this -- you were going to
23 be hauling this stuff. But in Avalon's presentation,
24 it made it look really environmentally friendly, like,
25 it wasn't going to be hardly any damage. And so I was

1 thinking about the Pine Point area. I know the damage
2 is all -- probably already done there. There's big
3 holes in the ground, there's tailings ponds. But for
4 the location.

5 But it still brings up -- you know,
6 they talk about the birds. It's not just the seagulls
7 in that area. There's -- like, Pine Point -- when I
8 was very young, my dad used to tell me about these
9 song birds that -- that come up from midnight till
10 four o'clock and then from four o'clock to six
11 o'clock. Those are really morning birds. He used to
12 talk about these little birds. Nowadays we don't hear
13 those birds. I don't know what happened to them.

14 But these type of things, when you have
15 any type of industry going on, it affects all these
16 little living components out there. Sure, you know,
17 this past week, I listened in the media. Like, a lot
18 of our people in this community, they don't know
19 exactly what's this Avalon Rare Earth Mineral, what's
20 all this stuff about -- a lot of our people here are
21 very traditional people. They speak the language and
22 they eat wild meat, they eat fish, but the only time
23 they hear about a forum like this is -- is in the
24 media.

25 Other than that, even right now,

1 there's people at home. They're not here. And what
2 little they know about it was what they heard on the
3 radio. They heard this one (1) leader over there
4 talking about -- you know, they are directly affected
5 from this mine more than anybody, and Arthur spoke
6 earlier he mentioned it, but he's right.

7 Like, Deninu Kue people are the ones
8 that -- the avenue you have where you're going to haul
9 that stuff, it's -- it's right in our yard. Pine
10 Point's right on our doorstep. You know, so it kind
11 of -- it -- it hits home and touches a nerve to a lot
12 of our people.

13 Not that, you know, I'm saying there's
14 going to be a whole lot of damage done, but -- but
15 these types of concerns -- you know, I know a lot of
16 times you send correspondence you have meetings, but a
17 lot of our people, too, they can't -- you know,
18 they're elders and -- and it's really hard to get
19 people to come to meetings like that.

20 You know, a big company like Avalon
21 should have a lot of food and everything here. You
22 know, give out gifts. How do you attract people? I'm
23 just suggesting that because I do know once I leave
24 here even today, there's going to be people, What's
25 going on over there? You know, how I found about this

1 -- it's a good thing I'm nosey. I swung by this
2 morning and that -- but I talked to a couple leaders
3 aft -- right after. And I sat with the Environment
4 Board, with the Deninu Kue for a good fifteen (15)
5 years doing environmental stuff. I recently went on
6 to college, but I didn't get my diploma for an RTP,
7 I'm five (5) credit courses short. So I do understand
8 the signs of the environment and the studies that's
9 undertaken and the process.

10 You know, there -- there is a lot of
11 issues with the Pine Point area alone, besides Avalon,
12 besides this project. You know, Pine Point came and
13 went, there's big holes in the ground there. The
14 people from Deninu Kue have never gotten compensated
15 for that. You know, the animals there we can't really
16 -- sure there's roads, but what they did was block all
17 the roads off from the people.

18 So the minute you mention industry and
19 -- and mines and -- and, you know, rare earth
20 minerals, the way it was said in the media it was very
21 dangerous, but in the presentation this morning it
22 didn't really come out that way but, of course,
23 industry is always going to say that.

24 So I wanted to come up here and I
25 wanted -- like, Arthur touched on a lot of stuff. But

1 for the avenue of that location of where they're going
2 to haul this stuff, there's lots of unforeseen things
3 even though you can guarantee and you can say that
4 it's -- it's environmentally safe and friendly.

5 You know, our people are so used here
6 in Fort Res, Deninu Kue for what Pine Point done to
7 the people here, very hard -- hard to trust industry.
8 Even though they say it's going to bring jobs, what
9 type of jobs? You have to have a degree, you got to
10 get all this level of schooling; by the time you get
11 that the mine doors closes, the life of it's gone
12 'cause a lot of our people are more on the land people
13 here.

14 Like, right now today we don't really
15 have much for economics. A lot of our young people
16 here are trapping and we don't have nothing since
17 Salmo left, so we try in every way to try to work
18 together here. And we have -- we also have the Metis,
19 we have the Band, we've got the Maca (phonetic), the
20 Hamlet council, so we've got three (3) governing
21 bodies. You know, there's a whole bunch of
22 overlapping policies, procedures we always have to go
23 through.

24 Like, I'm -- I myself am not sure what
25 stage this -- this whole thing is at here and how much

1 -- how far down the road it's going to be before it
2 gets actually into full-swing. But in the meantime,
3 you know, the people need to be a little more educated
4 on the whole process; the exact dangers and -- and
5 everything.

6 Even though you guys are doing your
7 part, sending correspondence, trying to have meetings,
8 there's still the other people at home who just listen
9 to the radio and some of them couldn't care because
10 they don't even trust industry anymore.

11 You know, Pine Point right here is on
12 our very doorstep yet there's a cry across the lake
13 saying that they're the ones that are going to be
14 directly affected. The most impacted people, Deninu
15 Kue people. That's our waterways. When they put the
16 Bennett Dam in my dad told me -- we trapped that Slave
17 River delta all the time, we hunt geese, we hunt
18 ducks, we trap rats, how the waters were going to
19 change, islands were going to pop up -- sure enough,
20 all that is happening.

21 They got big industry upstream, tar
22 sands. We get the downstream effect on everything.
23 The mines, diamond mines, come through, we don't get
24 no IBA, we're pushed out, we sit on the back-burner on
25 all that because we're not primary people to that

1 anymore, that area, whatever agreement went down, so
2 this is why our people are like that today.

3 Now you got this mine, this -- this
4 other opportunity coming. Sure it might be an
5 opportunity for -- for jobs and things that -- that
6 can help better this community, but at the same time
7 the people are still on edge because of the way we've
8 been treated by the government. A lot of times they
9 say, Oh, you know, don't be so racial. But it's the
10 government that made us like that. And we have to --
11 it comes to the point where you have to stand up and -
12 - you know, I just want to point these -- these things
13 out to -- to your panel, and -- and...

14 You know, I'm a land user, I'm a
15 hunter. I carry a lot of traditional knowledge, too.
16 And I listened to a lot of our people, and you're
17 going to hear probably more on this -- these types of
18 things.

19 So I want to thank, actually, Avalon
20 for clarifying some questions I had, because I was
21 concerned like if there was a spill out there, or how
22 much effect is it going to have on the aquatic life,
23 which is as -- the stuff the fish eat, the food -- the
24 food that the fish eat.

25 You know, they say this bay right here

1 was all fished out years ago from the fishermen. Now
2 we're just starting to get back trout. Like Arthur
3 said, the whole community knows that he is one (1) of
4 our very active fishermen. And if you want to get
5 some information on what type of fish to catch, you
6 can -- they check with him. He's one (1) of the guys
7 they check with.

8 And now all that trout's starting to
9 come back and, you know, if anything was to happen
10 with any one (1) of these spills, how much is it going
11 to affect our -- our life and the water, the fish, the
12 trout, the food that all these fish eat? And then we
13 get into the birds, and then the whole food chain.

14 Anyway, I don't want to take up too
15 much of your time. I want to thank you for allowing
16 me to speak here. Actually, I put my name down this
17 morning. I thought you guys threw out that paper.

18 Anyway, I'd like to thank -- Avalon
19 actually did a pretty good presentation to the way I
20 understood it. And I guess if there's a lot of other
21 people that don't know the breakdown of toxins and
22 chemicals, I don't know how you can best go about
23 breaking that down to -- to educate the people a
24 little more on it. I thank the panel, and thank you
25 guys for allowing me to speak.

1 (BRIEF PAUSE)

2

3 THE CHAIRPERSON: Okay, thank you --
4 thank you, Phillip Beaulieu. That's your name, but
5 now I got your -- I know your nickname. Out of
6 respect, I'll call you Phillip.

7 We have a young lady here that's going
8 to come up and speak. I'd like to ask Myranda Calumet
9 to come up, and I'll go through the -- that order.
10 Just come up and introduce yourself, sit at the table
11 here. Don't be shy. Speak from your heart.

12

13 (BRIEF PAUSE)

14

15 MS. MYRANDA CALUMET: Hello, I'm
16 Myranda Calumet. I'm from Deninu Kue First Nation
17 band. I'd like to know, like, what kind of jobs, and
18 opportunities, and training that would be happening at
19 the mine, and everything like jobs and stuff that we
20 would be able to do out there, and what kind of
21 training we need to get done to go out there.

22 THE CHAIRPERSON: That's your
23 question? Okay, I'll -- well, what I'll do is, I'll
24 just get Avalon to speak to that.

25 MR. DAVID SWISHER: David Swisher with

1 Avalon. Thanks, Myranda, for your question.

2 So the -- the jobs, there's going to be
3 different types of jobs initially because the project
4 is staged. So early on there's going to be
5 construction activities at the Nechalacho site on the
6 North Slave, and then after about a six (6) to twelve
7 (12) month delay, then that comes over to the Pine
8 Point site.

9 And so, with regards to training, we
10 intend to do training once we have a bit more
11 certainty in the process here. We intend to start
12 doing some initial skills training for many people,
13 and it's really basic training to impart some basic
14 skills that will give them the opportunity to come on
15 board as part of our requirement for construction
16 crews. And so when construction crews come in,
17 obviously, there's a component that we have in our
18 agreements to -- to see that we are maximizing
19 employment as much as possible. And to do so we have
20 that, where it's incumbent on Avalon to pass that on
21 to construction companies.

22 Once you get on with a construction
23 company, then you have the opportunity to -- to get
24 then on-the-job experience within that skill, but also
25 learn additional skills. And then what that does is

1 it -- it sends a foun -- sets a foundation for
2 operations. So when we start operations then we can -
3 - we can hire you into the operation and -- and put
4 you in a position that fully takes advantage of your
5 skills that you've gained.

6 But then, depending on your level of
7 interest, we also have -- we'll have an apprenticeship
8 program within operations that will allow you to
9 determine which department you're maybe most
10 interested in, whether it's the maintenance department
11 or whether it's a production department or whether
12 it's a processing department and really looking at
13 those areas.

14 And as with our agreement, we also are
15 committed to making sure that where -- where the --
16 the skills and talents of -- of each individual are
17 recognized, that they also have the opportunity to
18 advance within the organization, not just be tied to,
19 say, the initial skill level jobs. So that's --
20 that's kind of the training outline.

21 Now the types of jobs that we're going
22 to have initially, especially over here on the Pine
23 Point side, are really -- there -- it's going to be a
24 mixture between maintenance jobs, there's going to be
25 electrical jobs; electricians, mechanics, maintenance

1 personnel. There's going to be probably the need for
2 some welders. There's a need for equipment operators
3 at the site. There's going to be a big need for
4 material handlers, people who can run forklifts and
5 that sort of thing.

6 There's a need for process people. And
7 we've been -- the process people are a very skilled
8 job. And so the process people, there's different
9 ranges of skills within a process facility in a
10 process plant; a plant operator to a process helper to
11 metallurgists, those types of things.

12 So, we've already had some discussions
13 with the mine's training society and -- and we've made
14 a commitment to the mine's training society with
15 regards to supporting the training that we're going to
16 bring to the communities, to each of our partner --
17 partnering communities and then start -- start the
18 process of doing some of those more skilled trainings
19 for people who are interested.

20 But really where it starts is it starts
21 -- like I mentioned, once we get a bit down the road
22 here, where it starts is making sure that we
23 understand what the interests are of the individual
24 people so we can get them heading down a path that
25 most interests them for their career.

1 THE CHAIRPERSON: Thank you. I'll go
2 back to Miranda Calumet.

3 MS. MIRANDA CALUMET: Would you be
4 able to provide us a list of work and training
5 opportunities so we can get started on training now?

6 THE CHAIRPERSON: Thank you. I'll go
7 to Avalon.

8 MR. DAVID SWISHER: It's David Swisher
9 with Avalon. We're -- we -- we've got an initial list
10 of -- of jobs, of job listings and the job listings
11 are -- are okay because it identifies what those jobs
12 are, but we're in the process of trying to finalize
13 the specific job descriptions of those.

14 And it's difficult to finalize those
15 job descriptions without finishing up some of the
16 additional design work that we were working on
17 wrapping up right now and some of the optimization
18 work. So, once we finish up with those job
19 descriptions, then that's our intent is to get that
20 information out to our communities as soon as
21 possible.

22 THE CHAIRPERSON: Thank you. Miranda
23 Calumet.

24 MS. MIRANDA CALUMET: That'll be
25 everything.

1 THE CHAIRPERSON: Okay. Thank you
2 very much for coming up and doing your presentation.
3 Masi.

4 The next one I have is Shirley Ann
5 King. Is she here?

6

7 (BRIEF PAUSE)

8

9 MS. SHIRLEY ANN KING: Hi. My name is
10 Shirley Ann King. I'm a member of the DKFN.

11 Pine Point -- this is for Avalon, I
12 guess. Pine Point, you're saying you guys are not
13 going to be using those -- like, the old tailings
14 pond, but you have the open pits there.

15 Is it safe to use a tail -- use it for
16 a tailings pond?

17 THE CHAIRPERSON: Thank you. I'm
18 going to go to Avalon.

19 MR. DAVID SWISHER: David Swisher with
20 Avalon. Yeah, that's a good question.

21 We -- we -- before we made that
22 determination to utilize that for the waste products,
23 we had to do a lot of analysis and studies. And so we
24 did an in-pit analysis of the materials, the water,
25 testing the water.

1 We also did a -- a drill program around
2 the pit, so we were able to drill the rock and test
3 the permeabilities, the -- the rock mechanics, meaning
4 how strong is the rock. We were also able to test the
5 water itself, so that we knew where the water levels
6 for the aquifer were, and -- and make determinations
7 on -- on what the effects would be for placing the
8 tailings in there.

9 So once we found that it would be
10 amenable, or -- or safe to use in the open pits,
11 that's when we changed the -- our -- our direction and
12 -- and included that as -- as part of the project.

13 THE CHAIRPERSON: Okay, thank you.
14 I'll go back to Shirley Ann King.

15 MS. SHIRLEY ANN KING: I've got two
16 (2) little guys at home, eight (8) and ten (10). They
17 say this, you know, if this mine starts up it's going
18 to run for twenty (20) years. By then, my son will be
19 thirty (30) years old. You know -- you know, maybe
20 having a career or something, and, you know, the mines
21 shut down and that -- you know, he's thirty (30) years
22 old, active, wanting to go in the -- on the land and
23 stuff like that.

24 Is there going to be any, like -- any
25 kind of compensation for us people here in the

1 community, or compensation for our kids, or future
2 children?

3 MR. DAVID SWISHER: It's a good
4 question. I think it's a two (2) part question, or a
5 two (2) part answer, maybe, for you. The first part
6 answer would be that we -- we've proposed the twenty
7 (20) year life.

8 Our deposit is a little unique. Most
9 deposits have a life expectancy, and -- and an end
10 life, or an end date. So it's whether it's ten (10)
11 years, whether it's fifteen (15) years, twenty (20)
12 years, that there's not any more resource available to
13 continue the operation.

14 And what we have found is that there is
15 a tremendous amount of resource available that if we
16 are able to attain a -- a world market share for sales
17 of the products, then we have the opportunity to -- to
18 actually have a sustainable project that goes on long
19 -- long after just twenty (20) years.

20 So our -- our initial focus is the
21 twenty (20) years, but we have a -- a tremendous
22 opportunity because we're not restricted by the amount
23 of material that is available to extend that. So that
24 -- there's an opportunity there.

25 But to -- to maybe answer your

1 question, if it -- if it were to -- to end, I think
2 that's where part of the -- the agreements that we've
3 -- we've worked out is to help build some
4 sustainability within the community itself; to help
5 the community become healthier, to address some of
6 these issues that we've heard today. But give it the
7 capacity to help become a sustainable community. Even
8 if, for whatever reason, if the -- the operation were
9 to shut down, then there are more opportunities than
10 just relying on -- on our operation.

11 We don't want this community to have to
12 rely solely on this operation. We want it to build --
13 we want to help it build capacity, and be sustainable
14 with or without our operation. So it's not a matter
15 of what happens after, we're hoping that we already
16 know that many, many years before that point comes.

17 THE CHAIRPERSON: Thank you. Shirley
18 Ann King...?

19 MS. SHIRLEY ANN KING: Transporting it
20 now into Pine Point, like there's commercial fishing
21 on the lake and that. I'm sure you guys may be
22 passing by, you know, these fishermen's nets and that.
23 Like, we know there's one (1) fisherman that fishes
24 just out here close to Pine Point, Buckley. Like, is
25 he -- would he be able -- would he get, like,

1 compensation or something? Or, like, what happens
2 with these guys that are fishing?

3 THE CHAIRPERSON: Thank you, I'll go
4 back to Avalon.

5 MR. DAVID SWISHER: David Swisher with
6 Avalon. Yeah, we've actually -- Bert Buckley is --
7 Bert Buckley Sr. is actually out there at that area
8 that we proposed.

9 And -- and so we've sat down with Bert
10 and had some discussions on how we can work together
11 so that we don't infringe on his business. 'Cause
12 that -- I mean, we don't want to infringe on his
13 business. He wants to continue his business and we
14 think we can provide better access for him 'cause if
15 you've been out there it's -- you know when you are
16 driving out there, you're -- you're about waist deep
17 in water half the time when you're driving on that
18 road out there.

19 So we -- we feel there are some
20 opportunities for us to help improve the ease of his
21 operations, as well as provide some -- some security
22 for him that maybe he doesn't have right now that --
23 so that we can coexist.

24 THE CHAIRPERSON: Okay. Thank you.
25 Any more questions Shirley Ann King?

1 MS. SHIRLEY ANN KING: One (1) more.

2 Winter transporting like -- is the lake going to be
3 open or is it ice road?

4 THE CHAIRPERSON: Thank you Shirley.
5 Avalon...?

6 MR. DAVID SWISHER: David Swisher with
7 Avalon. Yeah, as we -- we did some investigations
8 early on with regards to winter transport over the
9 lake and we -- in our investigations we found that,
10 you know, there have been some pretty severe
11 accidents, some fatal accidents on this lake with
12 regards to ice roads. And -- and as (AUDIO CUTS OUT).

13

14 (BRIEF PAUSE)

15

16 MR. DAVID SWISHER: Ah, there we
17 are. David Swisher with Avalon. As Arthur was
18 mentioning there's a lot of pressure ridges on the
19 Great Slave Lake and so we actually did survey the
20 Great Slave Lake at one time during the winter time to
21 see what would be the -- the -- (AUDIO CUTS OUT).

22

23 (BRIEF PAUSE)

24

25 THE CHAIRPERSON: Go ahead.

1 MR. DAVID SWISHER: What would be the
2 -- how practical would it be to have an ice road
3 across the lake. And when we did that survey, we
4 found in the neighbourhood of around fifty (50)
5 pressure ridges just between the Nechalacho site and
6 the direct line over to the Pine Point site. And it
7 wouldn't have changed if it had of come right into
8 Fort Resolution.

9 So at that time, we felt it probably
10 wasn't the best option for that reason. Just because
11 I've seen those pressure ridges driving out on the ice
12 and I'm sure you have and many people out here have
13 where you can cross over it and two (2) minutes later
14 you're -- you're coming back the other way and there's
15 a six (6) foot differential in the ice ridge.

16 So -- so we -- we made the
17 determination that instead of trying to -- (AUDIO CUTS
18 OUT) -- haul all this information or all this material
19 year in and year out -- (AUDIO CUTS OUT).

20

21 (BRIEF PAUSE)

22

23 MR. DAVID SWISHER: So at the end of
24 the day we determined that it was -- it -- it probably
25 wasn't practical to do an ice road and we made the

1 decision that we would -- we would hold all of our
2 concentrate at the operation until the summer time for
3 the safer shipping by barge.

4 THE CHAIRPERSON: Thank you. You have
5 one (1) more question?

6 MS. SHIRLEY ANN KING: One (1) more.

7 THE CHAIRPERSON: Okay.

8 MS. SHIRLEY ANN KING: From Pine Point
9 now, hauling with a truck, are you guys going to be,
10 like, hauling on the main road, or like people were
11 saying there's a -- like we have a railroad track or
12 whatever on the side of the main highway. Is that
13 what we're going to be using, or...?

14 THE CHAIRPERSON: Thank you.
15 Avalon...?

16 MR. DAVID SWISHER: Yeah, I mean, we -
17 - we looked at -- I've looked at rail before; that
18 would require quite a lot of capital expenditure.
19 It's not something we would rule out in the future,
20 but right now we made the determination that we would
21 haul by truck the -- the products from Pine Point to
22 the railhead.

23 And it's right there at the
24 intersection, just after the way station, after you go
25 past the dump. Then when you go -- just before you

1 turn right to go into Hay River, if you went straight
2 across, that would be the -- the site for CN's
3 transload facility.

4 THE CHAIRPERSON: Okay, thank you.
5 Thank you, Shirley Ann King. Masi.

6 Next on the list I have is Robert
7 Beaulieu. Okay, Wilfred Simon...?

8

9 (BRIEF PAUSE)

10

11 MR. WILFRED SIMON: Good afternoon. I
12 welcome you here to Fort Res -- to Fort Resolution,
13 Avalon. I'm here to ask some questions and maybe for
14 some information. But I -- you know, Andrew there
15 read lots of it that I was going to say in his little
16 note. I call him Cousin Andrew, because, you know, we
17 always say Fort Res is the oldest community in the
18 North, and we're the least developed in -- in -- out
19 of the major communities in the North.

20 And we're always underdeveloped,
21 because we're always pushing industry away, or
22 development away from this commu -- from this
23 community. And we -- we get nothing out of it. And
24 the rest of the communities benefit, like Yellowknife
25 here.

1 I'm all for development. Too many
2 years that we've sat back and wanted to educate our
3 people and wanted to move ahead with the times, but
4 we're always held back, not only by -- by industry, or
5 by government, by our -- by our own selves, by our
6 grandfathers, and our parents.

7 Like, education is really important for
8 our youth. And I look back at our education system
9 with -- I mean, kids that started -- like my daughter,
10 for instance, started -- there was -- I think there
11 were sixteen (16) of them, and she's going to graduate
12 next year, and there's going to be only three (3) of
13 them graduating. And you go back the years, there's
14 like twenty (20) students, and then two (2) graduate.

15 We've got to stop that. We've got to
16 start using whatever -- whatever we -- we could get
17 our hands on to use, to educate our kids, to have
18 future for our kids. And education -- education is
19 the answer. You know, Avalon could help us in that.
20 And I think through our -- our agreement with them,
21 our IBA, I think there's room for that.

22 I'm -- I'm a wellness worker in town,
23 and I want to know, like, what's the -- how are you
24 going to help us with the social impact if all of a
25 sudden we get a hundred jobs in town, and the drugs

1 and alcohol that's already here. It's going to get
2 worse.

3 I want to -- we're having a community
4 wellness plan -- planning workshop in the first week
5 of -- of March. It's a five (5) year plan. We want
6 the -- Avalon to be part of it. We want the -- the
7 whole community to be part of it so we could develop
8 something that's going to help our community when it
9 comes to the social impact of -- of the mines.

10 What -- what -- how are you going to
11 help us? How are we going to, you know, help our
12 programs, our wellness programs, our -- our education,
13 our school system? We need -- we need money, we need
14 help on that.

15 I see our future looks bright. We have
16 a principal here that's -- that really pushing our
17 kids into reading and -- and they're getting it and --
18 and they're really -- we -- we're getting an average
19 of Alberta students an education which is really good.
20 I mean, I see the next generation coming up, going to
21 go for education.

22 I think in twenty (20) years there's
23 not going to be much trapping, not much living off the
24 land, there's no future in it. I think though we need
25 to educate our -- our kids that they could go to

1 universities -- like, Avalon could help us. If kids
2 are going to be grade 12, grade 10, take them -- like,
3 what the Behchoko is doing; taking their students to
4 universities, showing them there's colleges out there.
5 And maybe our band could help us put money aside so we
6 could send our kids to university because there's no
7 future in -- in living off the land anymore.

8 Like, I can't even get a piece of moose
9 meat. You try to buy it off people and they won't
10 sell it to you. I -- I'm not a hunter, I go kill
11 chickens and stuff like that, but I'm -- I was never a
12 hunter, maybe it's because of residential school or
13 getting educated, I don't know.

14 But -- but, you know, I see -- it's got
15 to be for our kids, it's too late for me. You know, I
16 -- I'd probably benefit -- I don't want to get a RBA
17 (phonetic) and all of a sudden splitting -- getting
18 eight hundred dollars (\$800) a year and we're all
19 happy, that's not the answer.

20 The answer is to putting the money for
21 our children, educate our children. There's the ones
22 that's going to -- they might bring development here.
23 They might have -- we might have a community that has
24 -- has, you know, paved roads, running water. Get rid
25 of all these old houses that people are still hanging

1 on to, I don't know why.

2 You know, we -- develop this community
3 so -- so we could have tours and we could have a lot
4 of different industries which Avalon is helping us to
5 go in that direction. We should take this and move
6 ahead and continue growing as a community, as -- as a
7 partnership, not only with Avalon, but other
8 adventures that's going to come in the future.

9 We have a lot of minerals out here. We
10 have a lot of good land, you know, and -- and it's not
11 being used the way we should use it. Sure we should
12 protect waters, we should protect some -- some areas.
13 But this day and age I think -- so there is -- there
14 is -- like, great models that they have where they
15 protect the water, the environment.

16 It's no more like Pine Point. You
17 know, it's -- it's impossible to poison anybody
18 nowadays without the reg -- with the regulation and
19 with stuff, people got to get educated in under --
20 understanding that. We're in the day of the internet,
21 we're in the day of -- of the world now sees
22 everything and that's nothing could be hidden anymore.

23 And I just want to ask that question
24 again about the social impact. What are you doing for
25 that? What are you doing -- is Avalon doing anything

1 to help us?

2 Once the people gets all the job and
3 bring all the money and the drugs and alcohol start
4 ramping, what -- what are you -- what is your plan?

5 THE CHAIRPERSON: Okay, thank you.
6 Before I go to Avalon maybe -- I just wanted to maybe
7 mention too as well to Wilfred, thank you for your
8 presentation, that was really good.

9 And that's really a good question, that
10 came up in Yellowknife the other day as well. And --
11 and the GNWT spent a whole half-day on Wednesday
12 morning and part of the afternoon and -- and they had
13 -- like, twenty-five (25) people there from
14 government. You know, probably \$2 million worth of
15 salaries sitting at the table.

16 And they also have socio-economic
17 agreements with these diamond mines. And we asked
18 that same question -- like, what are you doing for the
19 people in the Northwest Territories? You know, you
20 got these agreements.

21 So -- so that's a good question. I'm
22 going to go to Avalon and see if he could respond to
23 that.

24 MR. DAVID SWISHER: David Swisher with
25 Avalon. Thank you, Wilfred. That warms my heart to

1 hear you make the statements you do because it's -- it
2 is -- that is exactly what we envision for this
3 community, not -- but I'll answer your question here.

4 We don't want to wait, we want to start
5 now because it's important that for -- as -- as the
6 Chairperson pointed out, you can say you've got a lot
7 of these programs and you can think you put those in
8 there, but if you don't know the community in which
9 you're working in and the dynamics within that
10 community, how can you help that community?

11 So it's important for us to -- as we
12 are learning more and more about your community, Chief
13 Balsillie's community, it is important for us that we
14 work together on how we can -- we can attack those
15 social problems before they occur, how we can do it
16 together. Because what we don't want to do is create
17 a system of dependency.

18 A lot of problems these developments
19 have because they don't talk about these things and
20 they just ignore it, is they go into communities, they
21 make a lot of promises and then those communities
22 become dependent on them. And they don't care because
23 they -- they said the right thing or they gave the
24 amount of money upfront to -- to make people go away
25 and make them happy but then they became dependent on

1 them. And when they went away, then everything, you
2 know, fell behind again. And that's not what we want.

3 We don't want this community to become
4 dependent on Avalon. We don't want any compete --
5 community become dependent on Avalon. We -- we aren't
6 here to save the day. We're here to develop an
7 operation in a responsible manner. But having said
8 that, it is very important to us because of our social
9 responsibility to work with our communities to help
10 them become socially responsible themselves.

11 And how we can do that, I think, it
12 only stems from working together on doing that. And
13 I'm a firm believer that we don't wait until we're in
14 operation. I think we need to -- we need to start
15 those discussions early and we'd be more than happy to
16 -- to help out with those workshops when we're aware
17 of those.

18 So when you're -- you're planning those
19 things, you know, let us know because I think it's --
20 it's more -- it's worthwhile and we'd also like to
21 participate in -- in brainstorming with you 'cause
22 it's clear you've got a lot of good ideas but
23 brainstorming with you in terms of how do we make it
24 sustainable for this community both during Avalon's
25 presence but then also after Avalon's presence.

1 And then also, working together to
2 straighten out the government of the Northwest
3 Territories 'cause they may need some of that.

4 THE CHAIRPERSON: Thank you. Wilfred
5 Simon...?

6 MR. WILFRED SIMON: We'll sit in the
7 addiction forum that's going around the Territories.
8 And I know that -- like, the minister's hearts right
9 when it comes to that. And it's never been done
10 before, what they're going to be doing, so it's like -
11 - I see a future in that -- that -- that's bright.
12 I'm a dreamer.

13 There's another question I wanted to
14 know about employment. If you have -- like right now,
15 if you're going to apply to the mines, you got to send
16 the application to a certain company and then it's
17 sent to another place and then it's -- they have that.
18 The reason why I'm saying that is I had a client who
19 told me that this morning.

20 He wants a -- wants a -- like Avalon to
21 be different than other mines, to maybe have some --
22 an office in Fort Resolution so you come, you put
23 application, you -- you give it to somebody right
24 there.

25 I know 'cause a lot of people don't

1 understand computers. A lot of people don't
2 understand the process of -- of bringing in forms and
3 you know, resumes and that. If we had an office in
4 town, it'd be easier for us to get in touch with you
5 and -- 'cause I remember applying for funding for one
6 (1) of my soccer teams one (1) time and had to go
7 through Vancouver. I mean, I got it. It took -- it
8 was good but I mean -- but if there's an office here,
9 maybe, you know, it'll be much better for us.

10 THE CHAIRPERSON: Okay. Thank you.
11 I'll go to Avalon.

12 MR. DAVID SWISHER: David Swisher with
13 Avalon. Thanks, Wilfred.

14 Absolutely, I think it's important for
15 us to -- to establish a -- a base here. At, you know,
16 at a point very soon we hope. You know, we are --
17 just to remind everybody, we're still at a development
18 stage where there's still uncertainty.

19 Not just from Avalon's perspective but
20 from any investor perspective. And so, we have some
21 work we still have to do to minimize that uncertainty
22 so then when we get that certainty then we can -- we
23 can really start moving forward 'cause we'll have the
24 resources to do so with.

25 But we -- we hear you and -- and we

1 agree. Thank you.

2 THE CHAIRPERSON: Thank you. Wilfred
3 Simon...?

4 MR. WILFRED SIMON: Well, that's all I
5 have to say. And I just wanted to make sure that I
6 said that for my client. Thank you.

7 THE CHAIRPERSON: Thank you. We'll
8 stop there. We'll take a ten (10) minute break and we
9 got six (6) more speakers and that's it for the day.

10

11 --- Upon recessing at 3:36 p.m.

12 --- Upon resuming at 3:48 p.m.

13

14 THE CHAIRPERSON: Okay. I think we've
15 got power now, so we'll continue on. We'll -- we'll
16 reconvene now, and we'll continue on. On the
17 speaker's list I've got in front of me, again, I'll
18 call out Robert Beaulieu. He's not here.

19 Paul Bouchier (phonetic)...

20 Keith Fabian (phonetic)...

21 Leonard Beaulieu...

22

23 (BRIEF PAUSE)

24

25 ELDER LEONARD BEAULIEU: Leonard

1 Beaulieu here, Elder from the Deninu Kue First Nation.
2 About this project here, I have some -- a lot of
3 discrepancies about the way they -- they're going
4 about trying to start up a mine from the day 1 that
5 they come into the community.

6 They came in here, I forget what year,
7 but I was a councillor with the Deninu Kue First
8 Nation back then. And Rick wasn't with that group.
9 But they made presentations that they wanted to start
10 mining in that area, at Thor Lake. And they brought a
11 presentation, they said they had thirteen (13)
12 different me -- rare metals that they identified. And
13 they left out beryllium.

14 And fifteen (15) years ago now, today,
15 there's -- there's one (1) mining company that was in
16 that exact spot they're in today. The First Nations
17 all got together, they shut them down, because of
18 beryllium. It's a very dangerous rare metal.

19 And now I was into one (1) of the
20 meetings with -- after Swisher joined the -- the crew
21 there. I questioned them, how they were going to
22 separate this beryllium from the metals they are
23 coming out with. They couldn't answer me. And now,
24 today, on the presentation I seen two (2) -- two (2)
25 forms of rare metals that they're after.

1 And the way it's going to be handled,
2 the way it's going to be transported, you know,
3 they're -- to me it's a big secret, you know, to take
4 uranium and this other metal, and get them all the way
5 down into the bottom part of United States. What's
6 the big deal about these two (2) -- two (2) rare
7 metals?

8 Uranium, as we all knows, nobody wants
9 to mine it in the territories anymore. The government
10 don't want to do that. That's why they formed a park
11 in one (1) of the richest uranium country in Canada,
12 east of Snowdrift, and let uranium run from there
13 right through into Uranium City, Saskatchewan. It's a
14 big ore body. The government won't let nobody touch
15 it. But how come they let Avalon take it out? These
16 are questions, you know, I know he can't answer
17 because something's being hidden from people involved,
18 you know, with this land.

19 This land is still under negotiations,
20 as you all know. And so it's pretty hard for us to
21 sit back and watch anything leaving our land without
22 consultation with the -- every community that's
23 involved with the Akaitcho territory or Akaitcho
24 government.

25 And another thing they're using that I

1 don't like is the traditional -- the studies on
2 traditional knowledge. In order for a mine to go
3 ahead today, you don't need traditional knowledge.
4 You're not going in there to pick berries or shoot car
5 -- caribou. These guys are going in that area to mine
6 the world's deadliest rare earth metals. And they
7 have paid Deninu Kue First Nation, the Metis Nation
8 here in Fort Resolution, a hundred and seventy
9 thousand (170,000) each to do studies on traditional
10 knowledge. For what?

11 Today. Yesterday has been gone. We
12 have to think about today, tomorrow. Tomorrow is the
13 most important part of life, in everybody's life.
14 Everybody here, anyplace in the world can't say,
15 Tomorrow, ah, the hell with tomorrow. No. You have
16 family to back you up. You have a family of your own,
17 your children, grandchildren, great-grandchildren.
18 This carries on, you know, and especially in this
19 area.

20 We have to have a really good look at
21 this project going ahead in order to secure the health
22 of our people in the -- tomorrow. To me, it's just a
23 form of consultation they're using the traditional
24 knowledge thing. They're writing the paper, give it
25 to you as the Mackenzie Valley, you know, Water and

1 Land Board to make decisions.

2 And then they're using labour. As you
3 all know, in any mining, the construction phase, they
4 hire anybody. That's where you see Fort Resolution --
5 maybe two (2), three (3) be working there. Right now
6 they have four (4), I think, from Res, you know, doing
7 -- helping with the drilling and stuff.

8 But that's the dirtiest part of any
9 construction, is the beginning. You'll see phases
10 there, the promising jobs. Once the operation starts,
11 you won't see nobody from here there. I've seen mines
12 come in here, in this very same hall, make these --
13 you know, you're going to have jobs. You're going to
14 have jobs.

15 Today from Fort Resolution there's
16 three (3) people on the two (2) week in, two (2) week
17 out rotation. Gahcho Kue, they called it, hired two
18 (2) the other day. That's labour, construction phase.
19 You know, they -- boy -- use this boy, because that's
20 a very dangerous stuff they're going to be working
21 with.

22 And they looked at the -- the
23 presentation, barging. In the early '50s, a barge
24 come out of the Slave River, and winds are
25 unpredictable in this area. Storm, a big storm come.

1 The boat tried to harbour inside the Bay here from
2 Roan Island (phonetic) back, around Dead Man's Island
3 close to Looted Island (phonetic).

4 The birch -- the barge, they anchored,
5 and the boat too. And all the chains that held --
6 they had eight (8) or nine (9) Caterpillar CATS on
7 there. They all broke the chain. All fell off the
8 barge. One (1) -- a guy from Hay River by the name of
9 John Pope (phonetic), he don't live anymore, but that
10 -- that very sand -- same CAT he took out of that lot,
11 his son's still got it in Hay River.

12 And after that happened -- this is
13 stories I heard from Elders. You know, in the early
14 '50s, I was only about eight (8), nine (9) years old.
15 But even at that time this town was very, very small.
16 People went door to door visit, share a pipe, share
17 smokes, you know. And they used to talk, and I'd
18 listen. I speak Chip just as good as anybody today.

19 And about a week after that happened,
20 when the barges -- the CATs fell off the barge, that
21 tugboat looked all over in the lake. It took them
22 five (5) days to find that barge. Now you're going to
23 tell me it's safe to barge that deadly mater -- you
24 know, mineral across the lake to Pine Point.

25 You know, it really -- it's -- when you

1 look at traditional knowledge, look at Pine Point.
2 That's traditional knowledge enough for this project.
3 Look at the mess Cominco left. The land is full of
4 holes even where they want to build that plan. It's
5 right where Cominco had a -- the mill. The tailing
6 pond is still sitting there that they want to use, you
7 know. It's -- you're going to have to look, this
8 project is a lifetime project.

9 They predict thirty (30), forty (40)
10 years, but they don't have the equipment there to
11 predict the life of what's there with that little
12 drill they have there. It's too small. You can't
13 drill down as far as them other big drills. Maybe
14 there's life there for five hundred (500) years, you
15 never know.

16 And this dangerous stuff coming out of
17 the ground and, you know, the shipping and mining and
18 milling, you have to look at things. You going to
19 have to turn the ball around and around and try and
20 figure out if it's safe enough. You have to think,
21 like I said, tomorrow. That's the main part of you --
22 the history; today is tomorrow. What's past,
23 yesterday, is gone.

24 We can't sit in meetings here and talk
25 about traditional knowledge. Do you know what it's

1 like telling somebody, Go in there, I paid you. Come
2 out there and see how many rabbits are in that area,
3 you know. That's traditional knowledge. People know
4 that.

5 The Fort Resolution people were the
6 only people that used that area sixty (60), seventy
7 (70), fifty (50) years ago. Snowdrift didn't
8 originate when our people here used to go into the
9 barren-lands for caribou in the spring, like my
10 brother explained earlier, Tommy. Everybody went
11 across the lake for spring hunt, rafts. I remember it
12 when I was a kid.

13 Then they changed the name of this,
14 Chalacho (phonetic). That's -- that's in our
15 language. The people in this community made the name
16 for that in Chipewyan. Now the guys had a big feast
17 there, drums and all. They changed the name. They
18 put 'N-E' with the Dogrib. Dogrib has got nothing to
19 do with that area. That's a hundred percent from
20 there -- further north in the -- in the bay. You'll
21 find Beaulieu River. That's my -- one of my
22 grandfathers named that river.

23 So people are aware of the knowledge,
24 the traditional knowledge, that's there for the land
25 users, you know. So they -- they know -- what -- what

1 they're worried about is what's going to happen to
2 that traditional land today and tomorrow. They got
3 their knowledge. It's there. It's no good to them
4 now. They can't go back; old and dying.

5 You know, and this damn mine is so
6 close to the -- to the lake on the Thor lake, too
7 close to say there's safety. There's no such thing as
8 safety when you have elements like that, rare earth
9 metals, you know. That's a dangerous thing.

10 I worry about it. I'm old; I'm sixty-
11 five (65) years old. But I worry about it because the
12 future of this community and their children, you know.
13 So people have to really think before you support any
14 project like this. Thank you.

15

16 (BRIEF PAUSE)

17

18 THE CHAIRPERSON: Thank you, Tommy
19 Beaulieu. Masi -- oh sorry, Leonard -- Leonard.

20 Next on this I got is Henry MacKay.
21 Can he come up to the mic?

22

23 (BRIEF PAUSE)

24

25 (INTERPRETED FROM NATIVE LANGUAGE INTO ENGLISH)

1 MR. HENRY MACKAY: Hi, I'm going to
2 say it in Chipewyan. Me, myself, I grew up here. I'm
3 a trapper. I still trap tod -- yesterday, I went to
4 Little Buffalo River. On the lake I travelled.
5 There's no tracks. Nobody passed there.

6 So this mining they're going to do,
7 it's not right for me. These barges you're talking
8 about, they're going to haul that stuff. I heard the
9 talk about it, sitting here. That is very dangerous,
10 they say. I think it's true.

11 When I think about all of it, that --
12 why don't they build a road and haul it on the road?
13 Is it too difficult? If you could haul it by barge,
14 you could build a road and haul it on the road. Why
15 is it so difficult? If -- maybe if it was like that,
16 maybe it won't be so dangerous.

17 Even myself, I don't even know myself.
18 I live here. Nobody tells me if -- even if there's
19 meetings, I don't know. If they have meetings about
20 it, I don't know about it. I'm not always working,
21 you know. I've got to live myself, you know?

22 I -- I have nets in the water, just
23 like anybody else. I'm just about seventy (70) years
24 old now. My late father, he used to tell me, to the
25 tundra he used to travel for white fox. Even he used

1 to bring back caribou from there. When he was gone --
2 when he was gone from here, my mum, my late mum, she -
3 - she passed while he was gone.

4 When he came back to the Buffalo River,
5 he -- he left -- he left the meat. And when he came
6 to the Slave River, my -- my late mum -- I was -- I
7 was -- although I was small, I was still with them.
8 And then I -- they came there to those people way from
9 the tundra.

10 So it's just like it's not their
11 business, and they're not the boss, I don't believe
12 that. My grandfather, in the spring, he'd travel by
13 boat, carrying a boat, a portage, a little boat. He'd
14 paddle. He used to travel all that area. He -- they
15 used to tell me that. I know all that.

16 See, it's not right for me, the way --
17 they way they're -- this -- these discussions are
18 going.

19

20 (BRIEF PAUSE)

21

22 MR. HENRY MACKAY: And from there...

23

24 (BRIEF PAUSE)

25

1 MR. HENRY MACKAY: From there, myself
2 -- when -- when Pine Point was there, I worked there.
3 I -- so I know what -- what happened when Pine Point
4 was there, with the tailings pond, the spillage,
5 because I -- I used to work there. From there, at
6 night in the evening when I have time, towards Hay
7 River I used to set traps, right to today I still set
8 traps.

9 Now if they started using barges to go
10 there, where they -- where it's going to be docking,
11 they're going to make it deeper, they said. If
12 they're going to make it deeper, they'll have to
13 dredge it.

14 If that water that is spoiled that is
15 there near the underground, that'll spoil everything.
16 They -- it's gotta be watched. I mean, that's what I
17 wanted to mention, because it's not very far from the
18 shore that they spill that tailings.

19 So we always say you can't do it, you
20 can't do it. Leg-hold traps, they took that away from
21 us. A lot of -- a lot of Elders quit -- quit trapping
22 because of that. They say things suffer. Bow we
23 suffer from cancer. They really suffer some people,
24 but that's okay. And I know it's because of the
25 mines, from the water.

1 We're right in the middle from the
2 mines. We're all suffering from it. They suffer for a
3 long time. I see it with cancer. That -- it's ok --
4 it seems to be okay. They took the traps away. For a
5 thousand years we used it. They said that these other
6 traps work better. They traded traps. Now people
7 tear their hands and trap their hands with it, those
8 canibears. They're not good.

9 When -- when a pelt gets caught, maybe
10 just a hand, he'd be sitting on it, he'll be alive,
11 just like a leg-hold. If it's -- if it's not caught
12 good, they still -- they still live. I don't think
13 it's any better than leg-hold. I -- I use it, that's
14 why. Not because I was told; I looked at it, I seen
15 it. I'm not lying, what I'm saying.

16 I see it. Leg-hold, they freeze right
17 away. As soon as its arm's free, they -- they freeze.
18 A lot of people know it. A lot of people set traps --
19 have traps. They took that away because they say
20 things suffer. Now we were suffering from cancer; it
21 seems to be okay because of the mine. Their still --
22 keep putting in mines. That's not right.

23 Even Pine Point that was there, there's
24 holes in the ground. Who knows what goes in those
25 holes. I bet you a lot of animals fell in that. I

1 bet you even moose fall into those holes. We don't
2 know. They should have covered that. How come they
3 don't talk about that? Why isn't that repaired or
4 fixed?

5 Last year I went there; there's a big
6 tank. I don't know what they use it for. There was a
7 big truck; they were working at the lagoon or
8 something, I'm not sure. It's dirty water. There's a
9 big hole there. They were dumping the fluids in there
10 with the trucks. I seen it. I don't know what they
11 were doing, but they were working there.

12 That poison, it's -- it's got to be
13 poison from somewhere. They're dumping it there. I'm
14 not from -- I'm not sure from where but I seen it.
15 That's what I wanted to say and from -- and aside from
16 that, working together, I kinda -- difficult for me to
17 believe that. When they say there's meeting, we don't
18 know what's going on. I'm a Band member here; nobody
19 tells me anything. Only today, Come here, they told
20 me. Tomorrow we'll listen to you, they told me. So
21 they -- they said there's going to be meeting so I'm
22 going to go to it. I like listening to things like
23 that. I like to talk, too, about things, because I'm
24 a trapper and a hunter. I'm still like that.

25 Yesterday, like I was saying, I went

1 there. I got everything I need for the bush. I don't
2 -- I don't ask, you know. If I'm going to go, I go.
3 Lutsel K'e, if they're going to get caribou, if they
4 need a guide, and -- and they said they were going to
5 pay us. See if I go there, I don't want to be a
6 guide. I don't need a guide.

7 I'm -- I'm old now. I don't read and
8 write, but in the bush, I betch you I'm better than
9 people that -- that know how to read and write, in the
10 bush. That's what I wanted to say. I'd like to say a
11 lot more, but it's getting late, so I'll just say that
12 much. Next time there's a meeting, I'll attend again.
13 Thank you very much.

14

15 (BRIEF PAUSE)

16

17 THE CHAIRPERSON: Thank you, Henry
18 MacKay, for your words and wisdom. Masi. Our last
19 speaker is Rosy Bjornson. Rosy...

20 MS. ROSY BJORNSON: Good afternoon,
21 Chair. Good afternoon, Review Board and staff. Once
22 again, Avalon. I -- I want to thank the interpreters
23 and the -- that are here this -- this afternoon.
24 They're doing a really good job. I appreciate them,
25 because they're the -- the bridge that fills the gap.

1 Masi.

2 I'm here as a community member right
3 now talking. I have a comment that I would like to
4 make as a mother of four (4) children, three (3) who
5 reside with me here in the community. I've lived in
6 Fort Resolution my whole life. I'm thirty-five (35)
7 years old. I was educated at the Deninu Kue school.
8 I was then transferred to Hay River Diamond Jenness
9 for school. But I didn't finish, unfortunately,
10 because of the impact from us being moved. But I did
11 complete grade 12 at the Aurora College, and then was
12 fortunate enough to get a job with the First Nations.

13 Unfortunately, these kinds of success
14 stories aren't -- are few and far between in our
15 community. A lot of people my age are unemployed,
16 live in the community, and need to work. Training
17 and, you know, opportunities that mining provides to
18 the community is good. We don't -- we don't want to
19 be reliant on government and on the First Nations, and
20 on -- on, you know, handouts all the time.

21 I, myself, raised my three (3) kids
22 without income support because of the fact that I get
23 up every morning and I go to work. My kids attend
24 school on a regular basis, because I make them go to
25 school. I get them up, and I send them to school. I

1 don't rely on anybody to come and wake my kids up, or
2 wake me up to get them up to go to school.

3 My kids will not be hunters and
4 trappers, which is unfortunate, because that is our
5 culture, that's our tradition. My kids will be
6 educated. My kids will need jobs, not only in the
7 office complex, but they'll need jobs and
8 opportunities and motivation in the community today;
9 not tomorrow, not ten (10) years from now when
10 everybody gets along. They're going to need it
11 tomorrow.

12 I don't want to see my children at the
13 age of eighteen (18) wandering around Res, wondering
14 what they're going to do with their life. I see an
15 opportunity here with the Avalon Rare Earth Metals, De
16 Beers Gahcho Kue, and a number of different projects
17 that, you know, may have an environmental impact on
18 the land, the water but today's world, today's
19 science, we can mitigate those measures, we can work
20 together and we can be strong and united.

21 As a mother I stand here today, idle no
22 more, asking the government and asking the Review
23 Board to consider what I've said about my children's
24 future. You know, we can't -- we can't wait for --
25 for INAC to come in here and consult with us 'cause

1 they'll never do that. They send you guys here to do
2 that, you know?

3 And I know there's -- there's
4 agreements in place that allow for our First Nations
5 members and our Aboriginal members in the community to
6 speak to these kinds of things. And you know, we have
7 a process. And I've very well aware of it 'cause I do
8 work in that process.

9 So it's my responsibility as a worker
10 too, to keep the Chief and council informed and the
11 First Nation membership. And I'm -- I'm pretty sure I
12 do a good job of that.

13 But like I said, our children need
14 motivation. We can't rely on trapping, we can't rely
15 on hunting. I have to buy groceries, every two (2)
16 weeks I spend eight hundred dollars (\$800) just on
17 groceries. That's not including gas to get to Hay
18 River. That's including, maybe, you know, a meal
19 because we're hungry when we're there. Where's that
20 money coming from?

21 You know, and I'm not the only one with
22 three (3) kids in this town. And I'm not the only one
23 with a husband that has, you know, seasonal work. But
24 with the mine maybe they could get a full-time job.

25 You know it's our job to educate our

1 kids to get them these jobs. It's not the Review
2 Board's job, it's not the Chief's job, it's not
3 David's job at Avalon, it's my job as a parent and as
4 a mother. And I just wanted to make sure that you
5 guys know that and that, you know, I'm scared too
6 that, you know, that that barge might go in the water
7 but what about that trioxide, you know? That's even
8 scarier.

9 There's a lot of other things, a lot of
10 legacies that the government left for me and my
11 children. And I know that society today will not
12 allow that to happen again. And I know the Chief and
13 the president of the Metis Council won't allow that to
14 happen again 'cause I have faith. I was taught
15 respect. Thank you.

16 THE CHAIRPERSON: Thank you very much,
17 Rosie, for your words and wisdom and that was really
18 good. Masi.

19 We come to the end of the Avalon rare
20 earth metal environmental assessment public hearings.
21 We had three (3) days in Yellowknife, we had the day
22 off yesterday but we had meetings all day. We -- we
23 had to deal with a couple issues including the letter
24 that was recently sent in. And then we came here
25 today.

1 I'm going to ask maybe the host Chief,
2 he wants to do some closing remarks and then I'll do
3 the same for Avalon and then I'll close off the
4 meeting. Chief Louis Balsillie.

5

6 CLOSING COMMENTS BY DKFN:

7 CHIEF LOUIS BALSILLIE: I'd just like
8 to thank everybody for being here. I'd like to thank
9 Avalon for their presentation. I'd like to thank the
10 Review Board for sitting in today and listening to the
11 people's concerns. I'd like to thank the membership
12 that spoke from the community and their thoughts on
13 what's happening.

14 And the Elders that sat here all day,
15 I'd like to thank them for being here with us. And
16 I'm hoping that this project moves ahead for the
17 betterment of our people and our community to help us
18 move ahead in -- in this society we live.

19 You know, you hear people talk about
20 the jobs -- there's no jobs. We're frustrated because
21 nobody's listening to us. Here's a good opportunity
22 for Deninu Kue and the Metis locals to move ahead.

23 You know, I always listen to Elders in
24 speaking, they're always saying, we have to work
25 together, you know? This could be a project that

1 could put us together and work together in our
2 community for the betterment of our people here - not
3 Fort Smith, not Hay River, not Yellowknife, not Lutsel
4 K'e but Deninu K'ue, where we live. Where we bring
5 our kids up in the community. So they have jobs.

6 You know, they know what's going on
7 with the environment. You know, we heard some good --
8 good speakers today. We heard Avalon talking about
9 what they're going to do in the future with us.
10 That's good to hear. They've always been
11 straightforward with us. They -- they've always told
12 us what they were going to do, and they came through.

13 So with that, I'd like to say thank you
14 for being here. Thank you to the members. Thank you
15 for the interpreters. And it was a really good
16 meeting. I feel happy. And we do have an Elder who
17 is going do to the closing prayer, Henry King, so he
18 will be closing the day out. Masi.

19 THE CHAIRPERSON: Thank you. Out of -
20 - also the -- I would like to ask maybe Kara King and
21 Trudy King to come up to do closing remarks on behalf
22 of local and NWT Metis Nation.

23

24 CLOSING COMMENTS BY NWT METIS NATION:

25 MS. KARA KING: I think it was --

1 thank you for coming to hear our concerns for the
2 community. Thank you for sharing information with us
3 on your project. To the community members that --
4 that came out, and I -- I really learnt some things
5 today.

6 And I'm -- you know, I -- I hear what -
7 - what Louis is saying, and I think it -- it will be
8 good to have jobs in the community but I have to
9 remember, too, that -- that we represent our people
10 sitting here, and we have to, you know, look out for
11 the best interests of our members and our culture.
12 You know, and so I'm hoping that we're going to find a
13 way for that. And that's all I can say right now.

14 THE CHAIRPERSON: Thank you. Masi.
15 Avalon Rare Metals Inc....?

16

17 CLOSING COMMENTS BY AVALON RARE METALS INC.:

18 MR. DAVID SWISHER: Thank you, Mr.
19 Chair. David Swisher with Avalon. I'd like to thank
20 Deninu K'ue First Nation, the Northwest Territory
21 Metis Nation, and the Fort Res Metis. I appreciate --
22 particularly appreciate everyone's comments. Thank --
23 thank you to the Board, the Chair, and the -- the
24 staff.

25 It's been a long week, for certain, and

1 -- but it was a pleasure to end that week here in Fort
2 Resolution. We -- we look forward to working with
3 this community, and we look forward to working with
4 all the communities with regards to this project.

5 And -- and I can't thank everybody
6 enough. So with that, thank you.

7

8 CLOSING COMMENTS BY THE CHAIRPERSON:

9 THE CHAIRPERSON: Thank you. Closing
10 comments by the chair now. I, too, would like to
11 thank Chief Louis Balsillie for allowing us to come to
12 his community to have this public hearing. All the
13 Elders, community members that spoke, masi. Your
14 words are very important to us, and it's all
15 documented, as well.

16 I also would like to thank Kara King,
17 the local president, and Trudy King with NWT Metis
18 Nation. Masi. Also I would like to thank the -- the
19 Developer, Avalon Rare -- Rare Earth Metals Inc. Also
20 the parties.

21 Earlier today I explained our whole
22 process as to how we get to this point, and -- and
23 this morning I also mentioned the -- the Board will
24 meet -- Monday we'll -- we'll take a snapshot of what
25 really happened last week. And then after this the --

1 the Board will reconvene probably at the next Board
2 meeting, and -- to give direction to staff on writing
3 up the -- the report to the Minister. And -- and with
4 -- along with our legal counsel. And the Board will
5 decide whether or not this project should proceed, or
6 not.

7 And if the -- the Board makes that
8 decision it goes to the Minister, and it goes to the
9 responsible Ministers, including the Minister here in
10 the Northwest Territories, the responsible Ministers
11 here.

12 And after that, the Minister will make
13 its decision. And then what happens after that, once
14 he announces that decision whether it goes ahead or
15 not, then if it -- if it's approved with measures or -
16 - or anything like that, then what happens after that
17 it goes to the NWT Land and Water Board.

18 And -- and they will also be -- have to
19 have another hearing which is a Class A water licence
20 hearing that will -- probably could happen anywhere
21 from six (6) to twelve (12) months after we're done
22 our process. And most likely they might come back
23 into this community so that they can talk about the
24 permits and licencing things after that.

25 So I just want to just let you know

1 that -- that process because I explained it this
2 morning how the whole process worked.

3 So anyways, I want to thank all the --
4 Aboriginal Affairs and Northern Development Canada
5 known as AANDC as -- as parties, the Akaitcho Treaty 8
6 Tribal Corporation, Blachford Lake Lodge, Deninu Kue
7 First Nation, Environment Canada, Fisheries and Oceans
8 Canada, Fort Resolution Metis Council, Government of
9 the Northwest Territories, K'atlo'deèche First Nation,
10 Lutsel K'e Dene First Nation, North Slave Metis
11 Alliance, Northwest Territory Metis Nation, Tlicho
12 Government, Transport Canada, Yellowknives Dene First
13 Nation. Those are the parties that applied to the
14 Review Board.

15 Also, I'd also like to thank the Board
16 members. As you know the Minister is responsible for
17 appointing Board members here today. And representing
18 Dilo -- or sorry, Dettah is Rachel Crapeau on my far
19 left. Percy Hardisty is from Fort Simpson. And I
20 just want to make a note here too as well.

21 I want to say thank you to Percy
22 because the Review Board nearly cancelled this public
23 hearing. On the Friday of last week we had an
24 emergency conference call and Percy had notified the
25 Board that he was sick and he had pneumonia. So --

1 but he must have had a lot of good Lord's Prayer
2 because he -- he came to our meeting and so he's here
3 with us. So he's tired, but we needed him because we
4 didn't have quorum. So I want -- so I want to say
5 thank you to Percy.

6 And also we have James Wah-shee from
7 the Tlicho region. As you all know James has been
8 around. He used to be the Dene Nation Vice-Chief and
9 Minister of the GNWT Government and Deputy Premier and
10 so on. So, you know, he's -- he's well experienced.

11 We also have Richard Mercredi sitting
12 beside me all -- as well. He's also -- he's been with
13 the government for a long time, but he's also a
14 trapper and hunter in this area as well, so he brings
15 really good experience to the Board.

16 Most recent we had Sunny Munroe, Board
17 member to my far right here. She's also just been
18 recently appointed. But her -- her background is in
19 communication and she did a lot of work for a lot of
20 companies here in the North. And so he's -- sorry,
21 she's been a really big asset to the Board now.

22 And most recent as well is John Curran,
23 who is also an independent comb -- consultant now, but
24 he also used to work for Discovery Air.

25 So a lot of people on this Board

1 represents everybody in the Mackenzie Valley. And our
2 job, again, is to protect the environment, to make
3 sure that your voice is heard. And we gather all the
4 evidence and once we have the evidence then we make
5 our decision.

6 And I also want to thank the Review
7 Board legal counsel John Donihee. And -- and we also
8 have Board staff. We have Chuck Hubert, Simon
9 Toogood, Cailin Maki, Stacey Menzies. And our
10 technical advisor who is not here right -- right now,
11 but he's Ralph Grismala. He was in Yellowknife and
12 he's an expert on water quality and so on. So all --
13 so in other words, if you have any more questions or -
14 - you could take a look at the Review Board website in
15 regards to water quality or anything on this file.
16 Everything will be there as of Monday, so it's there
17 for you.

18 And also the -- the facility here at
19 the Antoine Beaulieu Memorial Hall, I want to thank
20 all the staff that are here. Masi for helping us and
21 set up the tea, coffee, and everything else. I want
22 to say Masi to -- to the folks.

23 Also in Yellowknife we used the Tree of
24 Peace facility. And I also want to thank the NWT
25 Power Corporation for providing power for us. We had

1 no power outages.

2 And also here at Fort Resolution we
3 have DKFN, Colin Beaulieu who provided the catering.
4 And also in Yellowknife we had the -- the Gourmet Cup.
5 And the interpreters. As you know through any meeting
6 here in the North, we can't conduct meeting without
7 our interpreters, and we will need to recognize them.
8 So I want to acknowledge Ann Biscaye in the back, Mark
9 -- Mark Casaway, Tom -- Tom Unka,

10 We also have other Chipewyan
11 translators. We had in Yellowknife was Ann Bisque --
12 sorry, Bertha Catholic. She's not here but she -- I
13 just wanted to recognize her, as well. And in the
14 Tlicho region we had the -- Alana Drygeese, Margaret
15 Mackenzie, and Berna Martin, as well. We recognize
16 them.

17 And sound, Pido Production, I'd like to
18 thank Norbert Poitras in the back for being here.
19 Also in Yellowknife we had Trevor Bourque. He's not
20 here but he's also part of this whole process.

21 But last but not least is the
22 transcript lady here in the back, Lorraine Douglas,
23 even though she does -- sometimes she yells at us,
24 saying, you know, there's no power or no mic, can't
25 hear you, that's the lady there. But she's the one

1 that does all the work to record everything, and it's
2 on the transcript. So if you go to the Review Board
3 website it's there.

4 And all my staff in Yellowknife, as
5 well. Vern Christensen and my support staff that are
6 there. And all the public hearings we have are live
7 streaming, meaning that it's -- if you go to the
8 Review Board website, you go to the icon, you can
9 listen to the hearing here today or anywhere in
10 Mackenzie Valley. That -- and I just want to thank
11 our staff for that.

12 So with that, I officially call the
13 Avalon environmental -- Thor Lake project
14 environmental assessment community hearing officially
15 closed. And I want to ask a closing prayer now. I
16 want to ask Henry King to come up to do the closing
17 prayer.

18

19 (CLOSING PRAYER)

20

21 --- Upon adjourning at 4:34 p.m.

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1 Certified correct,

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7 Lorraine Douglas, Ms.

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