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MACKENZIE VALLEY ENVIRONMENTAL  
IMPACT REVIEW BOARD  
TAMERLANE VENTURES INC.'S  
PINE POINT PILOT PROJECT  
EA0607-002

Panel Members:

Board Chairperson	Gabrielle MacKenzie- Scott
Member	Danny Bayha
Member	John Stevenson
Member	Charlie Snowshoe
Member	Nora Doig
Member	John Ondrack
Member	Richard Edjericon

HELD AT:

Fort Resolution Community Hall  
Fort Resolution, NT  
Oct 16th, 2007

APPEARANCES

1  
2 John Donihee ) Board Counsel  
3  
4 Alan Ehrlich ) MVEIRB  
5 Alistair MacDonald )  
6 Jessica Simpson )  
7 Bruce Halbert )  
8  
9 David Swisher ) Tamerlane Ventures  
10 Jerry DeMarco ) Inc.  
11 Scott Schillereff )  
12 Godfrey McDonald )  
13 Rick Hoos )  
14  
15 Joel Holder ) Government Of The  
16 Art Barns ) Northwest Territories  
17 Erika Nyssonen ) Environment and  
18 ) Natural Resources  
19  
20 Chris Heron ) Northwest Territory  
21 ) Metis Nation  
22  
23 Jesse Jasper ) Environment Canada  
24 Myra Robertson  
25

1 APPEARANCES (Cont'd)

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3 Julie Jackson )

4 Adrian Brown )

5 Michael Palmer )

6 Cathrine Mallet )

7

8 Steve Ellis ) Treaty 8 Tribal

9 ) Corporation

10

11 Tom Unca ) Deninue Kue First

12 Rosy Bjornson ) Nation

13

14 John Pollard ) Town of Hay River

15

16 Kara King ) Fort Resolution Metis

17 ) Council

18

19 Amos Cardinal ) Katlodeeche First

20 Keith Marshall ) Nation

21

22 Carol Chapman ) Deninoo Community

23 Lenord Beaulieu ) Council

24

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1 --- Upon commencing at 9:30 a.m.

2

3 THE CHAIRPERSON: I'd like to welcome  
4 you all to the public hearing. I wanted to, before I  
5 introduce the Board and staff and all the parties that  
6 are present, I'm going to ask the elder Marcel Norn to  
7 say an opening prayer.

8 After he says an opening prayer, we're  
9 going to have the acting Chief of Deninu K'ue First  
10 Nation, Louis Ballsilie (phonetic) say welcoming remarks  
11 and then I'll make my remarks after that.

12 So if we could stand up for opening  
13 prayer.

14

15 (OPENING PRAYER)

16

17 THE CHAIRPERSON: Opening remarks  
18 from...

19

20 (BRIEF PAUSE)

21

22 MR. LOUIS BALLSILIE: Good morning, I'd  
23 like to welcome everybody to Deninu K'ue. On behalf of  
24 acting chief and council, welcome. LSo welcome  
25 everybody. Thanks a lot.



1 (BRIEF PAUSE)

2

3 THE CHAIRPERSON: It's a beautiful day  
4 to be here in Fort Res, and we're really pleased to be  
5 here.

6 I'd like to go around the table and have  
7 my Board members introduce themselves, and we'll start off  
8 with Rick.

9 MR. RICHARD EDJERICON: Good morning.  
10 Richard Edjericon, Board member.

11 MR. JOHN ONDRACK: Good morning  
12 everyone. John Ondrack, Board member from Yellowknife.

13 MR. JOHN STEVENSON: Good morning. John  
14 Stevenson, Board member, Yellowknife.

15 THE CHAIRPERSON: If I haven't  
16 introduced myself, I'm Gabrielle MacKenzie-Scott, Chair  
17 of the Review Board.

18 MS. NORA DOIG: Good morning. Board  
19 member Nora Doig from Behchoko area.

20 MR. DANNY BAYHA: Good morning,  
21 everyone. Danny Bayha, Board member from the Sahtu  
22 region.

23 MR. CHARLIE SNOWSHOE: Good morning.  
24 Board member, Charlie Snowshoe. Board member from  
25 Tribal Council down in that delta area.

1 THE CHAIRPERSON: I'll also have our  
2 staff identify and introduce themselves.

3 MR. ALAN EHRLICH: Alan Ehrlich, Senior  
4 Environmental Assessment Officer.

5 MR. ALISTAIR MACDONALD: Alistair  
6 MacDonald, Environmental Assessment Officer in charge of  
7 this file.

8 MR. JOHN DONIHEE: My name is John  
9 Donihee, I'm Board Counsel.

10 MS. JESSICA SIMPSON: Jessica Simpson,  
11 the Community Liaison Officer.

12 MR. BRUCE HALBERT: Bruce -- Bruce  
13 Halbert, Expert Advisor to the Board.

14 THE CHAIRPERSON: We also have Wendy  
15 with us who's doing the transcript for this Hearing.

16 Before we begin, I'd like to give you a  
17 bit of background. Well, before I begin that, you will  
18 have an opportunity to introduce yourself when we have --  
19 -- I guess you have the agenda, and when your time comes  
20 up with presentation, you can introduce your group.

21 I'd like to give a background of why  
22 we're here today, and provide some direction on how this  
23 Hearing will proceed.

24 The Review Board is conducting an  
25 environmental assessment of Tamerlane Ventures Inc. Pine

1 Point Pilot Project, the background on what has occurred  
2 so far and where we are in the EA process. This  
3 development was referred to EA in June of 2006 by  
4 Environment Canada.

5 Scoping session was held here in August  
6 2006, and also in Hay River Reserve, and they were  
7 determined to focus on what -- focus on the EA; like,  
8 what we should focus on in terms of this environmental  
9 assessment.

10 The terms of reference were issued to the  
11 developer on October 2006. The Review Board accepts the  
12 developer's main environmental impact assessment  
13 document, the developer's system report in May, 2007.

14 Two (2) rounds of Information Requests  
15 were then held -- over fifty (50) requests -- with over  
16 fifty (50) requests for more information.

17 In between the two (2) rounds of  
18 Information Requests, the Review Board hosted technical  
19 sessions on water issues in Hay River in July of 2007.  
20 Technical reports were also filed by some parties to the  
21 EA, and the developer has provided follow-up comments to  
22 some of those technical reports.

23 All of the information from each of these  
24 stages of the EA has been placed in the Review Board's  
25 public registry, and made available to all parties to

1 this environmental assessment.

2 The Review Board recognizes that this  
3 process required a lot of effort by everyone involved,  
4 and would like to thank all the parties for having put  
5 in the time, resources, and effort to get us to where we  
6 are today.

7 Today we'll have an opportunity to hear  
8 directly from parties about the potential impacts from  
9 the development. We've also set aside time for members  
10 of general public to present their views about whether  
11 the impacts may be a cause by this proposed development.

12 We also have sign-up sheets by the door,  
13 so if you put your name on the sign-up sheets, that  
14 would be great. Massi.

15 After we have completed this public  
16 hearing, the Board will consider all of this information  
17 and any other information on the public registry. We  
18 will then determine whether there's enough information  
19 on the significant adverse impact on the environment or  
20 lightly significant public concern. If the Review Board  
21 feels that there's not enough information, we will  
22 advise the parties of the closing date for the public  
23 record.

24 After the public record is closed, the  
25 Review Board will deliberate and write a report of

1 environmental assessment and reason for decision  
2 document. If the Review Board feels that there's not  
3 enough information, the work plan for this EA provides  
4 for a request for a clarification stage, when the Review  
5 Board may ask specific additional questions of the  
6 parties and the developers before closing the public  
7 record.

8 I also have a few housekeeping items I  
9 would like to review with you. The first one that I  
10 mention was there is a sign-up sheet by the door so if  
11 you could put your name on the sign-up sheet. If you  
12 have the agenda, we also have the way -- the ordering of  
13 the presentation. If you could keep your presentation  
14 to a limit -- time on the agenda.

15 I know we're about forty-five (45)  
16 minutes behind, but we have, I would say, a tight  
17 schedule by trying to wrap up the Hearing at six  
18 o'clock. So if you could keep to, I guess a time  
19 crunch, that would be great. I know that I have lots of  
20 people nudging me by elbows to keep to that time.

21 We don't want to feel that we're rushing  
22 everyone, so if we can try to get through this as  
23 smoothly as we could, that will be good.

24 After each presentation there's also a  
25 set order in which I mentioned earlier, which group can

1 ask questions. If you follow the order of the agenda,  
2 you'll know -- just follow the ordering of the people  
3 who could ask questions to presenters.

4 First, the parties to the EA will be  
5 allowed to ask the question in that order that they're  
6 presented, then the Review Board staff and their expert  
7 may ask questions of the presenter. All speakers should  
8 identify themselves by name each time they open their  
9 comments.

10 Finally, I would like to mention that  
11 there will be a transcript of this Hearing. We will  
12 tape this session and we're asking all parties to submit  
13 their presentation to the Board, if you haven't done so  
14 already. All this Information will be available on the  
15 public registry.

16 As you know, that this Community Hearing,  
17 and the Board's rule for such a hearing are more  
18 informal. It's more informal than our public hearing.

19 The Board notes that some of the parties  
20 in Tamerlane have continued working to resolve issues  
21 right to the last minute. We have received a reply to  
22 technical submissions and a submission on air quality  
23 from Tamerlane, a revised submission from Diane, and a  
24 submission from GNWT.

25 We also have received Fort Resolution

1 Metis Council's PowerPoint, and these are all after the  
2 deadline for submission for this Hearing. The Board  
3 would like to hear these submission. So if any parties  
4 have any concerns about fairness of the Boards hearing  
5 this evidence, we would like to hear from you now.

6

7

(BRIEF PAUSE)

8

9 THE CHAIRPERSON: I will continue  
10 because there has been no opposition to that.

11 Depending on how the Hearing goes, the  
12 Board will consider allowing final written submission  
13 from parties, and we will let you know what the Board  
14 decides on this option at the end of the Hearing.

15 We also have the translation equipment;  
16 for English channel, it's number 1, for Chipewyan, is  
17 channel 2, and South Slavey is channel 4.

18 Thank you for your participation, and  
19 we're looking forward to a very informative day.

20 The other thing that we were gonna do was  
21 do webcasting. We're not hooked up to do webcasting,  
22 but I think during the break we will do that too, so  
23 we're just going to proceed.

24

25

(BRIEF PAUSE)

1                   THE CHAIRPERSON:    I just wanted to  
2    mention too, the other thing that had happened yesterday  
3    was that, in terms of the agenda, GNWT requested to do  
4    their presentation, so we would like to add that to the  
5    agenda.  If there's any problems with that, I need to  
6    know now.  So the presentation for the GNWT will be  
7    after Environment Canada.

8                   So I'm just gonna go back to the agenda  
9    and we're going to proceed.  Our first presenters are  
10   the developers, and I'll just turn it over to them, and  
11   you can just introduce yourself.  If you could speak  
12   slowly for the translators that would be great.  Massi.

13                  MR. DAVID SWISHER:    Okay.  Thank you,  
14   Ms. Scott.

15                  I am David Swisher, the Project Manager  
16   and Vice President for Tamerlane, and with me I have  
17   four (4) additional representatives.  To my right, far  
18   right, is Jerry DeMarco, our Investor Relations; Rick  
19   Hoos, with EBA Engineering; to my left is Scott  
20   Schillereff, our EBA Engineering Hydro Geologist; and  
21   Godfrey McDonald, our metallurgical consultant.

22                  So with that, I will start with our  
23   developer's presentation.

24

25   (BRIEF PAUSE)



1 PRESENTATION BY TAMERLANE VENTURES INC:

2 MR. DAVID SWISHER: All right. Well,  
3 thank you for coming to our PowerPoint presentation and  
4 the public hearings here in Fort Resolution. We're glad  
5 to be here.

6 Tamerlane Ventures, if you don't already  
7 know, we're a Canadian company, a mining company. We're  
8 registered here in the Northwest Territories, and we're  
9 engaged in exploration, both here in the Northwest  
10 Territories, as well as in Peru. We have a small group  
11 of people that work for Tamerlane right now, and we're  
12 hoping here, in the near future, to increase that  
13 significantly with the development of the pilot project.

14 Just an overview map that shows obviously  
15 the Pine Point Project, just on the south side of the  
16 Great Slave Lake, there on the top end of the -- of the  
17 screen, and then we also have another deposit here in  
18 Peru that's a copper pore free deposit, but not subject  
19 to this review.

20 Regionally, this just shows a location  
21 map of -- in relation to where the project is. This is  
22 Hay River along Highway 5, about 42 kilometres. We have  
23 the pilot project here, and then another 105 kilometres  
24 out to Fort Resolution here.

25 Tamerlane proposes to construct and

1 operate a zinc and lead pilot plant to economically  
2 confirm a million tonnes -- to extract 1 million tonnes  
3 of the zinc/lead ore.

4                   We will conduct underground longhole  
5 stope mining, and that will help us confirm several  
6 things: the mining potential for these types of  
7 deposits, as well as ground freezing for the deposit to  
8 control water inflows. We will sink a shaft at the  
9 site; sinking a shaft is minimizing the footprint of the  
10 project as opposed to past open pit operations. We will  
11 have a vertical conveyor that will hoist the material.  
12 And we will utilize dense media separation, and  
13 flotation to upgrade the material to a direct shipable  
14 product to smelters downstream.

15                   This -- all of this, in turn, will help  
16 determine and refine the economics for the long term  
17 potential in mining of the lower grade deposits nearby.

18                   The project overview -- and I apologize,  
19 I have some maps that at the next break I will hang up,  
20 but basically this just gives a general arrangement of  
21 the project footprint, and this area that the project  
22 foot -- footprint encompasses is about two and a half (2  
23 1/2) hectares.

24                   And when I get the maps up everybody can  
25 look at them in more detail, and if those of you who are

1 unfamiliar with the project and have any questions,  
2 please feel free to ask me at any time.

3           Once permit approval, the project will  
4 take approximately twenty-four (24) to thirty (30)  
5 months: twelve (12) to fifteen (15) month construction,  
6 and an -- an additional twelve (12) to fifteen (15)  
7 month operational phase. That, in itself, will help  
8 determine the long term viability of which there'll be  
9 another process.

10           I wanted to show this 3-dimensional view  
11 of what the mine will look like, and at 600 feet below  
12 the surface, it will have this freeze perimeter around  
13 the deposit, will have a shaft, main shaft, and a  
14 ventilation shaft to provide flow-through fresh air  
15 ventilation.

16           Mining will be done -- longhole stope  
17 mining will be done on retreat. The material will be  
18 mucked from the stope, hauled to a crusher out by the  
19 shaft, it will crush the material, and then convey it to  
20 the vertical conveyor which is in the shaft. Then the  
21 material will be hoisted up the shaft, discharged into a  
22 surge bin -- covered surge bin on the surface, that  
23 material then will get picked up and put through a  
24 secondary crusher on the surface. From there, it will  
25 be picked up and put into the processing facility that

1 encompasses the dense media separation, as well as the  
2 flotation cells.

3                   The waste product through this whole  
4 stream will be diverted back to a waste storage  
5 building, and mixed in an underground backfill plant and  
6 shot-crete plant to be sent back underground through  
7 this bore hole for backfilling all the stopes; and it  
8 will be backfilled with a cemented backfill mixture.  
9 The mixture itself will be actually stronger than the  
10 surrounding ground in that area. The ore itself will be  
11 placed in a concentrate storage facility, and then  
12 trucks will pick it up from there, and haul it into Hay  
13 River for shipment via rail down to Vancouver or  
14 whichever smelter we finalize agreements with.

15                   I'd like to quickly just review the  
16 project modifications to date since we've started this  
17 process.

18                   One (1) of the modifications was the  
19 location of the railhead, where that might be. This  
20 lower end of the page here, this is Highway 5 from Fort  
21 Resolution coming into the intersection of Highway 2  
22 here. So you come in Highway 5, if you took a right,  
23 Hay River would be to the right, down here.

24                   So originally we had the rail loadout; we  
25 were looking at opportunity down towards Enterprise, off

1 of Highway 2, which means that truck traffic would have  
2 to make three (3) different turns onto Highway 2 and  
3 turns off of Highway 2, as well as rail would have to  
4 cross the highway as well.

5           And an alternative that was presented to  
6 us was this area along the existing rail line and being  
7 able to add a spur along this rail line and develop the  
8 discharge and loadout area here. What that did is  
9 minimized any exposure for truck traffic turning on and  
10 off of Highway 2 by the truck traffic basically going  
11 straight across the intersection to this loadout area.  
12 And there is very good visibility on either side of this  
13 area, so it -- it was a very easy decision to move it to  
14 this area, because it mitigated a lot of visibility and  
15 also potential traffic items from -- or issues from  
16 Highway 2.

17           Another update was -- originally, we had  
18 looked at diesel generation, and doing all self-  
19 contained diesel generation for the project. We had  
20 done that because there were some discussions and  
21 feedback from the Northwest Territory Power Corp. about  
22 the inability or probably the -- it would be unfeasible  
23 to run a line from their current substation which is  
24 located at the old Pine Point site.

25           So we moved forward with just a self-

1 contained diesel generation for the project. Later, we  
2 actually were working with Northland Utilities and  
3 determined that -- discovered that they could provide us  
4 power from the existing power line running right next to  
5 the site. We just had to do some work to minimize any  
6 flicker that the town of Hay River might see from  
7 drawing power from that same power line.

8           So we've designed in about 4 1/2  
9 megawatts of utilization that is currently being spilled  
10 over the Taltson Dam from the line power, and then the  
11 additional 1 1/2 megawatts will be made up from diesel  
12 generation onsite. We will also have an additional  
13 diesel generator onsite as backup power; if you will,  
14 backup to the backup, for all the safety components of  
15 the project: ventilation, dewatering, hoisting.

16           Just some of the additions with the line  
17 power; it means that we'll run approximately 900 metres  
18 of line -- powerline into the site from the highway.  
19 We'll run it along the access road.

20           Originally we had looked at running  
21 across -- a direct line of sight to minimize that  
22 distance, but through discussions with Environment  
23 Canada, INAC, GNWT, it was clear if we ran it along side  
24 the existing roadway, 1) there was good maintenance  
25 access, but also we could minimize any intrusion in the

1 nearby fen areas for any wildlife maybe flying in or  
2 flying out. We will also be marking the pole lines as  
3 well for good visibility for any wildlife and birds.

4 Another addition to the project came from  
5 utilizing strictly dense media separation to -- at the  
6 tail end of that process, adding flotation. And the  
7 reason that came about is we did a lot of -- Godfrey did  
8 a lot of our test work for the dense media separation  
9 and we were able to upgrade it, the ore, fairly well  
10 with dense media separation. But once we started  
11 talking to the smelters about the -- the ore  
12 concentrations, we quickly found out that 1), they were  
13 not either interested in taking that because it was a  
14 lower concentration, or 2), we would see penalties so  
15 high that it would be uneconomic for the project.

16 So working with Godfrey, we came up with  
17 a scenario of utilizing flotation without the use of any  
18 cyanide additives, and so it really helps keep within  
19 the theme of the Project itself in minimizing this  
20 footprint and then making sure we utilize all the waste  
21 material that we can. And so we're able to still do  
22 that by also adding this flotation process.

23 In the original scope of the project we  
24 also had an infiltration basin and that was the  
25 discharge process water, additional water, being pumped

1 from underground. And the discharge water from the  
2 process would then be discharged into this infiltration  
3 brai -- basin and then naturally infiltrate back into  
4 the ground.

5                   During the technical sessions we had many  
6 constructive discussions regarding this, and basically  
7 it hadn't crossed our mind, with the exception of some  
8 of their technical experts there, that an injection well  
9 may be a much more viable option than utilizing the  
10 infiltration basin.

11                   So after the technical sessions, went  
12 back to our office and investigated the use of an  
13 injection well versus the infiltration basin, and -- and  
14 found that they were absolutely right. An injection  
15 well eliminates the need for the infiltration basin,  
16 which also reduces the project footprint -- print by  
17 about 11 per cent.

18                   But the good thing is is that the  
19 injection well itself will be able to take all of the --  
20 any water that's pumped from underground, as well as the  
21 discharge water, and reinject it back into the deep well  
22 aquifer which then dilutes everything out with no  
23 effects. And become much more -- we've just recently  
24 done some hydrogeologic work, that Scott here has done  
25 for us, that has helped back that process up and the



1 viability of that process as well.

2                   And so we're actually -- we feel much  
3 better about using the injection well now because it's -  
4 - it's cleaner, it will minimize the use of the  
5 infiltration basin or will eliminate the use of the  
6 infiltration basin, but it -- it is one of the few  
7 areas in the world that we can utilize this process of  
8 injection wells and -- and do it in a non-harmful way.

9                   What we also will have though, in  
10 conjunction with the injection well, is a small sediment  
11 settling pond as the diagram here shows. The  
12 infiltration basin originally took up this whole area,  
13 but now we've reduced it down to a lined, contained,  
14 sediment pond that we would anticipate utilizing for  
15 startup. Because during startup we want to make sure  
16 that we don't end up flushing any sediments or anything  
17 into the injection well, so we'll utilize this for  
18 startup and we'll utilize it for any other sediments  
19 that we may encounter through the process.

20                   This slide just shows a diagrammatic of  
21 what the injection well will look like. Right now, it  
22 would be, approximately located 800 metres,  
23 approximately, from the freeze ring perimeter to  
24 maintain a proper distance from the re-injection of the  
25 water from the freeze ring. And then we will drill --

1 we anticipate drilling this into what we call the  
2 Presqu'ile Zone or the Pine Point formation, which  
3 contains the main aquifer, which is about -- between 450  
4 and 550 foot below the surface.

5           The injection well will have -- 1) we'll  
6 have two (2) wells. We'll have a primary injection well  
7 that will take all the flows and then we'll have a  
8 secondary injection well as a backup so that we can use  
9 the primary for maintenance functions, if we have to do  
10 any maintenance, and/or we can use the secondary for  
11 backup while we're doing maintenance, as well as if we  
12 encounter any additional flows that we want to just  
13 divert into both wells.

14           The well would be constructed, I guess,  
15 conceptionally, of about a 12 inch diameter hole drilled  
16 down into the aquifer, and then the hole would be cased  
17 all the way down, just to the top of that aquifer. And  
18 then the water itself, as it shows in the diagram, the  
19 drop pipe would be just below the static water level and  
20 it would just be gravity fed into the -- into this well.

21           So although we call it an "injection  
22 well", it's not truly an injection well, by what you  
23 might consider injecting water in there. It's actually  
24 free-flow gravity back into this well.

25           It will handle the disposal of all the

1 de-watering flows that we would see. It's a negligible  
2 change to our water balance. High dilution efficiency.  
3 It's easily monitored and, of course, it'll provide us,  
4 when we drill it -- we'll do pump tests on this well as  
5 well, which will provide us more information about the  
6 aquifer. It's easy -- easily maintained and with the  
7 second injection well it provides a very strong  
8 contingency for maintenance on the primary, as well as  
9 any other additional uses.

10                   And for the environmental assessment,  
11 we've done a few environmental assessments, but what I'm  
12 gonna do now is turn the floor over to Rick Hoos,  
13 because Rick, from EBA Engineering, was one that  
14 conducted these assessments for Tamerlane.

15                   MR. RICK HOOS:     Good morning.

16                   As David mentioned, my name is Rick Hoos.  
17 I'm with EBA Engineering, and we -- we have been the  
18 environmental consultants for this project since the  
19 beginning. I'm gonna be going through the -- how we  
20 conducted the environmental assessment, and some of the  
21 major issues that we dealt with and the kind of  
22 conclusions we came up with.

23                   And the information that we used to come  
24 to the conclusions that we did was not only associated  
25 with the information we collected over two (2) -- two

1 (2) and -- two (2) years of sampling here, but also  
2 relied on information collected over many previous  
3 years, as far back as the mid '70s and going into the  
4 early '80s during the Pine Point -- major Pine Point  
5 activities, and also included information obtained from  
6 traditional knowledge interviews that were conducted in  
7 the communities and -- with the various interested  
8 parties leading into this process.

9           So first of all, that's just, of course,  
10 a general satellite image of the area, again with the  
11 project site being located here. And one (1) of the  
12 things we did was we collected water samples at various  
13 places all around the site to get an understanding of  
14 what the water quality was like; and I'll -- I'll report  
15 on that a little bit further later.

16           So our initial studies were conducted in  
17 September of 2005, and that was followed up -- well, and  
18 during that time, we looked at wildlife, we looked at --  
19 at the streams that were in the vicinity, although there  
20 are none in the immediate area of the project; the  
21 nearest one is about 5 or 6 kilometres away. That's  
22 Twin Creeks and Buffalo River on the other side. And we  
23 also looked at the vegetation of the whole region. We  
24 studied that within an area of about 40 kilometres by 10  
25 kilometres, which is quite a large area.

1                   We then did follow-up work in 2006. We  
2 did owl surveys; we looked for frogs and amphibians; we  
3 did breeding bird surveys in the spring; rare plant  
4 surveys; water quality surveys; and ongoing other  
5 wildlife work.

6                   I mentioned before we had done the study  
7 throughout this area here, extending almost from --  
8 well, Twin Creeks to the west, almost to the old Pine  
9 Point tailings dam, just a few kilometres away from it,  
10 at length of 40 kilometres by 10 kilometres wide. We  
11 also concentrated in the so-called local study area  
12 which is shown here, which is a 1 kilometre square area.

13                   In conducting the assessment, we looked  
14 at these things called valued ecosystem components,  
15 which sounds like quite a mouthful, but what it really  
16 means is we looked at the important environmental values  
17 that everyone recognizes as being important, and that  
18 therefore should be evaluated. And we looked at, of  
19 course, air quality. We looked at water quality. We  
20 looked at the -- the earth, the ground, the vegetation,  
21 and we looked at wildlife species focussing in on a  
22 number of species that have special significance both  
23 nationally and internationally; and they include animals  
24 such as -- birds and animals such as the whooping crane,  
25 peregrine falcon, short eared owl, wood bison, and

1 woodland caribou.

2                   Initially, we tried to identify how the  
3 project would interact with the environment, so we  
4 prepared a little matrix, very simple one, that shows,  
5 for instance, here the project activities. The first  
6 one is site preparation and construction of the project,  
7 and then the -- the actual operation of the pilot plant,  
8 and the handling of any process wastes that are  
9 associated with the project, and the actual underground  
10 mining operation.

11                   And we tried to determine how or if these  
12 kinds of activities would affect air quality, and we  
13 decided that all of those activities could affect air  
14 quality. We also looked at how it might affect water  
15 quality, and again we said all of those activities could  
16 affect water quality. With wildlife the only area where  
17 we didn't think they could've -- be affected by the  
18 project was activities under the ground and the same, of  
19 course, applies for vegetation.

20                   So now I'm very quickly going to go  
21 through the various key-valued ecosystem components and  
22 what we said about them; the first one was air quality.  
23 We all want to make sure that the current air quality in  
24 the region remains the same as it has been, and this is  
25 a summary of the issues as we assessed them for air

1 quality. Under the categories of -- same ones we saw  
2 before -- site preparation, underground mining,  
3 processing, and other things as related to the project.

4           Won't go through it all, but just to say  
5 that especially during construction, the -- the major  
6 concern there would be dust that might be created by the  
7 construction and earth-moving activities, and we felt  
8 that with the adequate dust suppression, which means  
9 watering with a water truck, as an example, and -- and  
10 generally following the GNT -- GNWT guidelines for  
11 controlling dust that that could be managed.

12           As far as the air emissions go, many of  
13 the air emissions come from the underground and some  
14 come from the pro -- and -- and additional emissions  
15 come from the processing, and we basically felt that we  
16 would, you know, by following the GNWT and WCB standards  
17 for mine air quality and following existing guidelines  
18 that air quality issues could be managed.

19           And we have subsequently -- subsequent to  
20 the DAR, done a site-specific air quality modelling  
21 exercise with another subcontractor, and they have  
22 confirmed that the predictions that were made in the DAR  
23 in the first instance were -- were basically correct,  
24 and moreover that the emissions that they modelled were,  
25 in general, lower than what we had said in the DAR.

1                   And just to put it in perspective also,  
2 because this is a small project and a short-term project  
3 not surprising the air emissions are way, way less than  
4 any of the other existing mines in the NWT.

5                   Water quality. As I mentioned before,  
6 there are, in fact, no streams or -- or rivers right at  
7 the project site, but we do have a bit of a -- a fen  
8 area, a marshy area, that is in the immediate vicinity  
9 of the project. And again, when it comes to water  
10 quality we were concerned about dirty water from  
11 construction activities maybe getting into the -- into  
12 the marsh, and for that we would install -- we would be  
13 using silt barriers to try and make sure that none of  
14 the sediments get into the marsh area. And other than  
15 that there are no streams, as I mentioned before.

16                   Underground mining. Water will come into  
17 the underground mine, that mine water will be brought to  
18 the surface, some of it will be used in the process  
19 plant, and all of the water that comes from the  
20 underground will be returned to the underground to the  
21 very same depth where it came from in the first place.

22                   Sewage created -- produced by the people  
23 working at the site will be treated using a state-of-  
24 the-art packaged sewage treatment plant. And, in fact,  
25 we've proposed that the treated water, which will be not



1 much different than a glass of water, will be added to  
2 the water that goes back under the ground.

3 Water actually used for the operations,  
4 the water from the -- that used in the processing of the  
5 product will come from the ground, and water that is  
6 used for drinking and cooking and stuff onsite will be  
7 transported to the site from -- from away from there,  
8 probably from Hay River.

9 We don't particularly feel that we will  
10 have any hazardous materials as -- as I would consider  
11 hazardous material to be, but we will have fuels and  
12 things of that nature. And we will be careful, of  
13 course, with fuel storage and fuel transfer, using a  
14 management plan to make sure that any hazardous  
15 materials that are used onsite are carefully handled and  
16 properly disposed of in the event they're no longer  
17 needed.

18 But with all these mitigation measures in  
19 mind and given that there are no rivers and streams in  
20 the area, we -- we did not find that there would be any  
21 significant impacts on the water resources and water  
22 quality. And we didn't even talk about fish  
23 particularly, because there are no fish around there.

24 Regarding vegetation, there will clearly  
25 be some temporary losses of vegetation related to the

1 construction of the facilities. As indicated though,  
2 those facilities will only be there for a certain period  
3 of time; initially, we're assuming about three (3)  
4 years. Depending on the success of that project and the  
5 future use of that area for other nearby deposits, which  
6 would be subject to its own review processes, the site  
7 could be there a little longer.

8                   But basically the -- the mitigation that  
9 this project has employed throughout is that we've tried  
10 to absolutely minimize the footprint as much as  
11 possible. There'll be no big waste rock piles on the  
12 surface; no permanent type tailings pond or anything of  
13 that nature; all of the waste rock will go back  
14 underground; it is not an open pit mine. And for all  
15 these reasons, the effects on vegetation will be very  
16 limited to the immediate footprint area. And after it's  
17 all over the vegetation will be restored to the area  
18 through progressive reclamation.

19                   Regarding wildlife, I will just  
20 systematically go through a number of the key wildlife  
21 species that we evaluated, but we also evaluated others  
22 as well.

23                   The map isn't very clear, but what this  
24 shows is where the area of Wood Buffalo National Park,  
25 where most of the whooping crane population that comes

1 to this part of the world, nests every summer.  
2 Tamerlane, of course, is located outside of the Park  
3 boundaries, and although you can't see it very well on  
4 this map, there are -- at last report, there were two  
5 (2) nesting areas that were actually outside of the  
6 Park, just immediately to the north of it, and they are  
7 located about 60 kilometres away from the pilot project  
8 area. There are no nesting whooping cranes in the area  
9 of the pilot project.

10 We are aware though, and we indicated  
11 that in the documentation, that whooping cranes are seen  
12 from time to time in the project area, and if we did see  
13 a whooping crane, we would certainly be reporting those  
14 observations to the interested agencies and publics.

15 Peregrine falcon is another so-called  
16 SARA listed species, and peregrines do not really use  
17 this area much, other than the fact that they fly over  
18 it, enroute to their nesting grounds, which are up in  
19 the -- near Great Slave Lake. And they have been seen  
20 hunting in the area between Hay River and Fort Res at  
21 times; they come down and they nail a -- a rabbit or  
22 something like that and have a good time and then they  
23 carry on. But we don't see any way that this project  
24 can affect peregrine falcons who are generally flying  
25 way over the top of us.

1                   I know that some of the community members  
2 probably wonder why we're looking at things like these  
3 animals because they're not generally of -- as I  
4 understand it -- of great interest to them. But the  
5 scientists are -- are very concerned about these so-  
6 called SARA listed species, so this is another one, the  
7 short-eared owl. And what we basically found over the  
8 years of work that we did there was that there's really  
9 no suitable habitat in the local study area, which is  
10 where the project will be located, and that the nearest  
11 suitable habitat, if they were to use it, is about 3  
12 kilometres away on the south side of the highway.

13                   The wood bison. I think most of you know  
14 about the wood bison of this area and you probably also  
15 know that bison are subject to various diseases,  
16 brusellosis and things of that sort, and as a result  
17 there's some concern about bison actually being in the  
18 area, including the area where we're located, which is  
19 actually within something called a bison control area  
20 where the government actually tries to eliminate bison  
21 that may be found wandering outside of Wood Buffalo  
22 National Park and coming into this area.

23                   From the -- Tamerlane's perspective, if  
24 we see a wood bison, and we have seen signs of them  
25 before, we don't intend to do anything to them. We, I

1 think, may be obliged to phone the regulatory  
2 authorities, ENR Resource Management Agencies, to let  
3 them know that we saw a bison and they can decide what  
4 they might want to do with that observation.

5           Woodland caribou, of great interest to  
6 the community here, as well as in Hay River. There are  
7 not many of them around, I think we all know that, but  
8 the ones that are around are very important. When they  
9 calve, they typically calve in -- in upland higher areas  
10 with -- with the good trees that are not found in the  
11 project area which is mainly very low and wet.

12           I know that people have said we should do  
13 more studies on woodland caribou and in fact -- and the  
14 ENR people of the GNWT have a number of programs  
15 underway to study woodland caribou and to initiate  
16 management activities related to their health and well-  
17 being.

18           So there are a number of efforts underway  
19 already through the -- through the government to examine  
20 woodland caribou in greater detail. From the  
21 perspective of the project, we don't see the project  
22 affecting woodland caribou, but again if we happen to  
23 see one in the project area, we will be reporting those  
24 observations to ENR.

25           So in summary, because we're going to be

1 minimizing the foot print, we're going to be maximizing  
2 the use of the existing disturbed terrain; we're going  
3 to be avoiding sensitive areas; because of those reasons  
4 we don't feel we're going to have much, if any, effect  
5 on wildlife species.

6 Other things that we're doing to make  
7 sure that we don't cause problems for wildlife is that  
8 we're taking all the processed water and now injecting  
9 it underground; some people were concerned that wildlife  
10 might come and drink some of this water, but that's less  
11 likely to happen now.

12 Garbage is always a great concern in --  
13 to the -- to the industry, as well as the public. We  
14 don't want garbage attracting wildlife to the area and  
15 so the garbage management system at the site will be one  
16 where the garbage is temporarily contained onsite and  
17 then hauled over to Hay River for disposal in the  
18 landfill there.

19 And as far as other infrastructure goes,  
20 that includes traffic, concern about vehicles hitting  
21 wildlife, the -- the Company's policy is that wildlife  
22 will have the right-of-way at all times. In other  
23 words, in there's a moose or a caribou or bison or any  
24 other form of wildlife on the road, they will slow down,  
25 stop if necessary, to ensure that these wildlife can

1 move freely across the road before moving on.

2                   Sort of in summary, I guess, the general  
3 area as we all know has experienced major exploration  
4 and mining activities for more than a hundred (100)  
5 years. The actual area where this project will take  
6 place is -- has already been disturbed quite a bit by  
7 these historical activities.

8                   The area is also located immediately next  
9 to the existing highway and the powerline, and being  
10 able to use the powerline power further reduces air  
11 emissions associated with the project. And the highway  
12 is paved so we won't be generating any -- any dust  
13 related to driving on a road once we hit the main road.

14                   And around the area where the project  
15 will take place, there's a number of gravel pits and  
16 quarries that mostly belong to GNW Transportation but  
17 also others, and those activities continue to go on.

18                   And based on our assessment, we base --  
19 we concluded that there will be no significant effects  
20 on wildlife including the SARA listed species that I --  
21 that I went through before here.

22                   Just a summary of the key mitigation  
23 measures again. We -- this project uses the absolutely  
24 least intrusive method for stabilizing wet ground, and  
25 what that all means is we're not going to be disturbing

1 the surface of the ground very much at all. The project  
2 assumes the installation of a freeze curtain which goes  
3 under the ground, and the operation itself is -- is an  
4 underground operation essentially, not an open pit.

5 The footprint is minimized not only  
6 because of the small size of the project but because  
7 most of it will be located on previously disturbed  
8 terrain. There are no streams or lakes in the immediate  
9 project area so there's no potential really to affect  
10 streams, lakes, or the fisheries resources. And, of  
11 course, the -- the project intends to comply with  
12 whatever water licence criteria are imposed in the water  
13 licence that will be -- that we're hoping to receive for  
14 the -- for the project itself.

15 We will be treating the water if  
16 necessary. At this point in time we don't believe it  
17 will be necessary, but if -- if it was required or  
18 needed, it would be treated and the water will be  
19 discharged deep underground into something called the  
20 Presqu'ile Zone, several hundred metres below the  
21 surface of the ground.

22 There won't be all that much noise other  
23 than, perhaps, from the trucks driving back and forth  
24 because most of the -- most of the activities are  
25 actually underground. They will be -- the project will



1 actively employ dust suppression on the short access  
2 road to minimize dust. As I mentioned before, wildlife  
3 will have the right-of-way. And there will be effective  
4 waste management and spill prevention for any spill that  
5 might occur.

6                   People might wonder why we might say  
7 there will be no significant cumulative effects, but  
8 that's actually what we concluded would be the case and  
9 the reasons for that are largely because the new project  
10 will have a very limited scope and scale. Although  
11 there are some current operating quarries around, we  
12 don't see much interaction between the two (2) there,  
13 and we will have minimal intervention in the ground,  
14 again, no waterways, and progressive reclamation. And  
15 because our impacts will be so limited and short-term  
16 and localized, we don't see an opportunity for  
17 significant cumulative effects to occur.

18                   After we're finished with the project it  
19 will be closed and -- and reclaimed and it will meet --  
20 the reclamation will proceed according to the guidelines  
21 of the Mackenzie Valley Land Use Regulations as well as  
22 the latest INAC mine site reclamation guidelines.

23                   I'm just going to go through a few  
24 pictures of what this reclamation might look like as it  
25 unfolds. This is an aerial -- actually a satellite shot

1 of the whole area with the Pine Point Project area being  
2 right about here, and this being the road into it, and  
3 this is the gravel pit that's there, and another one  
4 there, and another one there; the former railway bed,  
5 and the existing highway are there.

6 This is sort of real live satellite; this  
7 is a -- a satellite picture. What we then did is we  
8 turned this into a schematic, almost like a cartoon  
9 version.

10 And this is the cartoon version. It  
11 looks better on my screen than on that screen. But what  
12 it shows is; it still shows the highway; it still shows  
13 the former railway; it shows these gravel deposits; it  
14 shows the trees that exist around the site and the  
15 wetland or fen area that's right at the site, and so on.  
16 This is what it looks like before anything has happened,  
17 sort of a cartoon version.

18 This is what the same site looks like  
19 when the buildings will be on it, and the project will  
20 be operating. Here you'll see some buildings located  
21 around -- at -- at the site. And the area where the  
22 frozen curtain will be located is surrounded by a small  
23 road that's on the top that is used to not only drill  
24 the -- the holes in the ground that will be used for the  
25 cooling -- freezing system, but also to allow regular

1 access to maintain these facilities.

2                   What you'll also see is a somewhat wider  
3 access road that will be needed for the trucks and a  
4 small contingency sedimentation pond in part of the  
5 overall gravel pit.

6                   Now previously we had a -- a somewhat  
7 larger pond in this gravel pit and it was designed to  
8 actually allow the water to filter through the bottom.  
9 This particular one will have -- will not have any water  
10 escaping from it. There will be a liner underneath it  
11 to keep all the water there when there's water in the  
12 pond. There may well be times when there's no water in  
13 the pond, that'll depend on operational needs.

14                   So this is a picture immediately  
15 following closure. It's a bit hard to tell from there,  
16 but what you see here is that all the buildings that  
17 were here have now all been removed. And that's step 1  
18 of closure; is remove all the buildings, seal up any  
19 pipes that people are worried about and take them all  
20 away.

21                   And then step 2 of closure is to start to  
22 reclaim the dis -- previously disturbed ground. So we  
23 will be using whatever overburdened material that had  
24 organic matter in it that we had set aside during the  
25 beginning of the project, spread it back over the site.

1                   And then -- and we've talked to the  
2 forestry people here in -- in Fort Smith, and they  
3 advised us that the best way of re-vegetating the site  
4 would be to plant jack pine into the ground at a  
5 particular spacing rate; I think it was something like  
6 two thousand (2,000) seedlings per hectare. And within  
7 -- within, you know, the first year, you'd have this  
8 whole area planted with little jack pines; they'll be  
9 about, maybe, a foot tall.

10                   So one (1) year later those little foot  
11 tall trees will be only slightly taller than a foot;  
12 they don't grow too fast.

13                   After about five (5) years those little  
14 jack pines will be probably about 3 feet tall, and there  
15 will be veg -- natural indigenous vegetation that will  
16 be moving in underneath the pine trees during that time  
17 frame.

18                   And after fifteen (15) years, those pine  
19 trees will probably be taller than I am, we hope. And  
20 the -- the whole process of regeneration of that area  
21 will have -- will have been taking place now for over  
22 fifteen (15) years, and the intent is to restore that  
23 area to a condition that was similar to what it was  
24 before.

25                   Now one thing that I should point out



1 up here just showing what that potential future could  
2 look like. And it could look like -- being this, the R-  
3 190 area, we have an additional six (6) deposits nearby  
4 this area that we could access underground, so we  
5 continue minimizing any disturbance on the surface by  
6 accessing these deposits underground, utilizing the same  
7 infrastructure, and having minimal infrastructure at  
8 each one of these sites.

9 So it's just a potential conceptual slide  
10 there to show why we're going through with this pilot  
11 project and what we hope could build and prove to be an  
12 economic success for the future generation and -- and  
13 for sustainability in the area.

14 In summary, we are confirming the  
15 viability and economics of this project in relation to  
16 underground mining. We will be adhering to a very high  
17 level of safety and environmental mitigation measures as  
18 well as onsite procedures. We will follow all  
19 compliance and regulatory requirements. And we look  
20 forward to creating jobs and business opportunities for  
21 all the local communities and benefiting the local  
22 communities and its' people. And that's it.

23 THE CHAIRPERSON: Thank you for the  
24 presentation. Before we start a question period I'm  
25 going to just call for a five/ten (5/10) minute break.

1 We only have one (1) translator, and she probably would  
2 need a break right at the moment. So five/ten (5/10)  
3 minute break and then we'll come back and if there's  
4 questions to the developers, five/ten (5/10) minutes  
5 gives you time to do that. Massi.

6

7 --- Upon recessing at 10:36 a.m.

8 --- Upon Resuming at 10:50 a.m.

9

10 THE CHAIRPERSON: Can I have everyone  
11 take their seats.

12

13 (BRIEF PAUSE)

14

15 QUESTION PERIOD:

16 THE CHAIRPERSON: I'm just going to ask  
17 if any parties have any questions to the developer's  
18 presentation. I'll just do a roll call and that's the  
19 order that I'll be using throughout the day.

20 Deninu Kue First Nation, do you have any  
21 questions to the developer?

22

23 (BRIEF PAUSE)

24

25 THE CHAIRPERSON: Could you come to the

1 mic, and say your name; you're with the Deninu Kue First  
2 Nation.

3 MR. GORD BEAULIEU: Good morning. My  
4 name is Gord Beaulieu. I'm a member of the Deninu Kue  
5 First Nation.

6 Actually, I have many questions. I want  
7 to ask them all but --

8 THE CHAIRPERSON: Before you begin, I  
9 just wanted clarity, because we have registered parties.

10 There's Deninu Kue First Nation; you said  
11 you're a member, but I wasn't sure whether you were  
12 registered as a party to the EA. I need to know  
13 whether --

14 MR. GORD BEAULIEU: Well -- well I'm --  
15 I look around in this room, I don't see any counsellors,  
16 I don't see our sub-chief. I'm an employee of the First  
17 Nation and I'm also a band member, and if no one else is  
18 gonna come forth, I will ask some questions. I have  
19 some technical questions.

20 MS. ROSY BJORNSON: Rosy Bjornson.  
21 Yeah, DKFN has people that are doing the presentation,  
22 although we have a community and if he has concerns and  
23 questions he can ask his questions during question  
24 period, that's fine with us, but he's not doing our  
25 presentation here.



1                   THE CHAIRPERSON:    You can go ahead and  
2   ask your questions to the developer on their  
3   presentation.

4                   MR. GORD BEAULIEU:    Thank you very much.  
5   There -- there is a bunch of handouts over there, but I  
6   looked through those piles for a copy of Tamerlane's  
7   notes or presentation notes, and I couldn't find any.

8                   I wonder if we can get a copy of your  
9   presentation notes?  Like, there was two (2) different  
10  presentations given.

11                  MR. DAVID SWISHER:    Yes.

12                  MR. GORD BEAULIEU:    We'd would  
13  appreciate that.  I do have some, I guess, technical  
14  questions.  Like -- like, in your -- in your DMS plant  
15  what kind of chemicals will be used?

16                  I have a whole list of questions.  I  
17  don't know if I should just go down and ask them all or  
18  ask them one (1) at a time.

19                  THE CHAIRPERSON:    Excuse me, how many  
20  questions do you have?

21                  MR. GORD BEAULIEU:    About ten (10) --

22                  THE CHAIRPERSON:    About ten (10).

23                  MR. GORD BEAULIEU:    -- that are written  
24  down.  I have a lot more but I -- I'm not gonna ask them  
25  all.  They're just quick questions.

1 THE CHAIRPERSON: Okay then, just go  
2 ahead.

3 MR. GORD BEAULIEU: Like, first of all,  
4 what kind of chemicals are gonna be used in your  
5 process?

6 MR. DAVID SWISHER: Godfrey...?

7 MR. GODFREY MCDONALD: Yes, good  
8 morning. Godfrey McDonald.

9 The only chemical that we use in the DMS  
10 plant is silica, ferrosilicon, and it's inert; it's  
11 almost like a sand.

12

13 (BRIEF PAUSE)

14

15 MR. GORD BEAULIEU: And that's it? And  
16 just water, besides that, in your process?

17 MR. GODFREY MCDONALD: Yes, just that,  
18 and water.

19 MR. GORD BEAULIEU: Okay.

20 MR. DAVID SWISHER: That's -- that's for  
21 the dense media separation. For the flotation, there  
22 are a few other additives as well.

23 MR. GORD BEAULIEU: Yes, and that was my  
24 next question --

25 MR. DAVID SWISHER: Okay.

1                   MR. GORD BEAULIEU:    -- the flotation  
2 process.

3                   MR. DAVID SWISHER:    Yeah.  Godfrey, go  
4 ahead.

5                   MR. GODFREY MCDONALD:    Okay.  In the  
6 flotation process, we do have a number of chemicals;  
7 some are used to depress minerals that we don't -- we  
8 selectively want to recover a lead-rich concentrate and  
9 a zinc-rich concentrate, so there are chemicals added to  
10 make sure that other things don't float when we're  
11 floating the lead.

12                   The third thing that's present in the ore  
13 are -- is a fine, almost like a clay material, and we  
14 add reagents really to prevent that going onto the  
15 surface of the lead or the zinc and floating in the  
16 concentrate.  So to -- to tell you them; we use soda  
17 ash; we use sodium sulfide; we use lime; we lo -- use  
18 copper sulfate; and we use a very small amount of  
19 organic chemicals for coating the surface of the desired  
20 particle so that it will float with a -- with a -- on  
21 an air bubble.

22                   So the chemicals that are used, like the  
23 clector (phonetic) ones and the copper sulphate go onto  
24 the surface of the particle that we want to recover.  So  
25 they go onto the smelter with the product.

1                   MR. GORD BEAULIEU:    And these will all  
2 be pumped back down into the ground once your process is  
3 done?

4                   MR. GODFREY MCDONALD:   We -- we only add  
5 enough of the chemicals to actually do the flotation  
6 stage and to recover what we want.  When we're  
7 depressing pyrite, that's the other sulfite in the ore,  
8 that becomes part of the final plant tailing and that is  
9 going to be used in the cemented backfills.  So again  
10 there's nothing that actually goes down the well.

11                   Is that what you're referring to, the  
12 injection well?

13                   MR. GORD BEAULIEU:    Yes.

14                   MR. GODFREY MCDONALD:   No, no, nothing.

15                   MR. GORD BEAULIEU:    So you're saying  
16 none of these chemicals will get pumped back down into  
17 the ground.  What happens to them?

18                   MR. GODFREY MCDONALD:   Just as I  
19 mentioned, some of the chemicals are specifically  
20 designed to coat the particle that we want to float, so  
21 it's on the surface of it and it's recovered with the  
22 concentrate.  Others that are used for depressant, like  
23 the pyrite that I mentioned, that stays on the surface  
24 of the pyrite and, of course, that becomes part of the  
25 plant tailing.

1                   And that again is disposed of in -- in  
2 that manner. The lime that's added for PH, again if --  
3 if it's in the solid form, like it's precipitated  
4 something, of course that will end up in the plant  
5 tailing. Anything that's in the plant tailings of a  
6 solid nature ends up underground in the backfill,  
7 cemented backfill.

8                   MR. GORD BEAULIEU:    Okay, in your  
9 presentation you mentioned that there is a number of  
10 baseline studies done. Can we get some of that data?

11                  MR. DAVID SWISHER:    Yes, absolutely. In  
12 fact, that data was also in the appendix of the DAR,  
13 which I believe you have a copy at the -- at the band  
14 office, as well.

15                  MR. GORD BEAULIEU:    Okay. And for mo --  
16 monitoring, like water quality monitoring, like, five  
17 (5) years down the road, are we going to have any help  
18 to -- to do our own monitoring so we don't have to  
19 depend on you guys as people to do the monitoring for  
20 us?

21                  MR. RICK HOOS:        The water licence will  
22 be specifying monitoring requirements for Tamerlane to  
23 follow. Tamerlane will undertake that monitoring, but I  
24 know that Tamerlane's preference is to use local people  
25 to do that work. And we at EBA might well be involved

1 in training people to do the sampling, but I believe  
2 it's fair to say that that kind of monitoring will, to  
3 the extent possible, will be done by local people of the  
4 -- of the area for -- for Tamerlane as -- and, of  
5 course, you can take the results back to your community  
6 as well.

7 MR. GORD BEAULIEU: So that means we  
8 have to rely on you guys' data to -- to measure our  
9 water quality after the project?

10 MR. DAVID SWISHER: The data itself is  
11 just gathered and then it's sent off to a lab for  
12 testing, that's a third party test, so we don't do the  
13 tests ourselves.

14 MR. GORD BEAULIEU: Okay. The reason I  
15 was asking about chemicals is -- it's sort of  
16 commonsense that all the water around the lake  
17 eventually ends up in the Great Slave Lake and down the  
18 McKenzie. And this water that you're pumping back into  
19 the ground is going to end up in Great Slave Lake in our  
20 water system, and we would just like some assurance that  
21 these chemicals are not going to end up in our water.

22 MR. DAVID SWISHER: Yeah, and -- and we  
23 are definitely going to be monitoring that, as well.  
24 The -- the good thing about this aquifer is that it also  
25 travels extremely slowly through the ground, and some of

1 our velocity -- velocity measurements have -- have  
2 recorded it as not exceeding a quarter of a metre per  
3 day. So from -- from the site itself, it could take  
4 several years before you would see any of that -- that  
5 water.

6 But the bottom line is to answer you --  
7 your concern is that we will be monitoring down  
8 gradient, as well, to ensure that there are no chemicals  
9 or issues within that aquifer. That is also a very deep  
10 aquifer, not the shallow aquifer that maybe goes into  
11 the lake more readily.

12 But the bottom line is we will be  
13 monitoring that. And you have our assurance that we  
14 will be monitoring that and making sure we don't do any  
15 negative impacts to that water.

16 MR. GORD BEAULIEU: I'm just trying to  
17 imagine this water moving through the -- through the  
18 ground. You said a couple -- a few metres per year. I  
19 heard some figures last week in another meeting where  
20 equivalent to about four hundred and fifty (450) to five  
21 hundred (500) barrels per hour was going to be pumped  
22 down into the ground.

23 If it only travels a couple of metres per  
24 year, how is the ground going to absorb all that water?

25 MR. SCOTT SCHILLEREFF: Well, the --

1 this is Scott Schillereff from EBA. The -- the aquifer  
2 there -- the Presqu'ile formation is a highly permeable  
3 limestone-type formation or dolomite formation with lots  
4 of voids and pore space in the rock. The water is able  
5 to move laterally, easily through that rock.

6           And as the water is injected into the  
7 rock, there will be a kind of a pressure mound in the  
8 area of the well, and over time that pressure mound will  
9 bleed off into the formation in a slow manner. But the  
10 rate of acceptance or the rate that the water can go  
11 into the formation is quite high. But the net -- it's a  
12 thick formation with lots of pore space and it can  
13 accept water in a large capacity.

14           Plus the other -- other issue is that the  
15 water is coming out of the same formation, which would  
16 cause a depression in head or depression, sort of like a  
17 drawdown, but a similar, very similar amount of water  
18 would be reinjected. And that was the idea of really no  
19 significant loss to the water balance in the formation.

20           So the amount you're taking out is very  
21 similar to the amount you're putting in. So it's -- you  
22 -- you've got a loop of water and it balances it out.  
23 So it's not trying to force new water into the  
24 formation.

25           THE CHAIRPERSON:   Excuse me. How many



1 more questions do you have?

2 MR. GORD BEAULIEU: Just a couple more.

3 THE CHAIRPERSON: Okay.

4 MR. GORD BEAULIEU: For our own  
5 assurance, I guess, for this reclamation of the -- of  
6 the area after the project, is Tamerlane going to put  
7 some money aside before the beginning of the project to  
8 cover our reclamation costs?

9 MR. DAVID SWISHER: Yes, that -- that  
10 money will be set aside and it's covered in the form of  
11 a bond for the reclamation.

12 MR. GORD BEAULIEU: Okay. Just one  
13 thing on -- the last guy that was up there was talking  
14 about wildlife, and he said that there's no caribou in  
15 the area, or that caribou weren't calving in the area.  
16 Well, that's false information because I know that area  
17 and there's lot of caribou throughout that area,  
18 woodland caribou.

19 MR. DAVID SWISHER: And I think the  
20 important part is that we recognize that whatever  
21 animals are there that we will be monitoring and will  
22 report and we'll make sure that we do not interfere with  
23 their natural habits as much as possible.

24 THE CHAIRPERSON: Is that all the  
25 questions that you have?

1 MR. GORD BEAULIEU: Yes, that's all I  
2 have for now. Thank you.

3 THE CHAIRPERSON: Go through the  
4 questioning order. I will allow the public members to  
5 speak and even if you belong to Deninu K'ue First  
6 Nation. I'm just going to go through the list of  
7 parties that were signed up to the environmental  
8 assessment.

9 Rosy, from your group? Any questions for  
10 the developer?

11 MR. TOM UNCA: Yeah, my name is Tom  
12 Unca. I'm with Deninu K'ue First Nation. I have one  
13 question for the developer, sir, in regards to the --  
14 the dust suppression they're using. I wanted to ask  
15 them what substance they are going to be using to  
16 suppress the dust?

17 MR. DAVID SWISHER: Right now we -- we  
18 plan on mostly using water as a dust suppressant.

19 MR. TOM UNCA: Thank you

20 THE CHAIRPERSON: No further questions?  
21 I'm going to move on to the Town of Hay River.

22 MR. JOHN POLLARD: Thank you, Madam  
23 Chair. John Pollard, the Town of Hay River and I have  
24 no questions for the developer. Thank you.

25 THE CHAIRPERSON: Northwest Territories

1 Metis Nation? No questions.

2 Fort Resolution Metis Council?

3 Katlodeeche First Nation? No questions.

4 Deninoo Community Council? Question?

5

6 (BRIEF PAUSE)

7

8 THE CHAIRPERSON: If you have questions,  
9 I need you to stand up to identify yourself and come up  
10 to the mic and say your name because I couldn't see.

11

12 (BRIEF PAUSE)

13

14 THE CHAIRPERSON: Excuse me, sir, you  
15 wanted to ask questions but can we just wait till we go  
16 through the list and then I'll come back to you?

17 Carol, you had a question?

18

19 (BRIEF PAUSE)

20

21 THE CHAIRPERSON: Okay. So just go  
22 ahead and proceed.

23

24 (BRIEF PAUSE)

25

1 THE CHAIRPERSON: Okay then. Well, just  
2 proceed then.

3

4 (BRIEF PAUSE)

5

6 MR. LENARD BEAULIEU: Yes, my name is  
7 Lenard Beaulieu. I'm with the Deninoo Community Council  
8 as a councillor and also with the Elders' Advisory  
9 Committee from the Deninu K'ue First Nation.

10 I have a question, but I don't want it  
11 shot down by the Mackenzie Valley Water Board. I just  
12 want to make a short little presentation and then I'll  
13 put the question at the end. So then I'll leave the  
14 table.

15 But anyway, on the future potential for  
16 this mining --

17 THE CHAIRPERSON: Before you begin, I'm  
18 just going to interrupt because we're not the Mackenzie  
19 Land and Water Board. We're the Mackenzie Valley  
20 Environmental Impact Review Board. We're here to do  
21 environmental assessment.

22 MR. LENARD BEAULIEU: Yes, I'll be  
23 getting to that.

24 THE CHAIRPERSON: Okay, just for  
25 clarity.

1                   MR. LENARD BEAULIEU:     What we -- what  
2 we'd like to see is a -- if they're investigating the  
3 potential for future mining, we want to know what that  
4 potential is. And the way they have their application  
5 in for permit now is only for that 1 million tonnes that  
6 they want to get out in twelve (12) to fifteen (15)  
7 months, but we're looking at the -- the future of this  
8 mining project that's about to start again.

9                   Because when they first came in here,  
10 Tamerlane, they showed maps and their property was right  
11 up to kilometre 52 out of Fort Resolution, thirty (30)  
12 miles from here and then the Northwest Power Corporation  
13 came along and put in the three (3) phase powerline just  
14 for eight (8) miles. And it looked like they were going  
15 to set a mine in there too.

16                  Now, all they're talking about is the  
17 west side of Buffalo River in this investigation for the  
18 potential of future mining and five (5) deposits.

19                  And as long as that's going to happen, we  
20 here in Deninu K'ue have the right to oppose any  
21 agreement that was already signed without consultation  
22 with the members here in the community. And as long as  
23 that area of land is under negotiations in the Akaitcho  
24 territory under Treaty 8, we have every right to oppose  
25 this project. What I'd like -- I'm getting at this,

1 what's in it for Fort Resolution, this mine that's going  
2 to develop in the west end of -- of Big Buffalo River?

3 In my eyes, Hay River businesses are  
4 going to make the money with this mine, not us. The  
5 little handful of labourers they're going to hire from  
6 here, that's it. And when they're finished with all the  
7 constructions and here we're making money, they're going  
8 to load it up on the CN Rail. They're going to make the  
9 last dollar and it's going to leave our land.

10 What are we, in Fort Resolution here,  
11 gonna accomplish by a mine like that? I want a specific  
12 and a positive answer to a question like that because of  
13 the serious -- for the future of our people here. It's  
14 no good to me. I'm sixty (60) years old today and so is  
15 the Elders that are passing on. We don't have very  
16 many.

17 We have to think of our children, our  
18 grandchildren. And that if only Hay River is going to  
19 accomplish by this mines, why are we sitting at the  
20 table?

21 It goes the same way for all them diamond  
22 mines. We're under negotiations with them parties,  
23 Snowdrift and Yellowknife, and still we're being left  
24 out of the impact benefit agreements.

25 Today, we're sitting here at this table

1 here discussing land that's in our area. We'd like to,  
2 you know, have a right to say if there should be a mine  
3 in it or not.

4 So I really want to know what the answer  
5 is; what's in it for Fort Resolution? Thank you.

6 MR. DAVID SWISHER: Thank you, Lenard.  
7 I think, you know, as -- as we've been working together  
8 through this the last year and a half, it's -- this  
9 pilot project and for -- and also for the future, the  
10 pilot project will help us determine what the future  
11 holds. And certainly as we've said all along, it's --  
12 for this pilot project, we do plan on it involving this  
13 community and its members, not just with jobs, but also  
14 with business opportunities. And we also plan on moving  
15 forward.

16 If we do go forward -- future then we  
17 will be sitting down and determining just exactly, you  
18 know, how we move forward, but we'll do it together.  
19 And that's been our approach and that's how we want to  
20 continue moving forward.

21 And we -- we recognize the fact that  
22 there's a lot of transportation logistics that suit Hay  
23 River better and that's why it's going to be more  
24 important for us to work with Fort Resolution to get  
25 them more involved, particularly in some of the business

1 opportunities that may not be as obvious here and -- and  
2 we fully intend to do that.

3 MS. CAROL COLLINS: My name is Carol  
4 Collins, I work for the Deninoo Community Council. I  
5 agree with what Lenard said, all the benefits for jobs.  
6 I went to Hay River for a meeting and I seen Carter  
7 Industries, Rose Construction, you name it, they're all  
8 lined up there for a job.

9 And when I come here to my community,  
10 where are these people? They are the ones that are  
11 going to get everything, not Fort Res.

12 Another thing you say, it's for twenty-  
13 four (24) to thirty (30) months pilot project, but from  
14 what I heard it's like -- it's going to -- their -- they  
15 predict it will be about twenty (20) years because they  
16 say there's more deposits there that Tamerlane is  
17 probably interested in that our people don't know about.

18 Another thing, before they even come to  
19 our community and consulted with us, they already met  
20 with Hay River and got housing from them. They're  
21 getting their power from Northland Utilities when we  
22 have our power corporation on this side.

23 And, you know, so we feel like we are  
24 being left out, our people, and we're not benefiting.  
25 It's going to be all Hay River and yet this is our



1 Akaitcho territory. It seems like anybody can come into  
2 our land and do what they want with our land, and we  
3 have no say.

4 Another one I have is regarding the wood  
5 bison, and the wood buffalo -- the woodland caribou.  
6 There are woodland caribou there. They're always --  
7 they go -- they go around twice in a season.

8 And another thing they haven't mentioned  
9 is moose. There's moose in the area. Why wasn't there  
10 any studies done on the moose?

11 When they did these studies, I'd like to  
12 know how long they did it, because I found out that it  
13 was like only two (2) weeks they were out there doing  
14 this. I think it should be done longer. And they  
15 should have one of our people from Fort Res with them  
16 that -- that has traditional knowledge that can explain  
17 to them where these thing -- where these animals are.

18 They say there's no fish. There is fish  
19 there. They -- they just don't want to do any studies  
20 on it.

21 Another question I wanted to ask was when  
22 we were -- when are we gonna meet Margaret Kent or Peggy  
23 Witte, whatever her name is? I know she's the one that  
24 owns this company, and it seems like we've never seen  
25 her or anything in this area, yet she's -- there's been

1 so much history of her in Yellowknife, that our  
2 community wouldn't mind seeing her -- her for once in  
3 this area, because she's -- she's the one that owns this  
4 company.

5 And -- and also the water, is this gonna  
6 be monitored all the time?

7 And those are all the questions I have  
8 for now.

9 THE CHAIRPERSON: Go ahead, David.

10 MR. DAVID SWISHER: Okay. Thank you for  
11 your questions.

12 And, you know, I think bottom line, it's  
13 -- it's important that, you know, moving together,  
14 that's why we've -- we -- we want to work together. And  
15 you know, part of agreements moving together is to  
16 ensure that we are gonna work together.

17 For business opportunities, I am working  
18 here, you know, I don't want to say in this forum, but I  
19 am working to try and get some business opportunities  
20 already from Fort Resolution for this short-term  
21 confirmation drilling we have to do, but also for the  
22 beginning of this project, and the construction phase.

23 So it -- it is important for me, because  
24 I do understand that Hay River logistically makes a lot  
25 of sense, right? And Fort Resolution is 105 kilometres

1 from the site.

2 But it is important for us to involve the  
3 people and the residents, and -- and try to get as many  
4 job opportunities here for this community as we can,  
5 because that also helps set the tone for any long-term  
6 mining we might do, and also sets the tone for sitting  
7 down and working out long-term agreements for this  
8 community. I mean, that's -- that's the goal we want to  
9 do.

10 The water, we -- we certainly will be  
11 monitoring the water throughout.

12 Ms. Kent, if -- you know, certainly we'll  
13 try to get her up here if you'd like to meet with her.  
14 That's not a problem. She is Chairman of the -- of  
15 Tamerlane.

16 And -- I'm trying to remember. You had a  
17 lot of questions, and I -- I can't remember what -- oh,  
18 woodland caribou. We absolutely recognize that there  
19 are woodland caribou in those areas, and if -- and --  
20 and we will do everything we can to mitigate any  
21 stresses upon the woodland caribou, as well as the  
22 moose.

23 And the reason the moose weren't  
24 initially involved is because they weren't part of a  
25 SARA listed species that -- that the woodland caribou

1 were. But it -- it applies for all animals there. Our  
2 mitigation measures apply for all the animals in that  
3 area and include the moose.

4 Okay. Thank you.

5 THE CHAIRPERSON: Thank you. I'm just  
6 gonna continue.

7 INAC, any questions? Any questions from  
8 --

9 MS. TERESA JOUDRIE: Yes. Teresa  
10 Joudrie, for INAC. I'd ask Adrian Brown to pose a  
11 question.

12 MR. ADRIAN BROWN: Yes. Adrian Brown,  
13 for INAC.

14 A point of clarification. In the  
15 presentation, the addition of the flotation system is  
16 designed to -- to improve the quality of the ore and, in  
17 my understanding, to separate lead-rich ores from zinc-  
18 rich ores.

19 I'd just like to make sure that you can  
20 clarify for the group and for INAC that both of those  
21 ores are in fact going to be shipped off the site to  
22 processing, as distinct from leaving the lead ore  
23 particularly onsite, if it turns out that that's not  
24 economic.

25 MR. DAVID SWISHER: Yeah, that's

1 correct. Both products will be separated through the  
2 flotation process and both products will be shipped  
3 offse -- offsite, downstream, to a downstream smelter.

4 MR. ADRIAN BROWN: Thank you.

5 THE CHAIRPERSON: I'm just going through  
6 the ordering in terms of questioning from the parties.  
7 I will come back to members of public. I am not  
8 ignoring you. I know there is a hands going up.

9 Environment Canada, any questions?

10 MR. JESSE JASPER: Jesse Jasper,  
11 Environment Canada, no questions.

12 THE CHAIRPERSON: Government of  
13 Northwest Territories?

14 MR. JOEL HOLDER: Joel Holder, for the  
15 GNWT, no questions. Thanks.

16 THE CHAIRPERSON: We also get the  
17 opportunity to our expert advisor, Bruce, you have any  
18 questions to the developer?

19 MR. BRUCE HALBERT: Bruce Halbert, on  
20 behalf of the Board. I have no questions, at this time.

21 THE CHAIRPERSON: I'm going to move on  
22 to whether there's members of public. I noticed there  
23 was some hands going up. Is there an Elder...?

24

25 (BRIEF PAUSE)



1 In one (1) week, we used to get three (3) train fulls  
2 out of there. I used to work in the loading area where  
3 the train used to arrive, where we used to put lead and  
4 zinc, that's where -- I used to work in that -- with  
5 that.

6 In one (1) week, I said, there was three  
7 (3) trains that leave, seventy/eighty(70/80) there were  
8 trains, they take lead and zinc.

9 There must have been a lot of money that  
10 leaving the area, benefits. A lot of money was made  
11 from there. After they closed it down, there was a big  
12 pile that were taken out from -- opened. After two (2)  
13 years, there used to be caribou around there. They say  
14 there is more important explor -- more important  
15 exploration and more -- or important -- if that mine  
16 hadn't closed today, maybe people still been employed to  
17 that day.

18 People would have been living -- benefit  
19 from it economically in the community of Fort Resolut --  
20 I said I was there seventeen (17) -- there a lot of  
21 people here that have been worked there that lived there  
22 for many years.

23 I said that there is four (4) -- four (4)  
24 bars. I've never seen the Inuit people fighting that  
25 length of time. There is only do -- people from

1 Newfoundland. They must have been good people. They're  
2 a very nice -- they must have been very nice so that our  
3 people never argued or bothered each other.

4 That's how people used to live there, and  
5 yet they closed down that Pine Point. Many a times a  
6 picture is not -- to many place that are like that.  
7 When the -- we have nothing here after they closed.

8 What do we have around the community? Is  
9 there any kind of economy here for the people? How can  
10 people survive if we don't put nets in the water, if we  
11 don't kill a moose? We're having a -- we're having a  
12 very difficult time in the community of Fort Resolut --  
13 everything else is -- all the mines are all benefiting.  
14 We -- we are kind of being ignored. We're not being  
15 supported here.

16 It seems like we're not benefited from  
17 anything around us. That's how the young people are  
18 being raised here. Some people go -- people go hunting.  
19 There's people go trapping around the Pine Point area.

20 If they're going to start another project  
21 -- if they're not going -- if we're not going to benefit  
22 from it, it's not going to be very helpful. It's our  
23 land. You can look at what they done to them. You can  
24 see all the fence around that area.

25 I -- I -- there used to be all kinds of



1 wild animals; moose, caribou. My wife at one time even  
2 shot a caribou on the road one time, on the highway.  
3 There's caribou past the Pine Point area.

4           There used to be all kinds of moose. But  
5 before the Pine Point Mine development, there was all  
6 kinds of moose there. It seems like they've disappeared  
7 now.

8           The way the people are being raised, the  
9 young people are -- people that have a lot of children,  
10 it's very difficult. That's the way we are living here  
11 in the community of Fort Resolute.

12           You think that we might have money here.  
13 There's -- that's a little project that's going in Pine  
14 Point, that was all were there -- that -- that was  
15 closed down long time ago.

16           I retired five (5) years prior to the  
17 shutdown, so I get compensation, whatever -- benefits  
18 from the Pine Point Mine too.

19           So, if you're going to start a project,  
20 if you could do it differently. In a way, that what  
21 happened there, it's our fault, what happened around  
22 that area. It's -- Pinsky (phonetic) had brought in  
23 loaders, heavy equipment. He brought it all to the --  
24 to the junction in case they contract him. No one had  
25 con -- contracted people. No one had hired him or

1 contracted him to work there.

2                   They used to have all kinds of machines  
3 there for one (1) year around there. It was kind of our  
4 fault in a way. And this is after the closure, he's  
5 talking about. I became aware that only after it was  
6 closed too myself.

7                   If they're going to start again, if they  
8 don't do the same thing -- when you say we're going to  
9 support each -- support each other, help each other, we  
10 can speak up for that. That Pine Point that I was  
11 there, we never benefit from it. This community is not  
12 -- for people -- there's not one (1) person that benefit  
13 that. There is not -- no one was compensated,  
14 especially people with a lot of children.

15                   When I say it was a difficult time in  
16 Fort Resolution, I mean it. Even to buy gas or  
17 anything, it's pretty expensive.

18                   It was okay in the back because we had  
19 dog teams, so we could travel all over the land. It's  
20 not like that nowadays, not unless you pay for  
21 something. You can't even go out in the land, so it's  
22 very difficult to raise your family like that.

23                   That's why now young people -- what can  
24 we do when they have all the social problems? The  
25 children don't listen to us, so they're having a

1 difficult time themselves because of it. If we had  
2 treated them better and helped them, maybe they wouldn't  
3 be the way they are today.

4 I still have a few things to say, but we  
5 still have a lot of people that want to speak. Maybe  
6 I'll speak -- I probably will speak again later on.  
7 Thank you very much.

8

9 (INTERPRETATION CONCLUDED)

10

11 THE CHAIRPERSON: I'm just checking to  
12 see if there was any members of the public that had  
13 questions to the developer's presentation. If I don't  
14 see any, I'm just gonna -- yes?

15

16 (BRIEF PAUSE)

17

18 MR. STEVE ELLIS: Yes, Steve Ellis with  
19 Treaty 8 Tribal Corporation, and I'm here in support of  
20 the DKFN.

21 I guess I have three (3) questions. The  
22 first one has to do with compensation of trappers. My  
23 understanding is that there are a handful of trappers  
24 from Fort Resolution that are having traplines and  
25 hunting grounds directly affected by the proposed pilot

1 project.

2                   What does Tamerlane intend to do to  
3 ensure that those land users are appropriately  
4 compensated for their loss?

5                   MR. RICK HOOS: I think Tam -- David has  
6 gone to the washroom, but I also -- I also know that he  
7 has had communications with the hunters and trappers  
8 about the traplines, and I think they are working on  
9 some kind of arrangement. But when he's back, he can  
10 answer in more -- in more detail.

11                   MR. STEVE ELLIS: Okay. Well, maybe,  
12 we'll just wait until he returns for the answer to that  
13 one.

14                   I -- the second question has to do with  
15 cumulative effects, and I -- I'll ask one (1) question  
16 and based on that -- your answer to that, I'll -- I'll  
17 pose another question.

18                   What -- while Tamerlane was considering  
19 cumulative effects in their developer's assessment  
20 report, in the preparation of that, what definition of  
21 cumulative effects were -- what was Tamerlane using?

22                   MR. RICK HOOS: We -- we used the  
23 definition of cumulative effects as outlined by the  
24 MVEIRB, who in turn is using the definition of  
25 cumulative effects outlined by the Canadian

1 Environmental Assessment Agency, and we identified the  
2 factors that need to be taken into account in  
3 determining whether a cumulative effect had occurred.

4 And we went through the -- all of the  
5 steps of the cumulative effects assessment process as  
6 spelled out by CEAA and M -- the MVEIRB in order to come  
7 to the conclusions that we did.

8 MR. STEVE ELLIS: Yeah. I guess my --  
9 my assessment of your cumulative effects assessment is  
10 that I don't -- I don't think that Tamerlane has done an  
11 adequate job.

12 The definition that the Review Board uses  
13 is: "Cumulative effects are the effects  
14 of the proposed development in  
15 combination with past, present, and  
16 reasonably foreseeable future effects."

17 There's a very clear past cumulative  
18 effect here, which is at it's time the -- the largest  
19 open pit mine in the world, which is the old Pine Point  
20 Mine. I don't see any consideration of the proposed  
21 pilot project in combination with the effects of the old  
22 Pine Point Mine.

23 And very clearly, that this Pilot Project  
24 is being developed in anticipation of potential other --  
25 new resources being exploited. I don't see any

1 consideration of the potential effects of those  
2 resources as well.

3                   So there's very clear past effects, and  
4 very clear reasonably foreseeable effects that have not  
5 been adequately considered, I would say.

6                   MR. DAVID SWISHER:    The past effects  
7 have absolutely been considered in the past mining here,  
8 and that's why we chose to minimize the effects in the  
9 way that we've designed this project.

10                   With regard to future, it was only  
11 suggested I have a slide, one (1) slide, indicating what  
12 the potential may look like, so people have an  
13 understanding because, you know, we don't want to come  
14 in here -- obviously this pilot project is -- it has to  
15 confirm an -- confirm a lot in order for us to -- to be  
16 able to move forward. And we haven't finished that  
17 design work in order to do that, and we aren't going to  
18 know that until we get underground and see a lot of the  
19 grounds conditions down there as -- as we start mining,  
20 as well.

21                   It is our hope, though, and just like  
22 what we've presented there, that we don't people to  
23 think we're just going to come in and leave 'cause  
24 that's not the intent and that's why we've discussed the  
25 potential in the future.

1                   And we are looking into that, but this  
2 pilot project is dehedged to let us move forward plus  
3 the purpose of this EA, we understand, is just for this  
4 pilot project, and we'll be moving forward at another  
5 time with many regards.

6                   MR. STEVE ELLIS:   While you were in the  
7 bathroom, I'd asked a question about Tamerlane's plans  
8 to compensate affected trappers and land users in the  
9 area.

10                  MR. DAVID SWISHER:   Yeah, in fact, I've  
11 already been working with the local communities here to  
12 identify those affected trappers and we're working with  
13 them to do so. In fact, we -- we have compensated in  
14 the past, and we plan on doing that, moving forward in  
15 the future.

16                  I know the Fort Res Metis as well as the  
17 Deninu K'ue First Nation both have some people that have  
18 mentioned that they've trapped in the past and we also  
19 want to work with Katlodeeche as well to make sure that  
20 we've accounted for anybody who has used that land or  
21 who may use it in the future that we can accommodate.

22                  MR. STEVE ELLIS:   I guess my last  
23 question has to do with the -- the aquifer. I'm no  
24 water expert, so bear with me.

25                  What sort of work has been done to

1 quantify and qualify this aquifer?

2 MR. DAVID SWISHER: The -- the --  
3 there's been extensive work in that area with the regard  
4 to the drilling that's been done there. There's also  
5 been extensive dewatering work, and there were three (3)  
6 different main dewatering tests that were done in that  
7 area and it helped identify the vastness of the aquifer.

8 And that is also what Scott had worked  
9 with in terms of utilizing that 'cause the design of an  
10 injection well, as I understand it -- and Scott can  
11 speak much better than I can on this -- is you utilize  
12 pump tests for your design of an injection well.

13 And so there were -- there were three (3)  
14 pump tests in that area done historically, as well. And  
15 also that doesn't mean that we're not going to be doing  
16 continuing test work because the -- the drilling of the  
17 injection wells will require us to do pump tests to  
18 confirm the -- the permeabilities and the K-values in  
19 those areas.

20 MR. STEVE ELLIS: I guess I'll just make  
21 this very simple, for my brain. This is how I view the  
22 injection wells. It seems that there is, as you said,  
23 about a foot downward pipe that's drilled down into the  
24 aquifer and it's not really an injection well, it's more  
25 pouring the water into it and hoping that'll disburse.



1                   Now, my limited understanding of aquifers  
2 is that typically they're -- they have currents and so  
3 on -- you've talked a little bit about that -- but  
4 usually they're pressurized. So I'm just wondering,  
5 without actually injecting the water and ensur -- and  
6 pushing it into the aquifer with positive pressure, how  
7 are you going to ensure that it disburses and dilutes?

8                   MR. SCOTT SCHILLEREFF: Those are good  
9 observations. You're right, the Presqu'ile aquifer is  
10 confined, that is, it -- it's -- it has a pressure in  
11 it, but the level that water will rise to is still below  
12 the ground surface. It -- it's quite a deep aquifer and  
13 it has pressure, but it rises up to some level.

14                   The injection process will be gravity  
15 drainage of water into the well to further raise that  
16 head of water in the -- in the pipe somewhat, but not to  
17 the point where it needs to be under pressure at the  
18 surface to push it down. As you build up water in that  
19 pipe, it creates a column of water that has weight and  
20 it will push the water under it down and through the  
21 open parts of the bottom, the bore hole, into the  
22 formation.

23                   So that we anticipate that at a certain  
24 flow the water in the casing of the well will build up  
25 to some working level and that will be balancing the

1 amount of water that's flowing out of the bottom. So as  
2 long as the rate of flow doesn't require that it be  
3 under pressure then we call it just a gravity drainage  
4 injection.

5                   And it's -- it's much easier to just  
6 admit the water to the well and let it, under its own  
7 weight, flow into the formation then actually have it  
8 under pressure and push it in. And that's a function of  
9 how many wells, what diameter and that -- currently  
10 we're looking at, you know, between 1 and 2 feet  
11 diameter well. We'll have two (2) wells, and the design  
12 of that is, you know, we feel adequate for what the flow  
13 of water will be.

14                   MR. STEVE ELLIS: I guess the -- the  
15 very last question just has to do with -- you spoke in  
16 your presentation about monitoring the effectiveness of  
17 the injection well and the dilution and so on.

18                   How is that monitoring to be done?

19                   MR. SCOTT SCHILLEREFF: There will be a  
20 total of three (3) separate monitoring points dedicated  
21 to the injection well. The primary injection well will  
22 be monitored -- actually four (4) -- the primary  
23 injection well will be monitored for this buildup of  
24 head I told you about in the casing.

25                   The second, or backup injection well,

1 which normally isn't in use, will be used to monitor  
2 both for changes in the water level in that well, and  
3 also for samples of ground water to measure what the  
4 quality of water is as it flows to that second injection  
5 well.

6 There will be two (2) smaller diameter  
7 monitoring wells: one (1) at about 300 metres from the  
8 primary well and one (1) quite distant, about 800 metres  
9 away from the primary injection well.

10 So, the combination of the backup well  
11 and the two (2) monitoring wells will give three (3)  
12 extra points to measure both the buildup of water level  
13 and be able to be sampled for water quality. Yeah.

14 MR. STEVE ELLIS: All right, thank you.  
15 That's it.

16 THE CHAIRPERSON: Because of the timing,  
17 I am just going to continue on. I am not going to ask  
18 members of public to see if they have any more further  
19 questions for the developer. There will be  
20 opportunities, probably towards the end of the Hearing.  
21 If you have questions, you can hang on to them and ask  
22 them.

23 I am just going to ask the legal counsel,  
24 John Donihee, if he had any questions.

25 MR. JOHN DONIHEE: None from me, Madam

1 Chair. It's John Donihee.

2 THE CHAIRPERSON: I am just going to ask  
3 whether the Board members had any questions. I will  
4 start off with you, Richard.

5 MR. RICHARD EDJERICON: Thank you, Madam  
6 Chair. First of all, I just want to say thank you to  
7 the presenters and the people here in Deninu K'ue for  
8 hosting this Hearing here.

9 I just had couple of questions, and I  
10 think part of it's already been talked about already,  
11 but I had one (1) concern in regards to air quality. It  
12 mentioned that -- you guys were talking about the air in  
13 terms of the material being delivered to -- to the rail  
14 tracks in Hay River.

15 And it's going to be done -- we already  
16 got paved roads and that kind of thing, but how about  
17 when it leaves Hay River in that area, is it going to be  
18 controlled? Is it going to be covered up? Or -- I -- I  
19 don't know. You guys never elaborated on that.

20 The other question I also have is the --  
21 it was talked about, about trappers' compensation. I  
22 know that a few years ago I read in the -- in the media  
23 that there was issues surrounding trappers here in this  
24 area. And I don't know if it's ever been addressed, but  
25 I -- I know that -- I think these type of things need to

1 be addressed as well by companies like yourselves.

2 So, I guess you already spoke about it,  
3 but at the same time, how long is it going to take  
4 before you resolve this issue?

5 And I'll have my final question is the --  
6 I also listen to the -- some of the people speak here  
7 talking about, I guess, IBA agreements or participation  
8 agreements or whatever you want to call it. Right now I  
9 understand that there's an exploration agreement within  
10 your company with Deninu K'ue and the Hay River Reserve.

11 Also -- it's also my understanding that  
12 the exploration agreement has a begin date and a finish  
13 date. But then as the mine develops, is it going to  
14 lead into a full impact benefit agreement so that  
15 communities are comfort -- are compensated in -- in  
16 terms of jobs and -- and contracts and that kind of  
17 thing. So, that's my understanding. So thank you.

18 MR. DAVID SWISHER: To answer your first  
19 question, the -- once the concentrate gets to the  
20 railhead in Hay River, that is a covered -- fully  
21 covered and enclosed facility. And so the material will  
22 be loaded into railcar. Actually, the railcar will be  
23 pushed inside the facility. The material will be loaded  
24 inside the facility into the railcar. The railcar will  
25 be covered and sealed, and then again pushed out.

1                   So yeah, the -- the dust hazards  
2 associated in Hay River have been considered and are  
3 accounted for there.

4                   With regard to the trappers, the  
5 incidences that occurred early on when I first came  
6 aboard in early 2006, those have been taken care of, and  
7 those individuals have been compensated for their loss  
8 with regard to prior trapping activities.

9                   And so moving forward with the questions  
10 that we had earlier, we want to move forward and  
11 identify those people who have typically used those  
12 areas and trappers, which we have, and then sit down and  
13 work out just what we -- we need to do to compensate for  
14 the future there.

15                   With your final question, with regard to  
16 the pilot project, it is absolutely Tamerlane's  
17 interest, as we've always mentioned, to work through the  
18 pilot project.

19                   First, identify, hopefully early on, the  
20 potential for the long term mining, which we want to do,  
21 and then at that point, sit down and start working with  
22 the communities again, not only to get feedback about  
23 the future plans, but then to work out a full impact and  
24 benefits agreements for the future mining.

25                   And that is Tamerlane's intent, and in

1 fact it's written that way in those agreements so that  
2 it is a security for them as well, that we will sit down  
3 and discuss impact and benefits agreements.

4 THE CHAIRPERSON: I'm just gonna move  
5 on.

6 John Ondrack, do you have any questions?

7 MR. JOHN ONDRACK: I have no questions  
8 at this time. John Ondrack, Board member.

9 THE CHAIRPERSON: John Stevenson...?

10 MR. JOHN STEVENSON: Thank you. No  
11 questions at this time. Thank you.

12 THE CHAIRPERSON: Nora Doig...?

13 MS. NORA DOIG: No question at this  
14 time.

15 THE CHAIRPERSON: Danny Bayha...?

16 MR. DANNY BAYHA: Thank you, Madam  
17 Chair. I just had one (1) question. Thank you.

18 Now you mentioned that this is a pilot  
19 project, and can you give us an idea, or care to comment  
20 on when would you know if -- if you -- this project  
21 would be a very good potential for a long term mine in  
22 the area within the twelve (12) to fifteen (15) months  
23 that you expect to operate this pilot project? Thank  
24 you.

25 MR. DAVID SWISHER: I would suspect we

1 can confirm that through some of the continuing  
2 feasibility work, you know, right up to the construction  
3 phase, or even before permits are issued.

4 What's really gonna set the stage, and of  
5 course, we'll continue moving on looking at that future  
6 planning and what we can do in working with the  
7 communities, but what's really going to determine that  
8 for us is once we get the freeze ring established, and  
9 we sink the shaft, then the vertical development  
10 underground will help us do more rock mechanics analysis  
11 of the rock and the conditions, and will basically  
12 confirm for us the ability then to -- to drive  
13 underground to these other deposits.

14 So I would suspect in the twenty-four  
15 (24) to thirty (30) month time frame, we should be able  
16 to -- to know, conclusively, within twelve (12) months.

17 MR. DANNY BAYHA: Thank you. That's all  
18 I had.

19 THE CHAIRPERSON: Charlie...?

20 MR. CHARLIE SNOWSHOE: No question.

21 THE CHAIRPERSON: I'm just gonna move on  
22 to Board staff.

23 MR. ALISTAIR MCDONALD: Alistair  
24 McDonald with Board staff. I just have two (2)  
25 questions.





1 from the Review Board staff. You obviously haven't  
2 confirmed those plans yet.

3 Do you have a time frame for when we  
4 might be able to hear back on how you would incorporate  
5 these findings and whether or not you would be  
6 potentially taking -- I know that Environment Canada  
7 has -- and GNWT have tried to also work with you on  
8 these issues -- whether you'll be working in the future  
9 with them to try and develop appropriate plans in that  
10 regard?

11 But what would the time frame be to get  
12 information to the Review Board that would help make its  
13 decision?

14 MR. DAVID SWISHER: Well, the -- the air  
15 quality report was fairly benign, so it shouldn't take  
16 long to work through that and come up with a -- with a  
17 mitigating measure, at least a -- a measuring process  
18 moving forward through the operation. So I would say in  
19 the next couple weeks.

20 MR. ALISTAIR MACDONALD: Just one (1)  
21 more question. My understanding of the froth flotation  
22 circuit is that it requires crushing of the DMS product  
23 down to a finer size -- first of all, I hope that that's  
24 accurate -- using two (2) additional ball mills.

25 I guess it's a two (2) part question.

1 The first part being: By what factor does the rock  
2 product actually reduce in size? Does that create an  
3 additional dust issue? And are there any additional  
4 requirements or -- or plans by the developer to deal if  
5 there was additional dust concerns from that?

6 MR. DAVID SWISHER: There's just going  
7 to be one (1) ball mill because it's very minimal flow  
8 because the DMS does a very good job of splitting out a  
9 lot of the waste rock. It's a course grind, by grinding  
10 standards, and it's a wet circuit, so there will be no -  
11 - no dust generated throughout the circuit.

12 MR. ALISTAIR MACDONALD: Thank you.

13 THE CHAIRPERSON: I know it is noon time  
14 and we are really behind schedule. I am trying to get  
15 the opportunities for members of public to have spoken.

16 I am just going to move onto the next  
17 presenter, which is Deninu K'ue First Nation. Are you  
18 prepared to do your presentation now?

19 MR. TOM UNCA: Yes, I am.

20

21 PRESENTATION BY DENINU K'UE FIRST NATION:

22 MR. TOM UNCA: Good morning, my name is  
23 Tom Unca. I'm doing a presentation for the Deninu K'ue  
24 First Nation. First of all, I'd like to thank the Board  
25 for giving the First Nation the opportunity to air our

1 concerns with -- in regards to the proposed development.

2 I would also like to thank our Elders and  
3 introduce some of our Elders that are here with us  
4 today: Eddie McKay, who spoke to some extent there;  
5 Marcel Norn, who did the opening prayer for us; Henry  
6 Killimet (phonetic); Lenard Beaulieu; just to name a  
7 few, are the Elders that we utilize in making some of  
8 our decisions here.

9 Some of the land users that are here  
10 today with us: Eddie Lafferty, who -- who traps in that  
11 area; and George Leroq (phonetic), who is also another  
12 member of the DKFN, who also traps in that area.

13 I'd like to start off my presentation  
14 today doing the PowerPoint presentation for the  
15 Tamerlane Hearing here, October 16th, 2007.

16 The Deninu K'ue First Nation has an  
17 obligation to its membership to ensure that development  
18 does not come before the preservation of the ecosystem  
19 that we, the Dene, are part of.

20 We have to be assured that as a nation  
21 that cumulative effects from all the mining activity  
22 does not infringe on our traditional lifestyles, way of  
23 life. The reason we're -- we're saying that is that  
24 we've had a lot of past mining activities right next  
25 door to us for a number of years, and we absolutely got

1 no benefits from it other than the -- the social  
2 problems, the -- the different problems that a mine  
3 would do to a small community such as ours. We don't  
4 want the repeat of that again.

5

6

(BRIEF PAUSE)

7

8 MR. TOM UNCA: In the 1990 decision  
9 Sparrow v. the Crown the -- the Supreme Court ruled that  
10 Aboriginal people have an inherent right to harvest  
11 resources for subsistence, and that Section 35(1) of the  
12 Constitution Act of 1982 must be read broadly and in  
13 favour of Aboriginal people.

14 In 1991, it was further argued that the  
15 Sparrow decision calls for the involvement of Aboriginal  
16 people in the regulation of natural resource management.  
17 What -- what this says is that we got to get involved  
18 with the -- with the mining industry that are coming  
19 into our traditional lands. We have to start cutting  
20 deals with them and -- and sitting down with them and  
21 making agreement that's going to kind of mitigate some  
22 of the expecting impacts from these mines.

23 And if there's economic benefits that's  
24 going to arise from these benefits, this is the time to  
25 bring it out, and we would like to be involved with a

1 mining industry such as Tamerlane right from the start  
2 and -- and start dealing with them so that we can  
3 benefit fairly.

4

5

(BRIEF PAUSE)

6

7 MR. TOM UNCA: The Mackenzie Valley  
8 Environmental Impact Review Board is an institution of  
9 public government responsible for implementing sections  
10 of the Federal Statute. Consequently, Mackenzie Valley  
11 Environmental Impact Review Board is bound to respect,  
12 if not implement, the obligations of the Crown.

13 The Mackenzie Valley Environmental Impact  
14 Review Board must consider the progress and results of  
15 right-based Crown consultation in the determination as  
16 to whether to recommend the issuance of permits and  
17 licence within the Akaitcho Territory. To do otherwise  
18 necessarily prejudices against constitutionally-  
19 protected rights.

20 The Crown's failure to dispose of its  
21 obligation to conduct right-based consultations fetters  
22 the Mackenzie Valley Environmental Impact Review Board's  
23 ability to fulfill its mandate in the Akaitcho  
24 Territory. The Mackenzie Valley Environmental Impact  
25 Review Board has clearly articulated this understanding

1 in the previous Snowfield and UrEnergy ECE.

2 With respect to Tamerlane's proposed  
3 activities the Crown has not disposed of its obligation.  
4 Rights-based consultation previous in existing mining  
5 operation activities have already infringed upon  
6 Akaitcho rights in the Pine Point area. The Pine Point  
7 Pilot Project will only compound these infringements.

8 The Mackenzie Valley Environmental Impact  
9 Review Board must communicate to the Crown that it  
10 cannot satisfactorily complete the Tamerlane's  
11 environmental assessment in the absence of a process  
12 whereby rights' infringements are assessed and  
13 adequately -- accommodations are implemented.

14

15 (BRIEF PAUSE)

16

17 MR. TOM UNCA: In this instance, to  
18 recommend issuance of a permit to Tamerlane prior to the  
19 Crown properly disposing of its obligation is to promote  
20 the infringement of rights. The Mackenzie Valley  
21 Environmental Impact Review Board must make the measure,  
22 not suggestion, requesting that the right-based  
23 consultations regarding the Pine Point area be  
24 satisfactorily completed and infringements accommodated  
25 by the Crown.

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(BRIEF PAUSE)

MR. TOM UNCA: To date the Crown has not approached Deninu K'ue First Nation in regards to Aboriginal and Treaty rights within our traditional territory.

The traditional land users that utilize the area must be recognized and compensated for the loss of livelihoods.

On July 2000, a framework agreement was signed by the Crown and Akaitcho Dene First Nation to guide the negotiations of the Akaitcho agreement, and the parties recognize that certain lands within the Akaitcho Dene First Nation asserted territories are of environmental, cultural, economic, and spiritual importance to the Akaitcho Dene First Nation.

With that, the parties also recognized that the appropriate interim measures are necessary in order to advance negotiations.

"Aboriginal peoples generally have not been consulted about development activities. Usually they have not been guaranteed, nor have they obtained specific economic benefits from such



1 activities on their traditional lands.  
2 And they have had difficulty protecting  
3 their traditional use from effects of  
4 development."

5 And that came from the Royal Commission  
6 on Aboriginal People, 1996. That's a direct quote.

7 This is the proposed site that Tamerlane  
8 is proposing to develop. It's the site, R-190 site.  
9 Deninu K'ue First Nation invoke our inherent and treaty  
10 rights, and demand industry recognize our inherent and  
11 treaty rights in our traditional territory.

12 This picture here is -- is the site where  
13 the ore body is supposedly sitting below the surface  
14 there.

15 Tamerlane Ventures Incorporated is  
16 proposing to attract 1 million tonnes of bulk sample  
17 lead/zinc ore from the traditional territory of Deninu  
18 K'ue First Nation within the Akaitcho territory.

19 If Tamerlane Ventures Incorporated is  
20 going to make change within the scope of the work in the  
21 project description, Deninu K'ue First Nation feels  
22 strongly that a presentation and information on the  
23 scope of the work and the project description must be  
24 provided to the Deninu K'ue First Nation for further  
25 assessment.

1                    Since time immemorial, the people of  
2     Deninu K'ue have -- have used the land, the water, and  
3     the wildlife to sustain their way of life. And this is  
4     an old picture of Fort Resolution prior to all the  
5     changes that occurred within our water system. This  
6     picture was probably taken in the '20s.

7                    Some of the concerns that is coming out  
8     of our First Nation: Deninu K'ue First Nation strongly  
9     feel that more information needs to be provided to  
10    stakeholders involved in this environmental assessment,  
11    in regards to how the injection well will be more  
12    suitable for this type of underground mining, with the  
13    inflow of water from the bottom of the freeze wall.

14                   This raises a number of questions. Some  
15    of our concerns we have with the injection well, I'm  
16    sure some of them have been answered already, but we  
17    still need to get it out for the record.

18                   We need to know how do these injection  
19    wells work, and what are the safeguards should this  
20    method fail.

21                   We want to know what -- we know that they  
22    do have a backup well should the other one gets plugged  
23    or something like that, but we still have a lot of  
24    questions regarding the hydrology of the area.

25                   What would happen should the rate of flow

1 -- water flow pumped into the injection well exceeds the  
2 aquifer's ability to absorb the water back into the rock  
3 formation?

4                   And that question came up earlier, also,  
5 by another person there.

6                   The other question is -- regards the cold  
7 temperatures we have up here. Will the extreme cold  
8 temperatures have an effect on the inflow, such as icing  
9 and -- and so forth?

10                   And that was the next question: Do they  
11 anticipate any icing due to the extreme temperatures,  
12 and how would it affect the -- the inflow back into the  
13 aquifer?

14                   Will the presence of total suspended  
15 solids at the injection well make the receiving aquifer  
16 impermeable and force the pumped water in another  
17 direction beneath the surface of the gravel quarry?

18                   This was one (1) of the questions that  
19 was brought up at the -- at the Technical Hearing, and -  
20 - and I would like to be assured again that this is not  
21 gonna happen.

22                   Should the above incident occur, what are  
23 the chances that the water, now redirected, accumulates  
24 near the surface of the reservoir? This is one of the  
25 hypothesis that we -- we're concerned with.

1                   In regards to the transportation  
2 corridor, the increased volume of mine traffic on  
3 Highway Number 5 could have an impact on the wildlife  
4 migrating and the traffic coming out of Fort Resolution.

5                   The residual effects of lead and zinc  
6 along the transportation corridor should the ore not be  
7 adequately contained; and -- and this, of course, is a  
8 legitimate questions that we -- we've always -- were  
9 concerned with it be -- during the transportation,  
10 should this product not be adequately covered, it's  
11 gonna start falling on the roadway and it's gonna get  
12 into the environment.

13                   In the Tamerlane Developments Assessment  
14 Report it is quoted that:

15                   "Tamerlane is confident that the safety  
16 of the general public will be  
17 maintained in reference to the  
18 increased volume of traffic from  
19 kilometre 42, back to Hay River."

20                   One (1) of the questions that came out of  
21 this: How are they proposing to maintain the volume  
22 when it's proceeding on a 24/7 basis?

23                   Some of the other concerns we had were  
24 the species-at-risk. There -- there are a number of  
25 animals and birds that we're concerned with. One (1) of

1 them is the whooping crane which frequents the area that  
2 they're developing in. And there are nests just to the  
3 southeast of them within the flying distance of these  
4 whooping cranes.

5                   And there are only four hundred and  
6 eighty-nine (489) whooping cranes in North America, of  
7 which three hundred and forty-four (344) reside in the  
8 wild. There are six (6) primary nesting areas within  
9 and adjacent to the Wood Buffalo National Park between  
10 the headwaters of the Nyarling River, the Sass River,  
11 Klewi and Little Buffalo Rivers.

12                   Whooping cranes are sensitive to  
13 disturbance on both breeding and wintering grounds.  
14 COSEWIC designated the whooping crane endangered, in  
15 April of 1978.

16                   The Yellow Rail. The Yellow Rail is one  
17 (1) of the smallest rails in the world, weighing only 60  
18 grams and measuring 15 to 19 centimetres in length. The  
19 loss and degradation of wetlands due to agriculture and  
20 human development is the greatest threat to this  
21 species, throughout its breeding -- breeding range.

22                   Yellow Rail is protected under the  
23 Federal Species at Risk Act, SARA. The Yellow Rail is  
24 also protected by the Federal Migratory Birds Act.  
25 Under this Act it is prohibited to kill, harm, collect

1 adults, young and eggs from the species.

2                   There are less than five thousand (5,000)  
3 nesting pairs in Canada. And -- and we have reports  
4 that the Yellow Rail frequents the -- the area just  
5 south of you in Wood Buffalo National Park and -- and  
6 there's no reason why this little species wouldn't be  
7 frequenting the -- the developed area.

8                   The peregrine falcon was mentioned in --  
9 in the -- in the developers report as one of the birds  
10 that don't nest in the area. It's true, but they do  
11 frequent the area in early springs and the fall during  
12 the migration route, because their prime source of food  
13 are the migratory -- migratory birds.

14                   Per -- peregrine falcon is a bird of prey  
15 that are smaller and more streamlined than hawks with  
16 long pointed wings that enable them to fly at great  
17 speed. Status under SARA or Species At Risk Act,  
18 they're threatened.

19                   The decline in peregrine population in  
20 North America were associated with the widespread  
21 intensive use of pesticides, organochlorine compounds,  
22 particularly the pesticide DDT.

23                   In 2000 an estimated five hundred (500)  
24 pairs of peregrine falcons anatum subspecies nested in  
25 Canada.

1                   The peregrine falcon is listed in  
2 Appendix 1 of the Convention on International Trade on  
3 Endangered Species of Wild Fauna and Flora, CITES, which  
4 sets cont -- and controls on the international trade and  
5 movement of species that have been or may threaten due  
6 to the commercial ex -- exportation.

7                   The woodland caribou. Canada's forest-  
8 dwelling woodland caribou, except those in Newfoundland,  
9 were declared threatened under the Federal Species At  
10 Risk Act, SARA, in 2002.

11                   How and where future industrial resources  
12 extraction will take place in the NWT will be a key  
13 factor in determining whether or not there will be a  
14 long-term safety and stability of the boreal woodland  
15 caribou population.

16                   Like the elders are telling us this area  
17 is not new to the woodland caribou. People driving up  
18 and down the highways from Fort Resolution to Hay -- Hay  
19 River often see the species. And they don't come at a  
20 certain time of the year or -- or -- or day, they come  
21 at all times.

22                   And -- and we know that there are young  
23 ones in that area. We know that they frequent the area  
24 to the south more around Buffalo Lake and that area, but  
25 the highway between Pine Point and Hay River is not

1 something new to the woodland caribou species.

2           The wood bison. The wood bison is a  
3 distinct northern subspecies of the North American bison  
4 whose range includes much of the boreal forest regions.  
5 Reduced by hunting from a total population of about a  
6 hundred and sixty-eight thousand (168,000) to less than  
7 two hundred and fifty (250) animals by the year 1900.  
8 The wood bison has since recovered to a total population  
9 of approximately nine thousand (9,000) animals, largely  
10 as a result of conservation efforts by the Canadian  
11 government agencies.

12           In 1990 -- '98 -- or 1988, pardon me, the  
13 COSEWIC changed the subspecies conversation status from  
14 endangered to threatened.

15           One area that we did talk a little bit  
16 about is kind of -- for me it's kind of out of line,  
17 would be the -- some of the social impacts that's kind  
18 of anticipated from a workhorse -- a workforce increase  
19 requirement for childcare in Fort Resolution.

20           How does Tamerlane and government propose  
21 to mitigate these concerns?

22           And what -- what essentially it says is  
23 that with the number of people supposingly that -- that  
24 gets to work over at Tamerlane Development there's gonna  
25 be a -- a need for childcare and childcare facilities.



1 And -- and this was one of the concerns that the  
2 membership wanted to -- to bring out.

3           Of course, the health concerns -- some of  
4 the stuff that we are still questioning would be, with  
5 past development such as Pine Point where concerns about  
6 high cancer rates within the community, the -- the  
7 asthma, the increase metal in drinking water, fish and  
8 the fish habitat that seemingly -- seems to be  
9 threatened; some of the quality of the fish we're  
10 getting that's questionable by the Elders.

11           Some of these health concerns are going  
12 to be addressed again at a later time, but these were  
13 some of the concerns that -- that they wanted to -- to  
14 bring forth.

15           Some of the past experience. Cominco  
16 Pine Point Mines happen and close without our  
17 participation. We had absolutely no say in the  
18 operation of the mine for the twenty-five (25) years it  
19 operated on our doorstep.

20           We are living with the cumulative effects  
21 from a mine that operated in our background, and  
22 further, we are still restricted from freely utilizing  
23 that area for subsisting harvesting, because of the  
24 questionable nature of the environment and the physical  
25 blockage on the haul roads and -- and so forth.

1                   To date, Teck Cominco has not cooperated  
2 with the Deninu K'ue First Nation in sharing information  
3 or consulting about the land and the water they are  
4 utilizing still. DKFN wants assurance that history will  
5 not repeat itself with this project.

6                   And -- and like the -- the proponent had  
7 suggested, there is a traditional knowledge component to  
8 their -- to their assessment and -- and here is one (1)  
9 of our Elders, Henry, talking with -- with David Swisher  
10 on -- onsite there, over at the R-190 site. This was  
11 taken last summer during one (1) of our consultation --  
12 those sessions we had with them.

13                   And the big question to Paul is what --  
14 does -- this all means to our future, and he was kind  
15 of pondering that gravel pile there and we -- we had to  
16 put that picture in there because it kind of meant a lot  
17 to him, I think.

18

19   (BRIEF PAUSE)

20

21                   MR. TOM UNCA:    And in conclusion, Deninu  
22 K'ue First Nation would like to thank the Mackenzie  
23 Valley Environmental Impact Review Board, the staff,  
24 Tamerlane Ventures, our Elders here with us today, and  
25 the general public for their participation and concerns

1 of this development within the Akaitcho Territory.

2                   And with that, that includes the -- the  
3 Deninu K'ue First Nation's participation. We have a  
4 slight traditional component to it and we'd like one of  
5 our Elders, if we may, that is part of our group, Marcel  
6 Norn, to make a few comments on it. He is part of our  
7 group. He is part of our presentation and possibly one  
8 (1) of the land users that uses that area, Eddie  
9 Lafferty, and maybe to give a -- a short comment on --  
10 on how he sees the -- the project or how it might affect  
11 his way of life. Thank you.

12                   THE CHAIRPERSON: You can continue --  
13 proceed. You're having an Elder come up? Okay.

14                   MS. ROSY BJORNSON: The Elder, Marcel  
15 Norn, come to the mic, please?

16

17                   (THROUGH INTERPRETER INTO ENGLISH)

18

19                   ELDER MARCEL NORN: My name is Marcel  
20 Norn from the community of Fort Resolution. While  
21 you're talking about the issue of Pine Point, I've  
22 worked in Pine Point myself. I worked for thirteen (13)  
23 years in Pine Point.

24                   Before I was -- I worked for Pine Point I  
25 used to harvest around that area, around Pine Point

1 because I was out of -- I was not employed at the time.  
2 And when they opened the mine, it was open for twenty-  
3 five (25) years. We have never benefited from -- to  
4 this day, we haven't benefited. They have totally  
5 damaged everything. They have damaged everything for --  
6 for us.

7                   This morning there is one (1) white man  
8 that spoke up. He mentioned there's -- there's no  
9 caribou around there where they're working. It's not  
10 like -- I'm not saying that he's lying, but when I used  
11 to travel around there wasn't that plentiful of caribou,  
12 but there used to be some caribou because I used to trap  
13 around that area.

14                   One eighty one (181) there's a little  
15 creek that comes in from -- comes in from the lake, the  
16 Great Slave, I used to trap around that area, but when I  
17 work in Pine Point, I went to that area, all the tailing  
18 has come into that creek and it had reached the Great  
19 Slave Lake. All the -- the vegetation -- all the  
20 vegetation are all dead, there's no muskrats or beavers  
21 around there and all their dam was all open -- you  
22 couldn't trap around there because there was nothing  
23 around there.

24                   So that was too -- was damaged for us.  
25 Not only that but -- and there's another little creek

1 there nearby there too, it's like that too. So the mine  
2 that was there previous, that has caused more problems  
3 than anything else.

4           When -- when I'm talking here, I am  
5 seventy-five (75) years old now. I am not -- I'm not  
6 saying I really -- it's not because I really want to --  
7 I'm talking about my children and children's -- I'm  
8 talking for them. I'm not talking for myself.

9           The mine that had -- was there in the  
10 past, we have never benefit anything. If we could  
11 benefit -- if we could be compensated for now for -- for  
12 the -- the Pine Point mine in the past for our children  
13 or children's children would be beneficial to us.

14           There's another thing I've been thinking  
15 -- thinking about. Gordie had a question -- put in a  
16 question this morning to this one white, when you  
17 talking about these tailing ponds from the lead and  
18 zinc, you said that you're going to put it in the  
19 injection well, in the pipe. The -- once it would goes  
20 through, the water's going to get thick, it's not going  
21 to go through fast, it has to go somewhere, it has to  
22 escape.

23           The water would escape fast all right,  
24 but after something mixed with it, there's -- it's  
25 thicker, so it's not going to flow faster. If you could

1 mon -- monitor, that too would be good.

2 I were -- I said that I have worked for  
3 thirteen (13) years, that the last year that I worked  
4 there was 1987. I had a heart attack twice, so I  
5 couldn't work, but I stayed and they for one (1) year  
6 till they close it. The close down in 1988, that's when  
7 I left there because I couldn't work anymore.

8 I -- to this day, I have never worked  
9 again. I get pension now, so I'm okay now, even if I  
10 don't work.

11 I can't talk for -- too long. I had  
12 surgery, bypass surgery. I have -- I have short breath;  
13 I run out of breath.

14 I like to thank you very much for  
15 allowing me to speak, and I'd like to welcome you and  
16 thank you for coming in from out -- from other  
17 communities. Thank you, that's all I have to say for  
18 now.

19

20 (INTERPRETATION CONCLUDED)

21

22 MR. EDDIE LAFFERTY: As I have lots of  
23 history and lots of knowledge of this land, you guys  
24 talking about the whole -- the whole part of it, right  
25 from the beginning to the end. The history I had on it

1 with -- was trapping long time ago with my dad, and the  
2 years that trappers had -- trappers -- the traplines  
3 were registered.

4                   And they stopped registering traplines  
5 when Pine Point started. Before that there was no  
6 cutlines in my dad's trapline, and after Pine Point had  
7 started they put maybe two/three hundred (200/300)  
8 cutlines through my dad's trapline, that ruined his  
9 trapline.

10                   Then after that they -- the tailings  
11 ponds were coming right directly into our trapline, it  
12 ruined the whole area and took twenty/thirty (20/30)  
13 years before that fur finally started coming back  
14 because of the vibrations of the dynamite going off, the  
15 trucks running, noise pollution, water pollution.

16                   We had traps on dams where, if we forgot  
17 them that year, the next year we went back, the traps  
18 were -- nothing left of it. There was metal.

19                   And I got two (2) -- two (2) girls in  
20 college now that I got to provide for. And the first I  
21 heard of Tamerlane is the day -- the day after they ran  
22 over my trapline with a Cat -- ran right through 18  
23 kilometres of my trapline -- and said they didn't notice  
24 any traps.

25                   They ran over I don't know how much

1 traps. I got compensated for that. There was twelve  
2 hundred dollars (\$1,200) worth of traps they ran over,  
3 and two thousand dollars (\$2,000) for that year of  
4 trapping.

5 But ever since then, they've been in and  
6 out of there cutting line, doing their samples,  
7 whatever, running around, has chased all the fur away.  
8 And I experienced that before in the past with my dad.

9 It takes good thirty (30), forty (40)  
10 years before it comes back. I started on that trapline  
11 eight (8) years old with my dad providing for his kids,  
12 my older brothers and sisters that were going to school.  
13 Running ahead of dogs eight (8) hours a day. Sleeping  
14 out with no tents, nothing, just on the bare ground.

15 That's the kind of life I went through.  
16 And I don't have another forty (40) or fifty (50) years  
17 to go -- to wait, to provide for my kids. And the  
18 traplines I've been cutting out through that was all  
19 done through hard work, paid for by myself; walking,  
20 cutting line right till dark, coming back to the road,  
21 soaking wet, and jump in your vehicle and back home.  
22 And now that's taken away from me.

23 That thirty-two hundred dollars (\$3,200)  
24 you compensated me is not going to pay you for it --  
25 it's not going to pay for my girls' schooling. It's not



1 going to help that -- that -- I depend lots on that  
2 land.

3 I did lots of work in my past life. I  
4 was, by trade, I was a sawyer. I drove logging trucks,  
5 skidders; I did logging, but now that's gone. So I  
6 depending on trapping for that year, for every -- every  
7 winter that comes along.

8 Now, it's -- it's getting harder for me  
9 to keep go -- to continue going back on the land because  
10 of all that noise pollution and everything. And you say  
11 you got twenty (20) years there. So after that twenty  
12 (20) years is up, there's going to be another forty (40)  
13 years before fur comes back there because I lived  
14 through it already. I got that knowledge of everything.  
15 All your crap you're sending into my trapline.

16 The old trapline that -- on this end,  
17 it's -- it's all ruined. All the tailings went right  
18 through it -- the registered trapline was on Hanbury  
19 Creek. That is all ruined.

20 There's -- there's times when we're on  
21 the trapline and we're -- beavers will try dam it up  
22 from -- from the pollution. It'll dry out creeks  
23 halfway and sometimes we're travelling on that -- on  
24 the creeks and you'll fall right in.

25 It's tough -- and I'm not saying this

1 just for the money, but I'm just saying this for the --  
2 for the livelihood I lost, the lifestyle I -- I like  
3 doing every year.

4 I don't care to know how much million  
5 tonnes you take out of there, but I just like to see  
6 what -- what you guys might do for us, like now. Like,  
7 last year I went back, I had cutlines cut through my  
8 traplines, so it needs powersaws -- I cutting all day on  
9 that trapline. So I can't catch nothing.

10 So it's senseless for me to keep going  
11 back every year. And knowing that I lived through it  
12 before in the past, what I do? It's tough.

13 On all the maps you're showing you're  
14 saying there's no rivers by the area you're in. There's  
15 a Big Buffalo River running right straight to the lake.  
16 You make your little maps bigger, you'll see the lake  
17 right next to you guys. And Cameron Hills comes from  
18 downhill, so eventually the water's all going to drain  
19 to the lake.

20 And, in the past, the tailings that came  
21 from Pine Point came right into Hanbury Creek, went  
22 right down, came back into Buffalo River, came in to  
23 Pelly Creek, entered right back into the lake.

24 There's pictures of the past, maybe  
25 forty/fifty (40/50) years ago before Pine Point was

1 around, people catching trout in this -- this lake  
2 right out here. Ever since then there was no trout.

3 And then noise pollution. There's times  
4 when I'm sitting out on the trapline setting a trap in  
5 the past where they'd let off blastings and that and I'm  
6 20 miles in the bush, 15 miles from them, and the -- the  
7 ground vibrates right under me. So it's senseless.

8 Like, you guys are taking my livelihood  
9 away. I -- I don't care how much money Hay River makes,  
10 Resolution makes or you make. I'm just concerned about  
11 my lifestyle right now, like what I -- what I got to do  
12 to provide for my girls to continue college or whatever.

13 And I got a son that's coming up that's  
14 going to be a trapper, too. He's not going to be  
15 trapping the same area I am in, the lines that I cut  
16 out, the places I worked at, because it's going to be  
17 taken away from him, too, like they took it away from my  
18 dad.

19 My dad was a good trapper, one (1) of the  
20 best trappers in town. After Pine Point moved in, he  
21 just give it all up, and that's the way he ended up. He  
22 ended up dying after that with nothing out at Pine  
23 Point.

24 There's lots I have to say but it's -- I  
25 just don't know where to begin. Like, I hope this is

1 enough. What I'm saying is, like it's -- it's hard for  
2 us trappers to keep continue going in places where  
3 you've got fucking -- like that -- the -- the first time  
4 I heard of the Tamerlanes, there was a meeting with  
5 Tamerlane here, the first time they came to Fort  
6 Resolution.

7                   That day we were having the meeting, you  
8 guys were on my -- my trapline with a CAT running right  
9 through my trapline. The next day I went back because I  
10 was -- I had to show up for that meeting. The next day  
11 I went to my trapline, it was bare ground. 18/20  
12 kilometres you guys ran on my trapline running over --  
13 running over my traps and everything and saying you  
14 didn't see the traps. Most of them were right -- right  
15 in view.

16                   Sure, you compensated me for the traps in  
17 that year I was trapping; what are you going to do from  
18 here on? Like, it's been three (3) or four (4) years.  
19 Nothing's been told. It's hard to get help around here.  
20 As you see, I've got no Board members from the Band  
21 here. Our negotiator's not around. So who are you  
22 working with to help me and trappers or land users?

23                   I lived through it before. I don't have  
24 another forty (40) years to wait. It's not easy being a  
25 trapper. It's tough.

1                   The trapping starts way before winter  
2 starts. You've got to start hanging fish. You've got  
3 to provide. You've got to gather money for gas. Last  
4 year I don't know how much -- I've got to take my truck  
5 to that area you're in and skidoo. And after all those  
6 lines of cutting, all you guys are just taking it over  
7 and just -- just like you're not even worried about us.

8                   It's like you're trying to brush us off,  
9 not even helping or anything. I never heard nothing.  
10 The first time Ross Burns come here he put on a  
11 blackboard that he's going to compensate trappers. That  
12 was it.

13                   I had a hard time getting those minutes.  
14 There's no members around. Who's taking minutes or  
15 where's it going because I have a hard time finding  
16 them?

17

18                   (BRIEF PAUSE)

19

20                   MR. EDDIE LAFFERTY: That's all I have  
21 to say for now. Thank you.

22                   MS. ROSY BJORNSON: Thank you. Rosy  
23 Bjornson, again. There's nobody else that is doing our  
24 presentation. I just want to thank Marcel and Eddie for  
25 your wonderful dialogue and thank the Board, the Elders,

1 and the general public and the staff for the Mackenzie  
2 Valley Environmental Impact Review Board. Thank you.  
3 Massi.

4

5 QUESTION PERIOD:

6 THE CHAIRPERSON: I'm just going to do  
7 the roll call for whether there's any questions to the  
8 Deninu K'ue First Nation presentation. After that,  
9 we'll have lunch.

10 Developer, did you have any questions?

11 MR. DAVID SWISHER: No, I have no  
12 questions.

13 THE CHAIRPERSON: Town of Hay River?

14 MR. JOHN POLLARD: John Pollard, The  
15 Town of Hay River. I have no questions, Madam Chair.  
16 Thank you.

17 THE CHAIRPERSON: Northwest Territories  
18 Metis Nation, any questions?

19

20 (BRIEF PAUSE)

21

22 THE CHAIRPERSON: No questions. Fort  
23 Resolution Metis Council, any questions?

24

25 (BRIEF PAUSE)

1 THE CHAIRPERSON: Katlodeeche First  
2 Nation, any questions?

3

4 (BRIEF PAUSE)

5

6 THE CHAIRPERSON: Deninoo Community  
7 Council, any questions?

8

9 (BRIEF PAUSE)

10

11 THE CHAIRPERSON: Any questions from  
12 INAC?

13 MS. TERESSA JOUDRIE: Teressa Joudrie  
14 with INAC. We have a question. Julie Jackson will ask  
15 it.

16 THE CHAIRPERSON: Okay. Proceed.

17 MS. JULIE JACKSON: Okay, thank you.  
18 For the record this is Julie Jackson. I'm a policy  
19 advisor on consultation issues for Indian and Northern  
20 Affairs Canada in Yellowknife.

21 This is more just an administrative  
22 thing. I have the copy of the presentation here that I  
23 -- from Deninu K'ue First Nation that I got off the  
24 public registry last night, and I noticed there was a  
25 slide presented today that wasn't on -- on here. It was

1 the third substantive slide after the slide that cites  
2 the Sparrow cases.

3 And I'm just wondering if those will be  
4 submitted to the Board and placed on the public  
5 registry?

6 THE CHAIRPERSON: Our legal counsel had  
7 put up his hand.

8 MR. JOHN DONIHÉE: Thank you, Madam  
9 Chair, I noticed as well that were -- there was a little  
10 bit more information in the PowerPoint presentation than  
11 there was in the presentation that was filed with the  
12 Board.

13 So I suggest that since we have it on our  
14 -- our computer anyway, we'll just keep it. And we will  
15 file that on the registry as Exhibit Number 1 from the  
16 Hearing and that's a -- we'll call it a revised  
17 PowerPoint presentation, presented by the Deninu K'ue  
18 First Nation.

19  
20 --- EXHIBIT NO. 1: Revised PowerPoint  
21 presentation, presented by  
22 the Deninu K'ue First Nation  
23

24 THE CHAIRPERSON: Okay, I'm gonna  
25 continue, Julie.



1 MS. JULIE JACKSON: Nothing further.

2 Thank you, Madam Chair.

3 MS. ROSY BJORNSON: Excuse me --

4 THE CHAIRPERSON: Environment Canada.

5 MS. ROSY BJORNSON: -- I -- I just want  
6 to clarify that we did send a second draft yesterday to  
7 Alister and I'm -- I'm not sure if you got it. It was  
8 the final draft. We -- so.

9 MR. JOHN DONIHEE: John Donihee, Madam  
10 Chair. We have it now.

11 THE CHAIRPERSON: I'm gonna continue. I  
12 think it's all sorted out. It's gonna be on public  
13 registry as a revised PowerPoint.

14 Have Environment Canada any questions?

15 MR. JESSE JASPER: Jesse Jasper, no  
16 questions, Madam Chair.

17 THE CHAIRPERSON: Government in  
18 Northwest Territories?

19 MR. JOEL HOLDER: Joel, no questions.

20 THE CHAIRPERSON: Bruce, do you have any  
21 questions?

22 MR. BRUCE HALBERT: No questions, Madam  
23 Chair.

24 THE CHAIRPERSON: I'm gonna move on to  
25 legal counsel; any questions?

1                   MR. JOHN DONIHEE:     John Donihee, Madam  
2 Chair, I have one (1) question.

3                   The -- Mr. Lafferty's presentation  
4 included new information for us and I guess from the  
5 standpoint since you -- the Deninu K'ue First Nation  
6 brought them forward as part of their presentation, I'm  
7 just wondering how you want the Board to address these  
8 issues associated with compensation or whether you do at  
9 all.

10                   So, I guess what I'm wondering here is  
11 since we've heard that there is some direct negotiations  
12 going on between the Band, and -- and perhaps Mr.  
13 Lafferty, and Tamerlane, you know, that may take care of  
14 it, or not. I'm not sure.

15                   But I guess my concern really is just  
16 what is it that Deninu K'ue First Nation is hoping that  
17 the Board will do with this information about these  
18 compensation issues?

19

20   (BRIEF PAUSE)

21

22                   MS. ROSY BJORNSON:     Yeah, we -- we got  
23 Mr. Lafferty and Elder Marcel Norn to speak to past  
24 experiences with the traditional land use in the area.  
25 As for respected compensation, we just want it known for

1 public -- the public registry that that is our intent to  
2 support our land users and our membership, with respect  
3 to their traditional land use and loss of livelihood.  
4 Massi.

5 MR. JOHN DONIHEE: Thank you, Madam  
6 Chair, that was my only question.

7 THE CHAIRPERSON: I'm just gonna move on  
8 to the Board members.

9 Richard, do you have any questions?

10 MR. RICHARD EDJERICON: Not right now,  
11 thank you.

12 THE CHAIRPERSON: John Ondrack...?

13 MR. JOHN ONDRACK: No questions.

14 THE CHAIRPERSON: John Stevenson...?

15 MR. JOHN STEVENSON: No questions.

16 THE CHAIRPERSON: Nora Doig...?

17 MS. NORA DOIG: No questions.

18 THE CHAIRPERSON: Danny Bayha...?

19 MR. DANNY BAYHA: No questions, thank  
20 you.

21 THE CHAIRPERSON: Charlie...?

22 MR. CHARLIE SNOWSHOE: I'm hungry here.  
23 No questions.

24 THE CHAIRPERSON: I'm gonna move on to  
25 the Review Board Staff. Any questions?

1 MR. ALISTER MACDONALD: The Review Board  
2 Staff never asks questions when Charlie's hungry.

3 THE CHAIRPERSON: I just had actually  
4 two (2) questions.

5 I notice that when you were presenting  
6 the SARA species part of that presentation, my question  
7 is: I wondered, I know you had two (2) presenters that  
8 came forth with traditional knowledge and land user's  
9 knowledge, but I wondered if there is, why TK is not  
10 used in the knowledge of the species that you have put  
11 forth under the SARA, I guess, under, you know, the  
12 SARA, anyway, species?

13 MS. ROSY BJORNSON: Just to -- do you  
14 mean, like how do we incorporate our traditional  
15 knowledge with the understanding of SARA, is that what  
16 you mean?

17 THE CHAIRPERSON: No, I just want to  
18 know, you know, like, the part that you presented on  
19 your presentation, it is more like a scientific type of  
20 presentation.

21 With your people's knowledge, I wondered  
22 how they would have come forth with -- you know, if they  
23 used traditional knowledge on, you know, the whooping  
24 crane and the woodland -- some kind of trickle in from  
25 listening to Eddie's presentation and to the Elder, but

1 I'm just wondering why that is?

2 MR. TOM UNCA: These species-at-risk,  
3 the -- the birds and the animals we did talk about, were  
4 some of the concerns that did come out from the Elders,  
5 like the buffalo, the -- the peregrine falcon, the  
6 caribou. And -- and of course, we went -- being a  
7 technical hearing, we wanted to make our presentation  
8 more or less at a -- at a technical style, so -- so, so  
9 it's clear with everybody.

10 But we did run these species-at-risk by  
11 our Elders. We did talk to them about the whooping  
12 crane, the Yellow Rail, some of the concerns surrounding  
13 the peregrine falcon, the buffalo, and the wood bison;  
14 how they use that area, such as the caribou; the people  
15 that still see it, even though it's believed that  
16 they're kind have left the area a while ago.

17 So we did talk to the Elders, but our  
18 presentation style is to accommodate the -- the formal  
19 Hearing here, which is a technical hearing so we brought  
20 it up to that level. Thank you

21 THE CHAIRPERSON: Okay, thank you. The  
22 other question I wanted to ask was: You had health  
23 there -- you had questions on when you had concerns  
24 about -- about cancer rate, asthma, and increased metal  
25 in drinking water, fish, fish habitat, is that because

1 of past experience?

2 MR. TOM UNCA: We -- we didn't want to  
3 say that, eve -- even though it -- it's pretty evident  
4 that it is probably caused from some of the development  
5 that occurred within our area, such as Pine Point mines  
6 or the -- the tar -- tar sand development to the south  
7 of us. It's all affecting our -- our waters and our  
8 land.

9 And -- but we're not really saying that  
10 this one (1) company is responsible for the high cancer  
11 rates or the prevailing asthma or the metals in our  
12 water. It's there already and we -- we can't really say  
13 for sure where it all came from, though we'd like to  
14 maybe think that it came from somewhere. Thank you.

15 THE CHAIRPERSON: I have no further  
16 questions. It is lunchtime. We will take a lunch  
17 break.

18 For how long? We are really behind  
19 schedule. It was suggested that half a hour would be  
20 adequate.

21  
22 --- Upon recessing at 12:47 p.m.

23 --- Upon resuming at 1:25 p.m.

24

25 THE CHAIRPERSON: The next presenter

1 that we have is the presentation by the Town of Hay  
2 River. Proceed.

3

4 PRESENTATION BY TOWN OF HAY RIVER:

5 MR. JOHN POLLARD: Thank you, Madam  
6 Chair. Madam Chair, my name is John Pollard. I'm the  
7 mayor of Hay River, and I thank you for this opportunity  
8 to speak to you and -- and your Board.

9 I was also mayor twenty (20) years ago  
10 when Pine Point Mines closed down, so there's a certain  
11 irony here. The -- we didn't appreciate what Pine Point  
12 did to our economy back in those days. Back in those  
13 days we had a 737 flying in and out of Hay River daily.  
14 We're down to a turboprop now, and we realize, of  
15 course, that Pine Point filled a lot of those seats.

16 Pine Point Cominco gave us capital grants  
17 to our hospital. They actually gave money to renovate  
18 the hospital. This ore deposit is responsible for a  
19 railroad being into the Northwest Territories and,  
20 fortunately, into Hay River.

21 The power that we're consuming right now  
22 -- hydro power -- is as a result of that Cominco Mines.  
23 And when the mine closed down, Hay River was on diesel  
24 generation, because there wasn't enough hydro power at  
25 that time to go around in the region.

1                   But were fortunate to get our company in  
2 Hay River, Northland Utilities, to bring in hydro. And  
3 that reduced the cost of power, so there was a certain  
4 benefit to us after the mine closed down.

5                   We certainly missed the purchasing. And  
6 we certainly miss the jobs. And we miss the positive  
7 impact of that mine on our local economy so much so that  
8 when the mine closed down, there was an economic setback  
9 in Hay River.

10                  We -- you can imagine our surprise when  
11 somebody came along in the early 2000s and said, We're  
12 contemplating opening Pine Point Mines again.

13                  We, as a community, were extremely  
14 interested, but we did not think that the mine could  
15 reopen the way it was before: the open-pit mining, the  
16 influx of -- of water, the pumping, the attempt at  
17 grouting the area. All of those things that Cominco had  
18 done, you know, we did not think that a mine would be  
19 allowed to do that again.

20                  So we -- we listened to Tamerlane and  
21 soon found out that they thought differently and that  
22 they were prepared to try different methods of getting  
23 the ore out of the ground.

24                  They freely admitted to us that they were  
25 going to glory hole. I think that's an old term for



1 just getting the best out of a mine. They seemed to  
2 know where all of the deposits were. And they  
3 established, in our council's eyes, some credibility  
4 with how they spoke with us.

5           Being a council that recognizes that we  
6 must respect the wishes of our constituents, being a  
7 council that realizes that this ore body is outside of  
8 our jurisdiction, being a council that recognizes  
9 Aboriginal rights and land claims, the rights of  
10 trappers and so on and so forth, we trod carefully along  
11 with Tamerlane and asked them if, as a start, they would  
12 go and consult with our community.

13           They did consult with our community, and  
14 I was at the meeting and I've never seen a meeting in  
15 Hay River before where there was no dissension. You  
16 know, it -- it -- everybody was in agreement that this  
17 was a good idea to open up the mine again.

18           So our council continued to receive  
19 information from Tamerlane. There were some things that  
20 we were concerned about.

21           We were concerned about how the ore was  
22 going to get out of the Territories. We were concerned  
23 about the trucking, if that was the method, which was  
24 confirmed to us. We were concerned about how the ore  
25 would be handled inside of the municipal boundaries.

1 And we have been assured by Tamerlane and, more  
2 recently, by CN that the ore being transported within  
3 our community, within our municipal boundaries, will be  
4 done in such a manner as to be of the highest  
5 environment levels.

6 So, I think that -- that we are con -- we  
7 -- our concerns have been met in that regard. Tamerlane  
8 have asked us for a number of things: The availability  
9 of water, and, of course, it is available in Hay River.  
10 They have said to us of recent weeks and months that  
11 they will treat raw sewage at the -- at their facility.  
12 But our practice is that if we sell water to a company  
13 or a community, we will take back the raw sewage and --  
14 and put it into our sewage lagoons.

15 So that issue, you know, for us, has --  
16 has been taken care of. But, you know, if we do sell  
17 water and they want to bring raw sewage back, we will  
18 accept it.

19 We were asked for assistance with regards  
20 to EMS, our Emergency Measures -- or, our -- our  
21 emergency people -- fire, ambulance. And, of course,  
22 you know, we have discussed it with our fire department  
23 and -- and we will sit down with Tamerlane and try to  
24 arrange to assist them where they need assistance in --  
25 in this regard.

1                   We have been pretty specific with them  
2 about how we feel about a town site. I must tell you  
3 that when I witnessed Pine Point being taken to pieces  
4 and those peoples' lives being uprooted and the  
5 community being razed to the ground, and I was part of  
6 the legislative assembly that did that, I sat with Bruce  
7 McLaughlin (phonetic) who didn't have any constituents,  
8 and one (1) of the things that Hay River said when that  
9 mine closed is that there should be no more town site,  
10 because mines come, mines go, and that was a crime that  
11 that community, with all the money that had been put  
12 into it, had to be razed. But I think Mr. Rae, who was  
13 the Minister of the day, made the right decision.

14                   So, we would respectfully submit to the  
15 Board that having a new town site built at this mine  
16 site would not be in the -- in the best interest of this  
17 region.

18                   So, getting back to Tamerlane's  
19 consultation with us. We are very supportive of this  
20 project. We feel comfortable with it. I am not an  
21 engineer. I am not an architect. I'm not trained in  
22 any of the environmental disciplines. I'm a politician  
23 and I rely, and will continue to rely on, the various  
24 regulatory agencies to ensure that this mine, when it  
25 received its permits, meets all the standards that it's

1 required to meet.

2                   So, we're not going to be trying to be  
3 out there monitoring water levels and so on and so  
4 forth. We're going to rely on the governing agencies to  
5 do that.

6                   I do sympathize with Mr. Beaulieu when he  
7 talks about this is going to be an advantage for Hay  
8 River. We hope it will be. But first and foremost, we  
9 hope that it will benefit this region.

10                   And the reason I sympathize with Mr.  
11 Beaulieu is because I don't know how many times I stood  
12 in the Legislative Assembly of the Northwest Territories  
13 and complained about Yellowknife getting everything and  
14 Hay River getting nothing. And I think if there's one  
15 thing I've learned, that when these kinds of things are  
16 being put together, we need to share.

17                   So Hay River is not going to be greedy.  
18 We're not going to want everything in Hay River. We  
19 would like to see it benefit this region. And I think  
20 if there's anything that Tamerlane can do to draw more  
21 people from Fort Resolution, either business-wise or  
22 labour-wise into this project, I think that would be the  
23 thing to do.

24                   We believe that if Tamerlane takes up 3  
25 megawatts of power that will only leave about four (4)

1 left on the system. Fort Smith is contemplating heating  
2 with electricity. If they take up the 4 megawatts, then  
3 there will be no more power left that's presently  
4 spilling over the dam. There -- there will be no  
5 surplus in this area.

6 We believe that with the uptake of those  
7 7 megawatts from Fort Smith and from Tamerlane, it may  
8 drop the price of power in this region. If it doesn't  
9 drop the price, it will certainly mitigate any increases  
10 in the future, because you would think that if the power  
11 corporation is selling another 3 megawatts or 7  
12 megawatts and using the same infrastructure that the  
13 price would drop.

14 Certainly, our position before the Public  
15 Utilities Board would be that we believe that the price  
16 of power should drop in this region. So I think there  
17 are things that are going to happen where we're going to  
18 see some benefits regionally.

19 We're looking at a new landfill right now  
20 and -- and we're consulting with the Katlodeeche First  
21 Nation. And we have told Tamerlane that we will accept  
22 their refuse. Of course, there's gonna be a price to  
23 pay, but I don't think -- it -- it won't be an un -- you  
24 know, an unreasonable price, but we will, as you're  
25 dealing with the environment, deal with their refuse as

1 -- as it becomes needing to get rid of it.

2                   The -- we believe that what is good for  
3 the Katlodeeche First Nation Reserve, Fort Resolution,  
4 Enterprise and Fort Smith is good for Hay River, because  
5 again, you know, we have a certain number of services  
6 that are more readily available in our community than --  
7 than they are in the rest of the regions. So we would  
8 an -- anticipate that each of these communities could  
9 participate some way in this mining project and that  
10 eventually we will benefit from it.

11                   So as I said, and I'd like to reiterate,  
12 I do sympathise with those people in Resolution who  
13 think that they may be being left behind, and it's not  
14 Hay River's position that they should be left behind.  
15 We support whatever can be done economically in -- in  
16 Resolution.

17                   We -- we believe that there will be some  
18 jobs available in this -- in this area. That's what  
19 we've been advised by Tamerlane. In fact, you know, I -  
20 - I hope they haven't overestimated how many people  
21 they're gonna get out of this region, because you know,  
22 there's -- there's a lot of people working now,.

23                   But jobs, purchasing and, of course, I  
24 believe that if we can sell this extra 7 megawatts of  
25 power that there will be an expansion of the Taltson

1 Hydro which has been talked about by Mr. Handley; I  
2 think he's still Premier. Anyway, Joe has been talking  
3 about it for some time now.

4           And if we are able to take up all of the  
5 hydro in this region certainly Hay River is going to be  
6 saying then that Taltson Hydro should be ex -- expanded.  
7 And I think that will be another good thing for this --  
8 for this region.

9           And my understanding is that their -- the  
10 Power Corporation is in partnership with Aboriginal  
11 organizations on this venture. So I think, again,  
12 because of this project we may see something further  
13 down the road happen that will benefit people in this  
14 region.

15           There is no question that Tamerlane will  
16 be the anchor tenant for the CN transload facility that  
17 they're proposing for Hay River. And again this  
18 transload facility reestablishes in our community CN in  
19 a fairly major way. And, again, CN is saying to us that  
20 there will be jobs available at that facility.

21           So again we're saying, yes it's happening  
22 in Hay River, but there's opportunities in the region.  
23 There will be trucking opportunities with CN, we're  
24 told. So again, I don't think Hay River is gonna be  
25 trying to hog it all.

1                   And I will take back the message to the  
2 contractors in Hay River that it would appear that  
3 there's some potential partners in Fort Resolution and  
4 that perhaps they should get out here and -- and talk to  
5 those people. And I give my word that I will -- I will  
6 make that message known to those contractors in Hay  
7 River.

8                   We are satisfied that there will be  
9 checks and balances in the system. For instance, right  
10 now we know how the -- the ore is going to be handled in  
11 Hay River and it's satisfactory. But if we see  
12 something happening that is, we believe, detrimental to  
13 our community or the environment, then we will approach  
14 CN and Tamerlane and say, This has to change.

15                   So I think that over time, we need to be  
16 prepared to make some different suggestions to these  
17 companies as we see these things unfold.

18                   I realize that this is a pilot project.  
19 We realize that it's a bulk sample. I really hope that  
20 this is going to be the beginning of utilizing that ore  
21 body and getting some money into this region in an  
22 environmentally friendly manner.

23                   And I can tell you that when you look at  
24 and fly over Pine Point, as I used to do lots and lots,  
25 and you look at the open-pit mining and then you look at



1 the footprint that this mine is going to leave, there's  
2 no comparison. And, you know, if -- if this more  
3 clinical kind of mining can be done on this ore body,  
4 then we're totally in favour of it.

5 And so not to take up any more of your  
6 time than I have to, Madam Chair, I reiterate that we  
7 favour this mine. We would like to see the permits  
8 issued. We'd like to see this thing begin as soon as  
9 possible. We don't think there's a reason that can't be  
10 ironed out that they should not receive their permits.  
11 Thank you, Madam Chair.

12

13 (BRIEF PAUSE)

14

15 QUESTION PERIOD:

16 THE CHAIRPERSON: I'm just going to ask  
17 if there's any questions from the developer to the  
18 presentation of Hay River.

19 MR. DAVID SWISHER: David Swisher,  
20 developer. There's no questions.

21 THE CHAIRPERSON: Northwest Territory  
22 Metis Nation, any questions for the presentation of --  
23 okay.

24 Fort Resolution Metis Council?

25 MS. CAROL COLLINS: No questions.

1 (BRIEF PAUSE)

2

3 THE CHAIRPERSON: Katlodeeche First  
4 Nation?

5

6 (BRIEF PAUSE)

7

8 THE CHAIRPERSON: Deninoo Community  
9 Council?

10

11 (BRIEF PAUSE)

12

13 THE CHAIRPERSON: If there's no  
14 question, I'm going to move on. I also have...

15

16 (BRIEF PAUSE)

17

18 THE CHAIRPERSON: Okay. I didn't ask.  
19 Sorry about that. Well, you're next on the list. You  
20 have a question?

21

22 (BRIEF PAUSE)

23

24 MS. ROSY BJORNSON: Hi, Rosy Bjornson,  
25 Deninu K'ue First Nations. I just want to get some

1 clarification on what -- what hydro plant is Northlands  
2 currently using if you have only 7 megawatts of power?

3 Are -- and are you considering tapping  
4 into -- from what I gather from your speech, you're  
5 considering in the future to tap into the expansion.

6 Is this correct?

7 MR. JOHN POLLARD: Thank you, Madam  
8 Chair. Madam Chair, Northland Utilities built a line  
9 from the Pine Point town site to Hay River, I think, in  
10 probably '87 or '88, which allowed Hay River to get onto  
11 the Taltson Hydro system. Before that we were on  
12 diesel-generated power.

13 We presently use, probably, 6 megawatts  
14 of power in -- in Hay River at peak. And what I meant  
15 by, you know, the expansion is we believe that we're  
16 going to require more power in future as a community, as  
17 the town of Hay River.

18 The 7 megawatts that are spare right now  
19 on the Taltson are what the Power Corporation are  
20 producing, or could supply, were there customers. And I  
21 believe that Fort Smith, as I said, is looking at 4  
22 megawatts of that power for heating. And I think it's  
23 standby power. I -- I could be corrected on that. And  
24 I believe that Mr. Swisher is talking about 3 megawatts  
25 for Tamerlane.

1                   And I guess what I'm saying is if that 7  
2 megawatts of power is taken up, it maxes out the Taltson  
3 hydro system which makes it more economically viable to  
4 expand the system, provide to the diamond mines, and  
5 hopefully reserve some for this area as well, because I  
6 expect there will be growth down here in -- in our  
7 region.

8                   So that's what I meant there, Madam  
9 Chair. Thank you.

10                   MS. ROSY BJORNSON: Thank you. I -- I  
11 just wanted a little bit of clarification. I am new at  
12 this ballgame. So, thank you.

13

14                   (BRIEF PAUSE)

15

16                   THE CHAIRPERSON: I'm just going to move  
17 on. INAC, any questions?

18                   MS. TERESSA JOUDRIE: INAC has no  
19 questions.

20                   THE CHAIRPERSON: Environment Canada...?

21                   MR. JESSE JASPER: No questions.

22                   THE CHAIRPERSON: Government of  
23 Northwest Territories...?

24                   MR. JOEL HOLDER: No questions.

25                   THE CHAIRPERSON: Bruce...?

1 MR. BRUCE HALBERT: No questions, Madam  
2 Chair.

3 THE CHAIRPERSON: Legal counsel, John  
4 Donihee...?

5 MR. JOHN DONIHEE: John Donihee. No  
6 questions from counsel or staff.

7 THE CHAIRPERSON: I'm just going to move  
8 on to the Board Members.

9 MR. RICHARD EDJERICON: No questions.

10 MR. JOHN ONDRACK: No questions.

11 MR. JOHN STEVENSON: No questions.

12 THE CHAIRPERSON: Nora...?

13 MS. NORA DOIG: No questions.

14 MR. DANNY BAYHA: No questions.

15 MR. CHARLIE SNOWSHOE: He got away. No  
16 questions.

17

18 (BRIEF PAUSE)

19

20 THE CHAIRPERSON: Thank you for your  
21 presentation. I'm just going to ask members of public  
22 if they had any questions. If there's no further  
23 questions, I'm going to move on to the members of  
24 public.

25 Is this to the Mayor's presentation? Did

1 you have a question on the Mayor's presentation?

2

3 (BRIEF PAUSE)

4

5 MR. HENRY CALAMIT (phonetic): Thank  
6 you, Ms. Chair. My name is Henry Calamit. I'd like --  
7 I'd like to have a few questions with David.

8 There's something on my mind all the  
9 time. You said that you're going to mine for  
10 twelve/fifteen (12/15) months and then are you're going  
11 to -- you figure you're gonna mine more -- longer?

12

13 (BRIEF PAUSE)

14

15 THE CHAIRPERSON: It's kind of not in  
16 the way that we were doing in terms of the line of  
17 questioning but if you don't mind answering those  
18 questions, if that's all right if he'll ask you.

19 MR. DAVID SWISHER: Thank you, Madam  
20 Chair. Yes, Henry, the construction is twelve (12) to  
21 fifteen (15) months and operation is twelve (12) to  
22 fifteen (15) months and that will also help prove for --  
23 to mine longer.

24 So the answer to your question is yes.

25 MR. HENRY CALAMIT: I was wondering,

1 you're gonna -- you're gonna pick up the ore and you're  
2 gonna ship it out? And if 1 tonne costs ten dollars  
3 (\$10) it's going to cost \$10 million and we get any  
4 compensation out of it, I was wondering. And I know  
5 you're not going to pick up our waste rock. You're  
6 going to pick up the best one.

7

8 (BRIEF PAUSE)

9

10 MR. HENRY CALAMIT: That's what worries  
11 me all the time. And on -- one thing about our land,  
12 our water, our air. We got to watch that too, and our  
13 wild animals, fur bearing. Like I said before we got to  
14 fight for them, because they can't fight for themself.

15 That's what worries me too for our future  
16 of the kids. We're not against development, but you got  
17 to look after it good when you're working. Is it -- we  
18 gotta look down fifty (50) years from now not only for  
19 now.

20 We gotta look after our water and then  
21 land. We don't want to spoil it. It was spoiled  
22 already enough in Pine Point.

23 There's one thing I want to ask you too  
24 when you set the, you put a paper there after you finish  
25 working I'd like the paper to be signed to prove it so

1 once a mile's finished -- and mine's finished then  
2 there'd be then we could fix it with that money, because  
3 it proves right there already on a paper when you sign  
4 it.

5                   It's not like Pine Point. They just left  
6 like that. You see how -- how damage they make already.  
7 We don't want no more damage more than that. We know we  
8 -- we worry about that. They're so close to our site --  
9 our -- to where -- mine here. You're just talking about  
10 -- and your cost of -- that's why it's worry me all the  
11 time.

12                   We don't want damage more. What we gonna  
13 leave for our future when we get the all damaged up.

14                   And a another thing I was thinking about  
15 all the time. The power line you got there, that's  
16 about thirty-two (32) columns from here I guess, that's  
17 where I wondering -- I was wondering about too. That's  
18 -- and if we turn --then we even have a mine there too.

19                   We all worry about the mine -- damage to  
20 our land, that's the main thing. We're not against you  
21 development. We worry about our land, lots, water.  
22 Everybody just -- I give -- there, there's somebody set  
23 there -- sets out there, if you gotta there's -- no  
24 creek around there. There's -- you got a creek right  
25 there, west from there to George Creek (phonetic). You



1 got a water there, I've worked there, northeast from  
2 there -- northwest from there -- for Cominco mine there  
3 was taken down there.

4           There's a creek that goes down through  
5 the lake. That's what -- another one thing, they wanted  
6 the water and goes in the mine and there'll be no more  
7 creek after it, I guess, maybe.

8           And another thing you're drilling, the  
9 stuff comes when you're drilling but what goes in there  
10 when you start blast -- blasting? I don't know. What  
11 goes in there, what comes out that's why -- we like to  
12 want -- find out too. That's only thing we worry about  
13 our land, trapping with people, whoever is around, for  
14 the future of the kids. That sort of worries me all of  
15 the time. Okay, thank you.

16           THE CHAIRPERSON: I'm gonna continue.  
17 We have a presentation by Northwest Territory Metis  
18 Nation. They're ready to proceed.

19           And just introduce yourselves.

20           MS. KARA KING: Kara King, Fort  
21 Resolution Metis Council.

22           MR. CHRIS HERON: Chris Heron, Northwest  
23 Territory Metis Nation.

24           THE CHAIRPERSON: Excuse me. It is a  
25 combined presentation then or -- okay, good.

1 PRESENTATION BY NORTHWEST TERRITORY METIS NATION:

2 MS. KARA KING: The Fort Resolution  
3 Metis Council is a branch of the Northwest Territory  
4 Metis Nation who, on August 29th, 1996, took a major  
5 step in rebuilding our Nation by signing a framework  
6 agreement with Canada and the Northwest Territories to  
7 begin negotiations on a Northwest Territory Metis Nation  
8 Agreement.

9 To date, the Northwest Territory Metis  
10 Nation are the first and only Metis to negotiate an  
11 agreement with Canada and the Northwest Territories.

12 Who is the Fort Resolution Metis Council?  
13 The Fort Resolution Metis Council, or FRMC, is comprised  
14 of a president, vice president, secretary/treasurer and  
15 four (4) directors, all of whom are elected by the  
16 indigenous Metis of Fort Resolution to represent them.

17 We have a responsibility to the  
18 indigenous Metis of Fort Resolution to protect  
19 indigenous Metis rights, land and culture and all that  
20 encompasses, and to ensure that mining does not infringe  
21 on our traditional way of life.

22 The Indigenous Metis of Fort Resolution  
23 have aboriginal rights under Section 35 of the Canadian  
24 Constitution Act of 1982. Under the NWTMN --

25 THE CHAIRPERSON: Excuse me --

1 MS. KARA KING: Translator?

2 THE CHAIRPERSON: Yeah, too fast.

3 MS. KARA KING: Under the NWTMN, the  
4 FRMC and its members have a recognized interim measures  
5 agreement which was approved by both the Government of  
6 the Northwest Territories and the Federal Government of  
7 Canada.

8 The duty to consult and accommodate is a  
9 constitutional duty; the Crown's obligation to fulfill  
10 this duty is grounded in the honour of the Crown and the  
11 protection of Aboriginal rights in Canada's  
12 Constitution.

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

17 The ultimate goal of the duty is to  
18 minimize the negative implications of the contemplated  
19 activity or project on the rights, lifestyle and way of  
20 life affected by Aboriginal people.

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

25 The Government does not have to do all of

1 the consultation and accommodation itself, but it has  
2 the obligation to ensure that it is done and done  
3 properly.

4 Here are some photos of Fort Resolution  
5 before Pine Point Mine, here -- and the FRMC's  
6 relationship to the project. The Pine Point Mine area  
7 is a major part of the traditional and historical sites  
8 that our membership continues to use. We have Elders  
9 here that can attest to this fact.

10 This is our home territory, and we have  
11 lived here as a Metis society for the past three hundred  
12 (300) years. Our Metis ancestors have governed  
13 themselves before Canada became a country. And the land  
14 that our Membership encompasses is vast and far  
15 reaching.

16 The FRMC is currently involved in a land  
17 and resource negotiations pursuant to the NWTMN process  
18 with Canada and the GNWT, which will ultimately include  
19 land selection. The area subject of the project is  
20 subject of these negotiations.

21 The project will prejudice the Aboriginal  
22 and negotiation interests of the FRMC to the area  
23 subject of the project. The FRMC requires funding to  
24 properly negotiate an agreement with Tamerlane to carry  
25 out due diligence and to build the capacity to



1 development of construction costs of 130-plus million  
2 and gross revenue of approximately 530 million,  
3 resulting in a profit of approximately \$53 million.

4           Although Tamerlane has tabled a  
5 socioeconomic agreement, Tamerlane is unwilling to  
6 meaningfully address the issues of the FRMC. This  
7 agreement cannot be imposed but must come about through  
8 respectful negotiations.

9           FRMC concerns and outstanding issues. We  
10 require proper documentation of historical sites, burial  
11 ground, and archeological sites in and around the R-190  
12 area.

13           We have wellness issues that may arise  
14 from the project in the community that need to be  
15 addressed by the developer; mainly, an increase of drugs  
16 and lack of community programs to compact -- this and  
17 adequate childcare.

18           Culture: Loss of culture, loss of  
19 language and harvesting area, lack of sufficient  
20 traditional knowledge incorporated into the project.  
21 The FRMC proposes a more informative traditional  
22 knowledge study be done.

23           Lack of childcare initiatives mentioned  
24 in the DAR. FRMC traditional harvesters that utilize  
25 the area of the project must be compensated for the

1 infringement on their Aboriginal rights as they are  
2 recognized to have Aboriginal rights.

3           On the socioeconomics, we'd like to see  
4 what the breakdown is on the studies done on the socio-  
5 impacts on the local economy. We haven't received this  
6 information.

7           The FRMC and members would like the  
8 developer to address the following: loss of harvesting  
9 area and income, increase of illegal drugs, more money  
10 in the community than spent on addiction and wellness  
11 programs.

12           Adequate childcare was not discussed in  
13 the DAR as it should have been.

14           In the DAR there was no guarantee of jobs  
15 and skill training to the FRMC members and the community  
16 of Fort Resolution, as well as no mention of the  
17 affirmative action policy enforced by the GNWT and how  
18 that be incorporated into the project.

19           Here we have photos of the historic Pine  
20 Point Mine. And the reason we put these in here was  
21 just to, you know, for -- well, I guess for my benefit  
22 to really remember, you know, what -- what happened the  
23 last time we had a mine in that area.

24           Our outstanding issues with environment  
25 are the loss of wildlife of the endangered species,

1 which I have pictured here: the whooping crane, the  
2 northern leopard frog, and the short-eared owl; the  
3 threatened species of the wood bison and the woodland  
4 caribou, the peregrine falcon, and the special concerned  
5 species of the Yellow Rail. The FRMC has asked the  
6 developer for a study to be done on the woodland  
7 caribou.

8                   Health concerns: Contamination of  
9 animals in and around the R-190 site. The Aboriginal  
10 people, who harvest animals in the area, may be faced  
11 with an increased risk of cancer, asthma, as well as an  
12 increase of metals in their bloodstream. This not --  
13 was not addressed in the DAR and studies need to be done  
14 on the Aboriginal harvesters' diets and the amount of  
15 lead/zinc in their diets before, during and after the  
16 pilot project, to ensure that this has not become an  
17 issue and that these people remain healthy.

18                   Water concerns: Contamination of ground  
19 water. The FRMC would like to see a study done on the  
20 groundwater before, during, and after the project. Some  
21 traditional knowledge has been gathered but we would  
22 like to see scientific data on the water quality.

23                   The DAR refers to fish in the era --  
24 area: inconnu, whitefish, northern pike, pickerel, and  
25 burbot. However, no reports have been done on the fish



1 and their current state of health.

2 We would like to see the evidence that  
3 only two (2) lakes, in the area of the pilot project,  
4 sustain fish life.

5 Design and understanding of the injection  
6 wells is something we haven't been too familiar with.  
7 To date, we have not received proper consultation on the  
8 newer aspects of the pilot project.

9 The Freeze Curtain. The FRMC was told by  
10 the developer that the freeze wall will take months to  
11 thaw, however, in the DAR it says "weeks". The FRMC  
12 would like to know where the thawed product will  
13 ultimately end up, and how any possible contamination  
14 will be contained.

15 The FRMC would like to know what happens  
16 to the groundwater that is not frozen that normally runs  
17 through the freeze curtain; what will happen to the  
18 ground from the detoured water? Could this cause a  
19 sinkhole to form in the area? The DAR has not addressed  
20 this possibility.

21 The FRMC would like to know how the  
22 backfill of the R-190 Site, waste rock and concrete,  
23 will serve to replace the mined-out mineral deposits,  
24 and how it ensures that subsidence of this area cannot  
25 occur. We would like to see evidence that this is a

1 proven method.

2                   In the DAR it states that the developer  
3 is interested in the three (3) holes that were abandoned  
4 on R-190. The FRMC would like to know if this is  
5 included in the 8.98 hectares of land mentioned in the  
6 DAR that is for building and associated mining support  
7 infrastructure. The FRMC would like to know if this  
8 will create a larger footprint in the area.

9                   We would also like to note that a  
10 traditional knowledge that conducted by the -- the  
11 developer identified some concerns on wildlife effects  
12 from increased traffic and changing habitats. More  
13 studies need to take place on how the animals in the  
14 area of the project will be disturbed and on what the  
15 possible outcomes would be.

16                   What types of aggregate material will the  
17 developer use to widen the road? Residual effects of  
18 lead and zinc and how -- how we -- we need more -- more  
19 information on this; we haven't done our own studies.

20                   To date, the developer has maintained  
21 that GNWT Department of Transportation will continue to  
22 be responsible for maintaining the highway to and from  
23 the R-190 site. The FRMC would like to see some  
24 initiative from the developer to commit funds to conduct  
25 an ongoing study to the conditions of the highway from

1 the R-190 site to the loading area.

2 The FRMC would like a guarantee from the  
3 developer to take an active approach to reclamation as  
4 the project comes to an end, regardless if the project  
5 is feasible or not. We would like to avoid an addition  
6 to the Pine Point Mine legacy.

7 In conclusion, the Fort Resolution Metis  
8 Council would like to see proper studies done on the  
9 traditional knowledge of the Pine Point area; studies  
10 done on the impact of Pine Point Mine had on the SARA  
11 species, the woodland caribou and the whooping crane,  
12 and how the project will impact that.

13 Traditional knowledge will play a big  
14 part in these studies; studies done on the aquatic life  
15 and water quality in and around the Pine Point project  
16 before development, as well as on the diets of the  
17 harvesters in the -- of the area.

18 We would also like to see the highway,  
19 from the R-190 site to the reloading area, monitored for  
20 damage and cost of the damaged highway recorded.

21 The FRMC would like to see a socio-impact  
22 study done with the Community of Fort Resolution. The  
23 Fort Resolution Metis Council would like further  
24 consultation on the newer aspects of the project. We  
25 need to see these studies done so that the FRMC and our

1 membership can make a proper educated decision on the  
2 project.

3                   The Metis Council requires funding to  
4 properly negotiate an agreement with the -- with  
5 Tamerlane, to carry out due diligence and to build  
6 capacity to meaningfully participate in the project, if  
7 it proceeds.

8                   The FRMC is requesting that Tamerlane  
9 negotiate, in good faith, an impact benefit agreement  
10 that is relevant to the scope of the project.

11                   For these reasons, the Fort Resolution  
12 Metis Council is requesting that the Mackenzie Valley  
13 Environmental Impact Review Board hold off on making a  
14 decision until after the interests of the Fort  
15 Resolution Metis Council have been accommodated by  
16 Tamerlane.

17                   I'd like to thank the Mackenzie Valley  
18 Impact Review Board, staff, Tamerlane Ventures Inc., and  
19 the Elders, and the general public for allowing the  
20 opportunity to address the concerns with the pilot  
21 project in our traditional territory.

22                   Questions?

23                   THE CHAIRPERSON: Thank you for the  
24 presentation. Is there -- are you also presenting,  
25 Chris? Okay.

1 THE CHAIRPERSON: I'm just going to ask  
2 whether there's questions to the presenters from the  
3 developer?

4 MR. DAVID SWISHER: No questions.

5

6 (BRIEF PAUSE)

7

8 THE CHAIRPERSON: Deninu K'ue First  
9 Nation, do you have any questions?

10 MS. ROSY BJORNSON: No.

11 THE CHAIRPERSON: Town of Hay River...?

12

13 (BRIEF PAUSE)

14

15 THE CHAIRPERSON: Katlodeeche First  
16 Nation...?

17 Deninoo Community Council...?

18

19 (BRIEF PAUSE)

20

21 THE CHAIRPERSON: INAC...?

22 MS. TERESSA JOUDRIE: No.

23 THE CHAIRPERSON: Environment Canada...?

24 MR. JESSIE JASPER: No questions.

25 THE CHAIRPERSON: Government of the

1 Northwest Territories...?

2 MR. JOEL HOLDER: No questions.

3 THE CHAIRPERSON: And Bruce...?

4 MR. BRUCE HALBERT: No questions, Madam  
5 Chair.

6 THE CHAIRPERSON: I'm just going to move  
7 on to the legal counsel and staff. Any questions?

8 MR. JOHN DONIHEE: Thank you, Madam  
9 Chair. John Donihee. We have no questions.

10 THE CHAIRPERSON: I'm going to move on  
11 to the Board Members. Any questions?

12 MR. RICHARD EDJERICON: No, Madam Chair.

13 MR. JOHN ONDRACK: No questions.

14 MR. JOHN STEVENSON: No questions,  
15 thanks.

16 MS. NORA DOIG: No questions.

17 MR. DANNY BAYHA: No questions here.

18 MR. CHARLIE SNOWSHOE: No questions.

19 THE CHAIRPERSON: I'm going to ask if  
20 members of public had questions to the Northwest  
21 Territories Metis Nation and Fort Resolution Metis  
22 Council presentation.

23 If there's no questions from members of  
24 public, I'm just going to move on to the next presenter.  
25 Thank you for your presentation.

1 (BRIEF PAUSE)

2

3 THE CHAIRPERSON: The next presenter is  
4 Katlodeeche First Nation.

5

6 (BRIEF PAUSE)

7

8 THE CHAIRPERSON: When you begin your  
9 presentation if you could just introduce yourself. I  
10 apologize for not mentioning your name properly in terms  
11 of the First Nation. I was using more my Tlicho version  
12 of it.

13

14 PRESENTATION BY KATLODEECHE FIRST NATION:

15 MR. AMOS CARDINAL: Thank you, Madam  
16 Chair. My name is Amos Cardinal, a council member from  
17 Katlodeeche First Nation which is in Hay River, the Hay  
18 River Reserve.

19 MR. KEITH MARSHALL: My name is Keith  
20 Marshall. I'm the Chief Executive Officer with  
21 Katlodeeche First Nation.

22 MR. AMOS CARDINAL: We just have a few  
23 questions and concerns in regards to KFN. Some of the  
24 ans -- questions are coming out of the community or of  
25 some of the community members as well.

1                   A large part of these questions that we  
2 have here -- we have about ten (10). I don't know  
3 exactly as to how you want to go about this. Read them  
4 all out? I would like to probably read out three (3) or  
5 four (4) of them in hopes that we can answer them and  
6 then move forward with that without trying to confuse  
7 ourselves into what the questions and answers we need to  
8 be talking about here.

9                   A large part of these questions here  
10 we're -- we're just kind of getting some info on it. It  
11 has been answered throughout what we've heard here today  
12 with several presentations: town, Metis Council, and  
13 members of the community as well. So -- but again, like  
14 I said we just have to go through the motions on some of  
15 these answers -- are questions that we have for our  
16 First Nations. There's nothing heavy here but, like I  
17 said, a large part of them have been answered.

18                   THE CHAIRPERSON: Can I just stop you  
19 for a second? You did say that some of them may have  
20 been answered so if you can be -- to not repeat it, I  
21 guess.

22                   The other one is if you could just take  
23 your time and ask those questions. You said you had a  
24 number of them; if you want them for public record, it  
25 would be good if you could just take your time and do



1 them one at a time.

2 MR. AMOS CARDINAL: Okay. Thank you,  
3 Madam Chair.

4 Just one of -- one of the questions here,  
5 number 1 here, we got the -- please explain how the  
6 injection wells will be maintained. Like I said, I know  
7 you've mentioned some of the questions have been  
8 answered, but for our information to go back to our  
9 community as a, you know, Community Council member here,  
10 we have to go back to our community and said, Yes, we  
11 have answered -- asked these questions. I know they  
12 have been answered, but I feel that they need to be  
13 answered by -- by Tamerlane. So, if you don't mind.  
14 Thanks.

15 MR. SCOTT SCHILLEREFF: I can answer  
16 that one. The injection wells will be maintained using  
17 the same sort of methods that are used to maintain large  
18 municipal water well-type infrastructure. When there is  
19 a drop in production in the well, which is a normal  
20 process.

21 First of all the well -- the injection  
22 water will be diverted to the backup well. And the  
23 primary well will be cleaned mechanically with a -- a  
24 brush arrangement. It can be cleaned hydraulically with  
25 surging water, you know, jets of water lowered down into

1 the well. And if there's certain buildup of, say,  
2 calcium carbonate deposits or other minerals, some  
3 chemical additives could be added to the well,  
4 temporarily, to dissolve those and break those up. And  
5 then those are flushed out.

6 So, after the well is cleaned, then it  
7 will be returned to a good performing condition, and it  
8 can be put back into service. We expect that would be  
9 on the order of every two (2) or three (3) years, that  
10 planned maintenance would be needed. But there will be  
11 constant monitoring of the -- the ability of the well to  
12 take water. And, you know, at a certain point there's a  
13 -- just a planned maintenance that you would divert the  
14 water and go ahead and do that work.

15 MR. AMOS CARDINAL: Thanks. Second  
16 question here we have is, well: Why having settling  
17 ponds? What are the intentions with your settling ponds  
18 and what are -- is there any chemicals used in these  
19 ponds that could, you know, perhaps overflow or  
20 jeopardize nearby water pools or fresh water or leaking  
21 out to contaminate any streams nearby?

22 MR. DAVID SWISHER: The purpose for  
23 having the settling pond is during the initial startup  
24 of the operation and the processing, we just want to  
25 make sure that any outgoing during the test -- test

1 startup, that there is no solids or sediments that may  
2 accidentally foul the well, the injection well, before  
3 water is tested and then diverted to the injection well.

4 It also serves a purpose for -- during  
5 operation if we see a glitch in the operation, a power  
6 outage or something that may cause a -- a surge of  
7 sediments through the system, we can quickly divert it  
8 to that settling pond, let it settle out before  
9 transferring back to the injection well.

10 MR. AMOS CARDINAL: Thanks. It's --  
11 okay.

12

13 (BRIEF PAUSE)

14

15 MR. AMOS CARDINAL: The other question:  
16 What is the long-term applications to handling these  
17 materials, such as your loading areas and unloading  
18 areas, and in terms of hauling this material from the  
19 loading site to the rail site?

20 What are -- are some of the contingency  
21 plans in regards to ensuring that there's no dust or,  
22 you know, anything on the highways?

23 You know, there's -- there's been a  
24 concern with some type of chemicals on the rail beds  
25 over the years with this mine been hauling material and

1 stuff.

2 I know there's -- there has been  
3 application in regards to removing some of that material  
4 off the rail -- rail bed for fill in town and -- and in  
5 some other areas. There was questions raised of that  
6 being contaminated with -- over the years, hauling that  
7 -- that type of material.

8 Do you anticipate anything like this with  
9 -- with your trucks or -- or what is some of the, you  
10 know, some of the measures you're going to be taking in  
11 terms of handling this material?

12 MR. DAVID SWISHER: Thank you. David  
13 Swisher again. The concentrate itself, on the site,  
14 will be stored, obviously, in a concrete building. The  
15 building will be enclosed and trucks that enter the  
16 building will then be loaded with either lead  
17 concentrate or zinc concentrate.

18 Before the concentrate leaves the  
19 building, it will go over what is used frequently in  
20 these types of facilities -- a truck wash, an  
21 undercarriage truck wash, that will basically clean the  
22 underside of the undercarriage of the -- of the truck.

23 Before that though, I must say, that the  
24 truck will be covered and the truck will be inspected.  
25 There will be pre-inspections of the truck to make --

1 ensure everything is -- is covered and enclosed  
2 properly.

3                   Also, with the weights of the lead and  
4 the zinc, because they are a -- a highly dense material,  
5 the material would be well below the freeboard of a --  
6 say a dump truck, as opposed to hauling gravels that you  
7 do today where the material is mounded in the truck just  
8 above the freeboard.

9                   So, it will be well below freeboard in  
10 the truck. The truck will be covered. The truck will  
11 be inspected and the undercarriage will be washed before  
12 it leaves the -- the building.

13                   And the same thing will occur once it  
14 reaches the -- the railhead facility in Hay River. It  
15 will go inside the building. It will dump its load and  
16 it will go through the same procedure before leaving  
17 that building.

18                   MR. AMOS CARDINAL: Just -- just one  
19 other question in respect to the same answer I've asked  
20 you. Some of the questions that were asked from some of  
21 the community members within our community was: Is  
22 there any type of a long-term effects in terms of  
23 handling this ore, such as an odour, dust, just being  
24 around the stuff, breathing in dust fibres of this  
25 material?

1                   Is -- is there any threat of, you know,  
2                   somebody's health in terms of jeopardizing their health  
3                   in a long-term sense, dealing with this type of  
4                   material?

5                   Is known fact that there could be long-  
6                   term complications in regards to one's health, but  
7                   that's just one of the questions related to this. I  
8                   just wanted your response on that.

9                   MR. DAVID SWISHER:     Yeah, and what we  
10                  plan on doing there is -- is obviously monitoring the  
11                  people's health through health and safety initiatives  
12                  through the -- the project life.

13                  Also, there will be a requirement for  
14                  employees to wear personal protective equipment at all  
15                  times while in the vicinity or handling of these  
16                  concentrates. And -- and, of course, then a -- an  
17                  annual health and safety checkup for these employees  
18                  will be required.

19                  It is in our best interest to keep our  
20                  employees as healthy as possible through this, and we  
21                  will do everything to do that.

22                  MR. AMOS CARDINAL:     Another question  
23                  here is: Are there any concerns with the ground  
24                  collapsing with these tunnels -- are being constructed -  
25                  - well, during construction and after reclamation has

1 been done?

2 MR. DAVID SWISHER: No. There -- there  
3 are no concerns. They -- we are at depth in the  
4 deposit. We are below -- well below -- the surface  
5 ground, but there is also different layers of limestones  
6 and dolomites in between the surface and the deposit  
7 itself.

8 So, a worst-case scenario is if you had a  
9 stope that completely collapsed, it would not -- you  
10 would not see that transition into a subsidence on the  
11 surface. However, again, that -- we do not anticipate  
12 that happening because we will be mining out the stopes,  
13 monitoring the ground conditions.

14 And half of the stope -- once half of the  
15 stope is mined out, then we will backfill it with a  
16 cemented backfill mixture to fill the voids. And  
17 actually the -- the backfill mixture will be stronger  
18 than the ground that we're taking out. Because the idea  
19 is once we backfill a couple of the primary stopes, then  
20 we'll actually come in between those backfilled stopes  
21 and mine out the material that's left in between it.

22 So, to answer your question, no.

23 MR. AMOS CARDINAL: Thanks. Just  
24 another question here in regards to how many buildings -  
25 - I guess this -- this question here, well, it says:

1 How many buildings is Tamerlane considering building,  
2 like, in terms of in-structure within the -- the site  
3 itself?

4 MR. DAVID SWISHER: Currently, there are  
5 several storage facilities. There are packaged  
6 facilities with vertical conveyer with a headframe for  
7 the shaft. The buildings that we'll be constructing are  
8 right around six (6) buildings; six (6) to seven (7)  
9 buildings that are not currently, I guess, planned to be  
10 constructed by anybody at this -- at this time.

11 MR. AMOS CARDINAL: Good. Thanks.  
12 Okay. I guess the next question here -- the last one  
13 is: What is the next step for the Mackenzie Valley  
14 Environment Impact Review Board follow these sessions --  
15 following these sessions?

16

17 (BRIEF PAUSE)

18

19 THE CHAIRPERSON: I believe that's a  
20 question for me.

21 MR. AMOS CARDINAL: We were hoping  
22 Alistair was going to take this.

23 THE CHAIRPERSON: I'm going to save the  
24 best to the last.

25 MR. AMOS CARDINAL: Yes.



1                   THE CHAIRPERSON:    I will do it in my  
2 closing comment.

3                   MR. AMOS CARDINAL:   Well, I guess in  
4 regards to all these questions, like I said a large part  
5 of my -- we feel that have been answered, but we've been  
6 asked that the community come out and -- just to clarify  
7 some of these answers that we need to ask here in  
8 regards to this project.

9                   I think -- I've heard a lot -- a lot of  
10 good -- good answers coming out and a lot of questions,  
11 legitimate questions, in regards to the land. Water is  
12 one of our biggest concern with our First Nations as  
13 well. It's always been the land, and it's always going  
14 to be about the land as to how we're going to maintain  
15 that as moving forward.

16                   One of my concerns is -- here as a  
17 council, as the youngest councillor myself here, I've  
18 seen a lot of changes over the years. I myself have --  
19 have lived off the land with my parents and grew up out  
20 there. I think we're -- there's a handful of us left  
21 type thing, that experience living off the land and what  
22 the land can do to us -- do for us as Aboriginal people,  
23 and -- and our livelihood as to where we come from and  
24 where we see ourselves as Aboriginal people in the  
25 future.

1                   One of the biggest things you got to see  
2 is some of the Elders have spoke in regards to -- heard  
3 the words that it's our fault as to what happened and --  
4 and the damage we see within the industry and mining and  
5 everything else as a whole, whether it's oil and gas  
6 industry, mining industry which is booming in the north  
7 here right now.

8                   So, you know, I think in my views as a  
9 young council member here and start seeing ourselves and  
10 where we're going to see ourselves as Aboriginal people  
11 in the future in regards to our traditional lands, our  
12 harvesting, just in general as to who we are as  
13 Aboriginal people and how we live off the land and how  
14 we still continue to do that.

15                   I think we have to accept the fact as  
16 Aboriginal people that we know the land cannot provide  
17 for us in a way it did years ago in terms of trapping  
18 and -- and living solely off the land. However, we can  
19 still look at the land providing to us Aboriginals in  
20 terms of resources instead of hunting and trapping.

21                   So in -- in my views, I still see the  
22 land providing for Aboriginal people. It's up to us as  
23 to how we're going to manage that and move forward  
24 successfully for tomorrow's generation, not just ours.

25                   I've often said to our council in the

1 past -- Chief and council -- before moving into this  
2 position, that I could admit that, you know, this  
3 generation is -- is in some trouble, in terms of where  
4 we want to see ourselves. But we still have room to  
5 make corrections for the next generation to move forward  
6 successfully, strongly, and who we once were as  
7 Aboriginal people and where we see ourselves today.

8           We -- we are always sitting on the other  
9 side of the fence in terms of industry, governments, and  
10 you name it. We've always been battling issues, in  
11 regards to who we are as Aboriginal people, where we  
12 want to see ourselves in regards to traditional  
13 livelihood, our land.

14           I said we -- we cannot hunt and trap and  
15 solely live off the land anymore like we once did but we  
16 can still move forward and -- and maintain our culture  
17 in terms of teaching our children.

18           Hunting and trapping was one (1) of the  
19 big success in Aboriginal people's lives and still is  
20 today, in a large part. But I think we have to accept  
21 the fact that in order to move forward successfully as  
22 Aboriginal people and to contend with industry and  
23 governments and everybody else throughout the world that  
24 we have to start educating our young people to be more  
25 stronger; to understand education in terms of a legal

1 sense; how to deal with governments; how to deal with  
2 industry, legal-wise; have our own Aboriginal lawyers;  
3 have our own Aboriginal geol -- working in the mine  
4 industry, whether you're geologists, working in  
5 management; owning our own resources, in terms of  
6 harving -- harvesting these types of resources out of  
7 the ground; whether we own a drilling rig, a  
8 wheelbarrow, a shovel, or a rake or whatever it is we  
9 need to participate to move forward to be stronger as an  
10 Aboriginal person and to be proud of who we are, to  
11 contend with industries, governments, you name it.

12                   We have enough problems already battling  
13 with governments, in terms of issues, as who we are for  
14 the past hundred years.

15                   I don't want to be sitting at this table  
16 for the next thirty (30) some years fighting over issues  
17 that we can make a lot more easier by educating our next  
18 generation to have our own lawyers, have our own  
19 Aboriginal people solely -- strong as to who we were and  
20 who we still believe in, and where we want to see  
21 ourselves in the next generation.

22                   We can be sitting at the table and to be  
23 to force to reckon with, with anybody today in terms of  
24 governments, industry and you name it. We just have to  
25 start educating it -- it starts in our backyard as to

1 who we are.

2                   Until we start doing that, we're always  
3 going to be sitting at this table wondering why we never  
4 got the best because a non-Aboriginal did. I am  
5 frustrated too to see that non-Aboriginal people are  
6 reaping the benefits off the -- off the backs of  
7 Aboriginal people within our own backyard.

8                   We have to start standing up and saying  
9 enough's enough. Start educating our educating our own  
10 people and stand up to what we believe in and contend  
11 with anybody in terms of industry, governments, you name  
12 it. But we need to start somewhere.

13                   And this is a wake-up call to everybody  
14 to say the damages we've seen in the past, we could be a  
15 lot more readier than what we are sitting here today --  
16 after we've seen what happened at Pine Point.

17                   I'm a little frustrated and confused to  
18 see that we don't have our own people understanding  
19 these type of industry a lot more smarter than -- than  
20 what they sit there and tell us what we can and cannot  
21 do.

22                   So, with that, I'd like to leave you a  
23 word of thought in that manner. And I'd appreciate --  
24 you know, everybody, you know, inviting us out here to  
25 share our comments in terms of what we want to see done

1 to move forward.

2 I'm not against industry in any way, but  
3 I am against the ways that we've been dealt with in the  
4 past as Aboriginal people. I can only say that we need  
5 to grow stronger.

6 I feel that all Aboriginal people who are  
7 affected by this project, we should sit down, come  
8 together and deal with the -- with the industry as one;  
9 one (1) person, one (1) Aboriginal people, whether we're  
10 from across the lake or across the road. We're all  
11 Aboriginal people trying to look for the best interest  
12 as to who we are as Aboriginal people and moving forward  
13 strongly for tomorrow.

14 So, I advise you -- whoever is involved  
15 and that's going to be impacted by this mine site. We  
16 should sit down. We, as Aboriginal people, are in  
17 control of this. We just need to tell them who's in  
18 control and let them know we're in control and lay down  
19 some ground rules as to what we want to see in terms of  
20 damaging our traditional lands.

21 We can protect that interest very easy.  
22 We just need to come together and sit down and put some  
23 things down on paper, what we want to see get done.  
24 It's our turn to voice our opinion loudly -- and I feel  
25 that all Aboriginal people are going to be affected by

1 this project -- to come together and sit down and do  
2 something about it, because we're more stronger than one  
3 (1), than -- than a whole bunch spread out in the field.

4 So, I just want to leave that word of  
5 thought with you guys, and I appreciate everything.  
6 Deninu K'ue First -- their -- their -- their Chief and  
7 Council I'd like you -- to thank you for your  
8 hospitality here. Lunch was great. Everything was  
9 good. People are friendly here. Thank you for  
10 everything, guys.

11 THE CHAIRPERSON: Yeah, I will just  
12 thank the presenters. There is a lot of questioning to  
13 their presentation, so I am not sure whether you had any  
14 questions to ask them. So I won't go through a whole  
15 list of series of whether people had questions to the  
16 presenter unless there is somebody who had a question to  
17 ask for clarity or -- If not, I am just going to move  
18 on.

19 I can call for a ten (10) minute break.  
20 So I will just have a ten (10) minute break.

21

22 --- Upon recessing at 2:35 p.m.

23 --- Upon resuming at 2:52 p.m.

24

25 QUESTION PERIOD:

1                   THE CHAIRPERSON:    When we went to take  
2   our break, I was asking whether there was any questions  
3   to the presentation of Katlodeeche, the First Nation. I  
4   think there's one (1) question of clarity, and I will  
5   just go ahead and proceed. I think it's from INAC.

6                   MS. TERESSA JOUDRIE:    Hi.  Teressa  
7   Joudrie for INAC. I just have one (1) question for  
8   Tamerlane for clarification. When you responded that  
9   there'd be no subsidence or sinkhole should one (1) of  
10  the stopes collapse, could you please explain how that's  
11  possible?

12                  MR. DAVID SWISHER:    Yeah, the -- the  
13  ground in that area is stratified in layers. and  
14  they're stratified in horizontal layers And so you have  
15  the overburden -- there's about 30 metres of glacial  
16  till and gravels overburden. Of course, that's not very  
17  strong for -- structurally.

18                  Below that, though, you have different  
19  formations that are stratified horizontally and they're  
20  predominantly made up of limestones and dolomites. And  
21  because of that stratification I guess a simple -- a  
22  simple explanation would be if you straddled two (2)  
23  2x4s between these tables here and you cut the bottom  
24  2x4 out, the top 2x4 will still remain because it's --  
25  it's still structurally competent to hold up under its



1 own weight.

2                   It's similar in rock mechanics in ground  
3 conditions. And when you have stresses in the ground,  
4 say, if you create a void in the ground, then stresses  
5 get shed in the outerlying regions and typically into  
6 the sides and up underneath. And -- and then a natural  
7 2x4 if you will, basically stabilizes the -- the roof  
8 above you.

9                   And in any -- in many situations, even in  
10 unconsolidated ground if you have collapses, just the --  
11 the ground itself even in an unconsolidated gravel and  
12 glacial till itself will -- will collapse up to a point  
13 where it be -- creates its own beam of support.

14                   So very, very confident in that -- in the  
15 ability because of the layers above us. But again that  
16 was -- in Tamerlane's estimation and based on our rock  
17 mechanic study, that is a -- a worst-case situation that  
18 we don't ever anticipate having and we certainly will  
19 ensure and design in that it does not happen.

20

21                   (BRIEF PAUSE)

22

23                   THE CHAIRPERSON: I'm just going to move  
24 on to the next presentation, a presentation by the  
25 Deninoo Community Council.

1 PRESENTATION BY DENINOO COMMUNITY COUNCIL:

2 MS. CAROL CHAPMAN: Hi, my name's Carol  
3 Chapman and I sit on the Deninoo Community Council in  
4 Fort Resolution.

5 The Deninoo Community Council is  
6 responsible for the delivery of the municipal services  
7 including recreation programs in Fort Resolution.  
8 Although we may not be directly involved with projects  
9 such as Tamerlane Ventures, we have an interest to  
10 protect the land, habitats, and activities that may  
11 affect the environment, not to mention the impact on the  
12 community.

13 We also would like to support the  
14 presentations from the Fort Resolution Metis Council and  
15 Deninu K'ue First Nations as a unit from Fort  
16 Resolution.

17 Under feasibility for the environment,  
18 further consultation and proper studies should continue  
19 to take place that will adequately address land use  
20 issues and its natural habitat: water, wildlife, aquatic  
21 life, road systems, et cetera.

22 Number 2. Social Impact and Benefit

23 We anticipate a huge impact from this  
24 project for Fort Resolution and stakeholders must be  
25 prepared for this as well as the benefits that we will

1 endure during this process, the effect that this will  
2 have on our culture and traditional lifestyle.

3 Number 3. Employment

4 The opportunity for employment will  
5 increase, however, current services that are available  
6 may not be compatible to meet this workforce.

7 Number 4. Land Use and Restoration

8 There should be an agreement in place for  
9 compensation towards those that are using this area as a  
10 means of keeping up with their traditional lifestyles.

11 The impact out of previous activities in  
12 Pine Point is still present and felt by our community.  
13 Restoration in some areas were not properly done or  
14 dealt with. Poor health issues during that era was very  
15 evident amongst those that lived in Pine Point, more  
16 specifically cancer. We cannot afford to live through  
17 the same thing again.

18 In conclusion, we would like thank the  
19 Mackenzie Valley Environmental Impact Review Board for  
20 the opportunity to address these concerns that are  
21 similar to those already expressed by the Fort  
22 Resolution Metis Council and the Deninu K'ue First  
23 Nations; being the environment natural habitat, social -  
24 - social impact and benefit, employment and land use and  
25 restoration. Thank you.

1 THE CHAIRPERSON: Thank you for your  
2 presentation.

3 Are there any questions from the  
4 developer and parties to Carol's presentation?

5 MR. DAVID SWISHER: No question from the  
6 developer.

7

8 (BRIEF PAUSE)

9

10 THE CHAIRPERSON: No questions from the  
11 parties? If I don't hear anything. It is a no.

12 I'm just going to move on to the legal  
13 counsel and staff.

14 MR. JOHN DONIHEE: John Donihee. No  
15 questions, Madam Chair.

16 THE CHAIRPERSON: To the Board members.

17 MR. RICHARD EDJERICON: No comments.

18 MR. JOHN ONDRACK: No questions.

19 THE CHAIRPERSON: No questions. okay,  
20 then.

21 I am just going to move on to the next  
22 presenter. It is a presentation by Indian and Northern  
23 Affairs.

24

25 PRESENTATION BY INAC:

1 MS. TERESSA JOUDRIE: Thank you, Madam  
2 Chair. My name is Teressa Joudrie and I work with  
3 Indian and Northern Affairs Canada in Yellowknife. And  
4 with me I have Julie Jackson, Policy Advisor with the  
5 Department in Yellowknife, and Mr. Adrian Boyd (sic) who  
6 is our technical consultant who's been involved with the  
7 project.

8 Just to provide you with a bit of an  
9 overview on our presentation, I'm going to talk about I  
10 -- INAC's involvement in the environmental assessment  
11 process, a summary of our technical analysis to date,  
12 comments with respect to response to the Information  
13 Request Number 42 on closure and reclamation, an update  
14 on consultation and then some of our overall concluding  
15 remarks.

16 So INAC has been involved in the  
17 environmental assessment process for the Tamerlane  
18 Ventures EA for the past one and a half (1 1/2) years.  
19 We have reviewed the initial developer's assessment  
20 report and its subsequent revisions. We've also been  
21 involved in the technical hearing -- the technical  
22 meetings held in Hay River in July of 2007.

23 We have submitted responses to  
24 Information Requests. We've responded to the Closure  
25 and Reclamation Request that came through with respect

1 to our closure and reclamation policy.

2 We've also submitted our own technical  
3 report, which was submitted on September 21st, outlining  
4 the issues that INAC has with the developer's report.  
5 In addition, we have reviewed Tamerlane's responses,  
6 including the most recent on October 5th.

7 So, in our original technical assessment,  
8 we had five (5) outstanding issues from the Tamerlane  
9 report. And, to date, Tamerlane, with their most recent  
10 submission, has resolved the -- the five (5) outstanding  
11 issues that we had.

12 At the time that we were asked to submit  
13 the presentation, the unresolved issues were with  
14 respect to mine flow prediction, impact -- or injection  
15 well and contingency, impact of froth flotation on  
16 discharge water quality, discharge water quality  
17 prediction and closure and reclamation.

18 On October 5th, Tamerlane submitted the  
19 technical items response which resolved those five (5)  
20 issues and clarified another of other issues that we've  
21 had.

22 And as a result, we are satisfied with  
23 the developer's response to our technical report.  
24 However, at the permitting phase of the program -- or of  
25 the project we will require further information.

1                   So that being said, I'm going to turn  
2 over to the technical analysis summary for Mr. Adrian  
3 Boyd -- or Brown.

4                   MR. ADRIAN BROWN:    Thank you, Madam  
5 Chair and thank you for the introduction.  I'm just  
6 going to deal fairly quickly with the five (5)  
7 outstanding issues for the reason that INAC felt that  
8 these were very important.  And we believe also that  
9 it's important for the -- for the -- the rest of the --  
10 the group to understand -- for the rest of the -- the  
11 group to understand how INAC has -- has considered these  
12 matters, all of which are important, to be resolved.

13                   The first issue is mine inflow  
14 evaluation.  INAC's original issue with this was that  
15 the original estimates of mine inflow were, we thought,  
16 substantially low, approximately 55 cubic metres per  
17 power.

18                   Mine inflow is critical to environmental  
19 evaluation of this project because it determines the  
20 amount of water that needs to be pumped from the mine.  
21 It determines the quality of water that will discharged  
22 into the injection well; the more water, the more  
23 dilution, the better the quality of water that goes in.  
24 And it also impacts the -- excuse me, has an effect on  
25 the impact of that water to the environment.

1                   It's very difficult to calculate what the  
2 water inflow will be and I've tried to indicate -- I've  
3 tried to indicate on a little diagram on the wall why  
4 this is difficult.

5                   The mine is substantially below the water  
6 level in the geologic system and -- there's my little  
7 diagram.

8                   Here's the mine; the water level is way  
9 up here approximately five hundred and 575 metres --  
10 feet, or a couple of hundred metres above the mine. So  
11 water wants to get into this mine a great deal when the  
12 mine is opened. The water can come from underneath and  
13 can come from the side. Tamerlane is proposing to put  
14 in a freeze wall which will prevent water from coming in  
15 from the side.

16                   But water can still get into this system.  
17 We were encouraging Tamerlane to re-analyse, re-  
18 evaluate, this inflow. They have done that, and they  
19 have said that the inflow is highly uncertain; that is  
20 it's difficult to know what the inflow is going to be  
21 and INAC agrees.

22                   So what they've done is they've said, We  
23 will consider a range of possible inflows ranging from  
24 as low as 50 cubic metres per hour, all the way up to  
25 nearly a hundred times that much flow, 3,120 cubic



1 metres per hour.

2                   We think this is very wise. The big  
3 number determines how much water they may have to pump  
4 out of the mine. They need to be ready for that.

5                   The little number determines the highest  
6 concentration of water that may be discharged to the  
7 environment and we need to know that too.

8                   So this is a -- a very appropriate  
9 response with which we totally agree.

10                  The second outstanding issue relates to  
11 how to get rid of the water, but more importantly, how  
12 to make sure that that system will work; what its  
13 contingency planning will be.

14                  Tamerlane proposes to inject the water  
15 into the subsurface, which we believe to be an  
16 appropriate response as almost all of the water came  
17 from the subsurface in the first place. But in order to  
18 make sure that they can do that, they have two (2)  
19 contingency plans.

20                  One (1) contingency is to have two (2)  
21 wells for injection in case one of them plugs up and the  
22 second contingency plan is to have a lined water storage  
23 facility which will be available to take any water which  
24 does not meet the, still to be determined, discharge  
25 standards. And so they have a contingency plan here.

1                   INAC originally had concerns that this  
2 took a lot of area -- disturbed a lot of area. But on  
3 balance, we agree with the developer in response to --  
4 to our question that this response does a lot of things  
5 that make for an environmentally better project.

6                   It allows the storage of startup water  
7 that may not meet injection standards. It allows the  
8 storage of water and the removal of grit -- of sediment  
9 materials in the -- in the pond before the water goes  
10 into the injection well, if that is necessary. And it  
11 allows for testing of water, if necessary, before  
12 injection to ensure that it meets environmental  
13 standards which have yet to be set.

14                   In consequence, INAC agrees that this is  
15 an appropriate facility to add to the mining system to  
16 improve its environmental performance.

17                   The third issue that INAC had that was at  
18 the time we did this review, unresolved, related to a  
19 new element which had been included in the mining  
20 system, the froth flotation system.

21                   And Tamerlane proposed to use this to  
22 further improve the quality of the ore concentrate that  
23 they would ship, by dividing out the lead portion of the  
24 ore from the zinc portion of the ore.

25                   The meth -- standard method to do this is

1 illustrated on our little diagram -- and I apologize  
2 that the print's a little small -- but it has a froth  
3 flotation process, where the -- the lead ore -- or  
4 different ores are literally floated off the top of the  
5 -- of the -- the crushed ore material and scavenged or  
6 selectively collected and then sent off for treatment.

7 INAC's concern with this process is that  
8 it involves a significant addition of treatment  
9 chemicals. They include things like soda ash which is  
10 sodium carbonate, zinc sulphate, lime, copper sulphate,  
11 a number of dispersants, that basically -- soap of one  
12 kind or another, and frothing agents; agents to make the  
13 system work better.

14 And the possibility exists that some of  
15 these materials may windup in the water which will  
16 ultimately go to discharge. We were very concerned that  
17 this needed thorough evaluation which we felt it had not  
18 received prior to the last communication.

19 The good news is that Tamerlane have now,  
20 in our judgment, appropriately evaluated what this froth  
21 flotation system will do to the water which is going to  
22 be discharged from that system into the general mine  
23 water system.

24 And this water's characterized here for  
25 its worst-case condition and it's going to have a pH of

1 11.4 which is a very alkaline water. Bear in mind this  
2 water is inside the -- the processing system, it's not  
3 being discharged. I'll get to that in a minute.

4           It's going to have some copper in the  
5 water, some lead in the water and some zinc in the  
6 water; not very high concentrations but they represent  
7 some discharge of those metals into the mine processing  
8 system.

9           INAC agrees. We've checked the analysis  
10 that's been performed to get these numbers and we're in  
11 general agreement that they're about right, that this is  
12 what the water quality coming out of the froth flotation  
13 system will be. And so we feel that this has now been  
14 correctly analysed and can be used for the mine planning  
15 process, which it has been done.

16           Our fourth issue related to discharged  
17 water quality. This is the quality of water that's  
18 going to go into that injection well which you've been  
19 hearing so much about today. INAC's original concern  
20 was that we were very uncomfortable with the analysis  
21 that had been done to determine what the quality of  
22 water that was going to go from the entire process into  
23 the injection well.

24           This process starts with water being  
25 pumped out of the mine, that water becomes the water

1 supply for the gravity separation system which is the  
2 principle method by which the zinc ore is -- is  
3 extracted, and it's also the water supply for the froth  
4 flotation system. Water comes out of both of those  
5 systems, is mixed and ultimately winds up being injected  
6 into the injection well.

7                   Clearly, it's critically important to  
8 know what the quality of that water will be, and INAC  
9 has now -- excuse me, Tamerlane has now provided for us  
10 a computation of this complex system, telling us what,  
11 approximately, the worst water quality will be for that  
12 water that is proposed to be placed in the discharge  
13 well.

14                   And on this slide, we've summarized that  
15 water quality. And the high points, I think, are that  
16 the water quality will have approximately, at worst, 1/2  
17 a milligram per litre of copper, a 1/3 of a milligram  
18 per litre or part per million of lead, and a little less  
19 than 2 milligrams per litre of ammonium; that coming  
20 from explosives used in mining.

21                   INAC's review is that we generally agree  
22 that these are, approximately, correctly computed and  
23 represent a reasonable worst case for the quality of  
24 water which may be discharged -- which -- which may be  
25 presented for discharge at the injection well.

1                   INAC wants to be clear that we do not  
2 necessarily consider that it's okay for this water to be  
3 discharged to the injection well. That is beyond the  
4 scope of what we are dealing with here and what the  
5 Environmental Board deals with.

6                   There will be subsequent evaluations to  
7 make -- to set what the discharge standards will be and  
8 these numbers will be compared against that. And you  
9 heard this morning, Mr. Swisher say, that in the event  
10 that these -- this water does not meet discharge  
11 standards the water will be treated so that it does.

12                   We, however, do agree that this is a  
13 reasonable estimate of the worst quality water that this  
14 system is likely to discharge. Let me hand it back now  
15 to my chairperson.

16                   MS. TERESSA JOUDRIE: With respect to  
17 closure and reclamation, we felt that the closure and  
18 reclamation plan lacked detail and more information  
19 would be required with respect to brine disposal,  
20 closure of inspect -- or injection wells and  
21 infrastructure, settling pond reclamation, end land use  
22 goal -- goals, and measurable criteria.

23                   Tamerlane submitted a response indicating  
24 that the brine would be returned to the manufacturer or  
25 to the GNWT for roadway usage, internal pipes would be

1 removed, external pipes will be left in place and  
2 capped, and the injection wells would be capped and  
3 maybe used in the future for groundwater monitoring.

4           So our response to that is that the  
5 individual closure issues are adequate. Tamerlane  
6 should still work towards developing a specific end land  
7 use and that the plan should include specific and  
8 measurable closure criteria.

9           And our recommendation is that prior to  
10 the issuance of a water licence, Tamerlane should submit  
11 a detailed closure and reclamation plan, in accordance  
12 with the NWT Mine Site Reclamation Guidelines, and that  
13 this closure and reclamation plan should be a working  
14 document and should be revised annually to accommodate  
15 changes to the mine plan.

16           So information that was requested from  
17 INAC by MVEIRB during this process related to our  
18 closure and reclamation policy.

19           And our closure and reclamation policy  
20 identifies provisions in the current reclamation bonding  
21 policy that protects the people of the -- of the  
22 Mackenzie Valley from cases where a sudden and  
23 unforeseeable closure occurs, whether that be due to  
24 lower ore values, economic or technical failure of a  
25 mine, or physical and -- fiscal insolvency of the parent

1 corporation.

2                   To that end, mine site reclamation should  
3 reflect the collective desire and commitment to operate  
4 under principles of sustainable development and a  
5 "polluter pays" principle. Every new mining operation  
6 should be able to support the cost of reclamation, that  
7 adequate security should be provided to ensure the cost  
8 of reclamation, shut down, closure, and post-closure is  
9 borne by the operator of the mine rather than the Crown.

10                   Estimates of reclamation costs for the  
11 purposes of financial security should be based on the  
12 cost of the reclamation work done by a third party  
13 contractor if the operator defaults.

14                   So as we've mentioned, INAC has been  
15 working with the Board, Tamerlane, communities, and  
16 other Federal and territorial departments over the past  
17 year and a half to identify and address potential  
18 environmental issues related to the Tamerlane project.  
19 The most recent report submitted by Tamerlane, on  
20 October 5th, sufficiently addressed some of the --  
21 sufficiently addressed the remaining issues that INAC  
22 had identified in our 21st of September technical  
23 report, and that we're confident that any of the  
24 remaining issues that arise can be addressed through the  
25 permitting process if the project proceeds to this



1 phase.

2 Additional detail will be required for  
3 that phase. And based on our review of the information  
4 provided to date, we have not identified any potential  
5 adverse impacts that cannot be properly mitigated  
6 through the land use permit and water licence conditions  
7 set by the Mackenzie Valley Land and Water Board.

8 With respect to consultation, INAC views  
9 consultation that occurs during the environmental  
10 assessment process as a procedural aspect of Crown  
11 consultation. Consultation undertaken by MVEIRB can  
12 form part of, and can be taken into account for the  
13 purposes of Crown consultation.

14 INAC, as part of the Crown, is committed  
15 to ensuring that the duty to consult and where  
16 appropriate, accommodate, is met.

17 INAC and the other responsible ministers  
18 review the specific EA process and the report of  
19 environmental assessment to determine whether adequate  
20 consultation is required by the responsible ministers.  
21 Or additional consultation is required by the  
22 responsible ministers prior to making their decision  
23 regarding the particular recommendations contained in  
24 the report of EA.

25 Indian and Northern Affairs Canada,

1 Northwest Territories region, continues to work with  
2 Aboriginal groups on its interim approach to  
3 consultation. And Crown consultation is focussed on  
4 specific adverse impacts on specific potential or  
5 existing Aboriginal and treaty rights.

6 In closing, INAC will be providing a  
7 security estimate of the reclamation costs of the  
8 project to the Land and Water -- Mackenzie Valley Land  
9 and Water Board if the project proceeds to the  
10 permitting phase. The Mackenzie Valley Land and Water  
11 Board will then determine the size of -- of the  
12 security deposit to be posted by the developer and will  
13 include the appropriate conditions in the land use  
14 permit and water licence.

15 We are satisfied with the developer's  
16 response and commitments to the technical report topics.  
17 And once again we will require additional details should  
18 the project proceed to the regulatory phase. Thank you.

19

20 QUESTION PERIOD:

21 THE CHAIRPERSON: Thank you for your  
22 presentation. I'm now going to ask if the developers  
23 have any questions to INAC's presentation.

24 MR. DAVID SWISHER: David Swisher,  
25 developer, no questions at this time.

1 THE CHAIRPERSON: I'm going to move on  
2 to the parties to the EA. Yes?

3

4 (BRIEF PAUSE)

5

6 MS. ROSY BJORNSON: Rosy Bjornson,  
7 Deninu K'ue First Nations. I have a -- I have a comment  
8 I guess, not an actual question. other than Indian and  
9 Northern Affairs Canada views consultation that occurs  
10 during the EA. I'm just kind of reiterating what  
11 they're stating in their process as a procedural aspect  
12 of Crown consultation.

13 Under -- we have specific rights under  
14 the consultation -- I mean under the Constitutional Act,  
15 Section 35(1), as stated previously in our  
16 presentations. And there should be a separate process  
17 other than the environmental assessment to recognize our  
18 unique rights to hunt, fish, trap, and gather and to be  
19 consulted and accommodated, as stated previous.

20 So I just -- I just want to make that  
21 known so everybody knows that. Massi.

22 MS. TERESSA JOUDRIE: I'm going to let  
23 Julie Jackson respond to that.

24 MS. JULIE JACKSON: Thank you for your  
25 comment, Rosy, and thank you, Madam Chair.

1 I'd just like to respond to that comment.  
2 As Rosy and a number of other people in the room are  
3 aware, INAC NWT has been working with Aboriginal groups  
4 in the Territory for almost two (2) years now on its  
5 interim approach to Crown consultation. We are  
6 currently conducting consultations with the Akaitcho  
7 Dene First Nations to work out -- work out some of the  
8 details here.

9 As we've communicated publicly and to  
10 Aboriginal groups in the Territory on a number of  
11 different occasions, that we view -- the -- the courts  
12 have said we -- we are absolutely committed to making  
13 sure that our duty to consult is met as part of the  
14 Crown. With that said, the -- the courts have said very  
15 clearly that some aspects of consultation can be  
16 delegated to third parties.

17 And when we were looking at how we would  
18 develop an approach to making sure we fulfilled our duty  
19 to consult, and where appropriate, accommodate First  
20 Nations and potential adverse impacts to their rights,  
21 we wanted to, first of all make sure that duty was met,  
22 that was the first goal.

23 The second goal was to, where we could  
24 reduce duplication and not reinvent the wheel because we  
25 know that there are very real pressures in the

1 communities with regard to having adequate capacity and  
2 having enough time just to attend all these -- these  
3 consultation meetings.

4                   And so the courts have said that in some  
5 cases public process of consultation, such as the  
6 process outlined in the Mackenzie Valley Resource  
7 Management Act, may be considered or can be taken into  
8 account as procedural aspects of consultation when a  
9 Crown -- when Crown consultation is being conducted.  
10 And indeed, this has been reaffirmed in -- in a couple  
11 of court cases.

12                   So that said, as we've always maintained,  
13 that this is a starting place. And the reason why this  
14 -- we view this as a starting place is because the --  
15 the Crown has a duty, first of all, to determine if the  
16 duty to consult arises and if it does, what the scope of  
17 that duty is, which is based on what are the potential  
18 negative impacts that an activity or a project can have.

19                   And it's very difficult to channel what  
20 those adverse impacts are without having input from a  
21 number of different parties with different technical  
22 expertise. And therefore, it's very important for us to  
23 view what goes on and listen to what goes on in an  
24 environmental assessment process, because we do get a  
25 better, clearer understanding of what the adverse

1 impacts to a potential or existing Aboriginal or treaty  
2 right might be.

3                   And therefore it's premature for us to --  
4 to launch into determining what the scope of  
5 consultation is without having those facts. And we --  
6 but obviously the -- we can't solely rely on public  
7 processes and we recognize that.

8                   And so in the situation of an  
9 environmental assessment, as my colleague Teresa  
10 pointed out, that the -- the Board here will make a -- a  
11 report of environmental assessment and present that to  
12 the responsible ministers. And INAC and the other  
13 responsible ministers will review this entire process  
14 and the report of environmental assessment, to determine  
15 whether additional consultation is required by the  
16 responsible ministers, prior to them making their  
17 decision, with regard to the recommendations contained  
18 in the report of the EA.

19                   So I just wanted to clarify some of that.  
20 We do take our duty to consult very seriously, and we  
21 have been working with Aboriginal groups and continue to  
22 do so on this very complex and challenging aspect.

23                   THE CHAIRPERSON: Thank you.

24                   MS. ROSY BJORNSON: Thank you, Julie, I  
25 appreciate your answer. And just in addition to that, I

1 would like to see more ad hoc meetings prior to a  
2 consultation schedule. Massi.

3 And I just want to make an additional  
4 comment, I guess, if I could, at this time, with respect  
5 to Deninu K'ue First Nation's position.

6 It is our position to get insurance from  
7 the developer, GNWT, INAC, MacKenzie Valley  
8 Environmental Impact Review Board, MacKenzie Valley  
9 Water and Land Board, that all regulations, guidelines,  
10 and standards are met or are above for this development,  
11 with respect to monitoring SARA, air, water, livelihoods  
12 of both human, wildlife, plants, insects, and they're  
13 monitored today, tomorrow, and continuously for future  
14 generations.

15 And in conclusion, I want to state that  
16 Deninu K'ue First Nations, in the beginning of this  
17 environmental assessment process with the scoping  
18 sessions, has always stated they support responsible  
19 development.

20 And I believe that Tamerlane is doing  
21 everything they can to possibly mitigate any potential  
22 adverse impact to the environment. Although,  
23 consultation with the Crown is another issue that's not  
24 for this table. Massi.

25 THE CHAIRPERSON: I am just going to ask

1 if there are any questions from the legal consult and  
2 staff?

3 MR. ALISTAIR MACDONALD: Al MacDonald,  
4 staff for the Review Board. Just -- I have two (2)  
5 questions.

6 I guess, the first one relates to your  
7 slide 12, which talked about discharge water quality  
8 worst case, and is also, in -- in a sense, linked to  
9 slide 17, where Indian Northern Affairs provides, I  
10 guess, the opinion that you haven't identified any  
11 potentially adverse impacts.

12 I think it may be useful to understand  
13 better a little bit about the impacts or potential  
14 impacts of that worst case water quality on the  
15 receiving environment, and how you came to the  
16 determination that that might not have adverse impacts  
17 on the environment. That might be useful.

18 MS. TERESSA JOUDRIE: Teresa Joudrie  
19 for INAC. I'm going to let our technical advisor answer  
20 that. Mr. Bro -- Brown.

21 MR. ADRIAN BROWN: Adrian Brown, for  
22 INAC. First, I believe the -- the first part of our --  
23 part of your question relates to -- to our  
24 determination, and I'll just reiterate that we believe  
25 these are -- are reasonable numbers.





1 copper, lead, and zinc concentrations in this water  
2 appear to be greater than the -- the receiving water  
3 concentrations in the -- the deep aquifer, into which  
4 this water is -- is proposed to be -- proposed to be  
5 injected. In addition, the total dissolved solids, the  
6 -- the lime with TDS, is slightly higher than the total  
7 dissolved solids in the receiving water.

8 Without wishing to prejudge what the  
9 water licence -- the conclusion about the water licence  
10 conditions will be in, introduction of this water into a  
11 metal bearing deposit, which is what the -- the  
12 receiving location is, will not, in my judgment, create  
13 a significant impact to the water quality for two (2)  
14 reasons.

15 1. There is already copper, lead, and  
16 zinc in that water.

17 2. The environment is a -- a limestone  
18 environment with relatively high pH in the water and  
19 this water. And -- and contact of this water with that  
20 receiving environment will reduce the concentrations of  
21 metals to the lower levels that exist in the receiving  
22 water very rapidly. So we don't anticipate a  
23 significant impact.

24 As a final comment, the ammonium and  
25 nitrate concentrations likely, in our opinion, will not

1 be much affected by the receiving water, but in both  
2 cases they are sufficiently low, that it does not appear  
3 that any environmental impact will occur as a result of  
4 them.

5 MR. ALISTAIR MACDONALD: Thank -- thank  
6 you. I -- the other question relates to your slide  
7 number 9. The -- the first point I had is that Indian  
8 Northern Affairs has slightly revised their  
9 presentation.

10 Previously, the first presentation we  
11 received before you had a chance to look at the October  
12 5th material, if I'm not mistaken, identified about plus  
13 or minus 22 tonnes a day of reagents that were going to  
14 be getting into the system. I see it's now -- the  
15 estimate is plus or minus 30 tonnes.

16 Just wondering how that number changed,  
17 in your opinion?

18 MR. ADRIAN BROWN: Yes, that number  
19 changed because the material provided on October the 5th  
20 had different concentrations or different amounts of  
21 treatment reagents. Indeed, it actually had two (2)  
22 different amounts. I used the higher of the two (2)  
23 amounts in the most recent presentation.

24 I would not describe these as material  
25 differences from an environmental point of view. And my

1 reason for saying that is, of the 30 tonnes or 22 tonnes  
2 of material, some of it's stuff like sand, but also very  
3 little of that, well less than a tonne or a couple of  
4 tonnes, actually makes it through into the discharge  
5 water. And, in particular, virtually none of the added  
6 metals make it through into the discharge water. As was  
7 stated earlier, they go out with the mine backfill and  
8 get placed back into the mine.

9 MR. ALISTAIR MACDONALD: Thank you.

10 THE CHAIRPERSON: Before we go into the  
11 Board members asking questions, we will take a five/ten  
12 (5/10) minute stretch. We will just take a break and  
13 then we will come back to you, too, Bruce.

14

15 --- Upon recessing at 3:37 p.m.

16 --- Upon resuming at 3:45 p.m.

17

18 THE CHAIRPERSON: I am just going to  
19 move on to our expert. Bruce, you had a question?

20 MR. BRUCE HALBERT: Thank you, Madam  
21 Chair. It's Bruce Halbert, for the record. I have a  
22 couple comments and then I also have a -- a follow on  
23 question here.

24 First comment I'd like to make is that I  
25 generally agree with the conclusions that INAC has come

1 to from their review, for the record.

2                   Following on in this discussion that was  
3 going on with respect to IR-49, there's a question being  
4 asked here about the significance of potential effect of  
5 discharging excess mine water and process water back  
6 into the underground wa -- formation from which it was -  
7 - it was taken.

8                   It should be noted that the water that's  
9 being pumped up from underground, has, to start with,  
10 some fairly high sulfate and total dissolved solid  
11 levels in it, and as such it's not really suitable for -  
12 - as a drinking water source without treatment, in the  
13 first place.

14                   The consequence of putting -- of putting  
15 this combined discharge back underground would be to  
16 increase the sulfate TDS levels somewhat, as was noted.  
17 So treatment would still be required regardless, if --  
18 if it were to be used as a -- as a water supply source  
19 at some point.

20                   The other point of note I would make here  
21 is that even at these copper, lead, and zinc levels that  
22 are presented on this slide, these fall below the  
23 guidelines for drinking water purposes. So from a  
24 drinking water perspective, if that's an end use  
25 potentially of a water source, that does not

1 particularly represent a significant effect, if you  
2 want, or adverse effect.

3           The longer-term picture from all that  
4 would be is, what is a potential consequence of that  
5 water moving through that aquifer and eventually getting  
6 to the surface water environment? That particular  
7 question has not really been fully addressed by  
8 Tamerlane.

9           The expectation is, is that it probably  
10 would move at least to Great Slave Lake before it did  
11 surface and -- and appear back in -- in the lake  
12 system. But as Adrian Brown has pointed out, it's very  
13 unlikely that the arsenic, lead, and zinc would be  
14 transmitted along that flow path and actually reach the  
15 lake in any significant concentrations, as a result of  
16 dilution effects and as a result of absorption onto the  
17 -- the rock media through which it's moving. So that's  
18 a -- a comment.

19           I do have a following question though on  
20 the -- on a matter related really to the operation, I  
21 guess, of the sediment settling pond.

22           And I guess I have a multi-phase question  
23 I'd like to pose back to Tamerlane and that is: What  
24 kind of suspended solids levels are expected to be  
25 pumped in the mine water from underground?

1                   What kind of suspended solids levels  
2 would be in the process discharged water and,  
3 consequently, in the combined discharge going back into  
4 the injection well?

5                   The follow on to that then is what kind  
6 of suspended solids level would cause concern for  
7 plugging of the well, and whether, if that is an issue,  
8 whether operation of the settling pond on a continuous  
9 basis wouldn't be perhaps an appropriate consideration?

10                  MR. DAVID SWISHER:    Thank you, Madam  
11 Chair.  To answer your question, Bruce, it's -- it's  
12 also a commitment by Tamerlane to continue doing test  
13 work to evaluate those suspended solids because the last  
14 thing we want to do is use the settling pond on a  
15 continuous basis.

16                  And so we will be, as we are already,  
17 contracting out, a third party contractor, SGS  
18 Consultants, to do additional test work that will  
19 provide us additional information with regard to  
20 suspended solids.

21                  We've done some background, initially,  
22 but we're also looking at doing a more detailed analysis  
23 of that.

24                  MR. BRUCE HALBERT:    A follow on question  
25 then is:  In your water management system then that they

1 have for the facility, what provision do you have on  
2 surface then for removal of suspended solids from your  
3 mine water that you're pumping up from underground?  
4

5 (BRIEF PAUSE)  
6

7 MR. GODFREY MCDONALD: Madam Chairman.  
8 The -- there's two (2) areas that -- that will have  
9 settlement.

10 One (1) is the underground sumps, so that  
11 will be the 1st spot where -- where seepage and -- and  
12 mine solids and that meet. We take water from there  
13 into the plant.

14 At the end of the flotation circuit, we  
15 have a conventional thickener and so we'll be adding  
16 flocculants to that water of course to -- to keep the  
17 suspended solids to a -- to a number under fifty (50).

18 And then we have the polishing pond if  
19 some other -- if we needed more time. But we should be  
20 able to handle it within the thickener area with the  
21 proper flocculent. But we haven't tested it. That's  
22 what we're going to be looking at.

23 MR. BRUCE HALBERT: So a follow on then,  
24 if you're coming out with 50 milligrams per litre --

25 MR. GODFREY MCDONALD: It's still too



1 high.

2 MR. BRUCE HALBERT: -- in your process  
3 discharge, is that not going to cause concern with  
4 respect to plugging of your injection well?

5 MR. SCOTT SCHILLEREFF: I could speak to  
6 that.

7 MR. GODFREY MCDONALD: Yeah. Certainly.

8 MR. SCOTT SCHILLEREFF: That's -- that's  
9 a good point. It's a basic desire and a plan in  
10 operating an injection well to remove any particulates  
11 that you can and -- and any air bubbles as well, because  
12 both of those can enter the formation and tend to clog  
13 up the openings and decrease the efficiency of your  
14 well.

15 So although the injection system hasn't  
16 been designed from an engineering sense yet, one of the  
17 components that would be recommended to be added is a --  
18 a mechanical filtering component which could filter out  
19 a certain fraction of the particulates which might be in  
20 the water; also, a degassing element so any evolved gas  
21 can -- can be taken off.

22 We can also measure just the -- as one of  
23 the sampling parameters at the point of injection, what  
24 is the suspended solids or particulate matter in there  
25 and document that as low as possible.

1                   So we know what's going in the well. We  
2 know the composition of it, size of it and we can  
3 anticipate how, you know, from a monitoring point of  
4 view, how quickly we think the well will need to be  
5 maintained.

6                   As I said, my professional opinion now is  
7 that perhaps every two (2) or three (3) years, there  
8 might need to be some maintenance. That's really a  
9 function of the amount of flow, the amount of  
10 particulates in the flow and the -- mainly those things,  
11 right?

12                   So, yeah, in answer to that, when the  
13 design is in, there will be a mechanical means to filter  
14 before the point of injection and de-gas, which should  
15 clean up the water as best as we can.

16                   MR. BRUCE HALBERT:    What do you have in  
17 mind when you say mechanical?

18                   MR. SCOTT SCHILLEREFF:    There's a series  
19 of common technologies for removing particulates from  
20 water before it's being re-injected. There's a silt  
21 trap technology where we have just a -- a membrane  
22 through which the material is passed and that is a  
23 function of the size of the particles that you  
24 anticipate coming through that can be mechanically  
25 cleaned periodically, more or less like a screen on your

1 -- on your dryer machine, that kind of a thing.

2                   But size, so that it can take the  
3 particulates that you're seeing on the entering water,  
4 take those down to a level that are acceptable. There's  
5 a full range of particles that can be in the water, and  
6 there's a limit to what's practical to filter out.

7                   And the rest you just accept and that's  
8 part of the material that you eventually clean out when  
9 you re-habilitate the well. So it's a bit of a tradeoff  
10 and as necessary you could put in mechanical filters.

11                   If the water is clean enough to be an  
12 acceptable level without the mechanical filters, then  
13 they won't be needed and you just will clean that  
14 material out periodically with your well maintenance.

15                   MR. BRUCE HALBERT:    This water that's  
16 coming up though from underground, is this going into a  
17 holding tank where you are going to have some sediment  
18 removal or is it being discharged directly?

19                   MR. DAVID SWISHER:    No. It will be --  
20 the residual water that is not used for anything will be  
21 put right back into the aquifer.

22                   MR. BRUCE HALBERT:    Well at least I -- I  
23 would doubt that you'd be able to discharge it directly  
24 without some level of treatment somewhere. But the  
25 sedimentation pond certainly provides you with that

1 flexibility if you do need it, so. Thank you, Ma'am.

2 THE CHAIRPERSON: I'm just going to move  
3 on to see if the Board Members have any questions.

4 MR. JOHN ONDRACK: John Ondrack, Board  
5 Member. Just on that line of thought and being a  
6 practical individual, how long does it take to sink one  
7 of these wells? And to get one to an operational --

8 MR. SCOTT SCHILLEREFF: Well -- okay,  
9 that's -- that's two (2) different questions.

10 The drilling is a function of the  
11 diameter of the well and the technology that we use for  
12 -- for drilling. If it's a -- say a 12 inch well with a  
13 reverse circulation-type technology, we can probably  
14 make 100 to 200 a day with a good drilling operation.  
15 Especially through competent limestones and so on.

16 Faster if the rock is, you know, in  
17 portions where it's very porous and has voids in it, the  
18 advance rate will be faster. So this whole operation of  
19 drilling the well is a matter of, you know, days to  
20 weeks to build it, install it.

21 The developing process would be an  
22 aggressive pumping phase afterwards for cleaning out any  
23 particulate matter that was in the well. And then  
24 commissioning really is just fitting the drop pipe to  
25 the appropriate level and completing instrumentation and

1 any, you know, level of measuring devices that you want.

2 But again, it's not a huge long process.  
3 It's again like drilling and completing a big municipal  
4 water well, which is standard contractor work all over  
5 Canada. Does that answer your question?

6 MR. JOHN ONDRACK: Thank you, it does to  
7 some extent. I guess the observation I have is that  
8 we're -- we're talking the periphery here is we're  
9 talking about contingency and the difficulties that  
10 might occur with a well.

11 And -- and it would seem reasonable then  
12 that if you have three (3) wells and you have a problem  
13 with one (1) that you would be able to move to the next  
14 and you certainly would be able to have another one if  
15 you had a, you know, an issue that you had to deal with,  
16 I guess is what I'm getting at.

17 But I think I also heard that these are  
18 reasonably expensive and you don't wish to have problems  
19 with this well, and you're going to be doing engineering  
20 to minimize those problems?

21 MR. DAVID SWISHER: Yes, absolutely.  
22 That's why we've got Scott here. And we plan on  
23 utilizing Scott's knowledge and background to help in  
24 mitigating any potential issues with the well and make  
25 sure that we've designed it in properly.

1                   And that's why we've got the primary well  
2 as well as a secondary for any contingencies.

3                   MR. JOHN ONDRACK:    Thank you.  I was  
4 just thinking about this settling pond and whether it  
5 was ever going to be engaged for very long because there  
6 seems to be other opportunities to not engage it full  
7 time.  Thank you very much.

8                   THE CHAIRPERSON:    I'm just going to move  
9 onto the Board Members.  Do you have any questions?

10                   Nora, for the INAC presentation...?

11                   MS. NORA DOIG:    No.

12                   MR. DANNY BAYHA:    Danny Bayha.  I just  
13 have a few questions for INAC, thank you.

14                   THE CHAIRPERSON:    Go ahead.

15                   MR. DANNY BAYHA:    I'm just thinking  
16 about -- I'm looking at the slide of discharge water  
17 quality.  And I think throughout our day's presentations  
18 and stuff, and a lot of people are concerned, they want  
19 insurance -- they want assurance that somebody's going  
20 to be looking after the water quality that's going to --  
21 that's going back into the -- into the wells.  I'm --  
22 now there's some assumptions that the Water Board is  
23 going to be looking after some of the thresholds or the  
24 levels they're going to be setting.

25                   Can -- can you maybe give us -- I know we

1 can't make any assurance on behalf of the Water Board  
2 because they're not here, but I mean what instrument --  
3 what assurance can you give the public here that the  
4 water quality that's going to go into -- I realize that  
5 they said it might be below the water quality guidelines  
6 till some of the levels, but the public, nevertheless,  
7 needs to -- some assurance, at least at lev -- this  
8 level of -- of the regulatory regime, how can you assure  
9 them, is -- is what I'd like to know.

10 Can you, maybe, give us some idea how  
11 that might be able to happen? Maybe in terms of  
12 monitoring wells that INAC may set up or inspections. I  
13 don't know.

14 But can you give us something there?  
15 Thank you.

16

17 (BRIEF PAUSE)

18

19 MS. TERESSA JOUDRIE: Sorry about that,  
20 Madam Chair. I'm going to answer the first part of it  
21 and then perhaps any of my colleagues might add to that.

22 So in the development of the limits for  
23 the water quality guidelines, we'll be involved in  
24 helping to -- to determine the limits for the Water  
25 Board process. We'll also be involved in the

1 development of the SNP sites, the surveillance network  
2 sites.

3 We'll also have independent inspections  
4 conducted by our INAC operations officers and there'll  
5 be opportunities throughout for community input as well,  
6 into the -- the development of these guidelines through  
7 the -- the permitting process.

8 Is that what you're looking for?

9 MR. DANNY BAYHA: Yeah. Some assurance,  
10 you know, of -- of how independent testing, some -- some  
11 of the water that's going in, or even at -- discharging  
12 into maybe some monitoring wells at Buffalo River or  
13 some place. Or even before it goes into the lake.

14 So I think there's -- the public needs to  
15 know that there's some -- somebody out there is looking  
16 after that besides the Company. That is my -- my hope,  
17 at least. And you've given some of the -- the  
18 indication that that's possibly can happen. Okay.  
19 Thank you.

20 MS. TERESSA JOUDRIE: Yes.

21 MR. ADRIAN BROWN: Madam Chair, if I  
22 might just add to that. Yes, the -- the norm, and I  
23 would presume what will happen here, is that there'll be  
24 a requirement for relatively frequent analysis by an  
25 independent third party laboratory of the water quality



1 that is being placed in the well.

2 In almost all cases, mines choose to  
3 analyse their water more frequently than they are  
4 required to by the regulatory agencies to ensure that  
5 they will not be doing damage which they will,  
6 subsequently, have to recover from which is very  
7 expensive.

8 So there is a strong pressure --  
9 commercial pressure on the mining companies to more  
10 frequently monitor. For example, a number of these  
11 species can be monitored with -- automatically; ammonium  
12 is a good example. You can have a -- a probe within the  
13 discharge water that continuously tracks ammonia  
14 concentration and gives you an alarm if it's going above  
15 certain thresholds, giving the mine time to, for  
16 example, direct the water to the -- the storage pond,  
17 while they get whatever the problem is, under control.

18 So that prudent mining organizations  
19 which, I'm sure David would characterize Tamerlane, will  
20 over- monitor in that respect; that is they will monitor  
21 more frequently than is required by the regulatory  
22 agencies. So you have at least two (2) levels of -- of  
23 control.

24 And the system which we've been offered  
25 here for water management, including the pond, gives the

1 mine the opportunity to continue operation -- operating  
2 while discharging water to this, relatively, large pond  
3 while they work out what water quality issues they have  
4 that is causing them to fail their standard, if in fact  
5 that's happening.

6                   So I -- we believe in reviewing this  
7 system that this is what is -- it is known in the  
8 environmental business as defence in depth; that is, you  
9 have the ability to react to -- to an operational  
10 problem with respect to water quality in time to do  
11 something about it, but not to cause you to have to  
12 close the entire mine down or even worse, let it flood,  
13 which would be a bad outcome from an environmental point  
14 of view and, of course, from an operational point of  
15 view.

16                   MR. DANNY BAYHA:     Thank you.     And a  
17 question on a different note.     You had -- the very last  
18 couple of slides you had some references to policy and  
19 guidelines.

20                   Are they the same document about those  
21 two (2) documents?     I see -- I see you have it in front  
22 as two (2) documents but are they the same?

23                   You have the mine site reclamation policy  
24 and mine site regulat -- guidelines and I'm just curious  
25 if they were the same document?

1 MS. TERESSA JOUDRIE: No, those are two  
2 (2) distinct documents and we have provided copies of  
3 them at the front of the room. And if there doesn't  
4 happen to be anymore of them, we can access more of them  
5 for you.

6 But they are two (2) distinct co -- two  
7 (2) distinct documents.

8 MR. DANNY BAYHA: Okay. Thank you. And  
9 one final question, if I may? There's issues of  
10 consultation and -- and DIAND's or INAC's consultation;  
11 what actual consultation has taken place with -- with  
12 Deninu K'ue First Nations here in this community and --  
13 and in Hay River and other communities?

14 Has there been actual consultations  
15 regarding this particular project with the communities?  
16 Thank you.

17 MS. JULIE JACKSON: Thank you, Madam  
18 Chair. Julie Jackson for INAC. Have I been here to a  
19 meeting with Deninu K'ue on this particular issue? No.

20 Will we meet with them? Yes. We  
21 consider we've provided the Company, Tamerlane, with  
22 advice and support in terms of going into communities  
23 and encouraging considerable consultation there. And as  
24 I mentioned, we view this process as part of  
25 consultation and why -- another one of the reasons why

1 you're participating, both listening and providing  
2 input.

3                   And as I mentioned before, once we go  
4 through this process, we'll then be able to determine  
5 what, if anymore, consultation needs to occur.

6                   MR. DANNY BAYHA:    Okay.  And one final  
7 question I'd like to -- it's been sort of hovering in my  
8 mind for a bit here.

9                   A.  Lafferty made some -- some issues that  
10 -- that we've seen before and about the fact of his  
11 whole livelihood has changed because of development.

12                   So I like to know -- in some provinces,  
13 the government -- the provincial government helps out  
14 people that's displaced by certain change in livelihood;  
15 for example, Livestock/Fish in the Eastern Provinces.  
16 They -- they help them try to get on with their lives by  
17 either retraining or other ways of trying to help deal  
18 with the -- the different times that's happening, that's  
19 affecting them.

20                   I'm curious if -- if that might be the  
21 case in here, if DIAND has considered those instances in  
22 this case because of the legacy of the Pine Point Mine  
23 in these communities here, that has ever been something  
24 that is being pursued or thought about or -- or  
25 contemplated trying to answer, to help some individuals

1 such Mr. Lafferty. Thank you.

2 MS. JULIE JACKSON: Madam Chair, Julie  
3 Jackson. We're not -- we're not quite sure about that,  
4 but we'd have to look into it and get back to you. I  
5 can't give you an answer one way or the other.

6 MR. JOHN DONIHEE: Madam Chair, if they  
7 are going to get back to the Board with an answer to Mr.  
8 Bayha's question, perhaps we'd -- they could tell us  
9 when they will do that and we'll -- I'd suggest the  
10 Board take that as Undertaking Number 1.

11

12 (BRIEF PAUSE)

13

14 MS. TERESSA JOUDRIE: Madam Chair,  
15 Teresa Joudrie. I'm not sure how long that will take  
16 to -- to track down. But I'm sure I can provide you  
17 with an update, at least, within the next two (2) weeks,  
18 to at least tell you whether I can find it or not. I'm  
19 -- I'm not sure if those if individuals in that area  
20 that would be looking after that are around right now.

21 MR. JOHN DONIHEE: John Donihee. The --  
22 the difficulty is, of course, we don't want to extend  
23 the EA process while you track down this answer, if it's  
24 going to take a long time. Perhaps if you can just let  
25 the Board know within two (2) weeks whether in fact

1 there is an answer, and then we'll just leave it to the  
2 Board to decide whether, you know, to pursue it from  
3 there.

4

5 --- UNDERTAKING NO. 1: DIAND to indicate to Board,  
6 if possible, if they have  
7 plans to help those displaced  
8 by certain changes in  
9 livelihood, due mining

10

11 MR. DANNY BAYHA: Yes, thank you.

12 That's all I have.

13 THE CHAIRPERSON: Charlie...?

14 MR. CHARLIE SNOWSHOE: You know, I'm  
15 getting old now. And I've been involved in this  
16 movement from way back in the early days. And I know  
17 they come up with something more -- they come up and the  
18 more complicated it gets.

19 Just now you seen the action. A lot of  
20 us people think we know it all. But you ask -- the  
21 gentleman across here from me is asking question. It  
22 took three (3) of them to answer it -- separately; that  
23 shows that this is something technical that is going on.

24 One of the greatest concern we have on  
25 this -- brought up in this Hearing here, is land and

1 water, especially the water.

2 "Technicality," it's a big word for me.  
3 I only got Grade 7 level. I don't know what the heck  
4 I'm doing sitting here listening to you people. Trying  
5 to make the best of it, but I know I got people that's  
6 sitting behind me that are looking into what is going  
7 on.

8 And nature takes its course. We're  
9 dealing with nature. And you people are trying your  
10 best to not contaminate the water. Somebody already  
11 said you even know how careful you work with that water,  
12 to protect the water. There is still a saying that it's  
13 going to go and -- seep out and go into the river. And  
14 it happened.

15 You know, we got a mine at Yellowknife,  
16 Giant Mine. Couple years ago, you all heard about all  
17 the contamination that's under the ground, and couple of  
18 years ago they found it seeping out in the creek. And  
19 they really walk -- had to work hard to -- to shut  
20 wherever it's leaking from.

21 So this is something that I really have a  
22 concern about. We are here to protect the Mackenzie  
23 Valley watershed. And I have -- myself, I have a great  
24 concern about what you people are doing. Sure, you go  
25 so many feet down, and that water comes up and that's

1 what I'm concerned about.

2 But we have, like INAC is saying that  
3 we're going to be there to make sure that it don't  
4 happen. And something came to my mind when I heard  
5 that. 1921 when Conrad (phonetic) came here up into my  
6 country, he said we're going to be doing this and doing  
7 that. In 1970 we found out it's altogether different.

8 So I like to ask that -- the lawyer  
9 already spoke to you and saying so many -- just now -- I  
10 like to ask that you going to see that -- you going to  
11 be monitoring that water. I'd like to see that in  
12 writing.

13 We have water regulation and you just  
14 mentioned policy; I'd like to see that in writing. Only  
15 then I'll believe you. Thank you.

16

17 (BRIEF PAUSE)

18

19 THE CHAIRPERSON: If there is no  
20 response from INAC, I will just move on, unless you...

21 MS. TERESSA JOUDRIE: I was just going  
22 to say that -- that the monitoring -- the water  
23 management plan and the monitoring plan and the  
24 surveillance network monitoring and the inspections will  
25 all be -- that's all included in the water licensing



1 process.

2                   So how those waters are -- are dealt with  
3 -- yeah, it's provided for in the -- in the legislation  
4 for the water licensing. Yeah, and that's -- that's a  
5 written document that's going to be submitted if it gets  
6 to the permitting phase.

7                   MR. CHARLIE SNOWSHOE:    Could I get a  
8 copy of that written document please? Thank you.

9                   THE CHAIRPERSON:    That will be an  
10 undertaking?

11                  MR. JOHN DONIHEE:    Madam Chair, it's  
12 John Donihee. I'll make sure Mr. Snowshoe gets a copy  
13 of it.

14                  THE CHAIRPERSON:    Thank you for your  
15 presentation. I am just going to move on to the next  
16 presenter.

17

18                                       (BRIEF PAUSE)

19

20                  THE CHAIRPERSON:    While they're setting  
21 up, I just wondered whether people wanted to get them  
22 some water or just stretch, just for five (5) minutes.

23

24 --- Upon recessing at 4:20 p.m.

25 --- Upon resuming at 4:25 p.m.

1                   THE CHAIRPERSON:    I didn't give the  
2    opportunity for public to question INAC.  So a member of  
3    the public wanted to question INAC, so I said he could  
4    do that.

5                   Just introduce your name and you can  
6    proceed to ask your question.  I am sorry about not  
7    giving you the opportunity.

8                   MR. GORD BEAULIEU:    My name is Gord  
9    Beaulieu.  I'm a member of the Deninu K'ue First Nation.

10                  My question to INAC is on their water,  
11    their discharge water quality.  They had a slide up  
12    there for a while.  I don't know if they could call it  
13    back up.  I'd like to question them on their level.

14

15                                   (BRIEF PAUSE)

16

17                  MR. GORD BEAULIEU:    This slide displays  
18    levels of minerals that are in the dis -- discharge  
19    water.  My question is:  What are the acceptable levels  
20    for every one of these that's up there?

21                  What are the acceptable levels for the  
22    discharge water quality and who decides what level is  
23    acceptable?  And when was the last review made?  Because  
24    sometimes these levels, if they get a little too high,  
25    they review it and they raise their acceptable

1 standards.

2 THE CHAIRPERSON: Who will take the  
3 three (3) questions?

4 MS. TERESSA JOUDRIE: So the -- it's  
5 Teresa Joudrie. The -- just so I can be clear on what  
6 the -- the three (3) questions are, the first question  
7 is: What are the acceptable discharge limits?

8 The second question is: Who sets the  
9 acceptable discharge limits?

10 And the third question is: What kind of  
11 review takes place to see if the discharge limits are  
12 still valid?

13 MR. GORD BEAULIEU: The third question  
14 is: When was the last review?

15 MS. TERESSA JOUDRIE: Okay, sorry. When  
16 was the last review? So, the -- just a sec.

17

18 (BRIEF PAUSE)

19

20 MS. TERESSA JOUDRIE: The -- the first -  
21 - the answer to the first question, as to what the  
22 discharge limits are.

23 The discharge limits haven't been set  
24 yet. That'll be set through the next phase of the  
25 process. The discharge limits will be set for the

1 specific project.

2                   The second question, which was: What  
3 kind of review goes on?

4                   So we'll feed into the water licence  
5 process our technical advice as well as the information  
6 that comes in from the proponent. And other members  
7 from the interested parties will feed into that process.

8                   And then -- so clearly, the last time it  
9 was reviewed for this specific project: It hasn't been  
10 reviewed yet, because we haven't set those -- those  
11 limits haven't been set by the Board.

12                   MR. GORD BEAULIEU: I'm not really  
13 clear. You mean you -- for every application -- you set  
14 different standards for every application?

15                   MR. TERESSA JOUDRIE: I'm going to let  
16 our Water Resources Advisor answer that, Mr. Mike  
17 Palmer.

18                   MR. MICHAEL PALMER: Hi, Mike Palmer  
19 with Indian and Northern Affairs. I'm allowed to speak  
20 now, not whisper to everybody's ears.

21                   So in a project, after this stage, it --  
22 it would -- if it's allowed to proceed after this stage,  
23 it would proceed to the Mackenzie Valley Land and Water  
24 Board, where there would actually be -- so Tamerlane  
25 would have to operate under a water licence.

1                   So there's a whole other process for  
2 Tamerlane to go through to actually get a licence to  
3 operate the mine. Within that licence all the parties  
4 here would, hopefully, be involved in setting those  
5 limits.

6                   So we would provide expert advice to say  
7 to -- to the Land and Water Board we feel that this  
8 discharge limit is either too high, too low or just  
9 right. We would -- we would respond to Tamerlane's --  
10 or we would be involved in the process of setting that  
11 limit.

12                   So that kind of comes back to when was  
13 our last review of these? Well, it's -- it's project-  
14 specific, so it's -- for each project this occurs.

15                   You didn't ask this question, but I'll --  
16 I'll throw in some -- bit more information as well.  
17 Tamerlane isn't discharging to the surface like the old  
18 Pine Point Mine.

19                   So if you look at the old Pine Point Mine  
20 water licence -- and I have a copy, so I can sit down  
21 and show it to you -- there's actual -- there's --  
22 there's values in there set for their discharge limits.  
23 They likely won't be the same for this project

24                   And as well, sort of guiding any surface  
25 water discharge from mines in the Territory now or in

1 Canada, there are some guidelines that are out there  
2 called the Canadian Council of Ministers of the  
3 Environment, I believe it is, CCME.

4 And those provide a general guideline,  
5 and those are to -- to acceptable discharge limits to  
6 aquatic life, for drinking water, and et cetera. Those  
7 are really site-specific as well. They have their  
8 problems as well. But those are actually based on  
9 research, so there's actual scientific data backing up  
10 those numbers.

11 And, right, so, when was the last time  
12 these were revisited? It hasn't been, and that will be  
13 part of the -- the Land and Water Board process.

14 So I hope -- does that answer your  
15 question?

16 MR. GORD BEAULIEU: I just want to get  
17 this right. You're saying that everyone involved here,  
18 like the Deninu K'ue First Nation, will have input when  
19 that review happens?

20 MR. MICHAEL PALMER: Mike Palmer, with  
21 INAC. That's correct. Deninu K'ue will be allowed to  
22 be a part of -- well, will be involved, if they wish to  
23 be a part of the Land and Water Board process.

24 And, sorry, I actually forgot when I was  
25 talking earlier -- the reason I was talking about

1 surface water is because this project actually isn't  
2 discharging to surface water, and there currently aren't  
3 any guidelines in Canada for discharge to groundwater.

4 Therefore, this is going to be -- it's  
5 going to be a process where we're all going to want to  
6 have expert advice, because this is something that isn't  
7 done very often.

8 MR. GORD BEAULIEU: Thank you. I do  
9 have one more question. It's not -- I don't know if --  
10 if they're the ones to answer this or if Tamerlane has  
11 to answer it.

12 But there are some existing drill holes  
13 out there right now that have sulphuric water seeping  
14 out of it -- out of them, and leaking into Big Buffalo  
15 River.

16 Are those drill holes going to be capped?  
17 What's going to happen with those? Does INAC have any  
18 say in that? Or is there regulations?

19 MS. TERESSA JOUDRIE: Teressa Joudrie  
20 for INAC. I would need to know which drill holes those  
21 were before I could actually make an educated answer.

22 MR. DAVID SWISHER: I -- I can answer  
23 those. Those were the historic drill holes. I think,  
24 Gord, you're referring to the east side of the Buffalo  
25 River; there were historic drill holes done by Cominco.

1 And I believe -- I'm not certain, but -- 'cause I have  
2 been to some of these sulphura springs that are up-  
3 welling from the ground. And they are running right  
4 into the Buffalo River.

5 But I'm -- I'm not certain if they're  
6 coming from core hole, but all the exploration was done  
7 by Cominco back in the early '70s, mid-70s, and early  
8 '80s in that area.

9 MR. GORD BEAULIEU: Well, I believe  
10 these drill holes that are seeping water have to be  
11 addressed before they can proceed. Thank you very much.

12 THE CHAIRPERSON: I am going to continue  
13 on. Environment Canada, you're ready to do a  
14 presentation? Just say -- introduce yourself and your  
15 name, that will be great, thanks.

16

17 PRESENTATION BY ENVIRONMENT CANADA:

18 MR. JESSE JASPER: Yes, my name is Jesse  
19 Jasper. I am an Environmental Assessment Coordinator  
20 with the Meteorologic Service of Canada in Yellowknife.  
21 And beside me is Myra Robertson, also an Environmental  
22 Assessment Coordinator with the Canadian Wildlife  
23 Service in -- in Yellowknife.

24 We both are -- have expertise, myself in  
25 the field of hydrology, northern hydrology, and Myra



1 with wildlife biology and migratory birds. And we'll  
2 basically be doing a tag team on the presentation.

3                   What we'll be -- be covering is a brief  
4 description of the mandate of the Department as it  
5 pertains to this intervention and making comments and  
6 recommendations on species-at-risk and migratory birds,  
7 water management, and air quality.

8                   I will do the mandate water management  
9 and air quality part of it, and Myra will handle the  
10 species-at-risk and migratory birds.

11                   The Department of Environment was created  
12 by the Department of Environment Act, which provides the  
13 Department with general responsibility for environmental  
14 management and protection to foster harmony between  
15 society and the environment for economic, social and  
16 cultural benefit of present and future generations of  
17 Canadians.

18                   Environment Canada is also responsible  
19 for providing specialist or expert information and  
20 knowledge to Federal Government agencies on preservation  
21 and enhancement of environmental quality.

22                   We administer -- the Department  
23 administers the Migratory Birds Convention --  
24 administers the Migratory Birds Convention Act and  
25 Migratory Birds Regulations.

1 Section 6 of the Regulations state that:

2 "No one shall destroy or disturb nests  
3 or eggs of migratory birds."

4 And Section 5.1 of the Convention Act  
5 prohibits persons from:

6 "Depositing substances harmful to  
7 migratory birds in waters or areas  
8 frequented by birds or from which  
9 substances may reach those areas."

10 We also administer the Species at Risk  
11 Act, which essentially provides measures for protection  
12 of wildlife species, plants, and their habitat.

13 Under the Fisheries Act, the Department  
14 enforces provisions related to pollution prevention,  
15 specifically, the deposition of deleterious substances  
16 to waters frequented by fish.

17 And we also implement the Canadian  
18 Environmental Protection Act. Myra...?

19 MS. MYRA ROBERTSON: Thank you. This is  
20 Myra Robertson. To start some general comments about  
21 species-at-risk, the Species at Risk Act requires that  
22 any assessment of the environmental effects of a project  
23 must identify any adverse effects of the project on a  
24 species-at-risk and, if there are effects, that  
25 mitigation and monitoring is done.

1                   This is a requirement for all legally  
2 listed species -- in other words, all species listed on  
3 Schedule 1 of SARA.

4                   As a matter of best practice, Environment  
5 Canada suggests that species under consideration for  
6 legal listing on Schedule 1 be considered in a similar  
7 manner.

8                   The ranges of ten (10) species-at-risk  
9 overlap with the area of the proposed Tamerlane project.  
10 The legally listed species on Schedule 1 -- and we've  
11 heard some of these before today -- whooping crane, wood  
12 bison, woodland caribou, Yellow Rail, northern leopard  
13 frog and peregrine falcon, which was listed as  
14 threatened, but its status has recently changed to  
15 special concern.

16                   Species under consideration for addition  
17 to Schedule 1 are short-eared owl, wolverine, rusty  
18 blackbird and common nighthawk.

19                   We note that just because the ranges of  
20 these species overlap with the proposed project area,  
21 does not necessarily mean that the Tamerlane project  
22 will result in adverse effects to these species.  
23 However, all these species are flagged because they  
24 should be considered during the assessment.

25                   Environment Canada recommends that the

1 primary mitigation measure for any species-at-risk  
2 should be avoidance. If species-at-risk are  
3 encountered, the proponent should avoid contact with or  
4 disturbance to the species, its habitat, or its  
5 residence.

6 Monitoring should also be done to  
7 determine the effectiveness of mitigation or to  
8 determine if further mitigation may be required. As a  
9 minimum, the proponent should record all observations of  
10 any species-at-risk, and in some cases further  
11 monitoring may be required for particular species.

12 Lastly, mitigation and monitoring should  
13 be consistent with recovery strategies and action or  
14 management plans for the particular species.

15 The next few slides I'll talk about  
16 relate to mitigation and monitoring specifically for  
17 whooping crane, Yellow Rail, and common nighthawk. Note  
18 that the other species potentially within the range of  
19 the proposed Tamerlane project are managed primarily by  
20 the Territorial Government, and as such the Territorial  
21 Government will be providing more detailed advice and  
22 information on -- on some of these species during their  
23 presentation.

24 Whooping crane are of concern as there  
25 are less than four hundred (400) in existence in the

1 wild. As we heard this morning, whooping crane nests  
2 south of the proposed Tamerlane project, and young, non-  
3 breeding sub-adults could potentially be seen in the  
4 project area.

5 As such, Environment Canada recommends  
6 that the proponent undertake monitoring for whooping  
7 crane near the project site.

8 Wetlands near the project site including  
9 the area identified as "shrubby fen" in the local study  
10 area should be visually checked every two (2) weeks from  
11 May to September to see if any cranes are present. If a  
12 whooping crane is observed, the wetland area should be  
13 visually checked on a weekly basis for cranes and  
14 measures undertaken to avoid disturbance to the bird.

15 As well, Environment Canada should be  
16 contacted to determine whether any further mitigation  
17 measures might be required. Additionally, any other  
18 observations of whooping cranes should also be reported  
19 to Environment Canada.

20 Environment Canada notes that this  
21 monitoring program for whooping cranes was discussed  
22 with the proponent during a conference meeting in July,  
23 and at that time the proponent appeared to be willing to  
24 undertake such monitoring, and we assume that still is  
25 the case.

1 MR. DAVID SWISHER: Yes, it is.

2 MS. MYRA ROBERTSON: Thank you. Yellow  
3 -- we heard a little bit about Yellow Rail this morning.  
4 Yellow Rail are cryptic, wetland birds that are rarely  
5 seen and that call mostly at night. Thus, Yellow Rail  
6 may be present in the area but may not have been  
7 detected during the baseline surveys done by the  
8 proponent.

9 As such, Environment Canada recommends  
10 that the proponent conduct a survey for Yellow Rails  
11 near the project area. The survey should include the  
12 area identified as "shrubby fen" in the local study area  
13 and any other wetland areas near the project site. The  
14 survey should be done in June 2008 or in June the year  
15 before project activities begin.

16 If rails are observed or heard, measures  
17 should be undertaken to avoid disturbance to the birds,  
18 the area should be re-surveyed in subsequent years, and  
19 Environment Canada contacted to determine if any further  
20 mitigation might be required. As well, any other  
21 observations of Yellow Rails should also be reported to  
22 Environment Canada.

23 As discussed this morning, the proposed  
24 project will have powerlines on the project site.  
25 Birds, including whooping cranes, have been killed from

1 collisions with powerlines. Mitigation measures can be  
2 used to minimize the risk of bird collisions, and these  
3 measures might include ensuring that powerlines are away  
4 from wetland areas, such as those areas that might be  
5 used by whooping cranes, having the lines below the  
6 treetops rather than just above, and putting markers on  
7 the lines to help the birds see the powerlines.

8                   And as we heard this morning, it appears  
9 that the proponent will be adopting some of these  
10 mitigation measures to reduce the risk of collision with  
11 powerlines.

12                   The proposed Tamerlane Project could  
13 increase the number of raptors, ravens, foxes and bears  
14 in the area. These animals are potential predators of  
15 migratory birds. Increases in these predators in an  
16 area can have negative effects on local bird  
17 populations, including species-at-risk, such as whooping  
18 cranes, Yellow Rails, and common nighthawks.

19                   Preventing attraction of animals to the  
20 project site, not only includes good waste management  
21 practices, but also consideration of building design to  
22 discourage roosting, nesting, and denning on or within  
23 the project infrastructure. Suggestions on potential  
24 infrastructure design to reduce roosting, nesting, and  
25 denning were discussed with the proponent at the

1 meeting in July.

2 As well, orientation for project  
3 personnel should include best practices with regard to  
4 waste management and avoiding wildlife, and regular  
5 surveillance of facilities and project waste areas for  
6 the presence of wildlife to ensure that the predator  
7 control measures are effective.

8 And I'll now pass it back to Jesse to  
9 talk about the other issues.

10 MR. JESSE JASPER: Okay. As a result of  
11 recent technical meetings and other discussions, the  
12 proponent has revised the waste water disposal method  
13 from use of the quarry area as an infiltration basin to  
14 downhill disposal in a deep injection well.

15 Contingency plans for waste water  
16 disposal include maintaining a second well and planning  
17 for use of the quarry area for a lined holding pond in  
18 the event that both injection wells are not functioning.

19  
20 The containment area will be constructed  
21 at the same time as the wells and is intended to be used  
22 only if both wells aren't working, and it provides about  
23 four (4) days of holding capacity.

24 Environment Canada recommends that the  
25 details of well operation and associated contingency



1 plans be included in an adaptive management plan. The  
2 plan should include contingency for water treatment of  
3 suspended solids, as well as regulated components of  
4 waste water.

5           Methods for addressing injection well  
6 blockage problems should be reviewed and included. The  
7 proponent has discussed some of these earlier.

8           Seasonal challenges should also be  
9 addressed, such as the use of the pond during freezing  
10 conditions.

11           I should note that Environment Canada's  
12 access to groundwater expertise has been limited  
13 recently and so that may have limited our ability to go  
14 further with these types of comments.

15           In terms of air quality, there's -- there  
16 are two (2) main issues that the department has with the  
17 proposed project. The first involves the completion of  
18 a site- specific air quality assessment. And the  
19 second, prevention of fugitive dust emissions along the  
20 ore transportation corridor.

21           The proponent commissioned a project-  
22 specific air quality assessment in July which would  
23 include air dispersion modelling for the Pine Point  
24 project. This was done in response to concerns from  
25 Environment Canada and the Government of the Northwest

1 Territories that site-specific factors needed to be used  
2 in the assessment.

3 A preliminary summary was submitted on  
4 October 8th and reviewed by Environment Canada. Most of  
5 these comments will be based on that, perhaps with a bit  
6 of an update on the subsequent air quality assessment,  
7 which was submitted last Friday.

8 Based on the limited summary, it appears  
9 that ambient monitoring to measure dust and particulate  
10 -- particulates will be needed, and this involves total  
11 suspended particulates, PM10 and PM2.5.

12 The summary did not discuss deposition,  
13 so we don't know if dust fall will be a problem. For  
14 this reason, monitoring for dust fall is recommended,  
15 subject to the results of the air quality assessment and  
16 other work.

17 Metal analyses should be done on the dust  
18 fall samples. Sulphur dioxide and nitrous oxide do not  
19 appear to be of concern.

20 The complete air quality assessment  
21 report needs to be reviewed.

22 With respect to fugitive dust, the  
23 department has concerns with the escape of dust during  
24 ore transport. Of course, the characteristics of the  
25 ore and the procedures used to prevent escape of dust

1 will be crucial.

2                   However, a report done by the Alaska  
3 State Government includes the following relevant  
4 information. And this is for the Red Dog Mine Project  
5 in Alaska.

6                   "The primary sources and mechanisms of  
7 fugitive dust transport along the road  
8 include tracking and windblown dust  
9 from the road surface. Dust on truck  
10 surfaces may be blown from those  
11 surfaces and carried onto the road or  
12 into surrounding -- the surrounding  
13 environment. Surface water runoff from  
14 the road can carry metals containing  
15 dust from the surface of the road to  
16 the tundra off the road's shoulder. In  
17 the past, concentrate spillage, and  
18 escapement from trucks was likely a  
19 significant factor."

20                   Now, some of their research quoted -- you  
21 know, there's a number of sources in the additional  
22 information filed, but the written submission documented  
23 significant concentrations of lead, zinc, and cadmium in  
24 snow and vegetation along the transportation corridor,  
25 and some of this up to 25 kilometres from the -- from

1 the road. So dust control is a crucially-important  
2 factor, depending on the characteristics of the ore  
3 being transported.

4 Environment Canada would like to note the  
5 important of dust containment during all aspects of the  
6 handling and shipping of the ore and concentrate.  
7 Trucks which will be used to transport ore should not  
8 only be covered, but checked to ensure there are no  
9 openings in concentrate holds which would allow the  
10 escape of materials.

11 While we acknowledge that the Pine Point  
12 project will be occurring on a small scale, we note the  
13 potential for future ore extraction, which may extend  
14 the duration and volume of trucking.

15 Now, I have some very brief comments on  
16 the air quality assessment, which was filed. We  
17 received this on Saturday and our air quality  
18 individual, who was just leaving for five (5) months,  
19 had a couple of hours to look at this.

20 And his comments were there's a number of  
21 exceedances of air quality standards in the modelling  
22 and assessment report, they're very localized in nature,  
23 but there are exceedances of air quality standards.  
24 There's uncertainty about the significance of these  
25 localized exceedances. And the scale of the maps, to

1 some extent, limits the analysis because everything  
2 appears small because the maps cover a fairly large  
3 area.

4 I guess, our -- our feeling is that the  
5 impacts are likely to be localized near the mine and  
6 monitoring should focus on particulates.

7 Again, that's a very brief review of the  
8 air quality assessment report, and certainly further  
9 review of that will be necessary.

10 Environment Canada thanks the Board for  
11 the opportunity to present -- present our  
12 recommendations and we would be happy to take any  
13 questions that may arise. Thank you.

14

15 QUESTION PERIOD:

16 THE CHAIRPERSON: Thank you for your  
17 presentation. I am just going to go through the  
18 ordering of questions.

19 Deninu K'ue First Nation...? You have  
20 question? You have to come up. I'll have the  
21 developers lined up.

22 MR. DAVID SWISHER: No questions, thank  
23 you.

24 THE CHAIRPERSON: Okay. Go ahead, Rosy.

25 MS. ROSY BJORNSON: I just have one (1)

1 question. I guess, maybe if you could go back to the  
2 last slide.

3 MR. JESSE JASPER: On what topic?

4 MS. ROSY BJORNSON: Well, maybe then we  
5 don't need the slides, other than -- is Environment  
6 Canada going to be doing monitoring on their own,  
7 because I know there's cutbacks at the Federal level?

8 So is there going to be monitoring from  
9 your department with respect to the species and the  
10 water quality, air quality?

11 Like, we -- we got assurance from INAC  
12 that they're going to be doing their -- their bit of  
13 monitoring. Maybe that's the question, I guess, I'd ask  
14 you guys.

15 MS. MYRA ROBERTSON: I -- I can't speak  
16 in -- about the budget cutbacks to our department, but I  
17 can say that we will -- or we plan to continue regional  
18 monitoring for species-at-risk that are migratory birds,  
19 and so, yes, we -- we hope to continue mon --  
20 monitoring.

21 The thing I note though is our monitoring  
22 is on a regional basis and that's why we have  
23 recommended that the proponent take very site-specific  
24 monitoring for -- in the area where -- where their  
25 project may impact species-at-risk.



1 have any monitoring on the woodland caribou; how many  
2 are in the area or their -- the migration route that  
3 they go in that area?

4 MS. MYRA ROBERTSON: Yeah. Woodland  
5 caribou are -- are one (1) of the rather confusing  
6 species because although Environment Canada has an  
7 interest in them because they're a species-at-risk and  
8 we have an interest in them as -- in a national level,  
9 the day-to-day management responsibilities for woodland  
10 caribou actually falls under the responsibility of the  
11 Territorial Government.

12 So Environment Canada is not doing  
13 monitoring for woodland caribou, however, I'm -- the  
14 Territorial Government is managing that species and so I  
15 would suggest that you ask the same question to them  
16 when they're up next.

17 MR. JESSE JASPER: Madam Chair...?

18 THE CHAIRPERSON: Okay.

19 MR. JESSE JASPER: Jesse Jasper. I just  
20 wanted to make a brief comment about water monitoring  
21 and air quality monitoring.

22 As Myra had mentioned regarding wildlife,  
23 Environment Canada monitors water quality and quantity  
24 on a regional scale, more for the national interest  
25 rather than for local water management.



1                   So again, we do monitoring in the South  
2 Slave Region, but it's not at the scale of this project.  
3 It's more, you know, Slave River, Hay River, larger  
4 scale.

5                   We don't have a capability for air  
6 quality monitoring in the Northwest Territories. The  
7 community-based monitoring is done by the Government of  
8 the Northwest Territories. I just thought I should add  
9 that. Thanks.

10                   THE CHAIRPERSON: I am just going to  
11 move on to, Bruce. Do you have any questions for  
12 Environment Canada?

13                   MR. BRUCE HALBERT: No, Madam Chair.

14                   THE CHAIRPERSON: I am going to move on  
15 to the Review Board staff and legal counsel.

16                   MR. ALISTAIR MACDONALD: We have a  
17 couple questions for Environment Canada.

18                   And, I guess in a sense, if the Chair  
19 would give me leave, I'll also direct these questions  
20 towards the developer themselves, if that's reasonable.

21                   THE CHAIRPERSON: Go ahead.

22                   MR. ALISTAIR MACDONALD: This question  
23 for Tamerlane here. We -- I would assume that you've  
24 had a chance to go through and look at Environment  
25 Canada's presentation?

1 MR. DAVID SWISHER: Yes.

2 MR. ALISTAIR MACDONALD: And we heard  
3 you make specific commitments around the recommendations  
4 provided by Environment Canada on whooping cranes.

5 Is -- is that accurate?

6 MR. DAVID SWISHER: Yes, it is.

7 MR. ALISTAIR MACDONALD: I don't want to  
8 belabour this, but certainly Environment Canada has  
9 provided us with a variety of recommendations in this  
10 presentation and in their technical report. And I'd  
11 like to very quickly go through and see if the  
12 developer's willing to commit to some of the other  
13 recommendations that they've provided.

14 The first ones that they have provided  
15 are on the general species-at-risk, the ten (10)  
16 species-at-risk. And they have two (2) separate  
17 commitments in general about encountering and reporting  
18 and how that would be dealt with. I don't want to read  
19 it all out for you, but it's very specific in the text  
20 there.

21 Is the developer willing to commit to  
22 following those recommendations on general species-at-  
23 risk?

24 MR. DAVID SWISHER: Yes, we are.

25 MR. ALISTAIR MACDONALD: The Yellow

1 Rail, again very specific recommendations and I'm  
2 wondering if the developer is willing to adopt those  
3 recommendations as a commitment for surveying, et  
4 cetera, on the Yellow Rail?

5 MR. DAVID SWISHER: Yes, and we have,  
6 since our July meeting, have incorporated that into our  
7 -- our future plans as well.

8 MR. ALISTAIR MACDONALD: Speaking of the  
9 July meeting, there was a couple of slides there that  
10 talked about the July meeting and the mitigation for  
11 powerlines, and I think also around predation issues  
12 that obviously were discussed at this meeting.

13 Just needed a little point of  
14 clarification there on whether or not -- and this is  
15 actually for Environment Canada -- whether or not the  
16 developer at this point has committed to these  
17 mitigation measures that you've identified, to your  
18 understanding.

19 MS. MYRA ROBERTSON: Related to  
20 powerlines, I -- I heard this morning that they will be  
21 adopting two (2) mitigation measures; one (1) which is  
22 moving the -- the power line away from the wetland area  
23 which was the big one that we had raised in our July  
24 meeting. As well, I heard this morning they are also  
25 going to be considering putting markers on, which I

1 heard this morning.

2 I haven't seen the -- the final details  
3 in writing yet, but based on what they said this  
4 morning, assuming that once Environment Canada reviews  
5 the final details, it -- it looks like it will be  
6 reasonable and -- and we are satisfied with that upon  
7 final review.

8 Your second question was related to  
9 predator management mitigation measures. In our July  
10 meet -- oh, first I'll back and talk about waste  
11 management. And the proponent has -- or is developing  
12 what sounds like a reasonable waste management program.  
13 And so we're encouraged with that.

14 The second one related to building  
15 design. Basically designing your building so that  
16 ravens or raptors don't nest or roost on there or foxes  
17 don't den in there. This was something that we  
18 discussed in our July meeting. The response from the  
19 proponent was positive and I provided -- we provided  
20 them with some specific how-to details.

21 The only thing is I haven't seen -- we  
22 haven't seen the final details on exactly how they're  
23 going to do this. So we're waiting for -- for those  
24 final details which presumably may come out in -- in a  
25 wildlife or -- and mitigation monitoring plan or some

1 other document.

2                   So we're just waiting for the final  
3 details on that.

4                   Training of -- of staff members so  
5 they're aware of these things. Again, in the July  
6 meeting the response from -- from Tamerlane was positive  
7 that they would be doing that. We just haven't seen  
8 that commitment in writing yet. But presumably that  
9 will be coming.

10                   And regular surveillance of the  
11 facilities. I believe we also discussed that in our  
12 July meeting and the results were -- were positive from  
13 Tamerlane that that was something they would consider.  
14 Again, we're just waiting for the final commitment from  
15 Tam -- Tamerlane, and hence why we flagged them here so  
16 that the Board was aware of these recommendations.

17                   MR. ALISTAIR MACDONALD: Okay. it  
18 sounds like a lot of positive agreement has been going  
19 on. Obviously I will again throw my shopping list over  
20 to David and say that on the powerlines the one item  
21 that Myra didn't mention was whether or not the  
22 developer would commit to the lines being below the  
23 treetops rather than just above.

24                   I wonder if you wanted to address that  
25 quickly?

1 MR. DAVID SWISHER: Yeah, I'd like to  
2 remind the Review Board that several of these items have  
3 been reduced to writing and are on the public registry  
4 shortly after our July meeting, in correspondences that  
5 we did have with Myra.

6 And with that, the powerline, we -- based  
7 on NWT and their power poles, there were two (2)  
8 options. Either make the powerlines below the treeline  
9 or if you can't, then have visible marking along the  
10 powerlines because, of course, the small cords are what  
11 the animals tend to fly into, if they do. And there  
12 were, as Myra had mentioned in our July meeting, two (2)  
13 cases of whooping cranes in south Florida that had done  
14 such -- that.

15 So what we had committed to is that --  
16 and working with Northland Utilities, we cannot keep the  
17 powerlines below the treeline, because the treeline  
18 varies quite significantly along the roadway, but we are  
19 committed to marking the powerlines and the power poles  
20 significantly to reduce the exposure.

21 MR. ALISTAIR MACDONALD: I only have two  
22 (2) more quick questions. One would be specifically on  
23 the predation increases. Myra said that you haven't  
24 seen anything in writing yet and I would, again, you  
25 know, ask the developer, if you plan to provide

1 something soon enough that the Review Board can make a  
2 reasonably quick decision, based on forthcoming  
3 information in writing about the predation increase  
4 issues and how that would be mitigated?

5 MR. DAVID SWISHER: Yeah, and I -- I  
6 thought we had it in the DAR in the -- in the reference  
7 to the fact that part of our employee training programs,  
8 and particularly new employees, is to make sure that  
9 everybody in their Health and Orientation Safety  
10 Training -- we also have a section in there with  
11 education on the SARA listed species, so that people do  
12 understand what they are looking at and know what to  
13 identify when they do see it, as well as make it a  
14 policy that they report that immediately to our  
15 Environmental Health and Safety Manager.

16 And that goes for -- during the  
17 construction phase there were also, I believe, in the  
18 DAR we had mentioned that during the construction there  
19 are specific things we can do to minimize nesting areas  
20 on the construction buildings, whether it be skirting,  
21 flashing on the eaves of the roofs, as well as bear  
22 proof trash containment bins, of which all of those we  
23 plan on -- and fully intend to implement.

24 MR. ALISTAIR MACDONALD: I guess the key  
25 question then for me is that Myra has indicated

1 Environment Canada hasn't identified that material that  
2 has been put on the public record. It would be nice if  
3 the developer would commit to identifying for  
4 Environment Canada the specific commitments that you've  
5 already made and see if they are to the acceptance of  
6 Environment -- I mean Canada, at this point.

7                   They seem to be missing the location of  
8 that information. So if you could work together to get  
9 that information to them.

10                   MR. DAVID SWISHER: Certainly.

11                   MR. ALISTAIR MACDONALD: The last --  
12 last question I had was actually for Environment Canada,  
13 and that relates to -- you've introduced material in  
14 your presentation, in relation to fugitive dust and  
15 studies from the Red Dog Mine in Alaska.

16                   In addition, the studies that you have  
17 cited have been placed on the public record for the  
18 parties' consideration by the Review Board.

19                   Now, the question that I would have is  
20 whether there's differences between the Red Dog Mine,  
21 which I understand is a lead/zinc mine, and the Pine  
22 Point pilot project, whether it's in the ore itself or  
23 the climate or the transportation system, where we would  
24 expect to see a different outcome, because you've  
25 identified significant contamination issues? So just an



1 initial question.

2 MR. JESSE JASPER: Yes, now -- Jesse  
3 Jasper -- I'm not familiar with the Red Dog project but  
4 I would not be surprised by significant differences in  
5 the scale of the mine and the trucking operation and a  
6 num -- the character of the ore being transported, et  
7 cetera.

8 I raised it as a general issue to show  
9 that dust can spread considerable distances.

10 So I think at this point it's -- it's  
11 merely to support our -- our concern that dust be an  
12 issue that's looked at and -- and managed and that -- I  
13 don't think this information needs to delay or change  
14 the assessment. It's a precautionary sort of thing.

15 MR. ALISTAIR MACDONALD: I guess the  
16 followup question is you've had specific recommendations  
17 around the -- particularly the wildlife issues. Unless  
18 I'm mistaken I don't see -- other than the truck issue,  
19 I don't see anything related to corridor monitoring.

20 So the transportation corridor here which  
21 was a concern with this other lead/zinc mine,  
22 Environment Canada hasn't identified any specific  
23 recommendations about testing for contamination or  
24 identified historical detail from whether or not the  
25 rail corridor from the old Pine Point Mine had elevated

1 lead/zinc concentrations.

2 I wonder if you have any comments on  
3 that?

4 MR. JESSE JASPER: I'm not aware of any  
5 information on that topic within our department, so I'm  
6 not aware of any monitoring being done on the rail lines  
7 or other transportation corridors associated with  
8 previous mining.

9

10 (BRIEF PAUSE)

11

12 MR. ALISTAIR MACDONALD: Thank you very  
13 much.

14 THE CHAIRPERSON: I'm going to move on  
15 to the Board Members, if they have any questions for  
16 Environment Canada.

17 MR. RICHARD EDJERICON: No questions.

18 MR. JOHN ONDRACK: No questions.

19 MR. JOHN STEVENSON: No questions,  
20 thanks.

21 MS. NORA DOIG: No questions.

22 MR. DANNY BAYHA: Thank you, Madam  
23 Chair. I have a coup -- couple of -- one (1) question.

24 Based on one of your slides, is there any  
25 law or regulation out there that regulates a company or

1 anybody from exceeding some of the -- for example you  
2 talk about there was some initial survey or -- of the  
3 report and there was some exceedances.

4 Exceedances as to -- is there a guideline  
5 out there? Is there a law out there that should a  
6 company or anybody that exceed these certain guidelines  
7 that they could be potentially prosecuted or taken to  
8 court so that they don't exceed it anymore?

9 I'd just like to know if there is such an  
10 act or regulations, and if so, whose responsibility is  
11 it? Thank you.

12 MR. JESSE JASPER: Okay. Jesse Jasper.  
13 First I might say that my expertise is not in air  
14 quality. GNWT and Environment Canada are collaborating  
15 in terms of the air quality issue.

16 The results that I mentioned were from  
17 air quality modelling which is a projection of what may  
18 occur during actual operations.

19 I'm not sure of the status of air quality  
20 standards across the country. I know they exist but  
21 again, I'm not familiar with those.

22 MR. DANNY BAYHA: Okay, thank you. Are  
23 you aware maybe if -- if somebody's looking after -- out  
24 there? Like, I mean basically the question is: Is  
25 there a law out there that's going to look after air

1 quality in the Northwest Territories?

2 Just like maybe there is one (1) in the  
3 provinces of Alberta, is there? Or another province is  
4 there? Could maybe somebody care to get a guess at that  
5 question? Thank you.

6 THE CHAIRPERSON: There's lots of people  
7 putting up their hands. I'm just kidding. If you want  
8 to answer you could -- I also have David putting up his  
9 hands too, so.

10 MR. DAVID SWISHER: Yeah, just on a  
11 clarification with the exceedances with the air quality  
12 monitoring. The -- at the request of the Environment  
13 Canada with RWDI who did the dispersion modelling, they  
14 requested to model without mitigation measures in place.

15 And so some of those localized  
16 exceedances are -- are without mitigation measures,  
17 i.e., watering of the road. And that's -- that's the  
18 predominant exceedances in the dust generated from the  
19 900 metres of haul road.

20 And so I just wanted to make that point  
21 of clarification. As we've already mentioned, we will  
22 be providing in writing some of the measuring that we  
23 will commit to, with regard to the air quality as well,  
24 in the localized area. Thank you.

25 MR. DANNY BAYHA: Thank you. So I just

1 -- just wanted to sort of make a comment. So I -- I  
2 suspect, at this moment in time, it's really the  
3 goodwill of the communities or even the companies to  
4 monitor their own air quality.

5 Am I correct in that?

6 MR. JESSE JASPER: Yes. The monitoring  
7 that would normally be done would be done by company, by  
8 proponent. There is air quality monitoring being done  
9 in the Northwest Territories at a number of sites:  
10 Yellowknife, I believe Snare. There may be sampling  
11 going on at some of the diamond mines.

12 So the majority of it would be proponent-  
13 specific, as well as baseline monitoring in a number of  
14 other locations in communities and in remote locations.

15 There are standards in the works, but  
16 there hasn't been, to my knowledge, a designated agency  
17 in the north responsible for implementing the standards  
18 once promulgated. So it's -- it's in the works but it's  
19 not official at this point.

20 MR. DANNY BAYHA: Thank you. That's all  
21 I have.

22 THE CHAIRPERSON: Charlie...?

23 MR. CHARLIE SNOWSHOE: No questions.

24 THE CHAIRPERSON: Okay. Members of  
25 public, questions to the Environment Canada's

1 presentation?

2 If not I'm just going to move on to the  
3 next presenter which is the GNWT.

4

5 (BRIEF PAUSE)

6

7 THE CHAIRPERSON: You can go ahead and  
8 proceed. Just introduce yourself. Thank you.

9

10 PRESENTATION BY GNWT:

11 MR. JOEL HOLDER: I'd like to start off  
12 by thanking the Board for providing the Government of  
13 Northwest Territories the opportunity to reiterate some  
14 of our comments and recommendations that we've submitted  
15 throughout the course of this environmental assessment.

16 My name is Joel Holder. I'm with the  
17 Department of Environment and Natural Resources and in  
18 that capacity as an environmental assessment -- my  
19 position title is Environmental Assessment Analyst.

20 One of the responsibilities of my  
21 position is to ensure that -- or to coordinate the  
22 Departments of the Government of Northwest Territories  
23 in their involvement in environmental assessment.

24 And to that effect I have with me today  
25 Art Barns from the Department of Transportation and

1 Erika Nyssonen from Environmental Protection Branch of  
2 Environmental -- the Department of Environment and  
3 Natural Resources. And sitting beside me is Steven  
4 Matthews from our Wildlife Division of Environment and  
5 Natural Resources.

6 At the end of my presentation Steven is  
7 going to speak for a brief moment, providing some  
8 information on caribou surveys.

9 To begin my presentation I'll start off  
10 with a quick overview of the mandates of the three (3)  
11 departments that have specifically been involved in the  
12 Tamerlane environmental assessment and then move into  
13 the comments and recommendations.

14 ENR's mandate -- or the mandate of the  
15 Minister of Department of Environment and Natural  
16 Resources is to promote sustainable development through  
17 the management and protection of the quality, diversity  
18 and abundance of natural resources and the integrity of  
19 the environment.

20 There are three (3) core functions of the  
21 Department, those being environment, forest management  
22 and wildlife management. And the legislative mandate to  
23 undertake these core functions is found through the  
24 Forest Management Act, the Forest Protection Act,  
25 Wildlife Act and the Environmental Protection Act.

1                   Quickly, the mandate for the Department  
2 of Transportation is that to plan, design, construct or  
3 reconstruct, acquire, operate and maintain public  
4 transportation infrastructure in the Northwest  
5 Territories, including community airports, docks and  
6 highway systems, and to regulate and license individuals  
7 and vehicles operating in the Territory.

8                   And the third department that  
9 participated in the EA is the Department of Education,  
10 Culture and Employment. And their mandate is to promote  
11 residents of the Northwest Territories -- or provide  
12 residents of the Northwest Territories with access to  
13 quality programs, services and support to assist them in  
14 making informed and productive choices for themselves  
15 and their families with regard to education -- careers,  
16 employment and labour, child development, languages,  
17 culture and heritage.

18                   During the EA, ENR requested a project  
19 specific air quality assessment which included on-sight  
20 air dispersion modelling and that this is essential to  
21 assist potential impacts from mine emissions to  
22 vegetation and human health and to ensure that ambient  
23 air quality guidelines are achieved.

24                   I understand that Tamerlane commissioned  
25 a project-specific air quality assessment and submitted



1 results last Friday. ENR's environmental protection  
2 staff have not had opportunity to fully review this  
3 document and at this time cannot say whether the  
4 document meets or exceeds our expectations. ENR can be  
5 expected to submit our review of Tamerlane's air quality  
6 document to the Board in the not-so-distant future.

7 Through the EA process, ENR is looking  
8 for a commitment from Tamerlane to sit down with EC and  
9 ENR and collaboratively work to resolve this issue.

10 During the EA, the Environment & Natural  
11 Resources also recommended that ENR's food and waste  
12 management guidelines should be implemented to ensure  
13 carnivores do not become habituated and eventually  
14 require relocation or destruction.

15 All field personnel undertake bear safety  
16 training. If a bear is encountered, ENR's bear response  
17 guidelines should be followed and a renewable resource  
18 officer should be notified and that a project-specific  
19 bear response plan should be prepared by Tamerlane.

20 ENR specifically identified three (3)  
21 species during the EA under the Species At Risk Act:  
22 peregrine falcon and short-eared owls. And our  
23 recommendation is that if a nest site for either species  
24 is identified in the project area, a buffer of 1.5  
25 kilometres should be maintained between development

1 activities and the nest site from April 15th to  
2 September 15th.

3 And for woodland caribou that if  
4 encountered during development, the proponent should  
5 shut down operations if the caribou approach within 500  
6 metres. When caribou are further than 500 metres away  
7 from or -- when caribou are further than 500 metres  
8 away, operations may resume.

9 The Federal Species At Risk Act states  
10 that adverse effects on listed species must be  
11 identified and, regardless of significance, mitigated  
12 and monitored.

13 ENR expects Tamerlane to be aware of all  
14 species listed on Schedule 1, 2 and 3 and that they be  
15 treated in a similar fashion, consistent with the  
16 recommendations in the Environmental Assessment Best  
17 Practice Guide for Wildlife At Risk in Canada, which is  
18 a CWS publication.

19 In response to ENR's recommendations,  
20 Tamerlane responded on July 31st of 2006 that they had  
21 reviewed ENR's recommendations and will ensure the  
22 recommendations provided by ENR are followed.

23 Additionally, Tamerlane will ensure that  
24 the onsite environmental technologist is advised --  
25 advised of and incorporates these recommendations in

1 his/her job description.

2 For Department of Transportation's  
3 involvement, the southern portion of DOT's existing  
4 quarry would need to be permitted by DOT for Tamerlane  
5 to use as a temporary settling pond.

6 DOT has no objections at this time and  
7 will permit the use, pending the Board's approval of the  
8 project and final Water Board permitting. DOT does want  
9 to be certain that the reclamation bond for the project  
10 will include the sediment settling pond.

11 In a letter to the MVEIRB Board Tamerlane  
12 -- or September 17th, 2007 -- Tamerlane does state  
13 reclamation cost estimates have already included the  
14 previously proposed infiltration basin and will not  
15 adjust these figures as they will directly relate to the  
16 reclamation of the sediment settling pond, even though  
17 the footprint is much smaller.

18 From DOT's perspective estimated  
19 increases in traffic volume from the Pine Point project  
20 raise no significant safety concerns. Increased traffic  
21 volumes are also seen to have a negligible impact on  
22 road surface and maintenance routines.

23 The Department of Education, Culture and  
24 Employment raised the concerns over the number and type  
25 of apprenticeship or technical occupation opportunities

1 identified for Aboriginal and Northern residents.

2 Tamerlane has stated it is working with  
3 Mine Training Society to begin an underground mine  
4 training program that will provide training for the  
5 communities of Fort Resolution and Hay River.

6 Tamerlane has committed to hiring six  
7 (6) people from the KFN, the DKFN as well as people from  
8 HRMC and FRMC.

9 The Government of the Northwest  
10 Territories works in partnership with industry to help  
11 maximize training and employment benefits for northern  
12 and Aboriginal residents. Employers are key partners in  
13 education and training.

14 An important aspect to these partnerships  
15 is the promotion and communication of project career  
16 opportunities and skill requirements in an open,  
17 transparent, and timely fashion, and in cooperation with  
18 Aboriginal and other community organizations and  
19 institutions.

20 As noted by Tamerlane, if the Pine Point  
21 pilot project does not progress to full-scale mining,  
22 the project will be terminated. To guarantee longer  
23 term benefit from this project, the project will have to  
24 create opportunity for Northerners aimed at enhancing  
25 skilled capacities and developing transferrable skills.

1                   Tamerlane's commitment for site-based on-  
2 the-job training and support for a number of  
3 apprenticeships will have to be organized and  
4 implemented so that employees completing the training  
5 will be able to use the skills acquired and time spent  
6 as credit towards certification or status recognized in  
7 the Northwest Territories under the Apprenticeship,  
8 Trade and Occupations Certification Act.

9                   Tamerlane has indicated they have agreed  
10 to work cooperatively through the Mine Training Society,  
11 with respect to community-based introduction to  
12 underground mining deliveries for the communities of Hay  
13 River and Fort Resolution, as well as other mine and  
14 mine-related training for Aboriginal people of the  
15 Dehcho and Akaitcho.

16                   Is important to note the Mine Training  
17 Society projects require in cash or cash contribution  
18 from partners to fund projects. Aboriginal Skills and  
19 Employment Partnership will fund up to 50 percent of  
20 project costs.

21                   The Government of the Northwest  
22 Territories supports the promotion of productive work  
23 environments and people participating fully in society.  
24 Expanding the skills and abilities of the available  
25 workforce is critical to this success particularly

1 since, as noted by Tamerlane, the majority of the  
2 available jobs positions are expected to require skilled  
3 or experienced labour for this project.

4 The Mine Training Society, Underground  
5 Mining Simulator and Women in Mining, Oil and Gas  
6 Projects, and Jobs North are just a few ways we can work  
7 together to expand the skills and ability of  
8 Northerners. Thanks.

9 MR. STEVEN MATTHEWS: Madam Chairman, I  
10 just thought if I could just take a few minutes -- it's  
11 Steven Matthews here -- just to give a quick summary of  
12 some of the initiatives that we're involved with,  
13 dealing with boreal caribou, seeing as it is an issue  
14 and has been raised by several people at this -- this  
15 Hearing.

16 As a SARA listed species, the -- the GNWT  
17 participates in -- in a variety of processes to manage  
18 this -- this species. And certainly we -- we deal with  
19 things at a different level than the Federal Government.

20 Right now the Federal Government has been  
21 involved in developing a -- a draft national boreal  
22 caribou recovery strategy. And on a regional sense  
23 within the Northwest Territories we also have been  
24 working on developing, in a preliminary sense, a boreal  
25 caribou conservation action plan.

1                    Consultation has begun in the South Slave  
2 and it will continue throughout the Northwest  
3 Territories over the next little while. Currently we  
4 have met with Metis councils in Fort Smith, Hay River,  
5 and Fort Resolution, and the same consultation will  
6 continue this winter in the South Slave communities and  
7 other regions of the Northwest Territories.

8                    This is an opportunity for interested  
9 parties to let the Government know what boreal caribou  
10 studies they think needs to take place, the objectives  
11 of those studies, the methodologies, and how they might  
12 participate with us on these studies.

13                    Currently, we are involved in boreal  
14 caribou studies in the South Slave, in the Cameron Hills  
15 area, and the Trout Lake area. These are being  
16 undertaken by Deborah Johnson who's our regional  
17 biologist in Fort Smith,. And she's presently using  
18 radio-telemetry collared animals to look at seasonal  
19 distribution of woodland caribou or boreal caribou  
20 movements and habitat use by these animals.

21                    As I say, consultation will continue this  
22 winter. And certainly it's going to take some time to  
23 complete that consultation, design the studies, and  
24 implement those studies and it's unlikely that the  
25 information from these studies will be available for

1 this particular project.

2                   However, we're not doing this in a -- in  
3 a more or less site-specific or project-specific basis;  
4 they're more regional studies looking at perhaps  
5 cumulative effects. And we certainly expect that this  
6 information will be available for future assessments and  
7 perhaps in this area when and if Tamerlane moves to a  
8 full-scale mining development.

9                   So I just thought I'd give you that  
10 update and we're prepared to take some questions now.  
11 Thank you.

12                   THE CHAIRPERSON: Thank you for your  
13 presentation. I'm just going to do the roll call again.

14                   Developers, did you have any questions to  
15 the presentation?

16                   MR. DAVID SWISHER: Madam Chair, no  
17 questions but I do have just a comment if possible?

18                   THE CHAIRPERSON: Proceed.

19                   MR. DAVID SWISHER: It's in relation to  
20 the recommendations. At -- at this time, we don't feel  
21 it is a reasonable request to shut down all operations  
22 due to a sighting of a caribou in the area of the  
23 project. I say that only because we are committed to  
24 training all of our employees to making sure we  
25 communicate to all the regulatory bodies of the



1 sighting, as well as do everything we can to -- to give  
2 the animal the right-of-way.

3 But also most of the activities will be  
4 indoors and/or underground as well. And to that end, it  
5 would not be realistic to shut down the operation  
6 because there are many potential impacts, not only to  
7 the operation but also to the employees, the local  
8 residents that we are employing at the time as well.

9 And if at all possible we certainly would  
10 be open to and pursuing any and all mitigation measures  
11 with the exception of shutting down the operation.

12 Thank you.

13

14 (BRIEF PAUSE)

15

16 QUESTION PERIOD:

17 THE CHAIRPERSON: I'm going to continue.  
18 Did you want to respond or...?

19 I'm just -- I'm going to continue then.  
20 Deninu K'ue First Nation...?

21 MS. ROSY BJORNSON: Hi. Rosy Bjornson  
22 again, Deninu K'ue First Nation. I have a question in  
23 regards to Education, Culture, and Employment.

24 And in our presentation earlier this  
25 morning we stated that the increased workforce does not

1 meet the increased requirement for childcare services in  
2 Fort Resolution. I am aware that Education, Culture,  
3 and Employment is the department that deals with  
4 childcare services and childcare subsidy in the north.

5 I want to know how you guys are going to  
6 -- I guess you could bring this back to your seniors or  
7 the people that work with this department, on our  
8 concerns with inadequate childcare services in the  
9 community to meet the workforce demand.

10 We don't have a childcare provider or,  
11 you know, like you -- you get a family of, say, five  
12 (5), a mother and a father, all of a sudden they both  
13 have employment opportunity to go work in Tamerlane  
14 Mine. What happens to the children?

15 There's no childcare services in this  
16 community and it's been -- it's -- it's hard, especially  
17 for working families.

18 Like you say, we say today we -- as  
19 Aboriginal people we want to move ahead. We want to  
20 move ahead with development. We want to move ahead  
21 with, you know, certain aspects in our life. But we  
22 can't move ahead because there's barriers that are in  
23 the way and childcare is a barrier in this community and  
24 is of great concern for middle-aged and the working  
25 group in the community.

1                   So I -- I just want to know how this is  
2 going to be addressed through Education, Culture and  
3 Employment and if there's any dialogue between  
4 yourselves and Tamerlane in regards to this. Massi.

5                   MR. JOEL HOLDER:   Well, thanks for the  
6 question, but unfortunately I can't answer it at this  
7 time. But I will do what you suggest and I will bring  
8 that question back and I'll have those discussions with  
9 the staff, with ECE, and if they're not fully aware of  
10 the situation now, they will be once -- once we're  
11 through with our discussion. Thanks.

12                   MS. ROSY BJORNSON:   Yeah, and just --  
13 and just to make them understand that it's not only this  
14 development. It's all development in the NWT that is  
15 having an impact on working families in smaller  
16 communities. Massi.

17

18                                   (BRIEF PAUSE)

19

20                   THE CHAIRPERSON:   I'm going to move on  
21 to ask whether there are other parties that want to ask  
22 questions?

23                                   Go ahead.

24                   MS. CAROL COLLINS:   Carol Collins,  
25 Deninoo Community Council.

1                   You say that when you see a caribou or a  
2 species-at-risk that you're not shutting down the  
3 operations of your mine. Right there it shows that you  
4 -- you don't care about the animals on the land. If you  
5 did, you would -- you would see where we're coming from  
6 when -- when we talk about the animals.

7                   I know you did some studies. I know,  
8 like, there's been maybe two (2) week studies on the  
9 animals, the woodland and stuff like that, but that  
10 doesn't sound right the way you commented on that.

11                   Another question I have is with the  
12 highway system. How are they going to be hauling all  
13 this ore? Is that going to be hauled on our main  
14 highway system? And what impacts will that have on the  
15 highway and to the traffic that's coming back and forth?  
16 Like, there could be accidents and stuff like that  
17 because of all the traffic that's on that highway.

18                   Is there another way of -- that you are  
19 thinking of transporting the -- the ore? Or is it going  
20 to be hauled on the main highway where we have traffic  
21 going steady, like?

22                   MR. DAVID SWISHER:     Madam Chair, if I  
23 may?

24                   THE CHAIRPERSON:     Proceed.

25                   MR. DAVID SWISHER:     Carol, I certainly

1 didn't mean any disrespect towards the -- the SARA  
2 listed species or any of the animals for that matter.  
3 It is not our intent to -- to impart any type of  
4 irresponsibility with regard to any of the animals in  
5 the site area.

6 We would prefer not shutting down, just  
7 strictly from a standpoint of the employees who we will  
8 have in the local area. And we certainly don't want to  
9 create more problems in that potential arena if we can.  
10 So if there's anything we can do to help mitigate that  
11 other than that, we'd certainly like to do that.

12 With response to your question regarding  
13 the transportation. We do plan on using the highway.  
14 And the highway is -- it's in a very good area because  
15 there's minimal exposure from turning on and off  
16 traffic, because there's very good visibility on the  
17 points of coming on and off from the project site. And  
18 also, we are also committed to making sure that we post  
19 proper signage and do what we can to make sure people  
20 are aware of this -- these intersections -- main  
21 intersections there.

22 MS. CAROL COLLINS: I have one (1) more  
23 question. Okay, since this traffic is going to be going  
24 back and forth on our highways, it's going to be tearing  
25 up the roads, and the highway system is going to be

1 worse probably then the way it is now, who's going to be  
2 doing the maintenance on the highways and that?

3 Who would be the one that fixes those  
4 problems?

5 MR. DAVID SWISHER: In -- oh, sorry. I  
6 can answer that, Joel, if you'd like.

7 In discussions with Mr. Art Barns, it's  
8 clear that it's a public highway, but he has made it  
9 very clear to me as well that if there are -- they have  
10 a certain fund that they can repair the road with, and  
11 if -- if it's in excess of those funds then they will be  
12 coming to us to help make sure and maintain that section  
13 of the road.

14 And there is a kilometre of the chip seal  
15 before you get on to the good pavement. So, you know, I  
16 would envision that during monitoring and assessment of  
17 that section, that 1 kilometre of the chip seal if it  
18 becomes a major maintenance issue, then I would suspect  
19 that we would sit back down with the DOT and draw up  
20 what we could do to mitigate that, and, you know, if it  
21 means extending the paved section of the road back to  
22 the site.

23 MS. CAROL COLLINS: Okay. Another  
24 thing. What about the noise from the traffic and that,  
25 are they going to be monitoring?

1                   I -- because I know there are animals on  
2 the highway and stuff like that. I know that with this  
3 increase in traffic there's going to be a lot of noise  
4 from these trucks that are going back and forth.

5                   Has there been any monitoring for the --  
6 is there going to be anybody monitoring the traffic, the  
7 noise and like the animals in the area, stuff like that?

8                   MR. DAVID SWISHER:     Depending on the  
9 contractors or the individuals, First Nations, who do  
10 the hauling for us, we would certainly require them to  
11 report sightings of animals.

12                   At this point, we don't plan on doing any  
13 noise monitoring. We plan on mitigating the traffic on  
14 the highway. We do not plan at this time to haul on a  
15 twenty-four (24) by seven (7) basis. We are looking at  
16 more at trying to reduce that to a regular normal daily  
17 shift. Thank you.

18                   THE CHAIRPERSON:     I want to know if  
19 Bruce had any questions?

20                   MR. BRUCE HALBERT:     No, Madam Chair.

21                   THE CHAIRPERSON:     The Board Members...?

22                   MR. JOHN ONDRACK:     No questions.

23                   MR. JOHN STEVENSON:     No questions.

24                   MR. RICHARD EDJERICON:     No questions.

25                   THE CHAIRPERSON:     Do you have any

1 questions? Danny, go ahead.

2 MR. DANNY BAYHA: Yeah, thank you. Just  
3 have a question in this sort of same type of questioning  
4 as I did pose to INAC earlier. Mr. Lafferty made some  
5 issues that known to us that his -- again, his  
6 livelihood has been displaced. He doesn't have anywhere  
7 to try to regain his livelihood.

8 Now should he not be -- not want to be an  
9 apprentice or be training in a heavy equipment  
10 operations, has GNWT have any programs or services that  
11 can help Mr. Lafferty regain his livelihood again?  
12 Maybe in a different fashion, I'm not sure.

13 Is there programs for a person like Mr.  
14 Lafferty? Thank you.

15 MR. JOEL HOLDER: I'm not aware of all  
16 the programs under which GNWT offers. I'd imagine  
17 there's any number of programs that Mr. Lafferty might  
18 want to investigate and then I'd imagine it's up to the  
19 individual to determine where he would like to focus his  
20 attention as far as those programs are concerned.

21 MR. DANNY BAYHA: As well, another  
22 question is when this compensation issue comes up  
23 between an individual and a company, does the GNWT or  
24 any other government agent get involved in helping  
25 trying to iron some of the stuff out, or is this



1 strictly between company and the individual? Thank you.

2 MR. JOEL HOLDER: We see it as a  
3 business-to-business discussion and one from a  
4 traditional economy to a more modern, and it's between  
5 the two (2) parties.

6 MR. DANNY BAYHA: Thank you. I have no  
7 further questions.

8 THE CHAIRPERSON: Charlie...?

9 MR. CHARLIE SNOWSHOE: No questions.

10 THE CHAIRPERSON: Nora, you had a  
11 question that you wanted to ask?

12 MS. NORA DOIG: This question is more  
13 directed towards the developer.

14 I was listening to an Elder, he said he  
15 used to work at the Pine Point Mine before and he  
16 mentioned that they would have at least truckloads --  
17 three (3) truckloads of ore going from Pine Point Mine  
18 to Hay River at least once a week.

19 You know, that was a couple of years ago,  
20 so we get -- you know, jump ahead to today, how many  
21 truckloads are you going to be transporting from the  
22 Pine Point Mine to Hay River?

23 And also, you know, because it's going to  
24 be transported on a highway, what assurances can you  
25 give the communities that in the event that an accident

1 happened that, you know, that -- whatever needs to be  
2 taken care of, like in regards to clean up will be done  
3 efficiently and effectively too, so that there's little  
4 damage to the land or -- you know, because there are  
5 little streams and things like that along the highways?

6           And one (1) last comment -- and just as a  
7 question. One (1) last comment that I just wanted to say  
8 was that, in regards to the -- to the amount of  
9 discharge that was brought up, like, I didn't really,  
10 you know, get how many -- how many discharge a day that  
11 is -- this mine is going to be producing.

12           And you times that by three hundred and  
13 sixty-five (365) days a year by potentially twenty (20)  
14 years, we're talking a lot of tailings that eventually  
15 is going to find its way into Great Slave Lake.

16           And I'm glad that, you know with that in  
17 mind, and also that keeping in mind that there are other  
18 developments around the lake and, you know, sometimes it  
19 can only take so much.

20           So I just wanted to say that, you know --  
21 I wanted to -- I just want -- I didn't want to take it  
22 home with me because I was -- you know, I just wanted to  
23 say that when Danny asked that question to INAC they  
24 said they would help to monitor that, so, you know, that  
25 gives us some peace of mind.

1                   So, you know, getting back to my  
2 question, is that: What assurances can you give the  
3 communities that, you know, precautions will be taken to  
4 prevent accidents from happening along that highway?

5                   And -- and also, about the fugitive dust,  
6 and what kind of a transportation or trucks will you be  
7 using to prevent, you know, dust from escaping?

8                   Because, you know, we're not just  
9 talking, you know, twelve (12) to fourteen (14) months,  
10 there's a potential for twenty (20) year production  
11 here. Potential.

12                   So, you know -- and if you're -- because,  
13 you know, like we don't -- I'm just looking at your  
14 presentation here on page 14 by Environment Canada.  
15 There is an article in here, it says that:

16                   "Reports done by US Geological Survey  
17 and National Parks Service have  
18 documented a significant concentration  
19 of lead, zinc, and cadmium in snow and  
20 vegetation along the transportation  
21 system from the mine to the shipping  
22 point."

23                   We don't want to ever read that for up  
24 North here, so I just wanted to, you know, maybe --  
25 getting back to my question.

1                   What assurances will you give the  
2 community that -- that, you know, every precaution is  
3 going to be taken to prevent dust from escaping on the  
4 highway, from the Pine Point Mine to Hay River, where  
5 it's going to be shipped down south?

6                   MR. DAVID SWISHER:   Okay, to answer your  
7 first question, there will be fifty (50) to sixty (60)  
8 truck trips per day on the highway between. And that is  
9 during an eight (8) to twelve (12) hour shift, which  
10 equates to a total of four (4) trucks on the highway at  
11 any given time, between the project site and Hay River.

12                   In our Hazardous Spills Contingency Plan  
13 we've also included contingency planning in the  
14 unfortunate event there is an accident by one (1) of the  
15 third party trucking units hauling concentrate for us to  
16 Hay River.

17                   If there is an accident, we've committed  
18 in our Spills Contingency Plan, and it is written in  
19 there, that we will respond to that spill and take up --  
20 and do everything necessary to clean up that spill.

21                   With regard to tailings, the processed  
22 discharge material, or tailings, is all going to be put  
23 back underground into the open voids as a cemented fill  
24 and will not move from there, so there will be no  
25 tailings. I can assure you there will be no tailings in

1 any surrounding rivers, streams, or the lake.

2 With regard to the dust, fugitive dust,  
3 that was one of the exceedances in our air quality  
4 dispersion modelling, because it did not include the  
5 mitigation measures.

6 The mitigation measures, we have 900  
7 metres of haulage on that dirt road to the highway. So  
8 there's 900 metres of potential dust generation on the  
9 haul road. We will water that haul road when it does  
10 get dusty to keep the dust down.

11 But in relation to the example given by  
12 Environment Canada and the Red Dog Mine, in comparison  
13 the Red Dog Mine is hauling over 75 kilometres on a dirt  
14 road, and their mitigation measures for dust control is  
15 actually spreading calcium chloride on the roadway  
16 itself.

17 We will not be doing that. We will be  
18 900 metres, a very short distance, and we will make sure  
19 the road is watered down. Thank you.

20 MS. NORA DOIG: When I said "discharge,"  
21 I meant like the mine water that was going to be  
22 discharged. It was going to be, like you said, injected  
23 back into the aqua -- aquifer and -- because eventually  
24 it's going to find its way to the Great Slave Lake,  
25 right?

1                   MR. DAVID SWISHER:    Yes, that's correct.  
2    After -- after several years, it'll eventually migrate  
3    its way into the Great Slave Lake.  And by that time,  
4    through -- just as Bruce had mentioned before -- through  
5    dilution processes, being mixed with the vast amounts of  
6    water that's surrounding that, as well as the nature of  
7    the rock -- it's high-end limestone and dolomite -- it's  
8    highly unlikely that there will be any adverse effects  
9    into the lake.

10                  THE CHAIRPERSON:    I'm going to move on  
11    to the Review Board legal counsel and the staff, if they  
12    have any questions.

13                  MR. JOHN DONIHEE:    Thank you, Madam  
14    Chair.  John Donihee.  I have one (1) question.

15                  The Department -- ENR's previous  
16    incarnation as RWED participated in a review board  
17    environmental assessment in the -- in the Cameron Hills,  
18    associated with Paramount Resources Limited.

19                  Okay, so it was the EA03-005.  And this  
20    whole issue of boreal caribou management was raised then  
21    and was quite an issue in -- in that hearing.  And it's  
22    continued to be an issue in hearings that the Review  
23    Board has had since then, including one involving a 2D  
24    seismic program that was completed in 2006, I believe.

25                  So we're hearing it again today.  And the

1 -- the thing that I wanted to followup on was that  
2 during the Paramount Cameron Hills extension EA, the  
3 Government of Northwest Territories was one of the  
4 responsible Ministers.

5                   And one of the recommendations accepted  
6 in -- as a result of that environmental assessment was  
7 for the formation of a boreal caribou working group that  
8 was to look at habitat range and -- and development on  
9 the range, and that sort of thing.

10                   And my understanding of that  
11 recommendation was that the Government of the Northwest  
12 Territories was to take action on that within six (6)  
13 months of the completion of that EA, which now is about  
14 two (2) -- two (2) years ago.

15                   And I -- I hear you listing yet another  
16 list of actions that the Government's undertaking to  
17 address boreal caribou.

18                   I -- I guess the question I have for you  
19 is: Do you know what happened in -- in terms of GNWT's  
20 response to that recommendation from the 2005  
21 Environmental Assessment?

22                   What -- what's been done to establish a  
23 boreal caribou working group? Where are we at with all  
24 of that?

25

1 (BRIEF PAUSE)

2

3 MR. JOEL HOLDER: It's unfortunate, but  
4 I can't answer that question. I don't know what has  
5 happened as far as that recommendation goes from that  
6 EA.

7 MR. JOHN DONIHÉE: I wonder then, sir,  
8 if you would undertake to find out what's happened and  
9 report in writing to the Review Board on the  
10 implementation of that recommendation. And if you  
11 could, tell us how long it might take you before you  
12 could respond to the Board?

13 MR. JOEL HOLDER: I -- I'll accept that  
14 undertaking.

15

16 --- UNDERTAKING NO. 2: GNWT to indicate to Board, by  
17 October 26, what happened to  
18 the response to the  
19 recommendation from the 2005  
20 Environmental Assessment

21

22 MR. JOHN DONIHÉE: Can you get us an  
23 answer in two (2) weeks?

24 MR. JOEL HOLDER: Two (2) weeks it is  
25 then.



1                   MR. JOHN DONIHÉE:     That was my question,  
2     Madam Chair, but my colleagues here have a couple of  
3     others.

4                   MR. ALISTAIR MACDONALD:    I'm not sure  
5     that I am going to give GNWT two (2) weeks for an  
6     undertaking that certainly the staff would like to see  
7     here.

8                   You identified in your presentation,  
9     GNWT, that the Tamerlane's air quality document would be  
10    examined in the not so distant future.

11                  I was hoping that the not so distant  
12    future in this case could be October 26th or so, to get  
13    some analysis of that air quality findings and your  
14    opinions on it, as well as the material you've  
15    identified that you would be contacting ECE about some  
16    of the childcare issues that have been identified.

17                  Any comments that the GNWT might have, if  
18    we could receive that material for the public record and  
19    the Board's consideration; if October 26th would be  
20    reasonable, and whether you're willing to make that  
21    undertaking?

22                  MR. JOEL HOLDER:     October 26th sounds  
23    reasonable for both of those undertakings.  I'll accept  
24    that.

25

1 --- UNDERTAKING NO. 3: GNWT to provide Board, by  
2 October 26, with response to  
3 Tamerlane's air quality  
4 document

5

6 MR. ALISTAIR MACDONALD: Legal counsel  
7 has said that maybe you could have the caribou  
8 information as well by October 26th.

9 MR. JOEL HOLDER: October 26th for the  
10 boreal caribou working group response, as well.

11 MR. ALAN EHRLICH: Madam Chair, I have a  
12 question for the GNWT.

13 THE CHAIRPERSON: Proceed.

14 MR. ALAN EHRLICH: Alan Ehrlich. Joel  
15 and Steve, you've mentioned that the GNWT recommends  
16 that the developer shut down when a boreal caribou come  
17 within 500 metres of the proposed development.

18 Considering that there are trees in the  
19 area, that there is rolling topography, and that during  
20 winter daylight hours are extremely short, and  
21 considering that boreal caribou are well naturally  
22 camouflaged to start with, how does the GNWT propose  
23 that the proponent detect the presence of boreal caribou  
24 a half a kilometre away?

25 MR. JOEL HOLDER: One of the ways that

1 Tamerlane might undertake these observations is through  
2 the use of environmental monitors that would be onsite.  
3 And these would be -- this would be -- or these would be  
4 staff that are -- have responsibility for ensuring that  
5 all of the environmental recommendations that are put  
6 forward from the Board or through the Land and Water  
7 Board or others are -- are followed.

8                   And their -- I guess I'll just leave it  
9 at that. I'll let -- my suggestion is that they hire  
10 environmental monitors that would constantly be -- be on  
11 watch.

12                   MR. ALAN EHRLICH: Thank you.

13                   THE CHAIRPERSON: Are there any further  
14 questions from the general public?

15

16                   (BRIEF PAUSE)

17

18                   THE CHAIRPERSON: Carol, this is geared  
19 to Environment Canada's presentation because --

20                   MS. CAROL COLLINS: It's geared to them.

21                   THE CHAIRPERSON: Sorry?

22                   MS. CAROL COLLINS: It's geared to them.

23                   THE CHAIRPERSON: To...?

24                   MS. CAROL COLLINS: The GNWT.

25                   THE CHAIRPERSON: Okay.

1 MS. CAROL COLLINS: You say that --  
2 actually, I don't know. I guess it's for trappers. I'd  
3 like to know who was compensated from the trappers? Was  
4 it only one (1) trapper that was compensated? Who --  
5 who compensated a trapper? Tamerlane.

6 MR. DAVID SWISHER: Madam Chair, am I  
7 permitted to answer that?

8 THE CHAIRPERSON: Go ahead.

9 MR. DAVID SWISHER: Working through the  
10 Deninu K'ue Chief and Council, it was recommended that  
11 we compensate two (2) trappers, which we did. One (1)  
12 was Eddie Lafferty, who spoke earlier, the other --  
13 forgive me, the name has slipped my mind.

14 MS. CAROL COLLINS: Leroq (phonetic)?

15 MR. DAVID SWISHER: I believe so, yes.

16 MS. CAROL COLLINS: Okay. I'd like to  
17 state that the -- the Leroq guy that was compensated  
18 just moved back to our community this year. He has  
19 never lived in our community in years.

20 I know Eddie Lafferty was compensated,  
21 but there are also other trappers in that area that  
22 haven't been compensated.

23 Patterson Sawmill had an application in  
24 there. We documented all the trappers that com -- got -  
25 - that are in that area, and we stopped it.



1 Chair. David Swisher with Tamerlane Ventures. I hadn't  
2 officially prepared anything for closing remarks. I  
3 didn't think it would be appropriate until I had an  
4 opportunity to sit through this public hearing and hear  
5 the concerns and comments from the government agencies  
6 and, in particular, the -- the effected communities.

7                   And I think since Tamerlane has been up  
8 here undertaking this -- not only the environmental  
9 assessment, but prior to that -- it's been important for  
10 us to, throughout this process, work with the  
11 communities, keep all the communities informed, and  
12 treat everybody on an equal plane and work with  
13 everybody equally, listen to their concerns and do what  
14 we can to mitigate those concerns.

15                   And I just hope that throughout this  
16 process that our transparency, as well as our  
17 commitment, as well as our actions speak for themselves  
18 in -- in your review, as well as the community's review  
19 in our relationship moving forward.

20                   I am more concerned about working with  
21 these communities and -- and trying to live up to the  
22 standards that they want to see than I am anything else.  
23 And we're committed to doing that.

24                   We are committed to developing this  
25 operation in a very environmentally and safe/sound

1 fashion. And it's our hopes that together we can move  
2 forward, not only for this pilot project, but also sit  
3 down and work towards longer-term benefits, as well as  
4 longer-term operations in the future.

5                   So with that, I appreciate everybody's  
6 comments here. They're very much valued, and, in  
7 particular, the Deninu K'ue First Nation, the  
8 Katlodeeche First Nation, Fort Res Metis Council, and  
9 the Hay River Metis Council, and, of course, the  
10 Environmental Impact Review Board.

11                   So thank you for your time, short and  
12 sweet. I think we've all been through enough today.  
13 But thank you for your time and thank you for your  
14 consideration. And you do have my word as the developer  
15 that I am committed to moving forward and working with  
16 each and every one of you. Thank you.

17                   THE CHAIRPERSON: At this point, I would  
18 like to take the opportunity to once again thank the  
19 presenters. I know it has been a long day, even for  
20 those who have been listening to us on a webcast -- for  
21 people's commitment to sit throughout the day, and all  
22 the people who put their presentation together. I know  
23 putting presentations together is a lot of work.

24                   And for many people who have participated  
25 in this Hearing, I would like to especially thank the

1 translators. I know it is -- we had one (1) translator.  
2 It has been a long day for her. And I would like to  
3 also thank the person who made that wonderful stew for  
4 us.

5 I would say if you have not done so  
6 already, we ask you to submit your presentation in  
7 writing for public record for the Board's reference.

8 The Review Board will now take what we  
9 have heard today, as well as written submissions, into  
10 consideration. Once the Board decides whether there is  
11 enough information on the public record, we will ensure  
12 directions on procedures and inform the parties. The  
13 Board intends to move the process along through a timely  
14 manner.

15 We thank you very much for participating  
16 in this Hearing. And for those of you who are  
17 travelling, safe travel.

18 I have asked Joey Tambour if he could do  
19 closing prayer for us. So if we could all stand up.

20

21 (CLOSING PRAYER)

22

23 THE CHAIRPERSON: I would like to thank  
24 the people of Fort Resolution for their hospitality.

25



1 --- Upon adjourning at 6:16 p.m.

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5 Certified Correct,

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11 Wendy Warnock, Ms.

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