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**Fort Resolution
Métis Council**

Fax

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 Phone: 867-766-7052 Date: October 8, 2007
 Re: Presentation CC: _____

Urgent For Review Please Comment Please Reply Originals In Mail

● Comments:

The FRMC's findings are pending a meeting with the developer next week.

The FRMC reserves the right to make editorial changes to the presentation following the meeting with the developer.

Thank You
Kara

**Summary of Presentation for the
Fort Resolution Metis Council**

EA 0607 - 002

Tamerlane Ventures Inc.

Public Hearing

October 16 , 2007

- The FRMC and the Northwest Territory Metis Nation (NWTMN),
- Who is the Fort Resolution Metis Council,
- Indigenous Metis of Fort Resolution,
- The Duty to Consult and Accommodate
- FRMC's Relationship to the Project
- FRMC Elders Presenting; Pete King, Denise McKay & Angus Beaulieu
- FRMC Elder Presentations
- FRMC & the Developer
- FRMC Concerns/ Outstanding Issues Outlined
 - Areas that in the DaR that were insufficient that the FRMC feels needs to be addressed:
 - Spiritual
 - Cultural
 - 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
 - Socio / Economics
 - Environment
 - Loss of Wildlife
 - Endangered Species
 - Threatened Species
 - Special Concern Species
 - The FRMC has asked the Developer for a Study to be done on the Woodland Caribou
 - Health Concerns
 - Contamination of Animals in and around the R-190 Site
 - Water Concerns
 - Contamination of Groundwater
 - Aquatic Life
 - Design and understanding of the Injection Wells
 - To date the FRMC has not received proper consultation on the newer aspects of the PPPP.
 - Freeze Curtain
 - Location
 - 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.
 - Roads/ Transportation
 - Residual affects of Lead and Zinc
 - Reclamation
 - Conclusion

1 **Fort Resolution Metis Council**

EA 0607 - 002
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2 **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.

3 **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.

4 **Indigenous Metis of Fort Resolution:**

- The Indigenous Metis of Fort Resolution, under Section 35 of the Constitution Act of 1982, have Aboriginal Rights.
- 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.

5 **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. Government has the lawful responsibility to ensure that a proposed project does not proceed without proper consultation and accommodation of Aboriginal rights. The Government doesn't 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.

6 **Fort Resolution**

7 **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.

8 **FRMC Elders Presenting;**

- Pete King
- Denise McKay
- Angus Beaulieu

9 **FRMC Elder Presentations;**

10 [] 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.

11 [] FRMC Concerns/ Outstanding Issues Outlined;

Areas that in the DaR were insufficient and that the FRMC feels needs to be addressed:

- Spiritual
- Cultural
- Socio / Economics
- Environment

12 [] 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.
 - Adequate Childcare

13 [] 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 recognized to have Aboriginal rights and be compensated for the infringement on their Aboriginal Rights.

14 [] 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.

15 [] Photos of the Historic

Pine Point Mine

16 [] FRMC Concerns/ Outstanding Issues;

- **Environment:**
 - Loss of Wildlife
 - Endangered Species;
 - Whooping Crane
 - Northern Leopard Frog Western Boreal Population
 - Short-eared Owl

17 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

18 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 of cancer, asthma, and an increase of metals in their blood stream, this was not addressed in the DaR and studies need to be done before, during and after to ensure that these people remain healthy.
- Water Concerns
 - Contamination of Groundwater
 - In the DaR the developer states that they do not anticipate the need to treat any discharged waters prior to entering the Infiltration Basin.
 - The developer is prepared to use lime in the Infiltration basin like their predecessors Teck Cominco, is this as far as the developer is willing to go on reclamation?
 - 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.

19 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 aquatic life.
- Design and understanding of the Injection Wells
 - To date the FRMC has not received proper consultation on the newer aspects of the PPPP.

20 FRMC Concerns/ Outstanding Issues;

- Freeze Curtain
 - In the DaR it states the underground stream varies in depth from 1m-19m. The FRMC would like to know where the depth changes. We would like to see the tailings pond moved away from the underground stream so that any metals from the tailings does not contaminate the underground streams.
 - 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.
 - There is also reference in the DaR to a meeting in Yellowknife that addressed the following issues: Frozen Perimeter, Ground Water Potential Effects, Existence of SARA. To date the FRMC has not seen a copy of this meeting and the outcomes.
 - 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.

21 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 this 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 are.

22 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 to and from the R-190 site from the loading area.

23 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.

24 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. The FRMC would like to see a Socio-Impact study done with the Community of Fort Resolution.
- 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.

25 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.