



Fort Resolution Metis Council

EA 0607 - 002

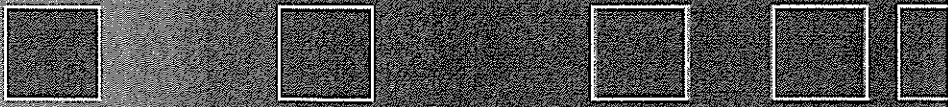
Tamerlane Ventures Inc.

Public Hearing

October 16 , 2007



The FRMC and the Northwest Territory Metis Nation (NWTMN):

- The FRMC is a Branch of the Northwest Territory Metis Nation, Who on August 29, 1996 took a major step in rebuilding our nation by signing a Framework Agreement with Canada and the Northwest Territories to begin negotiations on a Northwest Territory Metis Nation Agreement. To date the NWTMN are the first and only Metis to negotiate an Agreement with Canada and the Northwest Territories.
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Who is the Fort Resolution Metis Council:

- The Fort Resolution Metis Council (FRMC) is comprised of a President, Vice President, Secretary / Treasurer and four Directors. All of whom are elected by the Indigenous Metis of Fort Resolution to represent them.
- We have an responsibility to the Indigenous Metis of Fort Resolution to protect Indigenous Metis rights, land and culture and all that that encompasses, And to ensure that mining does not infringe on our traditional way of life.

Indigenous Metis of Fort Resolution:

- The Indigenous Metis of Fort Resolution have Aboriginal Rights, under Section 35 of the Canadian Constitution Act of 1982.
- Under the NWTMN the FRMC and its members have a recognized Interim Measures Agreement (IMA) which was approved by both the Government of the Northwest Territories and the Federal Government of Canada.

The Duty to Consult and Accommodate:

The 'duty to consult and accommodate' is a Constitutional duty. The Crown's obligation to fulfill this duty is grounded in the honour of the Crown and the protection of Aboriginal Rights in Canada's Constitution.

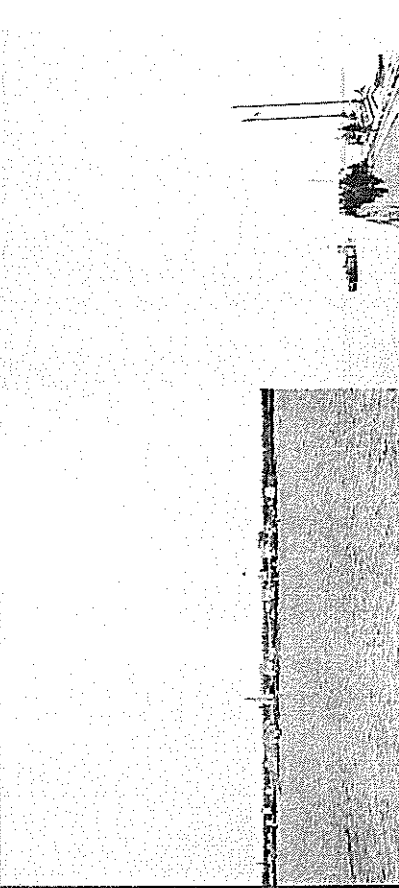
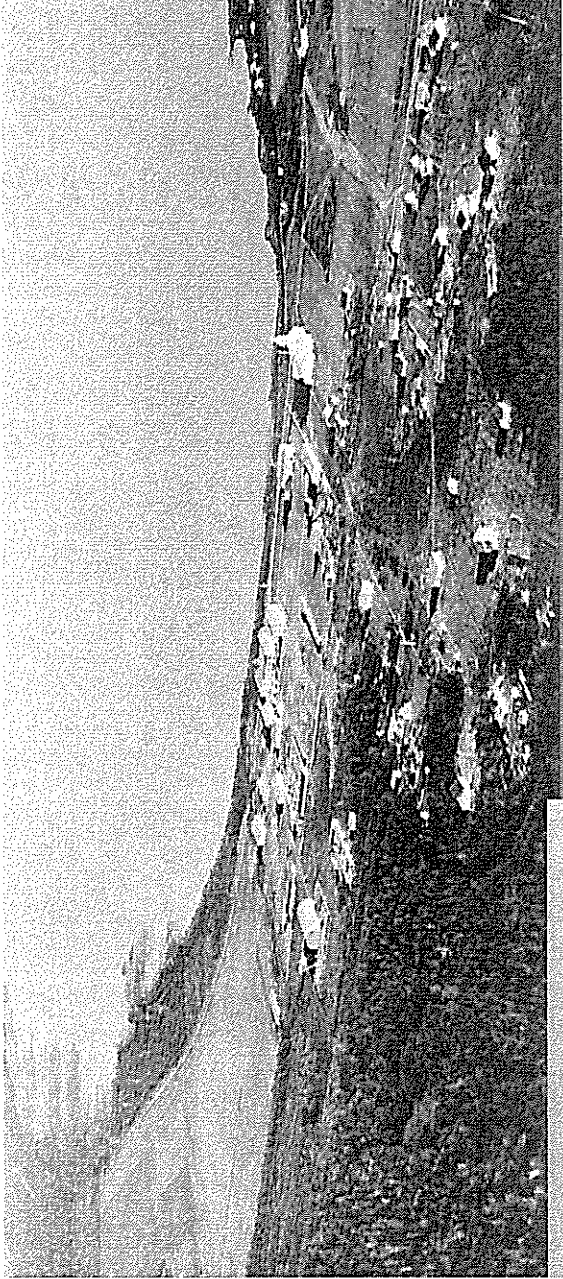
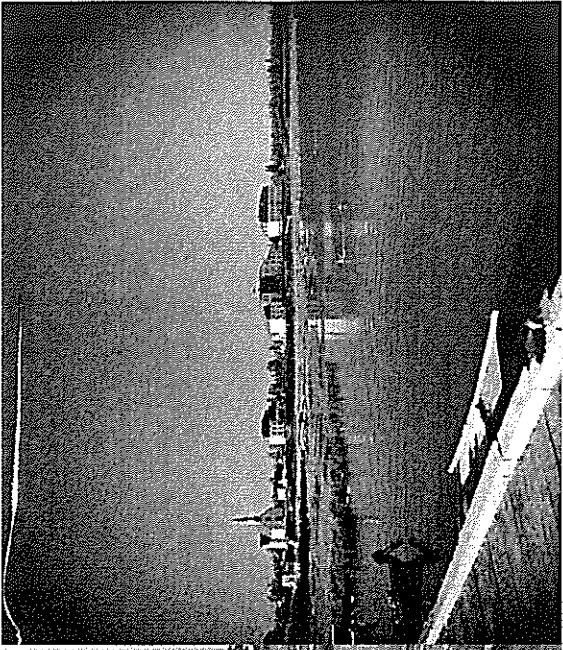
It is triggered when the Government has real or constructive knowledge that Aboriginal rights exist and that their contemplated actions or the actions of industry may adversely affect those rights.

The Ultimate goal of the duty is to minimize the negative implications of the contemplated activity or project on the rights, lifestyle and way of life of affected Aboriginal peoples.

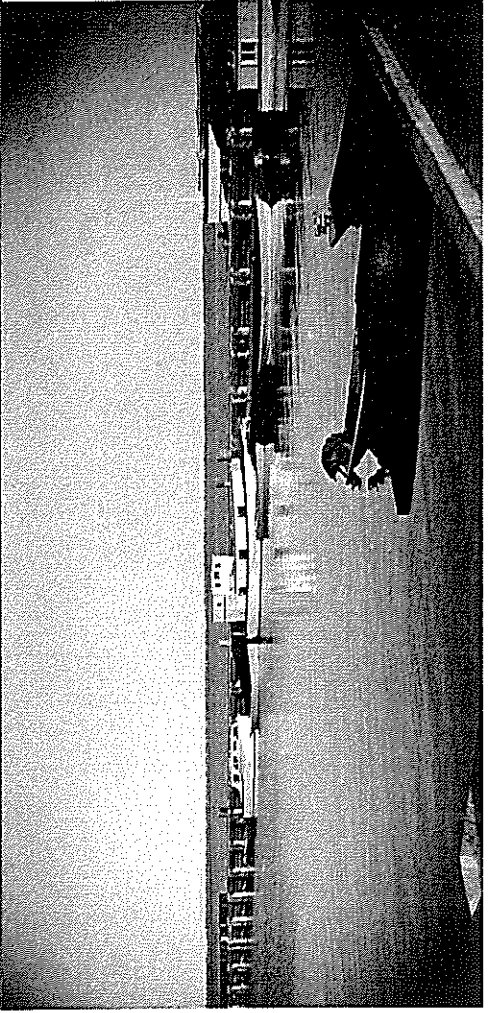
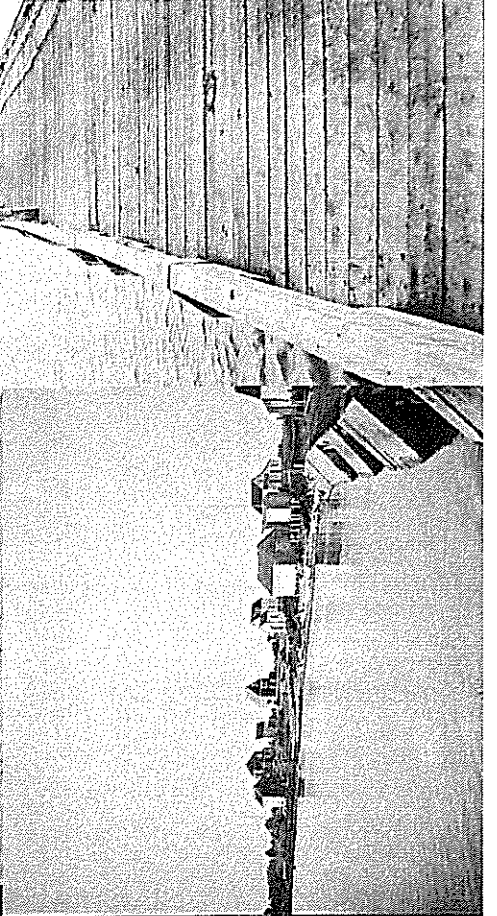
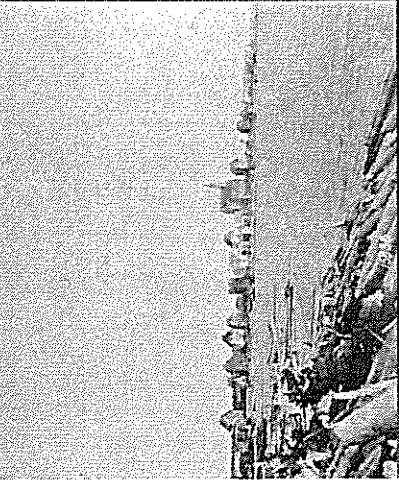
The Duty to Consult and Accommodate:

Government has the lawful responsibility to ensure that a proposed project does not proceed without proper consultation and accommodation of Aboriginal rights.

The Government does not have to do all of the 'Consultation and Accommodation' itself, but it has the obligation to ensure that it is done and done properly.



Fort Resolution



FRMC's Relationship to the Project;

- The Pine Point area is a major part of the traditional and historical sites that our membership continues to use. We have elders here that can attest to this fact. This is our home territory and we have lived here as a Metis society for the past 300 years, our Metis ancestors have governed themselves before Canada became a country. The land our membership encompasses is vast and far reaching.

FRMC's Relationship to the Project;

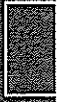
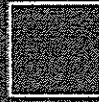
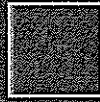
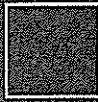
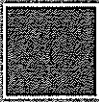
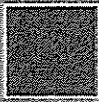
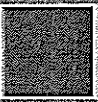
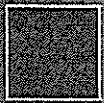
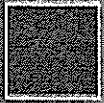
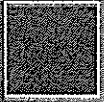
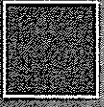
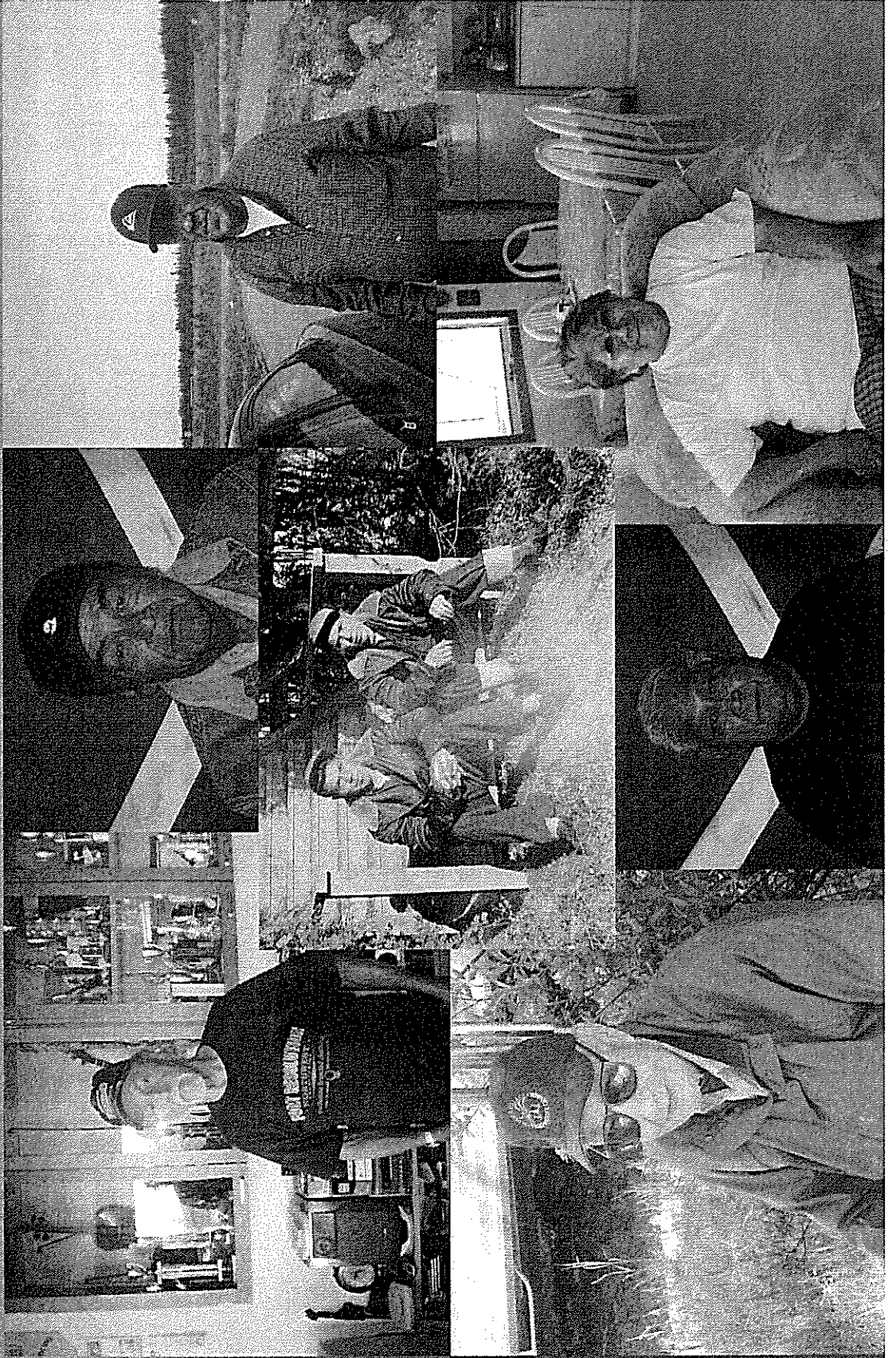
- The FRMC is currently involved in land and resources negotiations pursuant to the NWTMN process with Canada and the GNWT, which will ultimately include land selection. The area subject of the Project is subject of these negotiations.
- The Project will prejudice the Aboriginal and negotiation interests of the FRMC to the area subject of the Project.
- The FRMC requires funding to properly negotiate an agreement with Tamerlane, to carry out due diligence, and to build the capacity to meaningfully participate in the Project if it proceeds.

FRMC Elders Presenting;

- Pete King

- Angus Beaulieu

FRMC Elder Presentations;



FRMC & the Developer;

- The FRMC has had meetings with the developer and numerous phone conversations as well as a few e-mails about the PPPP over the past year.
- Tamerlane has done a Traditional Knowledge study with six of our members.

The FRMC feels that more information/Consultation on studies need to be provided before the PPPP moves ahead.

- The DAR has been amended and we have only received the updated information. Government nor Tamerlane has not provided any funding to the FRMC to carry out independent assessments of the Project

FRMC & the Developer;

- The FRMC is requesting that Tamerlane negotiate in good faith a Impact Benefit Agreement that is relevant to the scope of the Project.
- The Pilot Project is a major industrial development: construction costs of \$130 +/- million and gross revenue of approximately \$530 million +/- resulting in a net profit of approximately \$53 million +/-;
- Although Tamerlane has tabled a socio-economic agreement, Tamerlane is unwilling to meaningfully address the interests of the FRMC. The agreement cannot be imposed, but must come about through respectful negotiations

FRMC Concerns/ Outstanding Issues;

- **Spiritual:**

- Proper documentation of Historical sites, burial grounds and archeological sites.
- Wellness Issues that may arise from the PPPP in the community need to be addressed by the developer

- Increase in drugs and lack of community programs to combat this.

- Adequate Childcare

FRMC Concerns/ Outstanding Issues;

- **Cultural:**

- **Loss of Culture**

- Language, harvesting area, etc....

- **Lack of sufficient Traditional Knowledge incorporated into project.**

- FRMC Proposes a more informative Traditional Knowledge study be done.

- **Lack of child care initiatives mentioned in the DaR.**

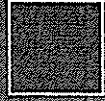
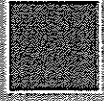
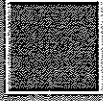
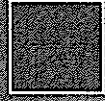
FRMC's Traditional harvesters that utilize the area of the PPPP must be compensated for the infringement on their Aboriginal Rights as they are recognized to have Aboriginal rights.

FRMC Concerns/ Outstanding Issues;

Socio / Economics:

- What is the Breakdown on the studies done on the Socio Impacts on the Local Economy
- The FRMC and Members would like the developer to address the following;
 - Loss of Harvesting Area and Income
 - Increase of illegal drugs
 - More money in the community than spent on addiction & wellness programs
 - Adequate child care was not discussed in the DaR as it should have been.

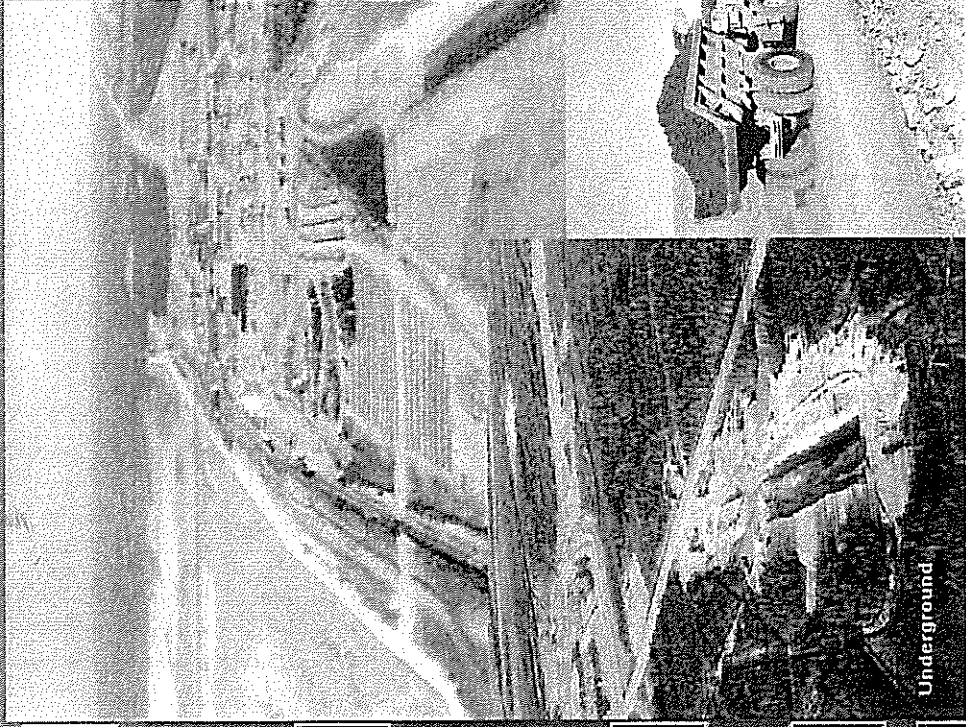
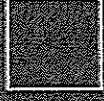
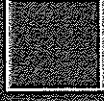
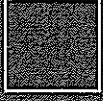
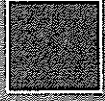
In the DaR there was no guarantee of jobs and skilled training to FRMC members and the community of Fort Resolution, as well as no mention of the Affirmative Action Policy enforced by the GNWT and how that would be incorporated into the PPPP.



Photos of the

Historic

Pine Point Mine



Underground



FRMC Concerns/ Outstanding Issues;

- Environment:

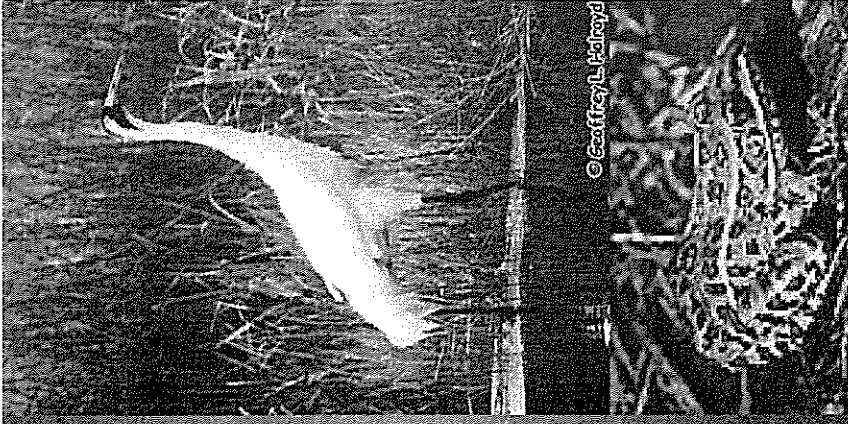
- Loss of Wildlife

- Endangered Species;

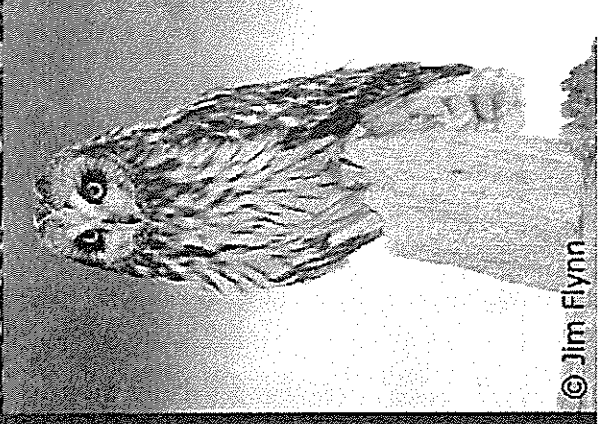
- Whooping Crane

- Northern Leopard Frog Western Boreal Population

- Short-eared Owl



© Geoffrey L. Halroyd



© Jim Flynn

FRMC Concerns/ Outstanding Issues;

- Threatened Species;

- Wood Bison
- Woodland Caribou Boreal Population
- Peregrine Falcon

- Special Concern Species;

- Yellow Rail

The FRMC has asked the Developer for a Study to be done on the Woodland Caribou



© John A. Nagy

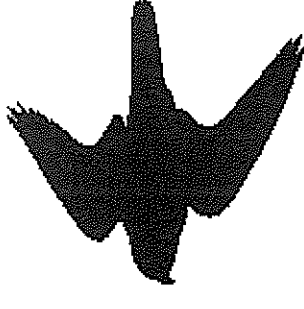


© Kristine E. Rasmussen



© Jacques Brisson

Flight silhouette of a Peregrine Falcon



© Kristine E. Rasmussen

FRMC Concerns/ Outstanding Issues;

Health Concerns

- Contamination of Animals in and around the R-190 Site.

- The Aboriginal People who harvest animals in the area may be faced with an increase risk of cancer, asthma, as well as an increase of metals in their blood stream. This was not addressed in the DaR and studies need to be done on the Aboriginal Harvesters diets and the amount of lead and zinc in their diets before, during and after the PPPP to ensure that this does not become an issue and that these people remain healthy.

Water Concerns

- Contamination of Groundwater

- The FRMC Would like to see a study done on the groundwater before, during and after the PPPP (as the groundwater will effect the flora and fauna in the area).
- Some Traditional Knowledge has been gathered but we would like to see Scientific data on the water quality.

FRMC Concerns/ Outstanding Issues;

- Aquatic Life

- The DaR refers to fish in the area: inconnu, whitefish, northern pike, pickerel and burbot. However no reports have been done on the fish and their current state of health.

- We would like to see the evidence that only two lakes in the area of the PPPP sustain Fish life.

- Design and understanding of the Injection Wells

- To date the FRMC has not received proper consultation on the newer aspects of the PPPP.

FRMC Concerns/ Outstanding Issues;

- Freeze Curtain

- The FRMC was told by the developer that the Freeze Wall will take months to thaw however in the DaR it says weeks.
 - The FRMC would like to know where the thawed product will ultimately end up, and how any possible contamination will be contained.
- The FRMC would like to know what happens to the groundwater that is not frozen that normally runs through the freeze curtain, what will happen to the ground from the detoured water, could this cause a sink hole to form in the area, the DaR has not addressed this possibility.

FRMC Concerns/ Outstanding Issues;

• Freeze Curtain

– The FRMC would like to know how the backfill of the R-190 site's waste rock and concrete will serve to replace the mined out mineral deposit and how it ensures that subsidence of this area cannot occur, we would like to see evidence that this is a proven method.

FRMC Concerns/ Outstanding Issues;

- Location
 - In the DaR it stated that the developer is interested in the three holes that were abandoned at R-190.
 - The FRMC would like to know if this is included in the 8.98 hectares of land mentioned in the DaR that is for building and associated mining support infrastructure. The FRMC would like to know if this will create a larger “footprint” in the area.
- The FRMC would like to note that the Traditional Knowledge study conducted by the developer identified some concerns on wildlife effects from increased traffic and changing habitats.
 - More Studies need to take place on how the Animals in the area of the PPPP will be disturbed and on what the possible outcomes would be.

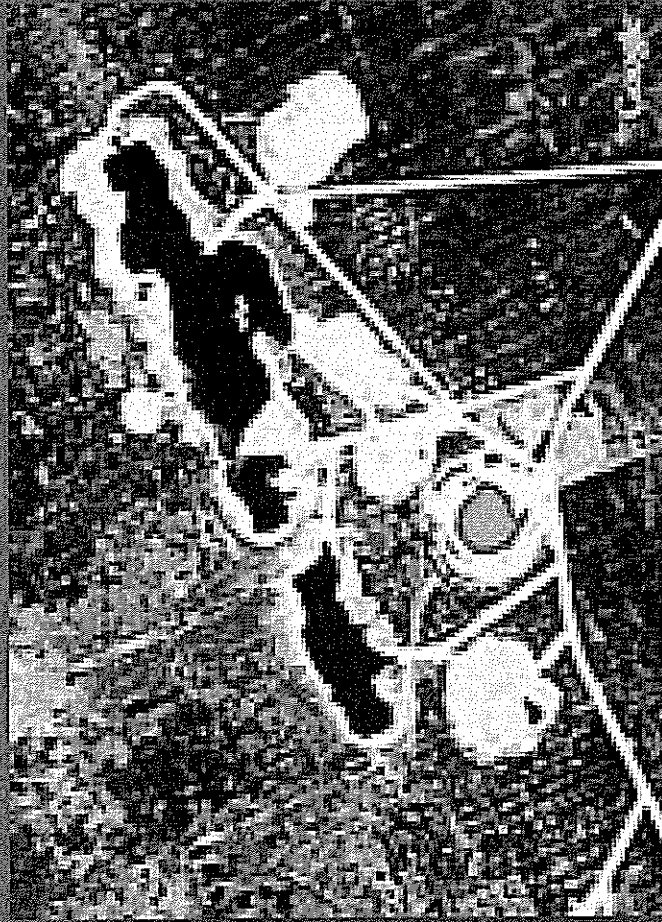
FRMC Concerns/ Outstanding Issues;

- Roads/ Transportation;
 - What type of aggregate material will the developer use to widen the road?
 - Residual affects of Lead and Zinc
 - To date the developer has maintained that the GNWT Department of Transportation will continue to be responsible for maintaining the highway to and from the R-190 Site. (Who ultimately pays for the maintenance of the highway).
 - The FRMC would like to see some initiative from the developer to commit funds to conduct an ongoing study on the conditions of the highway from the R-190 site to the loading area.

FRMC Concerns/ Outstanding Issues;

- Reclamation;

- The FRMC would like a guarantee from the developer to take an active approach to reclamation as the PPPP comes to an end, regardless if the project is feasible or not.



We would like to avoid an addition to the Pine Point Mine Legacy

Conclusions;

- The FRMC would like to see proper studies done on the traditional knowledge of the Pine Point Area. Studies done on the Impact the Pine Point mine had on the SARA species (Woodland Caribou and Whooping Crane and how the PPPP will impact them. (Traditional Knowledge will play a big part in these studies) Studies done on the Aquatic life and water quality in and around the PPPP site before development as well as on the diets of the Harvesters of the area, we would also like to see the highway from the R-190 site to the loading area monitored for damage and the costs of the damaged highway recorded. The FRMC would like to see a Socio-Impact study done with the Community of Fort Resolution.

Conclusions;

- The FRMC would like further consultation on the newer aspects of the PPPP.
- The FRMC needs to see these studies done so that the FRMC and our membership can make a proper and educated decision on the PPPP.
- The FRMC requires funding to properly negotiate an agreement with Tamerlane, to carry out due diligence, and to build the capacity to meaningfully participate in the Project if it proceeds
- The FRMC is requesting that Tamerlane negotiate in good faith a Impact Benefit Agreement that is relevant to the scope of the Project.
- For these reasons the FRMC is requesting that the MVEIRBoard hold off on making a decision until after the interests of the FRMC have been accommodated by Tamerlane.

Closing:

- The Fort Resolution Metis Council would like to thank the Mackenzie Valley Environmental Impact Review Board, staff, Tamerlane Ventures Inc, Elders, and general public for allowing us the opportunity to address our concerns with the PPPP within the FRMC's Traditional Territory.