MACKENZIE VALLEY ENVIRONMENTAL

IMPACT AND REVIEW BOARD

TECHNICAL MEETINGS FOR THE NICO GOLD

COBALT-BISMUTH-COPPER PROJECT, NT

FORTUNE MINERALS LIMITED

Mackenzie Valley Review Board Staff:

Facilitator	Alan Ehrlich
Facilitator	Chuck Hubert
Facilitator	Paul Mercredi
Facilitator	Shannon Hayden

HELD AT:

Yellowknife, NT

February 9, 2012

Day 3 of 3

1 APPEARANCES

2 Alan Ehrlich) MVEIRB
3 Chuck Hubert)
4 Stacy Menzies)
5 Paul Mercredi)
6 Jessica Simpson (np))
7 Nicole Spencer (np))
8
9 Rick Schryer) Fortune Minerals
10 Pat Moloney) Limited
11 Tom Rinaldi)
12 Mike De Carlo)
13 Jim Mucklow)
14 Bill Shepard)
15 Charlie Jim Nitsiza)
16 John Virgl (np)) Golder
17 Gary Ash)
18 Ken De Vos)
19 John Faithful)
20 Jen Gibson)
21 Ken Bocking)
22 Jason Parviainen)
23 Cameron Stevens (np))
24 Damian Panayi (np))
25 Credence Wood (np))

1 APPEARANCES (Cont'd)

2

3 Marc Rougier) Golder

4 Tyrel Lloyd) McElhanney

5 Chris Madland) Golder

6 Ross Mitchell)

7 Brent Murphy)

8

9 Paul Green) AANDC

10 Barry Zajdlik)

11 Velma Sterenberg)

12 John Brodie)

13 Lionel Marcinkoski)

14

15 Jan Adamczewski (np)) ENR

16 Andrea Patenaude (np))

17 Gavin Morr (np))

18 Aileen Stevens)

19

20 Sarah Olivier (np)) DFO

21 Rick Walbourne (np))

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23 Mark Cliffe-Phillips (np)) WLWB

24 Brett Wheler)

25 Dr. Kathy Racher)

1 APPEARANCES (cont'd)

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3 Ryan Fequet) WLWB

4 Sarah Elsasser (np))

5

6 Louie Azzolini (np)) AEA

7

8 Loretta Ranson) GNWT

9 Murray Cutten)

10 Bruno Croft (np))

11 Dean Cluff (np))

12 Glenn Sorensen (np))

13 Aileen Stevens)

14 Juanita Robinson)

15 Michael Ball)

16 Laurie Gravelluo)

17 Brittany Shuwera)

18 Amy Lizotte)

19 Derek Rains) Health & Services

20

21 Sarah Lacey McMillan)Environment Canada

22 Jane Fitzgerald)

23 James Hudson (np))

24

25

1 APPEARANCES (cont'd)

2 Chief Alfonz Nitsiza) Tlicho Government
3 Chief Clifford Daniels)
4 Henry Zoe)
5 Marjorie Matheson-Maund)
6 Kerri Garner)
7 Dr. Ginger Gibson)
8 Dr. Allice Legat)
9 John B. Zoe)
10 Allister MacDonald)
11
12 Madelaine Pasquayak) Ttitso Gameti
13) Government
14
15 Todd Slack) Yellowknives Dene
16
17 John King) NRCan
18 Fons Schellekens (np))
19
20 Jordan Zoe) AEL
21
22 Gerd Wiatzka) Kwe Beh Working
23 Sonny Zoe) Group - SENES
24 Al MacDonald (np))
25 Sarah Bains)

1 APPEARANCES (cont'd)

2

3 Kate Witherly) NPMO

4 Watt Spare (np))

5

6 Karin Clark) Wek'eezhii

7) Renewable

8 Resources

9) Board

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11 Veronica Chisholm (np)) De Beers

12 Stephen Lines (np))

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14 Glen MacKay) PWNHC

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16 Deb Bain) ECE

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23

24

25

1 TABLE OF CONTENTS

2 Page No.

16

17

18

19

20

21

22

23

24

25

LIST OF UNDERTAKINGS

1 LIST OF UNDERTAKINGS (Con't)

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Number	Description	Page No.
13	Fortune to identify whether the Developer's assessment report, in their traditional knowledge study, included any questions on the loss of use or areas that have been avoided by harvesters in the area of the Developer's proposed mine site or any of the psychosocial impacts associated with perceived contamination.	220
14	Fortune Minerals to review NOX treatment methods for emission sources	224

1 --- Upon commencing at 9:11 a.m.

2

3 THE FACILITATOR HUBERT: Good

4 morning, everybody. Welcome to the third day of our

5 technical meeting. It's good to see everybody out.

6 Look forward to a useful discussion here this morning

7 and for the rest of the day as well.

8 Just a couple notes with -- with me.

9 I'm -- my name again is Chuck Hubert with the Review

10 Board. I'll be facilitating for most of the day.

11 With me is Shannon Hayden, also with the Review

12 Board. Stacy Menzies is -- will be roving and can be

13 found in the back.

14 I'd like to mention once again that we

15 had a revision to the agenda that was mentioned on

16 Tuesday. We will begin the agenda after some follow-

17 up discussion with closure and reclamation, including

18 open pit and wetlands. And because of some time

19 constraints from some of the parties we'll begin with

20 that, and then move into socioeconomic issues once

21 the closure and reclamation topic is -- is completed

22 to the satisfaction of parties and the people in the

23 audience.

24 I'd like to begin though with some

25 follow-up from yesterday, if I can -- in particular

1 the -- some of the questions that Barry had for
2 Fortune yesterday and -- Barry on behalf of AANDC,
3 and if I can turn the mic over to -- to Fortune for a
4 discussion on some of those follow-up items.
5 MR. RICK SCHRYER: Rick Schryer,
6 Fortune Minerals. We've had a discussion with Barry,
7 and rather than answer some of the specific questions
8 that he had what we've agreed to do is provide him
9 with the screening level risk assessment that he can
10 review as an entirety, as a document, right.
11 I'm just checking right now on the
12 timing of that. I just want to make sure that I can
13 -- I'm not exactly sure when we can deliver it. I
14 know it's soon, but I want to make sure of the
15 timing. So basically it's going to be ASAP on -- on
16 the delivery of that document. I hope -- I think
17 that satisfies your -- your concerns, Barry. Am I
18 correct?
19 MR. BARRY ZAJDLIK: Barry Zajdlik on
20 behalf of AANDC. Yes, it -- it -- the only other
21 thing that I would ask is that all parties that are
22 interested receive a copy.
23 MR. RICK SCHRYER: That's accept --
24 Rick Schryer, Fortune Minerals. That's acceptable.
25 THE FACILITATOR HUBERT: Chuck Hubert

1 with the Review Board. In -- in fact, yes, the Board
2 would like to see that document, as well. And we'll
3 put it on the public registry for the benefit of all
4 parties. Thanks.
5 And so if you can perhaps, Rick,
6 submit to the Board maybe an indication of when that
7 document might be finished, once you know those
8 particulars?
9 MR. RICK SCHRYER: Rick Schryer,
10 Fortune Minerals. As soon as I have some certainty
11 on the deadline, I will give it to the Board.
12 THE FACILITATOR HUBERT: Thanks very
13 much. With that, I'd like to mention that Fortune
14 had completed, I believe, some MSDS sheets as well,
15 as follow-up from yesterday. If you can elaborate on
16 that, Rick, please?
17 MR. RICK SCHRYER: Rick Schryer,
18 Fortune Minerals. Yes, I sent the MSDS sheets for
19 the flocculants to you this morning, along with a
20 little write up in terms of where -- what happens to
21 them after their -- their use.
22 THE FACILITATOR HUBERT: Thanks very
23 much. Those will be placed on the public registry as
24 soon as I get back to the office.
25 I believe that is it for follow-up,

1 unless there's items that parties would like to raise
2 on discussion that happened yesterday?
3
4 QUESTION PERIOD RE CLOSURE AND RECLAMATION, INCLUDING
5 PIT AND WETLANDS:
6 THE FACILITATOR HUBERT: Okay. With
7 that, I'd like to move into our main portion of the
8 agenda, then. Closure and reclamation, once again.
9 And Fortune Minerals have asked to begin the
10 discussion with a few short minutes of discussion.
11 So I'll turn the mic over to Fortune. Thanks.
12 MR. RICK SCHRYER: Rick Schryer,
13 Fortune Minerals. Thank you, Chuck. I just wanted
14 to share -- take a few minutes and share our vision
15 for closure before we got into any specific
16 questions.
17 The site right now has a series of
18 wetlands, the grid ponds and the little wetland
19 that's below it, that receive the water from the ore
20 body. And we know from a lot of sampling that these
21 water bodies naturally attenuate arsenic and other
22 metals.
23 Our vision for closure is to put those
24 wetlands back, to essentially restore the ecological
25 condition that was there prior to development by the

1 installation of our treatment wetlands at the end.
2 I also wanted to just point out that
3 as we've discussed yesterday with the CDF. The CDF
4 is designed for closure. That is its -- in terms of
5 the re-vegetation and addressing water quality issues
6 to the best extent possible, that structure is
7 designed for closure. So very much, the development
8 of this project has closure in mind from the very
9 beginning. And that's our vision in terms of being
10 able to provide a project that not only is safe
11 during operations, but is acceptable at closure.
12 So with that, I'll open the floor to
13 questions.
14 THE FACILITATOR HUBERT: Thanks very
15 much for that intro on closure and reclamation.
16 Questions from parties, please.
17 MS. JANE FITZGERALD: Jane
18 Fitzgerald, Environment Canada. Just a follow up on
19 your comment of there's wetlands currently in place.
20 And the goal of closure is to return or re-establish
21 those wetlands.
22 In the interim, during operations,
23 will those wetlands still be there? Or, like, how
24 will they be re-established?
25 MR. RICK SCHRYER: Rick Schryer,

1 Fortune Minerals. The existing wet -- wetlands, the
2 grid ponds and the small pond below it will all be
3 covered by the CDF. They will not exist any more.
4 Our plan is to start construction of
5 wetlands during operations to start looking at their
6 performance, to start looking at the variables that
7 we would need to do in order to design them that they
8 would be able to handle the water quality and the
9 flows that we are predicting to see from the CDF, so
10 that we have an operational model by the time we
11 reach closure of these wetlands.
12 So we're -- the ones we're talking
13 about are the ones that -- wetlands 1, 2, 3, that
14 were in my presentation at the base of the CDF. So
15 we would start with 1 and start looking at, you know,
16 construction and size and we'll have to do a lot of
17 calculations first.
18 One (1) of the ways -- just while I
19 have an opportunity here -- one (1) of the ways we're
20 going to do that is we have an opportunity, since
21 these wetlands are going to be destroyed anyway, the
22 ones that are under the footprint of the CDF, we're
23 going to dissect them first. We're going to look at
24 things like the bacterial -- the bacterial fauna in
25 the -- in these wetlands to see if there are arsenic

1 consuming bacteria or other types of bacteria that
2 might be in there that might help, that are already
3 indigenous to those wetlands. And, basically, take
4 some and -- and preserve it. So that we can seed our
5 wetlands.
6 We're also going to look at things
7 like depth and depth -- or depth of sediment. Width
8 of the wetland. Like I said, we can dissect this
9 thing because it's going to be -- it's going to be
10 taken apart anyway. So we -- there's a lot of
11 information we can gain from the existing wetlands
12 that we can use towards the construction of the new
13 ones and -- and making these structures. You know,
14 we know that the wetlands work right now, so that in
15 terms of re-establishing those wetlands, putting in
16 place some of those same characteristics that are
17 there. Thank you.
18 MS. JANE FITZGERALD: Jane
19 Fitzgerald, Environment Canada. That -- that sounds
20 like a great plan and Environment Canada would be
21 very interested in learning more about the research
22 as it progresses and possibly seeing the research
23 designs for the wetlands you plan to install before
24 they happen just so that we can be informed about the
25 wetland and their design. Thank you.

1 MR. RICK SCHRYER: Rick Schryer,
2 Fortune Minerals. Yes, we'd be glad to share those
3 plans. We've just started develop -- developing in
4 terms of what we're going to do with the wetlands.
5 The timeline on that is fairly short. I mean, in
6 terms of once -- when we get our -- our permits and
7 when we're moving towards construction we need to get
8 that work done fairly quickly, because, otherwi --
9 you know, as -- as the CDF to progress and be built
10 those -- those wetlands will be obliterated.
11 So we're talking about a fairly short
12 timeline in terms of gathering that data. So we'll
13 be able to have some answers fairly quick in terms of
14 what they look like and how they do it. Thank you.
15 MR. JOHN BRODIE: It's John Brodie,
16 for AANDC. Just carrying on on the -- the topic of
17 the wetlands, do you have any concepts in mind at
18 this stage as to what the metal removal process is in
19 those wetlands?
20 MR. RICK SCHRYER: I believe we've
21 prepared the write-up for that in the DAR. I can't
22 remember what section it is, but I believe there's a
23 write-up in the DAR. I can't remember it off the top
24 of my head, but I'm pretty sure we -- we covered that
25 in the DAR in terms of the metal removal process that

1 we -- we assume is in there.

2

3 (BRIEF PAUSE)

4

5 MR. KEN DE VOS: Ken De Vos, with

6 Golder Associates. You know, wet -- wetlands for

7 removal of metals from -- from either acid mine

8 drainage or arsenic or a number of other types of

9 metals has been ongoing in terms of research for

10 probably fifteen (15) or twenty (20) years now. So

11 there's lots of case studies.

12 There -- there's some -- some really

13 good work on Colorado that's been done. Jim Gussack

14 (phonetic) is with -- with Golder, and he's done a

15 lot of the pioneering work on this as well. And Dave

16 Blowes, from University of Waterloo has done a lot of

17 work on reactive barriers.

18 The -- the main mechanisms that are

19 going to act likely in this case in a -- in an --

20 judging by what's happened with other locations, is

21 you're going to have probably sulphide, so you're

22 going to have redu -- reducing conditions at the base

23 of those wes -- wetlands through degradation of

24 organic matter as -- and that happens in all

25 wetlands. You end up with sulphide precipitation.

1 And tha -- those sulfides that precipitate actually
2 scavenge the metals, so the metal gets -- gets taken
3 up in those -- those materials. And that's a common
4 process that -- that will occur.
5 THE FACILITATOR HUBERT: Thanks.
6 Chuck Hubert. Just a reminder to, if you can, keep
7 cellphones off. Thanks.
8 MR. JOHN BRODIE: It's John Brodie.
9 Thank you for that. Have you looked at what the flow
10 rates and metal loading rates might be coming out of
11 the CDF at closure and -- and tried to assess how
12 much wetland area you'd need to effectively treat
13 those chemical loads in winter conditions and summer
14 conditions?
15 MR. KEN BOCKING: Ken Bocking, Golder
16 Associates. Yes, we -- we have predicted the flows
17 that will pass through the wetland treatment systems.
18 It's in the -- it's shown graphically on the -- on
19 the post-closure water balance figure. I -- I'd have
20 to have someone look up the actual number for you.
21 MR. RICK SCHRYER: Rick Schryer,
22 Fortune Minerals. Ken's going to look at the number
23 for you. What I can add to that is that we have a
24 preliminary estimate from the people that are doing
25 our bench-scale testing, the wetland design work with

1 Golder in Denver. They estimate that we would need a
2 surface are of 2 hectares of wetland in order to be
3 able to treat the water coming out of the CDF.
4 MR. JOHN BRODIE: It's John Brodie.
5 Is that 2 hectares then for warm or summer flow
6 conditions? In other words, I guess what I'm getting
7 at here is that the wetlands that are there naturally
8 receive flow during the time of year when we have
9 natural runoff, in other words the summertime of
10 year. But the CDF, once it's constructed will tend
11 to be a source of seepage year-round and so there'll
12 be a -- a winter discharge from the CDF going to
13 wetlands that are relatively cold.
14 And I'm wondering whether or not that
15 2 hectares is -- is an appropriate sizing for the
16 winter flows, or is there some other strategy that
17 you have in mind for that to deal with what comes out
18 in the winter?
19
20 (BRIEF PAUSE)
21
22 MR. RICK SCHRYER: Rick Schryer,
23 Fortune Minerals. Yeah, we're aware that that could
24 actually be a possibility. The people in Denver tell
25 us that there are wetlands that are operating under

1 these conditions right now and that they have been
2 successful in operat -- in dealing with those types
3 of issues. And -- and like I said, we're cognizant
4 of the fact that the CDF could be a -- could be a
5 source of water in the wintertime. And they have
6 been ab -- been able to deal with that in the
7 wetlands that are currently operating. So that would
8 be part of our plan, part of our design features for
9 the wetlands to -- is to account for seepage during
10 the wintertime.
11 MR. GERD WIATZKA: Gerd Wiatzka,
12 SENES. The wetland question is something that we
13 looked at quite -- quite seriously and we're quite
14 concerned about the sizing. We -- I have some
15 preliminary numbers that just looked at if you
16 assumed some allowance for freshet and so on that you
17 might be more than 4 hectares.
18 So for us, we'd really like to see the
19 design basis going forward because the existing
20 wetlands are quite large in terms of the footprint
21 under the CDF. And so it's one (1) of the concerns
22 we have and we would certainly like to see the design
23 details as they mature.
24 MR. RICK SCHRYER: Rick Schryer,
25 Fortune Minerals. We have no problem sharing with

1 those -- those -- you know, in terms of the actual
2 size, I mean, that's a preliminary estimate I gave
3 you. Obviously, you know, we're going to -- I mean,
4 I'm -- I'm looking forward to, you know, being able
5 to dissect the -- the existing wetlands, getting a
6 better idea of their performance, and then looking at
7 getting a better idea of the chemistry so that we can
8 actually start sizing these things.
9 We have a number of options available
10 to us in terms of where we put -- you know, may --
11 where you saw the wetlands is just our preliminary
12 cut. We can make them bigger. We can put them in
13 other locations. We could even direct the water to
14 go a different way. One (1) of the things actually
15 we were talking about over breakfast is the -- the
16 basin that's to the south of the open pit where the
17 mine rock are -- management area was going to be,
18 it's -- it's already kind of a terraced -- there's
19 already a creek one (1) there and it's kind of
20 terraced.
21 You could almost make a terraced
22 wetland, direct the flow from the open pit, because
23 we can make the -- the water from the open pit go any
24 direction we want depending on how we put the -- the
25 -- how we place material around it. So we could

1 actually have that water go to the south and terrace
2 down in a -- in a series of wetlands and -- and
3 excrease -- and increase our -- our retention time.
4 So there -- we have a lot of options
5 in terms of where we can put the wetlands and how big
6 they can be. So, I mean, that's all things that we
7 can talk about in terms -- as we move closer to
8 closure and we look at, you know, the -- our initial
9 test wetlands during operations, how are these
10 working, how big do they need to be. All of those
11 things, you know, we can work on in terms of the --
12 the sizing, but we've got -- the bottom line here is
13 we have a lot of latitude in terms of where we put
14 these things and how big they need to be.
15 MR. GERD WIATZKA: Gerd Wiatzka,
16 SENES. I appreciate that and certainly that's
17 something we would like to see. The other -- you
18 mentioned that Golder had some information about
19 wetlands that were used in this kind of a climate?
20 MR. KEN DE VOS: Ken De Vos, with
21 Golder Associates. Yeah, just to clarify the -- the
22 -- they work in winter conditions, not necessarily in
23 the Northwest Territories, but if you look at the
24 wetland test systems that they're running in
25 Colorado, they -- they run them up in the mountains

1 where they do experience winter conditions and they
2 do find that there are -- is reductions in the amount
3 of metals.
4 And now, that said, I understand fully
5 that temperature is a factor, and that would have to
6 be considered in the ultimate design of these --
7 these wetlands, for sure.
8 MR. GERD WIATZKA: Thank you. And --
9 and again the freshet of course is a key concern in -
10 - in sort of flushing when the wetland is most
11 vulnerable and -- and you have higher flows.
12 MR. KEN BOCKING: Ken Bocking, Golder
13 Associates. I just wanted to answer a previous
14 question.
15 We've looked up the -- the flows. In
16 the water balance we're showing that the annual
17 loading to the wetland treatment systems after
18 closure is 109,000 cubic metres a year.
19 The seepage -- the part -- that has
20 two (2) components, it's local run off in the
21 watershed of the seepage collection ponds, which of
22 course is seasonal. And the other component is the
23 seepage that's coming out of the CDF, which is
24 somewhat seasonal, but less so. It -- there will be
25 seepage in the winter.

1 THE FACILITATOR HUBERT: Chuck
2 Hubert, Review Board. Thanks for responding to that
3 earlier question. Mr. Brodie, did you have a follow-
4 up to that response to the earlier?
5 MR. JOHN BRODIE: It's John Brodie.
6 That 109,000 cubic metres, does that include water
7 from the pit?
8 MR. KEN BOCKING: Ken Bocking, Golder
9 Associates. No, that's just the loadings to wetland
10 treatment systems 1, 2, and 3.
11
12 (BRIEF PAUSE)
13
14 MR. JOHN BRODIE: It's John Brodie.
15 With respect to that volume of -- of flow, a key
16 factor in -- in determining that is the rate of
17 infiltration through the -- the final covered CDF.
18 And I'm wondering, could you comment
19 on how you came up with the 15 percent of mean annual
20 precipitation as the rate of inflow into the CDF?
21 MR. KEN BOCKING: Ken Bocking, Golder
22 Associates. Yeah, that's a number that we -- we
23 estimated based on -- on experience and of our team
24 that does the cover design. It's a figure that we
25 feel is -- is quite achievable in the long term.

1 MR. KEN DE VOS: Ken -- Ken De Vos
2 with Golder Associates. Just to put some perspective
3 on the flow number, that's 109,000 metres cubed per
4 year. If you look at a mine such as Snap Lake, for
5 example, the published information on Snap Lake shows
6 that the pumping rate is 25 to 30,000 metres cubed
7 per day. So the amount of flow relatively speaking
8 is about three (3) days of -- three (3) or four (4)
9 days worth of flow from Snap Lake mine. So it's a --
10 it's a relatively small amount of flow.
11 MR. JOHN BRODIE: It's John Brodie
12 again. With respect to that 15 percent infiltration,
13 what characterization have you done of -- of borehole
14 materials that you might use for building that cover,
15 and have you done any tests to look at kinds of
16 infiltration or is it just desktop characterization
17 at this time?
18 MR. KEN BOCKING: Ken Bocking, Golder
19 Associates. It is desktop characterization so far.
20 We fully anticipate that we will do -- or if you
21 would like, our usual characterization of the soil,
22 sort of water characteristic curves and all that sort
23 of thing, and -- and do all the analytical modelling.
24 But that -- that's a process we'll go through later.
25 MR. JOHN BRODIE: John Brodie. Is

there a borehole source of suitable cover material in the vicinity of the CDF?

(BRIEF PAUSE)

MR. KEN BOCKING: Ken Bocking, Golder Associates. We've looked at the materials available and have decided that -- that predominant element of the cover will be glacial till. We've done some air photo interpretation and some ground reconnaissance and a limited amount of borehole testing, which gives us confidence that we can find glacial till in it's -- it's about four (4) different locations. It's -- it's shown on the -- on the footprint plan.

The idea is to exploit the till deposit on the back slope of the bowl zone in -- in the first instance, because that's till material that would have to be stripped in any case for the open pit operation.

MR. JOHN BRODIE: John Brodie. Did you consider geosynthetic type covers as an alternative to natural materials in order to reduce the volume of water flowing through the CDF?

MR. KEN BOCKING: Ken Bocking, Golder Associates. Just -- just to step back. In -- in

1 response to the previous question, the section on
2 borehole is 3.10.2.9. Now -- and Figure 3.2-2.
3 As to your current question, we -- we
4 thought about it, a geomembrane situation. But we --
5 we felt that it was more practicable to use a soil
6 cover. And also a soil cover should have more
7 longevity than a geomembrane. We also are -- are
8 quite comfortable with being able to reduce the
9 infiltration to 15 percent.
10 THE FACILITATOR HUBERT: Chuck
11 Hubert, Review Board. If you can elaborate a little
12 on what the pros would be for a geosynthetic cover
13 design, relatively speaking to the glacial till.
14
15 (BRIEF PAUSE)
16
17 MR. KEN BOCKING: Ken Bocking, Golder
18 Associates. We -- we see the advantages of going to
19 the soil cover option being that, first of all, it
20 provides a surface that can be re-vegetated and --
21 and so it's going to support vegetation on -- on the
22 entire CDF area. And it's -- being a natural
23 material, it has, you know -- obviously it's a
24 material that's survived ten thousand (10,000) years
25 since the glaciation so it's -- it's got more

1 longevity than -- than a thin man-made plastic.
2 THE FACILITATOR HUBERT: Thanks for
3 that response. Continue the questions from parties?
4 DR. GINGER GIBSON: Ginger Gibson,
5 Tlicho government. When I was thinking about the
6 question that was raised by AANDC on the wetlands
7 treatment, I've always been really interested in the
8 question of the plants taking up the metals. And --
9 and it's a -- it's a great way for metals to be
10 removed from water. The plants actually digging --
11 bringing them up and then having them -- keeping them
12 in them.
13 One (1) of the key concerns with those
14 plants then holding those metals is that there's me -
15 - heavy metal loading in plants and then it becomes a
16 concern for access from animals. Animals having
17 access to that wetland. And then being able to --
18 caribou, in particular, being able to graze on the
19 wetlands or graze near the wetlands over the long
20 term.
21 So I'm wondering two (2) questions.
22 If the -- if there has been consideration, both
23 around the wetlands of -- of keeping it -- keeping it
24 so that caribou and other animals can't access it?
25 Or if the metal loadings -- if you've done the risk

1 assessment to look at whether the metal loadings in
2 those plants would be something to be of concern?
3 And I think if you could also treat
4 that same question with respect to the co-disposal
5 facility, because we do know that -- we do know that
6 caribou really clamber up the most steepest of slopes
7 and -- and then have access again probably to the co-
8 disposal facility. So that same question in terms of
9 what the thoughts are around wildlife management
10 around the co-disposal facility.
11 MR. RICK SCHRYER: Rick Schryer,
12 Fortune Minerals. We haven't done a detailed risk
13 assessment yet on -- on the vegetation uptake of
14 metals. It's something we plan on doing. The first
15 step of that though is I wanted to test the
16 vegetation in the current wetlands to get an idea of
17 what a baseline is in terms of metal -- metal content
18 and vegetation to give us a better idea of what our
19 target should be. So that's the first step in that
20 process.
21 I can't say that we will be looking at
22 that in terms of potential, you know, risk to
23 wildlife in terms of consuming that vegetation. And
24 I'll let Ken Bocking address your que -- your issue
25 on vegetation on the CDF.

1 MR. KEN BOCKING: Ken Bocking, Golder
2 Associates. We had concerns about the potential for
3 caribou getting uptake of arsenic from, particularly,
4 the tailings. Because of its ground nature and its
5 capillarity it would theoretically be possible for
6 vegetation to pull arsenic out of the tailings and
7 bring it to the surface.
8 That's not the case on the -- on the
9 rock. But in any case, for that specific reason we
10 decided that the top cover of the CDF has -- is going
11 to have a sand capillary break underneath the glacial
12 till layer. And that will prevent any uptake of --
13 of arsenic-bearing porewater up into the vegetation.
14 MR. KEN DE VOS: Ken De Vos, with
15 Golder. And -- and just for the benefit of the
16 people in the audience, who -- who -- a capillary
17 break is essentially a layer of coarser-grain
18 material with -- and what happens is -- is air is
19 entrained in that coarser-grain material so there's
20 not a con -- continuous pathway of water from the
21 saturated surface soils which -- which support the
22 growth of plants. There's not a continuous pathway
23 for the water to get up from the tailings into that -
24 - into those surface soils that support the plants.
25 MR. GERD WIATZKA: Gerd Wiatzka,

1 SENES. Is that capillary break also on the slopes?
2 MR. KEN BOCKING: Ken Bocking, Golder
3 Associates. No, it's not on the slopes for the
4 specific reason that the -- the slopes are the -- the
5 perimeter dike, which is comprised of, you know,
6 coarse open pit rock. So the -- any availability of
7 arsenic is much less on the -- on the coarse rock and
8 nor does it have any capillarity, any way of
9 retaining moisture that the vegeka -- vegetation
10 could draw. So it's not a -- we don't feel it's an
11 issue on the -- the sloped flank on the rock.
12 DR. GINGER GIBSON: Ginger Gibson,
13 Tlicho Government. Could you please address the
14 question of the mitigations in terms of keeping
15 caribou from grazing in the wetlands and from --
16 whether or not you feel that it's going to be
17 appropriate for at co -- at closure, whether you feel
18 then that it'll be safe for caribou to travel up and
19 over the co-disposal facility?
20
21 (BRIEF PAUSE)
22
23 MR. RICK SCHRYER: Rick -- Rick
24 Schryer, Fortune Minerals. In terms of making
25 decisions right now as to whether or not the plants

1 are safe for caribou to -- to consume, I can't answer
2 that question right now.
3 Obviously, we'll look at mitigation
4 techniques. If the plants are unsafe for consumption
5 in the wetlands, then we obviously -- we would have
6 to look at various mitigation techniques to keep them
7 out of there. That's obviously something we'd work
8 with in terms of the -- the Tlicho Government and
9 local people in terms of how they best feel we could
10 keep caribou out of there.
11 In terms of your question on the CDF,
12 we're confident that plants will not be contaminated
13 on the surface of the CDF. So it will be safe for
14 travel, for caribou to -- to pass across the co-
15 disposal facility, and even consume the -- the plant
16 life that's on it.
17 MR. BARRY ZAJDLIK: Barry Zajdlik, on
18 behalf of AANDC. I know that caribou don't fly, but
19 other animals do fly and they can land in these
20 ponds. And I'm concern -- later on we're going to be
21 talking about metal loads to the -- the wetlands, but
22 there is potential for mobilization of metals into
23 the plants and biota within those wetlands, and then
24 into the food chain via animals that land and -- and
25 graze on the water.

1 Can you comment on that?
2 MR. RICK SCHRYER: Rick Schryer,
3 Fortune Minerals. We'll be looking at it in terms of
4 what the potential risk is for the utilization of
5 these wetlands by wildlife once we have a better idea
6 how they're designed.
7 I would say -- say, though, from an
8 overall ecological perspective, that risk already
9 exists for animals now in terms of the ponds that
10 exist right now and their metal loadings, and the
11 amount of metals that they have in their sediments,
12 and in the plant life. So in terms of an overall
13 increase in risk to animal life, I don't think we're
14 looking at a big difference between pre-development
15 and closure. We have ponds that are going to have
16 metals in them. We have ponds that will have metals
17 in them when we're done.
18 Obviously I don't have a specific
19 answer to what the risk would be of animals utilizing
20 those wetlands. That's something we'll have to look
21 at when we get to a more detailed design phase.
22 MR. BARRY ZAJDLIK: Barry Zajdlik on
23 behalf of AANDC. I looked at your predictions for
24 mercury in the long term, and it shows that mercury
25 is going to pre -- going to increase beyond what is

1 presently in those ponds to beyond CCME water quality
2 guidelines, and specifically in NICO Lake, I believe.
3 So that tends to refute your comment
4 that the -- the risk won't be -- will be the same.
5 In fact, they are going to increase substantively in
6 the post-closure period, at least for mercury. So I
7 think that there will be an increased risk, and I'm
8 wondering what you could do to mitigate that risk.
9 MR. KEN DE VOS: Ken De Vos with
10 Golder Associates. When -- when we measure concen --
11 a lot of the predictions are based on what we can
12 measure, and -- and we -- we of course measure small
13 samples relative to how things are going to proceed
14 in a much larger environment.
15 With respect to some of the
16 predictions in the -- the -- we -- we use what we
17 measure in terms of data, and for many parameters
18 ones that are -- are very low we -- we have very low
19 detection limits. And those -- a lot of those
20 predictions, when we hit a value that's at detection
21 limit, we will use some amount of that value in our
22 predictions.
23 And when we scale up those predictions
24 from -- to -- to mine scale, and use large volumes of
25 water, oftentimes what we see is that some of our

1 predictions end up being the result of artifacts due
2 to -- due to the detection limits, or some part of
3 the detection limits that we use in our initial
4 conditions.
5 And the -- in particular with respect
6 to mercury, that -- that is the case with our water
7 quality predictions. We -- we are seeing some
8 artifacts due to -- due to detection limit. But
9 that's something that we would need to be monitoring
10 for during operations, and moving forward, to see
11 whether those parameters actually will exist as we
12 move through closure.
13 MR. BARRY ZAJDLIK: Barry Zajdlik.
14 Then are you stating that the mercury predictions are
15 erroneous because you're using MDLs?
16 MR. KEN DE VOS: Ken -- Ken De Vos
17 with Golder Associates. No, I'm -- I'm not saying
18 they're erroneous. I'm saying they're conservative.
19 Rather than putting them in as zeros,
20 we are putting them in at -- at some fraction of the
21 MDL, or the MDL value itself, which provides us some
22 level of conservatism, lets us know that it's not
23 something we can simply ignore moving forward. It's
24 something we have to monitor and refine moving
25 forward.

1 MR. BARRY ZAJDLIK: Barry Zajdlik.
2 That's a good answer. That being said, I'm concerned
3 that your predications are based on ion exchange
4 technology versus RO. When I looked at the predicted
5 influent concentrations, they are about five (5)
6 times higher for the RO versus the ion exchange.
7 Do you think that if you redid your
8 predictions that you would be outside the range of
9 MDLs?
10 THE FACILITATOR HUBERT: Thanks.
11 Before the response, can you please give us the
12 spelled out version of the MDL acronym?
13 MR. BARRY ZAJDLIK: Barry Zajdlik.
14 MDL stands for minimum detection limit --
15 THE FACILITATOR HUBERT: Thank you.
16 MR. BARRY ZAJDLIK: -- or sorry,
17 method detection limit.
18 MR. JOHN FAITHFUL: John Faithful,
19 Golder Associates. Thanks, Barry. Yesterday. we --
20 we made the commitment to undertake an update to the
21 modelling, based on the new water treatment
22 technology. And so we'll -- we'll be able to
23 evaluate any differences and -- and provide that
24 information back through the -- the Board.
25 MR. BARRY ZAJDLIK: Barry. Thanks

1 for that response, John. Yesterday when I asked the
2 question it was in response specifically to
3 eutrophication-type chemicals.
4 So you're saying that you will update
5 all predictions based on use of RO versus IX?
6 MR. JOHN FAITHFUL: John Faithful,
7 Golder Associates. That's correct, Barry.
8 MR. JOHN BRODIE: John Brodie for
9 AANDC. I have another question relating to the
10 volume of water going through the CDF at closure. I
11 assume that the 109,000 cubic metres per year is
12 based on the 15 percent of mean annual precipitation
13 going through the pile. In other words, that's a
14 long term steady-state flow. However, at the end of
15 operations, when there's still water in -- in the
16 pile from the ongoing operation and discharge of
17 tailings, there will be a period where that pile will
18 drain down.
19 And I'm wondering if you've looked at
20 what the time for that drain down will be and what
21 the increase in flow would be during that drain down
22 period?
23 MR. KEN BOCKING: Ken Bocking, Golder
24 Associates. Yes, I think you characterized that
25 transition correctly. There will be a seepage flow

1 out during operations -- and, again, I apologize, I
2 don't have the number at the top of my head, but it
3 will be on the -- in -- in the documentation. And
4 then it'll then go through a period of transition
5 where it'll drop down to the hundred and nine
6 thousand (109,000), which is indeed based on that,
7 the 15 percent infiltration.
8 It's speculation. I -- I'm not in --
9 I'm not really able to say how many years it takes
10 for that to happen.
11 MR. JOHN BRODIE: John Brodie for
12 AANDC. I guess I'm -- well, I'll just leave it as a
13 comment, then, that I'd be interested to see how you
14 will address the -- that volume of -- of water during
15 that drain down period with respect to the sizing of
16 the wetlands at closure.
17 THE FACILITATOR HUBERT: Thanks.
18 Chuck Hubert, with the Review Board. I thought I'd
19 jump in with a bit of a follow-up question on the --
20 the CDF and the vegetation that may, or will, grow on
21 -- on it over time. And what sort of thought had
22 been given to the -- the various types of -- of, you
23 know, the shrubs or -- or trees. And -- and the
24 possible impact of those, long term, on the -- the
25 ability of the cover to maintain its proper function.

1 Thanks.

2 MR. RICK SCHRYER: Rick Schryer,

3 Fortune Minerals. This had been addressed in one (1)

4 of our IR responses. I'll just give a summary.

5 We'll be looking at both passive and

6 active reclam -- re-vegetation techniques during

7 operations. Because we do -- we will have a large

8 portion of the CDF available to tar -- start

9 experimental test plotting in terms of figuring it

10 out.

11 There's a lot of lessons learned now

12 available from the diamond mines in terms of

13 reclamation techniques in the north that work. And

14 so we'll be giving careful eye to that in terms of

15 their -- their successes and failures and how we can

16 adapt that to our site. Keeping in mind that they

17 are -- you know, the diamond mines are on the tundra

18 and we're in the forest, but.

19 And we've also made the commitment to

20 the Tlicho government that we would work with them in

21 terms of getting their input in terms of what the re-

22 vegetation should look like, what their objectives

23 are. In terms of -- of re-vegetation for the cover

24 of the CDF.

25 But the -- the bottom line is that

1 it's not something that we're just going to start at
2 closure. It's something that we're going to work
3 towards during operations in terms of having test
4 plotting and -- and figuring out what works with the
5 diff -- with our -- with our cover types. So that we
6 know -- we have a very good idea, once we reach
7 closure, how we should approach that. Thank you.
8 MR. JOHN BRODIE: John Brodie for
9 AANDC. I think I'm down to my last question, here,
10 and it relates to the open pit.
11 I understand that you looked at one
12 (1) scenario of accelerated pit flooding in the range
13 of about ten (10) years. And I'm wondering if you
14 considered any scenarios of even faster pit flooding
15 and whether or not there was any geochemical or water
16 quality benefits from that accelerated -- very
17 accelerated pit flooding?
18
19 (BRIEF PAUSE)
20
21 MR. RICK SCHRYER: Rick Schryer,
22 Fortune -- Fortune Minerals. We did look at, you
23 know, various scenarios for filing the pit. Due to
24 the -- the nature of the -- of the water bodies in
25 the area of the NICO Mine, there's only a certain

1 volume we could drain from those -- any of the
2 surrounding lakes without actually having some very
3 serious impacts on their -- on their lake levels.
4 So the only source that's even close
5 is the Marian River. And without actually, you know,
6 actually causing serious damage to the flows in the
7 Marian River, there's a limited amount of flow you
8 can draw from it as well and stay -- actually,
9 there's a guideline from DFO in ter -- I believe it's
10 5 percent of flow from -- at any one (1) time to a --
11 from a -- from a river like that.
12 So we're limited in terms of how much
13 water we could draw. So the -- the maximum -- the
14 shortest timeline we could develop for that would be
15 around ten (10) years. There's no way we could
16 accelerate it without actually having damage to the
17 environment.
18 And as far as the geochemical
19 constituents for -- for the -- the open pit, I'll let
20 Ken De Vos answer that.
21 MR. KEN DE VOS: Ken De Vos, Golder
22 Associates. We did look at the chemistry under
23 various scenarios of pit flooding as well and we
24 looked at the -- it -- it's -- the differences --
25 there are some differences whether you flood the pit

1 quickly or whether you let it sit for a longer period
2 of time. But those dis -- differences are -- are not
3 very great.
4 In terms of allowing to -- the pit to
5 flood over a longer period of time, there are small
6 areas within the -- the pit walls that would contain
7 some potentially acid-generating materials. In the
8 calculations we assume that those were acidic and
9 that in -- any rainfall that would hit those
10 particular areas would pick up the characteristics of
11 an acidic water. So we did take that into account.
12 And what we found was that, first of
13 all, there -- there's not a lot of those areas
14 remaining. As you mine out the pit, the ultimate pit
15 elevation, and we -- we looked at the geology and the
16 lithology to determine what the -- the edges of the
17 pit would look like in terms of the rock types and
18 the acid generation potential.
19 We also looked at the water quality
20 that would be put into the pit from the Marian River
21 in terms of a shorter time frame for mixing. We
22 looked at the potential for stratification. We
23 looked at the water qualities of the co-disposal
24 facility that would -- would be directed to the open
25 pit as well. And what we found was that there were a

1 lot of similarities in terms of -- of water quality,
2 whether it was allowed to fit over -- fill over a
3 longer period of time or whether it was allowed to
4 mix quickly.
5 So, you know, within the -- the realm
6 of -- of prediction capabilities for a -- a model
7 extending out a hundred and twenty (120) or a hundred
8 and fifty (150) years -- so that the -- the shorter
9 an -- you know, the short answer is, yes, we looked
10 at it. We don't feel there's huge differences.
11 There are some differences, and there are expected to
12 be some differences, but we don't feel that the
13 difference in water quality that you would get from
14 leaving the pit to fill naturally over a hundred and
15 twenty (120) to a hundred and fifty (150) years would
16 -- would be that substantial relative to filling it.
17 DR. GINGER GIBSON: Ginger Gibson,
18 Tlicho Government. On that same question, one (1) of
19 the que -- the requests that Elders constantly make
20 of -- of the open pits is that they be refilled
21 quickly.
22 And one (1) of the -- so I -- I want -
23 - and one (1) of the other things that they are
24 concerned about is the -- the edges of the pit in
25 terms of access to animals to that -- those edges and

1 how -- how scaled they are so that -- they're worried
2 about caribous getting -- getting caught and -- and
3 then drowning in those open pits.
4 So I'm wondering if you've done some
5 thinking about the nature of how the pit is going to
6 be around the edges. And then -- and then whether
7 you've considered what -- you know, what the
8 parameters were for making the decision to refill the
9 pit slowly rather than in the ten (10) year period
10 time frame.
11 MR. RICK SCHRYER: Rick Schryer,
12 Fortune Minerals. To answer your first question, we
13 did put in the DAR in term -- in the project
14 description that we would be building a boulder
15 barrier around the periphery of the open pit to stop
16 animals from climbing over it. My preference would
17 be that we get guidance from the Elders in terms of
18 what the boulder barrier should look like in terms of
19 height and configuration and in terms of preventing
20 animals from -- from gaining access to the open pit.
21 So we'd be looking for some -- some guidance on that
22 from -- from the Elders.
23 In terms of your second question, the
24 filling of the open pit, you know, fast versus slow.
25 There are some -- some good reasons for that, and

1 most of them are economic. The -- well, the cost --
2 there is a substantial cost associated with filling
3 the pit quickly in terms of pumping, both capital
4 costs and operating costs. That being said, and as
5 Ken mentioned, you know, we're -- we're basically --
6 the water quality will be the same whether we fill it
7 fast or we let it fill slowly.
8 In terms of actually having monies set
9 aside for dealing with eventualities, you know, a
10 hundred and forty (140) years from now, should the
11 pit overflow -- and I -- I do mention that because
12 we're not a hundred percent sure the pit's going to
13 fill. That's a very conservative measure. We're not
14 even sure it's ever even going to overflow or fill
15 completely, I mean, you know, just be sure of that.
16 We're looking at the worst-case scenario to keep in
17 mind for this.
18 So let's assume, you know, the -- we
19 allow the pit to -- to fill a hundred and twenty
20 (120) years after the mine closes and the pit
21 overflows and the water quality is unsuitable for di
22 -- for discharge to the environment and none of our
23 in-pit treatment techniques that I've mentioned
24 before have worked in terms of inducing
25 stratification or, you know, adding ferric sulphate

1 or any of those other in-pit treatments.
2
3 Let's assume that doesn't work. Let's
4 assume that the wa -- the wetlands that we would
5 construct down -- further down that would receive the
6 flow from the open pit, let's assume they don't work
7 either. So then the only option left is to run an
8 ETF, right. That's the only option you've got.
9 In terms of finances, there's a big
10 advantage to allowing the pit a hundred and twenty
11 (120) years to fill. First of all, for that hundred
12 and twenty (120) years there's no flow, right,
13 there's no flow to the environment, it's cut off. In
14 terms of actually being able to provide financing for
15 the -- the operation of an ETF, if we put $5 million
16 down now at a ra -- at a conservative rate of
17 interest we can have over $300 million in the bank
18 available to deal with treatment of an ETF simply
19 because of -- of interest that would be accrued.
20 And so, you know, we would have a
21 large sum of money that would be available to deal
22 with virtually any eventuality in terms of actually
23 constructing a wetland or running an ETF. There
24 would be a big pot of money there available to deal
25 with that eventuality. So we're confident that

1 regardless of what scenario that I just explained
2 happens, the monies will be there.
3 And then, you know, we're assuming
4 that Fortune Minerals doesn't exist here, right.
5 This is all money that's third-party money. Fortune
6 Minerals does not exist, and the -- whatever third
7 parties hired to do this work would go through those
8 different scenarios that I explained and there would
9 be -- will be funds available. So at the end of the
10 day, we'll be able to make the commitment that the
11 water quality will be acceptable because the money
12 will be in place to deal with all of those
13 eventualities. Thank you.
14 DR. GINGER GIBSON: Ginger Gibson,
15 Tlicho Government. Rick, can you address the
16 question of sloping of the pit near the edges, so
17 that when -- I mean -- I mean, are you considering
18 leaving the bo -- the boulder barriers in place
19 forever, or would the -- eventually when water
20 quality was acceptable would you be removing those
21 and then allowing animals to have access to the pit?
22
23 (BRIEF PAUSE)
24
25 MR. RICK SCHRYER: Rich Schryer,

1 Fortune Minerals. I can -- I can honestly, actu --
2 we -- we hadn't thought of that one. If the water
3 quality is in -- acceptable in the open pit the ramp
4 actually would still be there. You could remove the
5 boulders from that part of it, and the ramp would
6 actually provide access to the open pit if -- if
7 that's what the Tlicho would desire. I mean, that's
8 something that we would have to work with the Tlicho
9 in terms of whether or not they actually want animals
10 to access the open pit if the water quality is
11 acceptable. But, I mean, I think that would actually
12 be pretty simply done.
13 MR. GERD WIATZKA: Gerd Wiatzka. I
14 think, Rick, you probably have an option too on your
15 benches. On your top bench you could cut back in
16 preparation so that if you wanted to remove anything,
17 that would be a simple case then.
18
19 (BRIEF PAUSE)
20
21 MR. GERD WIATZKA: Gerd Wiatzka,
22 SENES. I have a -- listening to John's questions,
23 and -- with regard to infiltration and so on, I'm --
24 I just would like to get a bit of clarity.
25 When we talk about the 15 percent, is

1 that an overall rate for the facility as whole, or is
2 that the cover objective? To me, when I think of a
3 glacial till cover, I don't really give it much in
4 terms of cutting infiltration.
5 MR. KEN BOCKING: Ken Bocking, Golder
6 Associates. Well, the 15 percent, what we're saying
7 in effect is that the infiltration would be at or
8 below 15 percent of the annual rainfall, which I
9 think is about 340 millimetres. Someone could
10 correct me on that.
11 The -- the way that's ob -- obtained
12 is really very material to that estimate, is the fact
13 that we're sloping the top. I mean, obviously the
14 parameter is -- is sloped and benched, but also the
15 top surface deliberately has a slope of about 2
16 percent. So that helps shed water. The other things
17 is that we're -- we're looking for a good level of
18 re-vegetation, and that re-vegetation is important
19 because it -- it does evapotranspiration.
20 So in -- in terms of a year round sort
21 of cover performance, in the spring when there's the
22 snow melt and there's a lot of water, it'll tend to
23 run off over the frozen surface on that 2 percent
24 slope. So it's got a water shedding capability then.
25 And then later on into the summer, it becomes -- the

1 -- the 1 metre of till becomes a little bit like a
2 store and release cover. The water that's in there
3 tends to get evapotranspired out by the vegetation.
4 So that -- that's the mechanisms that we're -- we're
5 trying to encourage with this design.
6 MR. GERD WIATZKA: Thank you.
7 DR. GINGER GIBSON: Ginger Gibson,
8 Tlicho Government. Yesterday we discussed the cover
9 that you had seen in other facilities, and -- and I
10 think that we asked for you to provide the
11 information about what kind of covers you've seen in
12 similar types of facilities.
13 Is that something we agreed to?
14 MR. RICK SCHRYER: Rick Schryer,
15 Fortune Minerals. I actually don't remember
16 specifically agreeing to that, unless I'm -- unless
17 my memory fails me.
18 MR. KEN BOCKING: Ken Bocking, Golder
19 Associates. I remember the discussion, and -- and I
20 was going to look into those six (6) or seven (7)
21 case histories to see whether they had a cover, and
22 what type of cover they had.
23 DR. GINGER GIBSON: Thanks, Ken. I
24 think it would be a really useful addition for us to
25 understand the -- the covers that have been used

1 elsewhere. And it would a -- I think a -- fill that
2 paper out really nicely.
3 The -- I guess the question that we
4 have with respect to the cover is if -- given that
5 we're trying to crea -- control all of the
6 geochemical reactions in there, how have you -- has
7 that cover -- you know, what performance criteria
8 have you been using when you've been looking at the
9 cover that you want to design? And are you able to -
10 - to share with us any kind of -- any kind of
11 information to give us a feeling for how you
12 anticipate the cover will perform?
13 MR. KEN BOCKING: Ken Bocking, Golder
14 Associates. In terms of the cover performance, well,
15 it's simply as we've stated. The only criterion that
16 we've mentioned is that we're -- we're trying to
17 limit the infiltration to about 15 percent of the
18 mean annual rainfall.
19 MR. KEN DE VOS: Ken De Vos with
20 Golder. You know, with respect to cover design in
21 terms of reducing acid generation that -- that's not
22 intent of the cover.
23 You know, the overall design of the
24 CDF in terms of the types of materials, where we'll
25 place them, and how we'll place them, we feel will be

1 an effective means of -- of reducing that oxygen
2 ingress. And the redundancy that we have with
3 respect to any seepage getting out and -- and using a
4 wetland treatment, and if -- if necessary a active
5 treatment system, provides a degree of redundancy
6 with respect to that.
7 So the cover is not being designed to
8 -- to stop oxygen from getting into the pile because
9 we don't feel that it's necessary with the -- with
10 the type of -- and -- and plus the -- the types of
11 materials you would need to construct that cover
12 would be difficult to find up there, as well.
13 MR. KEN BOCKING: Ken Bocking, Golder
14 Associates. I just wanted to mention, with respect
15 to those case histories, that in most cases the co-
16 disposal facilities are designed as free-draining
17 structures. And -- and so, whenever that's done
18 you'll find in the case histories that they have
19 seepage collection and monitoring and treatment.
20 THE FACILITATOR HUBERT: Thanks very
21 -- very much. Chuck Hubert. I just didn't want to
22 lose your thought on -- on the case histories and --
23 and perhaps consider that as an undertaking of some
24 sort. And I'd -- I'd like to, if you could, phrase
25 that in a -- in a question or undertaking that best

1 meets your needs.

2 DR. GINGER GIBSON: That Golder and

3 Fortune would commit to resubmitting the case

4 histories, including the closure -- or the covers

5 that were used -- utilized in the co-disposal

6 facilities, both the -- the materials and the -- the

7 depth of the covers and the nature of them. Thanks.

8 THE FACILITATOR HUBERT: Thanks very

9 much. And that is, I believe, Undertaking number 6.

10

11 --- UNDERTAKING NO. 6: Fortune Minerals to

12 resubmit the case

13 histories, including the

14 covers that were utilized

15 in the co-disposal

16 facilities, both the

17 materials and the depth

18 of the covers and the

19 nature of them

20

21 DR. GINGER GIBSON: I -- I just want

22 to follow that last answer that you gave. The wat --

23 the cover is designed to limit infiltration of water

24 to 15 percent, but it's also designed to stop the up

25 -- the access of animals to any plants that are

1 growing. So that -- so that there -- I mean, not
2 access to plants, but so that that capillary break is
3 there so arsenic can't be taken up. So there's those
4 two (2) functions.
5 Have you -- is it -- is it deep
6 enough? Is it -- would it -- would there be any
7 benefit to make it deeper? Is it -- like, in terms
8 of how big the co -- how thick the cover is on the
9 materials? Why have you chosen the figure that
10 you've chosen in terms of how -- how that's going to
11 perform?
12 MR. KEN BOCKING: Ken Bocking, Golder
13 Associates. Yes, we -- we believe it's deep enough.
14 We're looking at 1 metre of glacial till, which is,
15 you know, somewhat stony. And -- and, primarily,
16 herb -- herbaceous vegetation on the top. And then
17 underneath that is .25 metres of -- of a clean, well
18 draining sand, our capillary break. So, yes, I
19 believe that that will perform very well in
20 preventing uptake of arsenic into the vegetation.
21 MR. RICK SCHRYER: Rick Schryer,
22 Fortune Minerals. I just wanted to go back to the
23 previous commitment that Ginger had asked for. I
24 briefly discussed it with Ken, and he thinks it would
25 be more efficient if we did a review of the covers in

1 a separate memo. Not update the other one, but do a
2 separate sort of memo -- specifically on covers. So
3 we do commit to doing that as an undertaking for
4 February 23rd.
5 THE FACILITATOR HUBERT: Thanks very
6 much. We'll add that to number 6 Undertaking.
7 Thanks.
8 MR. GERD WIATZKA: Ken, I -- I think
9 your -- your last comments were really good, because
10 I think for people to understand -- and we talked
11 about it yesterday, that you will have some seepage
12 out -- out of the structure. And that the intent of
13 the cover itself is not to be that synthetic, sort of
14 cut off, that -- that has the potential to -- I mean,
15 we give it a design life of a hundred years. And if
16 you're looking at overflowing in a hundred years then
17 that's an issue.
18 So I think it's really important that
19 people understand that it's the facility itself that
20 is predominantly counted on to reduce the flow into
21 and through the facility, but that you will still
22 have some seepage. And you talked about the arsenic
23 and selenium and that, as you said, that -- that you
24 may have a requirement to treat that. And that the
25 cover itself is simply an intrusion barrier and a

1 stability barrier. And the shaping helps shed water,
2 but -- but it's really not intended to prevent air
3 from getting into it.
4 Is that correct?
5 MR. KEN BOCKING: Yes, that's
6 correct. Ken Bocking, Golder Associates, sorry.
7 THE FACILITATOR HUBERT: Chuck
8 Hubert, Review Board. Thanks very much. Those are
9 excellent questions -- series of questions and
10 answers.
11 I'd like to gauge the mood of parties.
12 And it's about ten (10) after -- or fifteen (15)
13 after 10:00 right now. We could either have a break
14 now and continue with the remainder of -- of the
15 closure and reclamation topic, and once people have
16 had a bit of time to think about it, or -- or we
17 could -- we could continue. I'll ask for a show of
18 hands.
19 How -- how many people want to -- to
20 break now and continue with closure and reclamation
21 after break?
22
23 (BRIEF PAUSE)
24
25 THE FACILITATOR HUBERT: Let's do

1 that. Let's have a break for fifteen (15) minutes
2 and come back to discuss closure and reclamation.
3 Thanks very much for the hand waving, see you then.
4
5 --- Upon recessing at 10:15 a.m.
6 --- Upon resuming at 10:37 a.m.
7
8 THE FACILITATOR HUBERT: Welcome
9 back, ladies and gentlemen. We -- we are continuing
10 with our discussion of closure and rec -- reclamation
11 topic here. First though I'd like to clarify a
12 little bit, Undertaking number 1. We've -- we've
13 talked about it on both days.
14 The first day the undertaking
15 essentially discussed the summary of the waste stream
16 from the reverse osmosis effluent treatment facility.
17 The second day, in our transcripts, Undertaking 1 was
18 expanded to include the processing of the -- of the
19 brine. And this morning we had a bit of a talk about
20 the entire suite of parameters for water quality
21 being reconfigured from the ion exchange to reverse
22 osmosis.
23 And I just want to -- I know -- I know
24 that was mentioned and I'd like to have that included
25 in a way that is of most benefit in -- in particular

1 to AANDC and other parties, clarified for the record
2 if we can. And in particular I'd like may -- perhaps
3 AANDC to state specifically what they want to make
4 sure that they have the information that they
5 require.
6 MR. JOHN FAITHFUL: John Faithful,
7 Golder Associates. Chuck, perhaps we -- we offer up
8 the commitment first and to -- and see if AANDC are
9 in agreement with that.
10 THE FACILITATOR HUBERT: Please go
11 ahead then.
12 MR. RICK SCHRYER: Rich Schryer,
13 Fortune Minerals. What we committed to do is to
14 recal -- redo the water quality modelling based on
15 the parameters from the reverse osmosis system,
16 right, and -- and that would include all parameters.
17 MR. BARRY ZAJDLIK: Barry Zajdlik, on
18 behalf of AANDC. If the inputs to the receiving
19 environment are changing substantively then not only
20 will there be changes in the water quality, but also
21 sediment quality, long-term predictions on biotic
22 effects as well. So I see quite a lot more re-
23 prediction has to be done than just water quality.
24
25 (BRIEF PAUSE)

1 MR. RICK SCHRYER: Rick Schryer,
2 Fortune Minerals. Yes, that's correct. Obviously,
3 if you change the water quality parameters you will
4 have to re-assess what happens in the receiving
5 environment, so that would be part of the exercise.
6 THE FACILITATOR HUBERT: Thanks very
7 much. Can I include the foregoing comments from
8 Fortune as being part of that undertaking then?
9 MR. RICK SCHRYER: Rick Schryer,
10 Fortune Minerals. Yes, that's -- yes, that's
11 correct.
12 THE FACILITATOR HUBERT: Thanks very
13 much. Is that sufficient clarification for AANDC?
14 MR. BARRY ZAJDLIK: Barry Zajdlik,
15 for AANDC. Yes, it is. Thank you.
16 THE FACILITATOR HUBERT: Thanks very
17 much. It's good to clear that up. I'd like to begin
18 then with Todd Slack for a question on closure and
19 reclamation, please.
20 MR. TODD SLACK: Thanks, Chuck. Todd
21 Slack, YKDFN. In our Information Request we
22 expressed one (1) of the concerns is the security
23 bonding that's around this project because of the
24 length of time. The Company, as has been, you know,
25 potentially acknowledged, may not be around at the

1 end of this. So from the Yellowknives point of view,
2 we want to ensure that this is never going to become
3 an economic situation in which it's more advantageous
4 to walk away from the commitment. We have quite a
5 history of that here in the NWT, and we don't need
6 another one.
7 So with that in mind, and I understand
8 your view that if you invest 5 million now you'll
9 have 300 million in the future, but that's given, you
10 know, the reasonably good economic assumptions that I
11 -- I'm not sure where they co -- what boundaries
12 you're using. But if we use the same timeline as
13 2004, the eco -- the environmental baseline, you
14 know, that $5 million is not going to be 300 million,
15 that's for sure.
16 What contingencies are there after
17 year 20? The -- the -- as far as I see, at year 20
18 the -- the whole range of options has to be
19 encompassed -- well, actually before year 20, when
20 the Company doesn't have any producing mines anymore.
21 So is that the Company's opinion, is that at year 18
22 or whatever of operations that the full security has
23 to provided for every eventuality?
24
25 (BRIEF PAUSE)

1 MR. TODD SLACK: And I can talk about
2 the eventualities a bit here. And that's the ETF.
3 That's the long-term monitoring. Okay. Sorry.
4
5 (BRIEF PAUSE)
6
7 MR. RICK SCHRYER: Rick Schryer,
8 Fortune Minerals. We actually had a meeting on
9 Monday with AANDC to start discussing scenarios for
10 bonding for closure in terms of the financial amounts
11 that we do have in the -- we would need in place.
12 Essentially, yes, the money would have
13 to be there for the closure activities that are
14 proposed within re -- reasonable time frame. As I
15 mentioned in my presentation, it'll be a step-wise
16 process. A lot of the closure activities that will
17 occur will occur, you know, soon after closure of
18 years 1 and 2 in terms of recovering the CDF and
19 removing the plant site, those sorts of things. And
20 then there's the parts that would be far in the
21 future in terms of what I spoke of earlier in terms
22 of the event -- the eventualities with the open pit
23 should it overflow.
24 But we -- like I said, we've already
25 had discussions with AANDC in terms of how that would

1 work. And we've got a good -- you know, we've got a
2 good path forward in terms of being able to provide
3 the type of security that's needed for full
4 reclamation of this property.
5 MR. TODD SLACK: Thanks, Rick. Todd
6 Slack, YKDFN. Can we ask that that be -- the nature
7 of those discussions be entered into the -- the
8 registry? Because in your Information Request you
9 alluded to this being a matter for the regulatory
10 phase. But un -- un-reclaimed mines and -- thi --
11 this is a matter, a potential public concern from the
12 Yellowknives' perspective. So, for us, that's a
13 matter to be discussed at the EA stage. So I'm
14 hoping that you're agreeable to throwing that in the
15 registry.
16 MR. RICK SCHRYER: Rick Schryer,
17 Fortune Minerals. I'm sorry, but we won't be able to
18 do that. First of all, AANDC actually won't even
19 enter into those discussions until we actually get to
20 the regulatory phase. We're having some initial
21 discussions to try to set the framework. But, also,
22 those are financial details that I think will be
23 proprietary to the Company.
24 What you need to do -- what will
25 happen though is that AANDC will come back to you and

1 say that they do have the adequate financial
2 assurance in place for the mine based on the
3 different types of leases that we take out, but I
4 don't think that's actually subject to public record
5 for the environmental assessment.
6
7 (BRIEF PAUSE)
8
9 THE FACILITATOR HUBERT: Thanks for -
10 -
11 DR. GINGER GIBSON: I'm going to add
12 to this, if possible. Ginger Gibson, Tlicho
13 Government. Along -- following the -- the lines --
14 along the lines that Mr. Slack has articulated, I'm
15 wondering when we will be able to look at actual
16 assurance estimates or get a feel for what Mr. Slack
17 is referring to, the eventualities and the costing
18 for those eventualities.
19
20 (BRIEF PAUSE)
21
22 MR. RICK SCHRYER: Rick Schryer,
23 Fortune Minerals. As I mentioned, AANDC has
24 indicated to us that their preference is that we not
25 enter into detailed negotiations for those particular

1 financial assurances until we reach the regulatory
2 phase.
3 Our -- I can tell you what our plan is
4 in general, is that we are going to basically chop up
5 the property into a separate -- a number of smaller
6 leases that everybody will have very clear definition
7 on in terms of what they include, because each one
8 (1) of these different leases will have different
9 timeframes in terms of when they could possibly be
10 released from the bond based on progress -- the --
11 meeting the closure objectives.
12 So there's different -- there's a lot
13 of timing involved in when a particular aspect of the
14 property could be released.
15 I'll give you two (2) -- a couple of
16 examples. One (1) would be the plant site, where we
17 could remove the buildings and the materials and
18 stuff, and grade that in actually -- in a fairly
19 quick fashion and actually achieve our closure
20 objectives within a reasonable timeframe after
21 closure.
22 Something like the open pit, which has
23 the possibility of overflowing in, you know, a
24 hundred and twenty (120) years, obviously, that would
25 carry further -- a lot forward, and on that -- that

1 lease would be separate.

2 So in terms of strat -- the -- the

3 strategy here is to be able to release parts of the

4 property that can be released, but obviously hang

5 onto the ones that need to be -- need to have

6 financial assurance in the long term are actually

7 still there and -- and covered by it.

8 So that's our -- our strategy for now,

9 but like I said that's in its infancy. We've had one

10 (1) meeting.

11 I'm just not sure about how -- what

12 can and can't be released in terms of financial

13 assurance. I'll be honest, I'm not sure what the

14 company position is on that, and I'll have to

15 actually check on it.

16

17 (BRIEF PAUSE)

18

19 DR. GINGER GIBSON: Ginger Gibson,

20 Tlicho Government. It's -- I guess -- in reflecting

21 on the possibility that there would be long-term

22 treatment, that there would be treatment forever, in

23 perpetuity is a -- such a big, long concept for --

24 for people who have lived here and been here forever

25 to think of their water needing to be treated.

1 And the water, as you know, the Tlicho
2 agreement has the -- has the -- requires that water
3 quality and quantity and rate of flow in Tlicho lands
4 be protected.
5 So it's a tough concept, and -- and I
6 guess I'd like to ask you to talk a little bit -- for
7 me the -- I mean, I -- I understand that you can cost
8 and provide a financial assurance to treat water
9 forever. It -- you know, it sometimes seems like
10 economic smoke and mirrors, but we know that -- that
11 you could, as the developer, put forward financial
12 assurance to -- to do that.
13 For the Tlicho Government, it will be
14 a question of acceptability, of whether it's
15 acceptable as a social and -- and value judgment of
16 whether it is acceptable to have, in their lands,
17 water be required to be treated forever.
18 I -- I would like you to talk in -- in
19 plain language about the decision points and the
20 possible -- sort of the failure moments of when
21 you'll decide that you have to go from treating water
22 in ponds and -- and having it, what you call, passive
23 treatment, at what moment will you start to decide
24 that, and what will be the parameters on which you
25 feel as the developer, that you'll have to move to

1 this question of treating water forever?
2 Also please answer, if you can, the
3 question of where in -- in Canada other developers
4 have led us into this kind of situation where water
5 has to be treated forever coming off of a mining
6 property and -- and have successfully managed to do
7 so in a -- in a responsible manner. Thanks.
8 MR. RICK SCHRYER: Rick Schryer,
9 Fortune Minerals. I'll go back through the scenarios
10 that I described in terms of the steps that we would
11 take in order to determine whether or not we actually
12 eventually have to get to treatment via an effluent
13 treatment facility.
14 So let's imagine that the pit is
15 filling, and it's about -- it's getting close to
16 overflowing. It's a year away from overflowing. We
17 would be in -- you know, whoever is hired to do it
18 would go in and monitor the water quality, right, and
19 see, first of all: Is it suitable for discharge or
20 not? That would be the first criteria. Obviously,
21 if it's suitable for discharge, you would just let
22 the open pit overflow.
23 Okay. Let's assume that it's not
24 suitable for discharge. There's a number of options
25 available to us to treat water in the pit before it

1 ever overflows, right, so that we could control water
2 quality at the source.
3 Those include inducing stratification
4 so that a lot of the water -- the water that isn't
5 acceptable is basically trapped at the bottom and
6 that all you have at the surface is essentially
7 freshette, and the -- that water is allowed to
8 escape.
9 There's also things like ferric
10 sulfate you could add or nutrients for algae. So
11 there's a number of in-pit treatment scenarios that
12 you can look at in terms of treating water quality.
13 Let's assume -- okay, let's assume
14 that that doesn't work, and you have an overflow of
15 water that still is not suitable for discharge.
16 We'll -- by then, we'll have operated the wetlands at
17 the base of the -- of the CDF for a hundred and
18 twenty (120) years. We'll have a very good idea of
19 what their performance is and what type of
20 performance we can expect from a wetland that would
21 be accepting the flows from the open pit.
22 We'll have a better idea of how big it
23 should be, where it should -- placed. As I
24 mentioned, you know, we have a number of options
25 based on the topography and the distance between the

1 open pit and Peanut Lake, in terms of where we could
2 put, maybe, a series of wetlands that cascade one (1)
3 into the next or whatever option we end up doing.
4 But we -- we'll have some pretty good
5 data available by that time, in terms of what we need
6 to do for wetland treatment that will work. I -- by
7 the way, I'm confident, based on what I've seen so
8 far and the performance of our bench scale testing
9 that we have for the -- for the wet -- for the
10 passive wetland system that that can be achieved.
11 By the way, the flows coming out of
12 the open pit would be about 170,000 cubic metres a
13 year, in that scale, just to give you an idea of how
14 -- the volume that we'd have to treat, if it flows.
15 Of course, it could be less, right? Depends on
16 rainfall and depends on a whole bunch of -- of
17 factors.
18 So let's assume that, you know, you've
19 constructed your wetland, and you're passing --
20 you're putting the flow from the open pit through it,
21 and it's not working. You still can't meet your
22 water quality objectives. Then -- and I think this
23 is a remote possibility -- but then you are in a
24 position where you would have to operate an effluent
25 treatment facility until you could figure out another

way to treat the water.

And I feel like there's a lot of options available in terms of, you know, going away from the ETF, but let's just assume the worst of the worse-case scenarios, and you have to run an ETF.

That decision would be based on the fact that the wetland treatment system is not operational, right? And it would be based on monitoring of the wetland. And -- and then, and only then, would you actually have to move to an effluent treatment system.

But like I said, I think if you had to set one (1) up for five (5) or ten (10) years while you looked at other options, I think you would be able to do that. I'm also quite confident that the effluent treatment technology a hundred and forty (140) years from now is going to improve from what we have at present day.

If we look at where we were at one hundred (100) years ago, in terms of effluent treatment and where we are today and when looking at, you know, ferric sulfide addition versus an RO system now, I'm confident that a hundred and forty (140) years from now, we'll have much better technology that will be able to treat this water effectively.

1 So I think, you know, we'll have a lot
2 of options available to us. I think the eventual --
3 we are going to provide financial assurance for the
4 worst-case scenario, as I've said, running an ETF. I
5 personally don't think we'll ever get there. I just
6 -- I just don't see, with the volume of flows that we
7 have, that we can't overcome that issue.
8 I'm sorry. And in answer to your
9 second question, I don't have any examples off the
10 top of my head of where a mine -- do you have one
11 (1)? Okay.
12 MR. KEN BOCKING: Ken Bocking, Golder
13 Associates. Yeah, there -- perhaps unfortunately,
14 there are quite a number of case histories where
15 mines in Canada have essentially per -- are perpetual
16 treatment systems, sites that are producing acid rock
17 drainage.
18 Examples would be GCO. Gerd would
19 know about the Elliot Lake sites. The Kidd Creek
20 will -- will be bad as well. You -- you were asking
21 a question, I guess, about financing those sort of
22 situations.
23 I've -- I've been involved in lots of
24 closure plans in Ontario and the -- the MNDM, their -
25 - their practice in terms of financing is to insist

1 on a discount rate of 3 percent. That means that the
2 cost of treating forever, in terms of the amount of
3 money you have to put away now is thirty-three (33)
4 times the annual cost. That's what it works out to.
5 And their basis for using 3 percent is
6 really the -- it's -- it's -- the discount rate is
7 the difference between what you can earn in interest
8 on conservative investments, like government bonds,
9 minus the rate of inflation. And that spread is
10 actually fairly predictable because government bond -
11 - if the rate of inflation goes up the government has
12 to raise the yield on their bonds in order to sell
13 them, so the spread is typically 3 percent. So
14 that's -- that's the rationale for -- for that.
15 DR. GINGER GIBSON: Ginger Gibson,
16 Tlicho Government. Ken, can you clarify? You spoke
17 of Elliot Lake and a number of other examples. Were
18 tho -- are those examples where the Developer at the
19 time of permitting was able to put those -- that
20 funding forward, or are those sites that have become
21 federal -- federal liabilities?
22 MR. KEN BOCKING: Ken Bocking, Golder
23 Associates. No, none of those are federal
24 responsibilities. Those are all being managed. And
25 Elliot Lake is actually -- it's been contracted to

1 another party, but it's based on fundings that --
2 funding that the mines have put in place. And I
3 think the other examples, it's the same situation.
4 They're not -- they're not federal liabilities, no.
5 DR. GINGER GIBSON: Just a question
6 of -- I mean, you -- you just referred to with Elliot
7 Lake, that another contractor has taken on the
8 responsibility. Assuming Fortune doesn't exist in a
9 hundred and twenty (120) years, how -- who -- who
10 becomes the responsible party that -- that is
11 involved in -- in managing and making these decisions
12 about reclamation?
13 MR. KEN BOCKING: Ken Bocking, Golder
14 Associates. The idea is to put adequate funding in
15 place. That's what Fortune is undertaking. And
16 that's vested in -- in AANDC. It's, you know, held
17 by a bank, but the beneficiary, if that's the right
18 term, would be AANDC. So if an ETF had to be
19 operated, then AANDC, at that time, would have to
20 take the money and presumably would contract a third
21 party to do it. Therefore, the costing has to be
22 calculated as if it's a third-party contract.
23 MR. GERD WIATZKA: Gerd Wiatzka,
24 SENES. Ken, perhaps you could just elaborate on some
25 of the treatment approaches into perpetuity, campaign

1 versus, you know, ongoing because I think that would
2 be useful.
3 MR. KEN BOCKING: Ken Bocking, Golder
4 Associates. I don't really have an answer for that.
5 I mean, I think the ETF would be whatever's
6 appropriate at the time. It -- it might be a six (6)
7 month campaign. Oh, I see. Yeah, it -- yeah,
8 probably -- well, it -- it's hard to speculate about
9 a hundred and twenty (120) years from now.
10 But I think, in general, the treatment
11 and release would probably best be done during the
12 summer season. The -- a flooded open pit is actually
13 an ideal situation for that because it's got a -- it
14 -- it can store water without overflowing. So you
15 could draw the water level down, treat a -- you know,
16 treat the annual amount in six (6) months through the
17 treatment system, and then switch it off for the
18 winter. The water level rises in -- in the spring,
19 but it's still contained. And then you treat it
20 again.
21 I mean, I'd speculate that that --
22 that's how it would be done, but it would remain a
23 decision of the person in a hundred and twenty (120)
24 years.
25 MR. GERD WIATZKA: Yeah, Gerd

1 Wiatzka, SENES. I was just trying to point out that
2 it's different than when you have a side hill
3 operation and you have continuous water flows that
4 must be managed day in and day out, every minute of
5 the day, whereas here you have an open pit that acts
6 as a huge sump that you can manage and have options
7 to managing.
8 MR. RICK SCHRYER: Rick Schryer,
9 Fortune Minerals. Yeah, that's correct. The way I
10 envisioned it is that, depending on how you want to
11 operate it, you could actually draw down three (3)
12 years worth of water in one (1) year and it would
13 just sit for two (2), right. I mean, you wouldn't
14 have to be in there every year. You could manage
15 that -- the -- the frequency of how -- how often you
16 treat, you know, just depending on what your -- your
17 criteria are in terms of wanting to go in there, what
18 your financial obligations are.
19 But, you know, if you think about it
20 pragmatically, going in and treating a larger volume
21 of water once every three (3) years is probably less
22 expensive than going in every year, right. And you
23 have that -- that option because you could just draw
24 down the open pit. It's not going to go anywhere.
25 There's not going to be an overflow, and so you could

1 manage that quite effectively.
2 MR. TODD SLACK: Todd Slack, YKDFN.
3 I'm wondering, with those examples that you were just
4 talking about, if you can elaborate on what the
5 original company structure was? Were they single
6 property companies, or were they more along the lines
7 of PHB with multiple producing properties and a
8 constant flow of dollars coming in?
9 MR. KEN BOCKING: Ken Bocking, Golder
10 Associates. At Elliot Lake, there was Rio Algom and
11 Denison Mines, and neither one (1) exists in that
12 form any more. Rio Algom I believe is owned by BHP
13 Billiton. And Denison Mines I don't think is active
14 any more. GCO was a Noranda property. And, of
15 course, Noranda has been purchased by Xstrata. So
16 it's kind of a normal process in mining that even --
17 even quite large companies evolve and get absorbed.
18 So that -- that seems to be the -- the way of mining.
19 MR. TODD SLACK: Todd Slack, YKDFN.
20 So in those cases, the securities that may have
21 existed weren't actually put into -- sorry, were they
22 actually put into play, or did the parent company
23 that bought the com -- similar to Numot (phonetic)
24 and Kahn (phonetic) here, did the parent company just
25 take it over and handle the reclamation? Or accept

1 the liability that came with it? Sorry.

2

3 (BRIEF PAUSE)

4

5 MR. KEN BOCKING: Ken Bocking, Golder

6 Associates. I think all -- all three (3) of those

7 examples, when -- when they started mining, the

8 closure and reclamation laws were not in place. I --

9 I guess as they moved into closure, they were

10 required to put up funding that be -- when it became

11 apparent what that was to do.

12 It -- it wouldn't have done -- they

13 wouldn't have been put in place before the start of

14 the mine, right. I think we've -- we've moved ahead.

15 We're in better -- better situations now. But

16 fortunately in those instances the -- as they went

17 into closure they put up adequate funding for the

18 perpetual, or near perpetual, maintenance.

19 MR. TODD SLACK: Thanks. So is there

20 -- I guess, do you know of an example -- a company

21 with a single property that has left, as this example

22 that we're considering here, has left the liability

23 to the -- either AANDC or some other government? Is

24 there an example where we can look to for guidance on

25 how the reclamation was valued against the security

1 that was put down? Is there something we can use as
2 an example here for a single property company?
3 MR. KEN BOCKING: Ken Bocking, Golder
4 Associates. Can -- can you restate the question?
5 MR. TODD SLACK: Sure. Todd Slack,
6 YKDFN. So we -- we have a company -- is there an
7 example of a company elsewhere in Canadian
8 jurisdiction that walked away from the environmental
9 liability, and the security was triggered?
10 Those examples that we talk -- we --
11 you just mentioned were all, you know, bigger
12 companies. The -- the concern that the Yellowknives
13 have is that eventually this will become economic for
14 the company to walk away. So how did the security in
15 that case perform against the overall environmental
16 liability?
17
18 (BRIEF PAUSE)
19
20 MR. RICK SCHRYER: Rick Schryer,
21 Fortune Minerals. While they're thinking about an
22 answer, I just want to mention to you, Todd, that
23 Fortune Miteral -- Minerals actually isn't a single
24 property company. We have just signed a joint
25 venture agreement with Pasco Canada for the

1 development of our Mount Klappan -- Klappan, can't
2 even say the word, Mount Klappan coal mine in
3 northern British Columbia. And we're actively
4 advancing that property as well. So we're a two (2)
5 property company.
6 MR. TODD SLACK: Thanks, that -- it
7 helps.
8
9 (BRIEF PAUSE)
10
11 MR. KEN BOCKING: Ken Bocking, Golder
12 Associates. I can say that the -- the basis of
13 financial assurance, certainly in Ontario where I'm
14 used to working, is that the closure costs have to be
15 fully recognized and fully funded. I believe MNDM
16 would -- would say that they are. In terms of
17 examples, I -- I'd have to go away and think about it
18 and maybe call my friends at MNDM.
19 MR. TODD SLACK: If you could make
20 that phone call it would be great.
21 MR. KEN DE VOS: Ken De Vos, with
22 Golder Associates. You know, I -- I think you need
23 to recognize that the laws have changed in -- in
24 that. What you're describing in terms of, you know,
25 a worst case where somebody just walks away, there's

1 -- there's a reason the laws are -- are the way now,
2 is so that doesn't happen and the money has to be put
3 up front with somebody else taking care of the money.
4 So, you know -- and in terms of
5 examples and there -- there are a few instances where
6 companies have walked away and -- and gotten pinned
7 in -- afterwards if -- if people have been able to
8 follow the chain of -- of where these companies ended
9 up and where these properties -- who -- who owns the
10 properties. But, you know, the laws that have been
11 in place now with the assurances haven't been in
12 place long enough, I think, to -- to realize on some
13 of those abandoned properties what you're suggesting,
14 where -- where the company is just dissolved and --
15 and left things in place.
16 So the -- you know, what I'm -- what
17 I'm trying to say is that nowadays when somebody
18 starts up a mine, people know who they are, so we
19 don't have that situation where money is just sitting
20 there and the company has been dissolved, so. And
21 the laws are now designed such that the money will be
22 available if the company does dissolve. There'll --
23 there'll be money there to clean up the site.
24 I think that's -- and -- and maybe
25 AANDC can elaborate on that, but I think that's the

1 whole purpose of -- of putting the money upfront now.
2 MR. PAUL GREEN: It's Paul Green,
3 with the Water Resources Division. And -- and, yeah,
4 that is the intent is that the -- the amount of
5 money, either cash or different vehicles, is
6 sufficient to cover the -- the full liability so that
7 the Crown doesn't -- it's not Crown -- it's not, you
8 know, taxpayer dollars that are intended to be
9 cleaning these sites up. That's the intent.
10 DR. GINGER GIBSON: Ginger Gibson,
11 Tlicho Government. So in -- in our understanding
12 then, the worst-case scenario would be planned for
13 and the financing and the -- and the bond that was
14 there would be available for the worst-case scenario
15 of having to treat the 170,000 metres cubed of water
16 that came off every year forever.
17 Is that correct?
18
19 (BRIEF PAUSE)
20
21 MR. JOHN BRODIE: It's John Brodie,
22 for AANDC. Brodie Consulting has done these
23 calculations for AANDC for, oh, maybe fifteen (15)
24 years now for mines in the Yukon, Northwest
25 Territory, and Nunavut.

1 And the approach that has been taken
2 consistently in all cases and all jurisdictions has
3 always been to look at the closure plan. What is the
4 reasonably probable or likely outcome of the mine
5 development, and the likely scope of closure
6 activities, and include that as the anticipated cost
7 that the company should provide security for.
8 In doing those determinations it does
9 involve an element of judgment for -- for things that
10 are not perfectly clear. And this might be one (1)
11 of those examples where, is it perfectly clear that
12 the wetland treatment would be effective or not.
13 This is something that -- that AANDC will have to
14 consider very carefully. But in a very general
15 sense, AANDC, and also Brodie Consulting, have stayed
16 away from cost estimates or security provisions that
17 are worst-case scenario.
18 In other words, if -- if there is a --
19 a worst-case scenario that's expected, AANDC would be
20 more likely wanting to see a revision to the mine
21 plan rather than a default to a worst-case scenario.
22 So we -- we generally don't try and
23 seek out that worst-case scenario, but rather a
24 reasonably probable scenario, and that would be the
25 basis for security provisions.

1 (BRIEF PAUSE)

2

3 THE FACILITATOR HUBERT: Thanks. Was
4 -- was Fortune prepared to answer that previous
5 question?

6

7 (BRIEF PAUSE)

8

9 THE FACILITATOR HUBERT: Chuck
10 Hubert, Review Board. While Fortune discusses that
11 amongst themselves, I'd just like to say that these -
12 - these questions and answers are extremely valuable,
13 and I -- I know parties consider this to be of -- of
14 extreme importance. And -- and I want to make sure
15 that -- that all questions on the topic are -- are
16 addressed, keeping in mind that I don't want to
17 compromise the time for socioeconomic, either, later
18 on.
19 The afternoon agenda includes mostly
20 socioeconomic and also air emissions and
21 archeological and heritage resource, if we can get to
22 it.
23 MR. RICK SCHRYER: Rick Schryer,
24 Fortune Minerals. Just a comment on what Mr. Brodie
25 said. And as I mentioned, we had our initial meeting

1 with AANDC on Monday. Their recommendation to us is
2 that we actually use John's spreadsheet to calculate
3 our closure costs and that they are comfortable with
4 that -- that formula, in terms of us entering our
5 closure costs.
6 And so that's going to be our starting
7 point, in terms of using AANDC's formula for the
8 calculation of these. That's the accepted practice.
9 And we'll -- we'll see what we come up with in terms
10 of closure costing when -- when we're done with that
11 exercise.
12 GERD WIATZKA: Gerd Wiatzka, SENES.
13 I'd like to put a little different twist to the
14 question of financial assurance. In some cases,
15 mining companies have run into financial trouble, and
16 the only vehicle by which things could be done would
17 be through the closure funding. But that meant
18 triggering an action that basically shut down the
19 company, and it was the only way of getting at funds.
20 So I'm thinking of Chemis (phonetic),
21 for example, with -- when -- when they ran into some
22 environment problems and -- and they didn't want to
23 shut them down at that particular time to get the
24 funds.
25 So other companies have been asked to

1 put in some operational contingencies for things that
2 might happen during life of operation that aren't
3 part of a -- a closure - so unexpected hazards.
4 So, for example, you're doing
5 progressive reclamation, and during the progressive
6 reclamation something comes up that was unforeseen
7 and -- and some funding needs -- or you have an upset
8 event that causes -- that causes a financial hardship
9 of some kind that you have to...
10 So has -- has there been any thought
11 given to any kind of a -- a funding for those kind of
12 unforeseen events?
13
14 (BRIEF PAUSE)
15
16 MR. KEN BOCKING: Mr. Chair, Ken
17 Bocking, Golder Associates. While they're having
18 discussions, it might be an opportunity for me to
19 correct something that I misspoke earlier.
20 And -- and also, it's been pointed out
21 that in the text of the DAR, there's a place in
22 3.14.7.1 where we give incorrect thicknesses of the
23 cover. Just to be absolutely clear, the figures that
24 show the cross-sections are the ones that are
25 correct.

1 And the correct cover specification
2 is, on the top of the CDF, it's .5 metres of till
3 over .25 metres of sand. And then on the side
4 slopes, it's 1 metre of till.
5 THE FACILITATOR HUBERT: Thanks for
6 that clarification. And you can you explain why the
7 difference on -- between the top and the sides?
8 MR. KEN BOCKING: Ken Bocking, Golder
9 Associates. Yes, the -- the thicknesses -- well, I -
10 - I mentioned earlier the reason why we're using a
11 capillary break on the top, and -- and that is that
12 because that's the only place where tailings could be
13 on surface, would be on the top of the -- you know,
14 exposed on surface would be the top of the CDF. And
15 that's where we -- so that's where we have the is --
16 the potential issue of arsenic uptake, and that's why
17 we're putting the capillary break there.
18 In terms of the thickness on the side,
19 it's really a function of construction practicality
20 and the fact that there's greater potential for
21 erosion on the side slopes. So that's -- that's why
22 it's thicker there.
23 THE FACILITATOR HUBERT: Thanks. I'd
24 -- I'd like to go now to Ryan Fequet with the
25 Wek'eezhii. I remember you had wanted to ask a

1 question or two (2) or three (3), and now would be a
2 good time.
3 MR. RYAN FEQUET: Ryan Fequet, with
4 the Wek'eezhii Land and Water Board. Maybe just a --
5 a first quick comment regarding the security stuff.
6 Just so we're clear, if there is ever, you know,
7 upset conditions or anything that happens during
8 operations, the Minster, through the Act and regs, is
9 allowed to access that security for any reason.
10 And the security gets adjusted and
11 reassessed at certain stages of the operations and
12 the project. So if it's found that, you know, more
13 security is necessary based on new liabilities that
14 are found at the site, that -- that can happen. So
15 those things will happen as the -- the project
16 progresses.
17 My main comment was, I guess I just
18 got thinking of it based on a comment that was -- the
19 Tlicho Government made before about the boulder --
20 the boulders that are going to be used to prevent
21 access, you know, a year -- up to year 120 for the
22 open pit.
23 And I guess it made me think that the
24 -- the future land use of the area maybe hasn't been
25 discussed as thoroughly as -- as we maybe had hoped

1 it would at this stage, because future land use is
2 one (1) of the three (3) principles that is required
3 to be considered in closure planning and design.
4 And, you know, based on the
5 expectations of the, you know, the Tlicho and/or the
6 YKDFN and -- and a lot of the uncertainties regarding
7 the -- the longer timeframe of a hundred and twenty
8 (120) years, you know, maybe -- maybe the shorter
9 timeframe of ten (10) years for the active filling is
10 more appropriate.
11 What's important for us, as
12 regulators, is that through the EA process, we know
13 that all of, you know, a multitude of different
14 options are considered and -- and screened and that
15 any potential impacts of all those options are
16 considered.
17 So, for example, the active filling,
18 one (1) of the impacts we ta -- or that was mentioned
19 was the potential, you know, 5 percent dry-down from
20 the source lakes.
21 It's very helpful for us to know that
22 if -- if that's one (1) of the options that's on the
23 table that people are considering and talking about
24 that, if that's okay, not knowing for sure which
25 option is going to be cho -- chosen, moving forward.

1 And the reason is, is because we've --
2 through our experience with other open-pit mines in
3 the NWT, we've seen that during operations, once they
4 have lots of data from operational monitoring from
5 the SNP and their ANP program, after understanding
6 better the -- the probability of miro (phonetic)
7 mixes happening and the stratification in the open
8 pit and how they can influence that with active
9 filling and the rate of filling and the different
10 filling methods, they actually have changed their
11 mind, a couple of the ones that the Wek'eezhii Land
12 and Water Board deals with, and they chose a very
13 shorter -- a much shorter timeframe, you know,
14 somewhere in the area of seventeen (17) years, down
15 from several hundred years, just to not have to worry
16 about, you know, the access to open pit issues, the -
17 - the security aspects, right, of the project and,
18 you know, to get that land back to what the expected
19 future use is sooner.
20 So there's all those things to
21 consider, and I guess what we're just asking is, the
22 take-home message is that the future use be
23 discussed, and hopefully throughout this process, it
24 will become clear what the expectations are from the
25 different parties on the future use of that land at

1 the -- at the NICO project and that don't take
2 options off the table now, because you never know
3 when you're going to need them. And if they're not
4 considered and discussed now, we may run into
5 problems during the regulatory phase.
6 So that's just my comment.
7 MR. RICK SCHRYER: Rick Schryer,
8 Fortune Minerals. Thanks for those comments. Our
9 expectation is that the closure plan is going to be a
10 living document. In fact, that's what we said in the
11 DAR. It's going to be a living document, it's going
12 to be revisited every five (5) years, because you're
13 perfectly correct, things change.
14 Objectives change, and as we know more
15 about the open pit, our plans may change. We may
16 decide we don't want a boulder ring around it.
17 There's lots of things that could change between now
18 and when we're actually at a stage where we want to
19 close the project.
20 So, you know, our objective -- you
21 know, the -- the objective of environmental
22 assessment is to look at the worst-case scenario,
23 right, to present the worst case it could be so we
24 could look at all the possibilities in terms of
25 impacts.

1 As I mentioned, I don't ev -- we don't
2 know exactly if the open pit's going to fill. You
3 know, there -- there's a lot of options out there, in
4 terms of gaining knowledge as we go through
5 operations towards closure. Revisiting the closure
6 plan periodically to update things is definitely to
7 everyone's advantage, including Fortune Minerals.
8 So that's -- you know, I -- we made
9 that commitment in the DAR, and I certainly, you
10 know, I think it's something that we should all do,
11 in terms of going back to the plan every five (5)
12 years, putting in, you know, what we know now versus
13 what we knew then, and updating it and keeping it as
14 a living document that will help us reach, you know,
15 the -- the closure condition that we all think is
16 suitable for everyone.
17 MR. PAUL GREEN: Just a -- it's Paul
18 Green from Water Resources Division, AANDC. Just a
19 quick follow-up to what Ryan just said. The closure
20 estimates, the security estimates are re-est -- are
21 re-estimated and redone fairly routinely, you know,
22 as at a minimum, when the water licences are renewed.
23 So -- which is eight (8) -- in five (5) and eight (8)
24 years on that basis, and could well be done sooner
25 depending on, you know, if the closure plan were to

1 change.

2 So these -- the -- the estimates would

3 be revisited as we -- as -- as, you know, information

4 is gathered on -- on the closure plan.

5 DR. GINGER GIBSON: Ginger Gibson,

6 Tlicho government. Thank you, Ryan, for bringing

7 that -- those ideas to the table. The future land

8 use of the region is something that the Tlicho

9 government, through the Kwe Beh Working Group, is

10 working on and considering.

11 And so for this example, this summer,

12 we will be running a -- a program in the Tlicho

13 region called Wateh (phonetic) -- I don't know how to

14 say that -- Wateh 2012, where we take Elders --

15 generally, we've been taking Elders to the diamond

16 mines and asking them to look at waste rock piles and

17 asking them to tell us how can we reclaim these

18 landscapes.

19 And it's a very foreign idea to take

20 the Elders to an already completely revised landscape

21 and -- and all of a sudden tell a bunch of mining

22 engineers about how to reform it.

23 So this summer we're taking them to an

24 -- an existing esker -- some of you will know it as

25 Mesa Lake Wateh -- and asking them why it is that

1 this extremely steep esker is something that caribou
2 get up and spend time on and then travel along and --
3 and move back down.
4 The idea is to really move into the
5 reclaiming mine landscapes into Tlicho imagination
6 and Tlicho culture and renaming land forms that are
7 new mountains and new land forms in the environment
8 that to engineers are -- are wasterock piles or co-
9 disposal facilities, but in a hundred and twenty
10 (120) years will be given new Tlicho-language names.
11 So I think that it's -- we're grateful
12 that you've raised that point, and it's an area of --
13 of inquiry for the Tlicho Government right now, to
14 try to determine both how pits and -- and wasterock
15 piles or co-disposal facilities can be reclaimed into
16 the landscape for traditional use, but also into the
17 cultural landscape so that they have meaning and --
18 and value to Tlicho people that is not excluding
19 those areas from traditional yan -- land use.
20 So the -- the danger is, if -- and we
21 -- we articulated this, I think, yesterday. The
22 danger is if these landscapes or these facilities or
23 technologies become fearsome to people, as they have
24 in Rayrock, then they will begin to exclude -- make
25 it so that people don't feel safe hunting and

1 trapping or collecting berries or spending time on
2 the land in those areas.
3 And that, effectively, removes large
4 swathes of area from a traditional territory, which,
5 you know, those rights are protected through the
6 Constitution and through the agreements that this --
7 that people have made in this country.
8 So I think that the danger is there
9 for those kinds of areas to be removed, and that's
10 why we're actively engaged on this question of trying
11 to really envision future land uses, and -- and we'll
12 be heavily engaged in trying to understand Fortune's
13 plan on this -- on this -- in this area. Thanks.
14 THE FACILITATOR HUBERT: Thanks very
15 much for -- for that explanation and -- and the work
16 that's ongoing. That's -- that's very helpful and
17 useful. And thanks again, Ryan, as well for bringing
18 a bit of their regulatory perspective to it for us.
19 That's helpful to everybody.
20 We still have time, I -- I think, if -
21 - if there are further questions after some thought
22 on -- on this topic. Is any -- any parties with --
23 are there any questions?
24 MR. BARRY ZAJDLIK: Barry Zajdlik for
25 AANDC. This is -- is more a comment than a -- than a

1 question. And it refers to the projections for base
2 post-closure water quality. Some of the projections
3 are that beryllium will increase to 300 percent in
4 the post-closure regime, manganese will increase to
5 160 percent, and vanadium will increase to 125
6 percent. And even during operations, beryllium will
7 be at 420 percent of baseline.
8 Those are pretty substantive
9 increases, and the problem with those three (3)
10 analytes that I flagged is that we don't have much
11 toxicological information, certainly insufficient
12 information, to generate a water quality guideline.
13 I think that the -- the company can
14 anticipate that in the future, the toxicity of these
15 elements will be questioned, and the top -- the
16 potential implications of the increases will be
17 questioned.
18 So it -- it may not be a bad idea, in
19 the -- the near future, to start investigating the
20 toxicity of beryllium, manganese, and vanadium.
21
22 (BRIEF PAUSE)
23
24 MR. RICK SCHRYER: Rick Schryer,
25 Fortune Minerals. I think the first step in that,

1 you know, will be -- I think the -- the barometer for
2 that will be the whole effluent toxicity testing that
3 we talked about yesterday, in terms of seeing whether
4 or not the effluent actually is toxic with those
5 levels of metal in it.
6 Again, these are very conservative
7 measures, right. I anticipate that the actual levels
8 will be lower than this. But I think the -- the real
9 measuring stick is going to be having an effluent
10 that we can test with whole effluent toxicity testing
11 as a benchmark to whether or not our site-specific
12 water quality objectives and our water treatment is
13 adequate.
14 MR. BARRY ZAJDLIK: Barry Zajdlik.
15 It's important to realize that any effluent toxicity
16 tests are based on acute toxicity, at least at the
17 current -- under current regulations.
18 There is talk of including daphnia
19 magna as a subchronic test under MMER; but so far,
20 that hasn't happened. So as valuable as the toxicity
21 test results are, we have to also consider the long-
22 term subchronic effects of these substances in the
23 environment.
24 MR. RICK SCHRYER: Rick Schryer,
25 Fortune Minerals. Thank you for that comment, Barry.

1 (BRIEF PAUSE)

2

3 THE FACILITATOR HUBERT: Anything

4 further from Tlicho Government? AANDC? How about

5 participation from the patient folks sitting in the

6 back seats?

7

8 (BRIEF PAUSE)

9

10 THE FACILITATOR HUBERT: Would

11 Fortune care to comment any further on the topic of

12 closure and reclamation?

13

14 (BRIEF PAUSE)

15

16 THE FACILITATOR HUBERT: Okay, thanks.

17 I'll -- I'll take that as a no. I just thought I'd

18 ask. With that, I think we're at about 1:30, and --

19 or 11:30, sorry, 11:30 -- 11:30, thanks.

20 I think it -- the best way forward

21 would be to break for lunch now and come back at

22 1:00, and just -- and 1:00 sharp, since we're being

23 let go early, if I can insist upon that and -- and

24 talk about socioeconomic issues, including culture,

25 language, way of life, and -- and later on in the

1 afternoon, perhaps 3:30-ish, hear emissions and
2 archeological and heritage resources.
3 So thanks very much for -- for the
4 excellent questions and answers and discussions this
5 morning, and see you at 1:00.
6
7 --- Upon recessing at 11:30 a.m.
8 --- Upon resuming at 1:10 p.m.
9
10 QUESTION PERIOD RE SOCIOECONOMIC ISSUES:
11 THE FACILITATOR HUBERT: Good
12 afternoon, ladies and gentlemen. Thanks for
13 returning back after lunch here. We have on our
14 agenda socioeconomic issues. And the way we've
15 broken it down in our agenda is between initially
16 training/employment/procurement topics and secondly,
17 cultural language, way of life.
18 Again, there might be crossover
19 between those topics, and I'll leave it up to parties
20 who want to ask questions of the developer to ask
21 whichever -- in whichever order they feel most
22 comfortable or see fit.
23 I'd like to welcome Paul Mercredi to
24 my left. He'll be assisting me and perhaps take over
25 facilitation responsibilities somewhere during the

1 afternoon here.

2 With that, I'd like to open the

3 discussion up to -- begin perhaps with the Tlicho

4 Government.

5

6 (BRIEF PAUSE)

7

8 CHIEF ALFONZ NITSIZA: Thank you,

9 Chuck. My names Alfonz Nitsiza. I'm the chief from

10 Whati, the most impacted community if the mine goes

11 ahead; with the Tlicho Government, chief executive

12 counsel.

13 Just in the way of a little about

14 myself, it was very interesting to sit behind there

15 and listen in to the exchange here, the technical

16 review.

17 Some of the language that some of us

18 cannot understand, but nonetheless, I have sat on

19 Mackenzie Valley Land and Water Board, both

20 Wek'eezhii and -- and also on the Renewable Resource

21 Board. So it reminded me of those days when we had

22 to go through all this stuff there.

23 So it's -- it's just for

24 clarification, and -- and sometimes it's frustrating

25 answering questions, I know. But those of you that do

1 it on a regular basis are pretty -- pretty good at
2 it, so.
3 And for -- for the chiefs and others
4 like us, you know, that may not have the -- that kind
5 of the education, but that is not to say that we
6 don't understand.
7 We -- we have our own way of
8 understanding things. Our approach is unlike
9 corporate. We have a different way of dealing with
10 issues, more complex issues, and we try and do it
11 more collectively. So it has always worked for us.
12 It is giving and sharing credible, truthful, and
13 respect -- information in a more respectful way.
14 With that, just to give you some idea
15 of the -- the impact that might happen in my
16 community, we have sat around and watched for the
17 last fifteen (15) years the operation of the mine out
18 in Tandra (phonetic) and seen a lot of changes in
19 those years - some, the social impact, some benefits,
20 of course.
21 But it has caused a lot of problems in
22 our area, in the Tlicho region. As indicated by one
23 (1) of our staff, or one (1) of the senior advisors
24 we have, yesterday -- indicated that the government
25 cannot keep up with housing in our area, because at

one (1) point, they stopped development in -- in the -- in the one (1) of the biggest community, Behchoko.

And that has really -- they -- they -- because of the stopped development in hope that they moved the community, the whole community, to -- to a nearby new site. Edzo, it's called, that has really slowed down the housing for the people, and there was never a catch up. So -- and also in the surrounding communities as well.

So we have, right now, a very poor housing condition, some of them beyond repairs. The -- the household, you know, we have somewhere like maybe six (6), seven (7), eight (8) people in one (1) -- one (1) house. Becomes a very problem when a -- a big problem when at school in the morning, as kids have to be lined up for washroom.

And I know in my community, there's a few houses that -- or, a few families that are living in abandoned houses right now with no power, no electricity, no plumbing, running water.

So, you know, with the -- with the mine you're opening up -- or, if -- if it opened up, you know, there's going to be a bigger influx of people wanting to move in to Whati, because they will be closest to the mine site and hoping that they can

1 work from there. So -- or, move their family.
2 We already have experienced, in the
3 last ten (10) years, that we have people migrating to
4 my community from the north. We have people from
5 Fort Providence staying there. We have from all the
6 other three (3) communities. There's intermarriages.
7 They like the place because it's quiet, it's clean.
8 So -- but that will change. All that
9 will change. And we don't really have any solid
10 information as to the -- the amount of change that
11 will occur.
12 We have also a lot of social problem
13 with alcohol. As you're all pretty much aware that
14 the drugs has been going to smaller communities very
15 easily through organized way through airlines, and
16 we're working closely with the -- the law enforcers
17 to try and -- to -- to deal with those. But it's
18 just almost beyond doing anything.
19 I know the problem has -- has gotten
20 bigger because of the -- the mining opening up in --
21 in our area as well. There's also family problems.
22 Young couples away, apart for two (2) weeks at a time
23 has created -- we have tracked for a while and -- and
24 really notices a break-up in the family and impact on
25 the little kids.

1 The government, since starting 2005,
2 we -- we have help, or, rather, subsidize some GNWT
3 social program in the amount of over $10 million to
4 date in various areas: education, housing, whatever
5 social program out there. And -- and we have not
6 really benefit that much from the existing mining
7 operation aside from a few dollars for IBA payment.
8 You know, it just -- we had hope. We had big ho --
9 big hope for the mine when they -- they were given an
10 okay to operate, that our people one (1) day will
11 have trades, certificates, will have a workforce.
12 Those things never really happened.
13 So I think over the years we -- we
14 studied, we looked and we learned. And if -- if
15 there's any other mine going to open up in our area
16 we want to have a lot of say as to what goes on
17 there. And especially this Fortune Min -- Mineral
18 mine, proposed mine, in my back door will have a
19 great impact, as -- as I listened here in the past
20 few days, the environmental side of it too as well.
21 You know, I know I've been around long
22 enough and heard and seen a lot of talks about
23 development stuff, and the Aboriginal are perceived
24 to be saying no to development or trying to prolong
25 the process. That's not the case. If the developers

1 really want to -- to develop whatever in the area, in
2 our area, then they should come and sit down with us
3 with good information. And we can work together for
4 the benefit of the developer and ourself.
5 So that means being -- being fair,
6 being honest. And if you are looking for
7 information, go to the right people. You know, you
8 only get what you pay for. If you're going to work
9 in -- you already work in our area, come to us, the
10 Chief, the Tlicho Government. We'll have -- we'll
11 make time. I think that's the only way that we will
12 educate each other.
13 And that's another thing. The Tlicho
14 Government was set up on only three (3) things: our
15 language, our culture, our way of life. And that has
16 a lot of -- everything you do is related to that. We
17 are trying to educate others, other institution, the
18 GNWT, and other industries what we're about. We're -
19 - we're certainly not going to go anywhere. And as
20 long as we make our government stronger, you know,
21 and -- and ensure that others understand what we're
22 about, I think we can live together and work together
23 side by side.
24 So there's a lot of work in that area.
25 But, you know, in this social impact we're ta --

1 socioeconomic impact we're talking about right now we
2 know what we need in our community. I know what I
3 need in my community. I live there year-round. So
4 our jobs, business. You know, if -- if -- we can
5 work together in designing some sort of way we can
6 both benefit, that we have strong, healthy workers
7 that can work at the mine site. Those are the things
8 we can create.
9 You know, any -- any future money
10 development to be acceptable in our region has to
11 show a net benefit to us, not just in the short-term
12 dollars. That means a strong analysis of potential
13 social, cultural, and economic effect. As well as
14 showing the economic benefits.
15 The Developer's report does not --
16 does only a part of this -- the economic side --
17 although, it doesn't even show us the eco -- economic
18 benefit of business, job, and tax revenue, or are
19 likely to be for the Tlicho. You know, other things
20 that we need to know is that the more Tlicho works in
21 the area the more our government benefits as well
22 through tax. So, you know, the more you learn from
23 us the better you understand that. I think -- I
24 think that's what I'm trying to stress here.
25

1 (BRIEF PAUSE)

2

3 CHIEF ALFONZ NITSIZA: I want -- I
4 want to sit here and tell you more of this, but I'm
5 sure, you know, if we -- as -- as I always say when I
6 go to meet with other people, that we have to
7 establish a -- a good working relationship.
8 I advise the people that work with me
9 to treat this project, the upcoming -- as it's going
10 to come, because we want to be prepared for
11 everything. You know, because there'll be benefits.
12 We've got to figure out what outweighs the benefits,
13 or the effect. So as long as we have a good
14 understanding, and that's -- that's what I want to
15 see, the good understanding of what this product --
16 project means. Because this may not be the only one,
17 there'll be others. We have a very rich, rich land.
18 And so we want to see this go at the pace that we can
19 understand it.
20 With that I would turn it over to
21 Allister if he wants to ask a question or...? Mahsi.
22 MR. ALLISTER MACDONALD: Mahsi,
23 Chief. Allister Macdonald for SENES Consultants and
24 the Tlicho Government. Just let me reposition this.
25

1 (BRIEF PAUSE)

2

3 MR. ALLISTER MACDONALD: The first
4 thing I want to talk about, Review Board staff may
5 want to close their ears because we've been forbidden
6 to talk on this particular issue but we've had some
7 discussions with the Developer.
8 THE FACILITATOR HUBERT: That was
9 subliminal.
10 MR. ALLISTER MACDONALD: They cut me
11 off already, Alfonz, we've got a real problem here.
12 The developers consistently stated in a variety of
13 documents including the DAR and Information Request
14 responses that the NICO Project requires an all-
15 weather road for operations.
16 The Tlicho Government hasn't made any
17 independent determination on whether they think
18 that's accurate or not at this time. The reason it
19 cannot do so, or one (1) of the reasons is that it
20 has yet to see any information on economic or
21 technical feasibility that was used by the developer
22 to -- to make that determination that an all-season
23 road was required.
24 So the Tlicho Government is seeking a
25 commitment from the Developer. In fact, this one

1 would likely be labelled an undertaking, to provide
2 the technical and economic feasibility information
3 used when it made the determination that an all-
4 season road was the only appropriate haul system for
5 this particular mine.
6 THE FACILITATOR HUBERT: Thanks very
7 much. Is -- would Fortune like to comment on that?
8 MR. RICK SCHRYER: Yes, Rick
9 Schryer, Fortune Minerals. Yes, the rationale for
10 the -- for this request was explained to us earlier.
11 And Fortune Minerals has no problem with providing
12 the Tlicho Government the rationale for why an all-
13 season road is required for the operation of this
14 project. So we do commit to providing that memo to
15 the Tlicho Government as an undertaking by February
16 23rd.
17 THE FACILITATOR HUBERT: Thank you
18 very much. That's Undertaking number 7, since we're
19 keeping track. And please provide that to the Board,
20 as well, and we'll put it on the public registry, of
21 course.
22
23 --- UNDERTAKING NO. 7: Fortune Minerals to
24 provide the technical and
25 economic feasibility

1 information used when it
2 made the determination
3 that an all-season road
4 was the only appropriate
5 haul system for this
6 particular mine
7
8 MR. RICK SCHRYER: That goes without
9 saying.
10 THE FACILITATOR HUBERT: Then I won't
11 say it again. Thanks very much. Please continue,
12 Tlicho Government.
13 MR. ALLISTER MACDONALD: Allister
14 MacDonald for Tlicho Government. I would like to
15 talk a little bit about the rotation schedule for the
16 mine.
17 The Developer has indicated that one
18 (1) of the draws for Tlicho citizens to work at this
19 mine would be its proximity, in particular to Whati,
20 but also to Gameti and Behchoko. And of course
21 they're working under the assumption that an all-
22 season road be in place, and that bus -- bussing
23 could be the main form of transportation to those
24 three (3) communities.
25 And they have provided evidence that,

1 in particular, Whati is only a thirty (30) minute bus
2 drive away from the mine site itself, so the -- in
3 initial application materials, the Developer
4 indicated it was -- it was planning to look at seven
5 (7), five (5), or four (4) day rotation periods. And
6 then in the DAR it was indicated that while some sort
7 of administrative workers would be able to have
8 shorter shifts, and be able to go home on a day to
9 day -- on a daily basis, in particular to Whati, that
10 the bulk of the mining workforce would be two (2)
11 week in, two (2) week out rotation. Similar to what
12 happens in the diamond mines.
13 This raises a variety of concerns for
14 the Tlicho Government representatives here because
15 there's real concerns, as Chief Alfonz already
16 stated, that the two (2) week in, two (2) week out
17 system, while it may make sense for extremely remote
18 mines, would be very difficult for people to make a
19 decision to work at a camp for two (2) weeks if they
20 were living thirty (30) min -- thirty (30) minutes
21 from their home.
22 When, in fact, if they had a different
23 rotation schedule, whether it's a daily commute on a
24 shorter shift, or a four (4) in, four (4) out, or
25 what -- whatever alternative it is, they would have

1 an opportunity to spend much more time with their
2 family and community on a continual basis rather than
3 a two (2) week in, two (2) week out program that
4 really raises a high level of concern for families.
5 The Developer has all -- since stated
6 in IR responses that it's -- it's committed to sort
7 of flexibility, and we can appreciate the
8 difficulties of scheduling that might come in with
9 looking at alternative rotation schedules. But I
10 guess my first question would be: Where's the
11 Developer currently at in terms of what the bulk of
12 the mine workforce will be expected to work in terms
13 of hourly shifts, and the camp rotation?
14 MR. PAT MOLONEY: Pat Moloney with
15 Fortune Minerals. With regards to where we're
16 currently at, we did the -- the costing based on the
17 -- on the basic two (2) weeks in, two (2) weeks out,
18 because that was the model that's the -- the basic
19 model to use on that.
20 With regards to shifts, and I'll
21 reiterate, we want to attract Tlicho people. We want
22 to attract people that live in and around the mine
23 site, which is -- is Whati, Behchoko, Gameti. And
24 because of that, and knowing that if we want to
25 attract people we need to be flexible around that,

1 the shift schedule is something that we believe can
2 be done differently.
3 And what we are -- are committing to
4 is that we -- at this point in time, because we
5 haven't done the recruitment, we don't know where
6 people are going to be coming from. So it's not that
7 today we can say, These are the shifts because it
8 will be dependent upon people's home locations and
9 what people -- individuals are actually looking for.
10 But we can commit that we will involve the Tlicho
11 people in determining how we can best support those -
12 - those -- flexibility in our shifts.
13 And I think this also goes back to
14 what Alfonz was talking about in his opening speech,
15 is that there's a need for more communication. And I
16 appreciate your saying that, Alfonz, because the more
17 that we talk about these things in face-to-face
18 meetings, the more that can be shared from the Tlicho
19 side around what the needs are, and what -- and what
20 the -- the best things that will work for both sides.
21 And that's how we can do it, is through that face-to-
22 face communication.
23 MR. ALLISTER MACDONALD: Thanks for
24 that, Pat. Al MacDonald from Tlicho Government again
25 here.

1 In order to start that sort of
2 dialogue, at this point the Tlicho Government would
3 be looking for an undertaking from the Developer to
4 identify all of the possible shift schedule rotations
5 that it -- that are up for consideration, at least
6 from its end.
7 And an additional commitment, so this
8 would not be an undertaking. The -- the initial part
9 we would like as a February 23rd undertaking,
10 identifying all the alternative shift schedules and -
11 - and rotations and some of the pros and cons from --
12 from the Developer's perspective, including
13 operational limitations, which we understand are a
14 concern for the Developer.
15 And then a commitment to later
16 dialogue with Tlicho government representatives after
17 the Tlicho government has an opportunity to look at
18 some of those scheduling and talk to some of the
19 people who are likely to be involved in the mine.
20 THE FACILITATOR HUBERT: Thanks very
21 much. Fortune can...
22 MR. PAT MOLONEY: Pat Moloney, with
23 Fortune, and yes, we can agree to that commitment --
24 that undertaking, yes. Sorry, just to be more --
25 more clear. We are agreeing to the undertaking of

creating that information sheet with regard to different schedules and the pluses and minuses to it. And also, again, that great opportunity to meet face to face and discuss that.

THE FACILITATOR HUBERT: Thanks. Chuck Hubert, Review Board. And that is Undertaking number 8, and it's to identify the range of shift rotations possible for the -- for the NICO project.

--- UNDERTAKING NO. 8: Fortune Minerals to identify the range of shift rotations possible for the NICO project, as well as the pros and cons associated with those rotations

THE FACILITATOR HUBERT: You can proceed.

MR. ALLISTER MACDONALD: I'm wondering if there's any GNWT representatives here today that are planning to ask questions as well? Feel free to jump in at any point.

And I've also just received a note that my bid for grand chief of the Tlicho government

1 has failed, so I'm going to introduce myself for now
2 on as Allister MacDonald of SENE's Consultants.
3 I'd like to move on now to some of the
4 issues that Chief Alfonz really highlighted and --
5 and this is the -- our concern at this point, about
6 the potential -- potential benefits and impacts of
7 increased in-migration to Whati itself. We believe,
8 upon reviewing the Developer's assessment report,
9 that not enough information has been provided in
10 terms of the likelihood and number of people that may
11 move into Whati in order to take advantage of the
12 proximity of the mine itself.
13 And at this point, both in and out
14 migration. So in-migration to Whati and potentially
15 out-migration from some of the smaller communities
16 like Gameti and Wekweti are of concern to the Tlicho
17 government. And they are treated in, effectively, a
18 qualitative way in the Developer's assessment report
19 at this time.
20 And we would suggest that, moving
21 forward, the Developer attempt to try and quantify
22 these things a little bit better based, as we
23 understand, on -- on a series of assumptions about
24 how many Tlicho citizens may actually be able to
25 access jobs at the mine. And we'll talk about the

1 employment possibilities a little further on.
2 But, I guess, in terms of undertakings
3 I'll have to sort of look through my notes here for a
4 moment. So if you'll just excuse me for one (1)
5 second. I guess the first question that I have is
6 maybe one (1) for -- for the -- the Fortune team in
7 terms of how many people it might expect to move into
8 the Whati area to -- from other Tlicho communities,
9 to take advantage of the opportunities created by
10 this mine? And how it would have come to that
11 determination?
12
13 (BRIEF PAUSE)
14
15 MR. ROSS MITCHELL: Ross Mitchell,
16 Golder Associates. Allister, if you don't mind,
17 could you please repeat that question so I'm clear on
18 what you're asking?
19 MR. ALLISTER MACDONALD: Okay. When
20 a -- an estimation of significance of effects of in-
21 migration on a series of value components were made
22 in the Developer's assessment report. Was -- what
23 number of potential in-migrants was that based on, or
24 was it purely a qualitative assessment that some
25 people might move in?

1 Was there a quantitative base to it,
2 or is it purely qualitative?
3 MR. ROSS MITCHELL: Ross Mitchell,
4 Golder Associates. Yes, that was a qualitative
5 assessment based on other cases that we've looked at,
6 other experiences of existing mines, not only the
7 NWT, but also places where there's mines that are
8 closer to -- to communities than some of the remote
9 communities that are currently on, for example,
10 diamond mines.
11 We -- we estimated that there would be
12 some in-migration. We said that in the DAR. And we
13 thought that, in our estimation, based on previous
14 experience and other cases that we looked at, that
15 would be minimal.
16 MR. ALLISTER MACDONALD: Okay, the
17 case study information that was used, was it cited in
18 the developer's assessment report?
19 MR. ROSS MITCHELL: Ross Mitchell,
20 Golder Associates. No, it wasn't cited, I don't
21 believe.
22 MR. ALLISTER MACDONALD: It may help
23 all parties to actually identify some of those case
24 studies that -- that were used. Is it possible to
25 provide a list of some of the example case or proxy

1 studies that were used to -- to make a determination
2 of what that in-migration level might be?
3 MR. ROSS MITCHELL: Yes, that would
4 be possible.
5 MR. ALLISTER MACDONALD: I smell an
6 undertaking, Chuck.
7 THE FACILITATOR HUBERT: I can taste
8 it. Thanks. Yes, that will be Undertaking number 9,
9 for Fortune to provide a list of the references used
10 for determining in-migration, based on case studies.
11
12 --- UNDERTAKING NO. 9: Fortune Minerals to
13 provide a list of the
14 references used for
15 determining in-migration,
16 based on case studies
17
18 THE FACILITATOR HUBERT: Is that
19 roughly -- or would you like to phrase it better than
20 that?
21 MR. ALLISTER MACDONALD: That sounds
22 good to me. Thanks very much. Al MacDonald from
23 SENES Consultants here again. And I think equally
24 important to looking at existing case studies, there
25 is a desire from the developer, I believe, and, as

1 well, from the Tlicho Government, for greater
2 interaction of the Tlicho Government moving forward.
3 And we would like, I guess, at this
4 point, a commitment from the developer that once some
5 -- some more detailed determinations of potential
6 numbers of employees are identified, from which we
7 can maybe make some assumptions about how many people
8 may move into the -- the Whati area, that the two (2)
9 parties can sit down and talk about what type of
10 impacts those -- that potential in-migration may have
11 on the communities.
12 We feel that there's just a real gap
13 there right now. And we would -- oh, sorry, I -- I -
14 - the Tlicho Government has expressed a willingness
15 to work with the developer to revisit the in-
16 migration work that's been done at this point,
17 because there's strong concerns that -- that the
18 socioeconomic cultural impacts cannot be meaningfully
19 reviewed at this point in time by the Tlicho
20 Government.
21 So I -- I suggest that's in the form
22 of a commitment from the developer to -- to maybe
23 have a further dialogue with the Tlicho Government on
24 this in-migration to Whati issue. I can't say it any
25 more specifically than that at this point, I don't

1 think.

2

3 (BRIEF PAUSE)

4

5 MR. PAT MOLONEY: Pat Moloney, with
6 Fortune. Just -- I just want to clarify the way that
7 I would see this taking place, because I think
8 there's actually two (2) parts to what we're talking
9 about. The first one (1) is that to be able to make
10 some estimated or educated -- sorry, educated
11 decisions around the -- the in-migration, we would
12 need to de -- get a sense of who our potential
13 candidates are for employment.
14 And -- and the way that I would see
15 this taking place is that there are currently very
16 skilled HR coordinators in each of the Tlicho
17 communities that work in the community offices that I
18 can tap into to find information about the -- the
19 available talent that's out there right now, as well
20 as skills and -- and abilities.
21 And we also have individuals that work
22 in the communities that can also do some canvassing
23 that would help us determine, first off, what the --
24 the work pool looks like right now, and recognizing
25 that the start date of employment is at this point

1 unknown. So there is some unknown factor that's
2 there. But as well, it would also give us an
3 opportunity to reach out to people who are currently
4 working in mines and see if there is a interest in
5 their potentially working for NICO down the road.
6 So that would give us a sense of who
7 the players are. And from that we could also try and
8 determine through that kind of interaction with
9 people if there would be the potential they're
10 looking to move from their home location to Whati.
11 And from that information we could then do the
12 analysis that Ross has -- Ross Mitchell has already
13 talked about with regards to the -- the socioeconomic
14 impact, and then becomes part 2 of -- of what you're
15 looking for, Allister, which is the opportunity to
16 come together with Fortune and the Tlicho and discuss
17 those kind of results.
18 DR. GINGER GIBSON: Ginger Gibson,
19 Tlicho Government. Thanks for that answer. I just
20 want to emphasize one (1) thing, which is that --
21 that at -- at some points the technical reports from
22 the Developer has seemed really far from the
23 communities. And -- and it -- and that -- on -- when
24 we're talking about the -- the way that ecologists
25 look at caribou and when we're talking away -- about

1 the way that outside consultants sometimes look at a
2 community it can be very distanced.
3 So much of the reporting that has come
4 to the Tlicho Government, people here look at it and
5 they don't see themselves in it. They don't see how
6 -- and they can't, therefore, properly and -- and --
7 identify how impacts are going to im -- come towards
8 the Tlicho communities. They can't identify what it
9 will mean for families, what it will mean for family
10 wellness, what it will mean for housing, because it's
11 based on a very distanced view.
12 And I'm saying this to -- to both
13 educate you about the -- the resources that are in
14 the Tlicho Government. So I think you know -- people
15 know that there is a Tlicho traditional knowledge
16 monitoring program. But there's also, within the
17 Tlicho Community Services Agency, a very strong cadre
18 of young researchers growing in the Community Action
19 Research Team.
20 And they're in -- I think the closer
21 that the -- that we're able to bring research to
22 Tlicho communities and bring it in through Tlicho
23 researchers and Tlicho people that are doing research
24 about and for themselves, the more that these kinds
25 of impact predictions will actually make sense and be

1 based in reality, and not be based in myth making or
2 in best guesses or in -- in proxy studies that really
3 can't capture the reality of northern life in a
4 remote community.
5 And so I'm saying that to ask the
6 Developer to consider in every undertaking that
7 really relates to Tlicho values, and culture, and way
8 of life, to really consider whether and how Tlicho
9 research capacity can be built.
10 And I raise that not as a specific
11 question to you on this at this point, but to both
12 educate you about the resources in the Tlicho
13 Government, but also to suggest that on -- on these
14 key issues and key lines of inquiry that there really
15 needs to be a -- a closeness and a depth that can't
16 be achieved by researchers coming from away. Thanks.
17
18 (BRIEF PAUSE)
19
20 MR. RICK SCHRYER: Rick Schryer,
21 Fortune Minerals. As we move forward -- and we know
22 we -- you have a list of questions that you want
23 addressed and that there's issues that still need be
24 -- to be addressed, if you could provide us a list of
25 what available services are and people within the

1 Tlicho Government that could actually aid in the
2 resolution of these questions, we'd be more than
3 willing to work with them in terms of including them
4 in the -- in the study so we can get that Tlicho
5 perspective into the work that we're doing.
6 DR. GINGER GIBSON: Ginger Gibson,
7 Tlicho Government. Thank you very much, we'll do
8 that.
9
10 (BRIEF PAUSE)
11
12 MR. ALLISTER MACDONALD: Al
13 MacDonald, SENES Consultants. Going back to what Pat
14 was saying, the first part there you were talking
15 about sort of undertaking or completing a labour
16 skills survey in the communities with the support of
17 -- of Tlicho human resource departments.
18 Now, can we take that as -- as a
19 commitment moving forward, that that will be
20 conducted during the technical phase of this
21 environmental assessment, so we can get a better
22 sense of some of this -- these likely employment
23 numbers and start conducting the effects assessments
24 thereby?
25 MR. PAT MOLONEY: Yes, you can. Pat

1 Moloney from Fortune. Sorry, I'm -- I'm out of --
2 out of sync, here. You can take the laugh off of
3 that, too.
4 Pat Moloney with Fortune. What I --
5 what I can say is that, yes, we will continue to do
6 that, and that as we have done staffing and
7 recruitment in the past with our summer/winter camps,
8 that's the process we've followed as well. We've
9 contacted the HR coordinators in the -- in the
10 communities and -- and asked them for assistance with
11 that recruitment. So it's not something new for us
12 at all.
13 MR. ALLISTER MACDONALD: And as you
14 mentioned, the second part of the commitment really
15 is to -- to work with the Tlicho Government in both
16 the collection of that information and then the
17 analysis of it jointly, and on what the implications
18 may be, in terms of Tlicho employment.
19 I think that was the second part of
20 your commitment.
21 MR. PAT MOLONEY: Pat Moloney with
22 Fortune. And, yes, that is correct.
23
24 (BRIEF PAUSE)
25

1 MR. ALLISTER MACDONALD: While we're
2 on the subject of -- of Tlicho employment, I thought
3 maybe I'd just ask a couple of questions here about
4 the hiring targets that were identified in the
5 Developer's assessment report.
6 First of all, maybe the -- the
7 Developer can clarify what those targets are for
8 Northern and Aboriginal employment, both direct and
9 contracting, if that's possible.
10
11 (BRIEF PAUSE)
12
13 MR. ROSS MITCHELL: Sorry, Ross
14 Mitchell, formerly with Golder Associates, now with
15 Environmental Resources Management. I've been told
16 to make that clarification. So that's ERM. Okay.
17 So, yes, Allister, I can answer that.
18 The commitment for operational jobs was 50 to 60
19 percent of all operational jobs would be targeted to
20 Northerners, and 30 to 50 percent of those jobs would
21 be taken up by Aboriginal residents.
22 There isn't a specific commitment
23 within that for Tlicho, but within Aboriginal.
24 Obviously, Tlicho would have first priority.
25 For contractors, 60 to 80 percent of

1 the contract positions would be Northerners, and 30
2 to 50 percent of those would be Aboriginal.
3 MR. ALLISTER MACDONALD: And just --
4 Al MacDonald from SENES Consultants here. I always
5 screw this number up, because I find it confusing.
6 The 30 to 50 percent that are expected
7 to be Northern Aboriginal, is that 30 to 50 percent
8 of the 50 to 60 percent?
9 MR. ROSS MITCHELL: Yes. That's 30
10 to 50 percent of the 50 to 60 percent.
11 MR. ALLISTER MACDONALD: So the real
12 number is -- of the total workforce is somewhere
13 between 15 and 30 percent? I'm rough -- I'm being
14 rough here.
15 MR. ROSS MITCHELL: I'd -- I'd say
16 about 15 and up, yes.
17 MR. ALLISTER MACDONALD: Yeah, okay.
18 Just to clarify, because I always make that mistake,
19 so.
20 The number intuitively for the Tlicho
21 people seems -- seems low, and they -- and obviously,
22 if -- if they're in support of the development, they
23 would want to maximize that amount.
24 On what basis were -- were the tar --
25 the hiring targets developed, I guess is my first

1 question, and secondly would be: There -- there's
2 some discussion in the DAR that they -- even those
3 targets may not be achievable immediately during the
4 start -- discluding construction for now.
5 When would the -- when would the
6 Developer think those targets might be reachable
7 during the course of operations?
8
9 (BRIEF PAUSE)
10
11 MR. ROSS MITCHELL: Ross Mitchell
12 with ERM. Those estimates were based on -- they were
13 considered estimates, first of all, based on data:
14 looking at other mines, for example, and also the
15 conditions of the workforce, the -- the proximity of
16 the mine to the communities. The available potential
17 labour force, that was estimated as well in the
18 communities without knowing exact numbers. So we
19 chose a more conservative number to come up with
20 those percentages.
21 MR. RICK SCHRYER: Rick Schryer,
22 Fortune Minerals. I'd just like to add to that,
23 Allister, for one (1) second. I'd just like re-
24 emphasize our commitment in the DAR. First of all,
25 our hiring priorities were to hire Tlicho first. And

1 I believe the language we used was, As many Tlicho as
2 possible -- as feasible.
3 We'd like to, obviously, improve on
4 the numbers that are stated in the DAR, and we will
5 do -- we will work with the Tlicho people in order to
6 make that a reality, in terms of increasing the
7 actual percentage of Tlicho people that work at this
8 project.
9 MR. ALLISTER MACDONALD: Thank you
10 for that, Rick. Al MacDonald, from SENES
11 Consultants, here. In terms of -- the Tlicho is
12 always looking to better understand, as well, the
13 number of Tlicho citizens that are currently working
14 in the mining sector, things like turnover rates, and
15 reasons behind those.
16 Was the Developer able to identify
17 information about the number of Tlicho citizens that
18 are currently in the NWT mining workforce, how that's
19 changed over time, any information around turnover
20 rates that have occurred?
21
22 (BRIEF PAUSE)
23
24 MR. ROSS MITCHELL: Ross Mitchell,
25 ERM. Yes, to answer your question, Allister, the

1 issues related to -- to employment of Tlicho, in
2 particular in Aboriginals in the existing mining
3 operations -- for example, in the NWT, we understand
4 from some of the reporting -- like the community and
5 diamonds reports and case studies, SEA agreements
6 that we've looked at and results of reporting of
7 those --that there has been some success stories out
8 there in terms of hiring.
9 But there's also been some problems
10 with retention. There's been some problems with
11 people getting hired and then, you know, not keeping
12 their jobs for whatever reason. There's also been
13 some people being trained and haven't been able to
14 find jobs. We understand that from the records.
15 We also would like to ask the GNWT
16 folk that are here if they can provide any input into
17 that question, because they might have some -- some
18 perspectives that should be shared.
19 MR. ALLISTER MACDONALD: And just to
20 echo that, Ross, we were certainly going to join you
21 in chasing them down at some point.
22
23 (BRIEF PAUSE)
24
25 MS. AMY LIZOTTE: This is Amy

1 Lizotte, with the GNWT. Juanita Robinson (phonetic)
2 would be best to answer that question, but I'm not
3 sure if you've -- if you're pulling your information
4 that you just referenced from the 2000 -- was it --
5 the 2010 NWT mine survey provides information on
6 that. So that's the best source of information that
7 I -- that we -- that I could reference. But again,
8 I'm -- I'm not really -- I can't provide any more
9 details.
10 MR. ALLISTER MACDONALD: Al MacDonald
11 from SENES here. And thank you, Amy, for being here
12 in Juanita's stead. Information -- and this can go
13 to -- to either Fortune or the GNWT.
14 I -- I recall seeing a little bit more
15 detailed information in the environmental impact
16 statement for the Gahcho Kue project about Northern
17 Aboriginal participation in the mining workforce over
18 the years, and it's basically trend graphs and -- and
19 things like that.
20 I don't think they were broken down by
21 region. So, for example, there may not have been a
22 Tlicho-specific number of employees, but it -- it
23 shertainly -- certainly showed trends and the effects
24 of the downturn, for example, on the number of Tlicho
25 engaged in mining.

1 Wondering who may be able to access
2 some of -- access some of this information and put it
3 on the public record for this particular file so we
4 have a better sense of the baseline Tlicho and
5 Northern Aboriginal workforce as a percentage of the
6 total mine workforce in the NWT and how that's
7 changing over time.
8 THE FACILITATOR HUBERT: Chuck
9 Hubert, Review Board. Thanks very much. Jus -- just
10 to remind participants that in fact the Gahcho Kue
11 project isn't environmental impact review. It's a
12 panel review. And the NICO project, of course, is
13 being assessed at the level 2 EA level.
14 So there were different baseline
15 requirements for -- for the two (2) projects, so it's
16 -- it's not -- not a straight, across the board
17 comparison. And I wouldn't want to give the
18 impression that -- that a -- that those requirements
19 were -- were made by -- or that some of the
20 requirements were made of -- of Fortune that were
21 made for -- for the Gahcho Kue project.
22 But I'll turn the mic over to Fortune
23 for that.
24 MR. RICK SCHRYER: Rick Schryer,
25 Fortune Minerals. In response to that question,

1 we're going to look to the GNWT on that one (1), in
2 terms of we haven't seen a breakdown that -- that
3 sort of identifies Tlicho people separately in the
4 data that we've reviewed. So we're not really sure
5 if that's data that's accessible or -- no, it doesn't
6 look like it.
7 THE FACILITATOR EHRLICH: It's Alan
8 Ehrlich here, with the Review Board. I'm going to
9 interject after my lengthy absence. Allister, you've
10 mentioned that you saw a public document from Gahcho
11 Kue that broke down these numbers. If it's a public
12 document, then Tlicho are free to submit it for the
13 public registry.
14 In -- in this case, I -- I don't see
15 anything stopping you from -- from submitting it to
16 the public registry here. And if the Developer
17 disagrees with any of the statistics that are in
18 there, I'm sure that they'll certainly indicate that
19 on the public registry as well.
20 So the question that I heard you ask
21 was: Who's able to submit it to the public registry?
22 And I -- I think you are.
23 MR. ALLISTER MACDONALD: Tha - thank
24 you, Alan. Al MacDonald here, from SENES. And --
25 and certainly, the Tlicho Government will be

1 providing a variety of technical information. I
2 would have thought, however, that the terms of
3 reference for this environmental assessment included
4 a pretty extensive level of detail on the employment
5 baseline and trend information particular to Northern
6 Aboriginal, as well as specific to, where possible,
7 the Tlicho citizenry.
8 I could be mistaken, but I believe
9 that was built into the terms of reference. So we
10 would look for the Developer first to provide that
11 level of information, rather than seek the parties to
12 do this work for them at the outset.
13 THE FACILITATOR EHRLICH: So just to
14 be clear, we're all agreed that this is publically
15 available information and -- and that it may be
16 helpful on the public registry for this process.
17 Right now, it's just a question of -- of -- you were
18 being literal, not figurative, when you said, Who
19 would submit that onto the public registry.
20 That's fair enough. Does Fortune care
21 to respond?
22 MR. ALLISTER MACDONALD: Rick and --
23 and Pat, and Ross. I'll -- I'll speak first. I was
24 actually indicating the Gahcho Kue as an example and
25 that it indicated that there's other information out

1 there about these things. And I certainly wasn't
2 treating it as a comprehensive ma -- way of looking
3 at things. What the Tlicho Government is seeking is
4 more information in general about the number of
5 Northern Aboriginal workers in the workforce and how
6 that's changed over time, and not specific to a
7 single graph that's included in an EIS for Gahcho
8 Kue.
9 So who is able to access better
10 information about Northern Aboriginal engagement in
11 the mining workforce?
12 THE FACILITATOR HUBERT: Thanks very
13 much for that comment and question. Just to note
14 that the Board, back in December of 2011, considered
15 the term -- the DAR, Developer's assessment report,
16 as submitted by Fortune to be in conformity with the
17 terms of reference for the NICO project.
18 The -- the information you -- you are
19 just talking about and -- and seeking, I believe, is
20 -- is valuable and -- and could be useful. So if --
21 if there is a way of -- of getting that material on -
22 - on the public record for this project, I -- I would
23 certainly support it.
24
25 (BRIEF PAUSE)

1 MR. ALLISTER MACDONALD: It's Al
2 MacDonald from SENES again. In order to expedite
3 this, because we do have other questions, I would
4 suggest that perhaps the GNWT could in some way help
5 us by trying to gather together basically a plethora
6 of the available public information on this question
7 and submit it for the public record.
8 Probably have better access to this
9 and are more -- more focussed on this question than
10 the Developer. And I don't know if that's an
11 appropriate request or not, but I'll float it out
12 there.
13 THE FACILITATOR HUBERT: Thanks very
14 much. If anybody from GNWT in the audience would
15 care to respond, that'd be great.
16 MS. AMY LIZOTTE: Amy Lizotte with
17 the GNWT. That -- I don't know if the specific
18 information that you're looking for -- if we have
19 exact -- like exactly what you're looking for, but
20 the -- it would be through the Department of
21 Education, Culture, and Employment, I believe.
22
23 (BRIEF PAUSE)
24
25 MS. AMY LIZOTTE: Okay. I can commit

1 to the GNWT providing the information that we have to
2 the public registry, and -- and we can go from there,
3 I guess, whether that meets your needs.
4 If you have further questions, then we
5 could work directly with each other.
6 MR. ALLISTER MACDONALD: If we could
7 take that as an undertaking to gather some initial
8 information by the GNWT, the Tlicho Government would
9 review that and -- and potentially provide some
10 comments to GNWT on -- on where there's gaps.
11
12 When crawling through the desert, we
13 don't insist on a can of coke when we get to the
14 well.
15 THE FACILITATOR HUBERT: Thanks very
16 much. If the GNWT is in agreement with that, that
17 would be Undertaking number 10. And if -- if I can
18 get a concise statement of what that undertaking
19 could look like, which is agreed upon between the
20 Tlicho Government and GNWT, that'd be great.
21 MR. ALLISTER MACDONALD: Should I
22 take a crack at it, Amy?
23 MS. AMY LIZOTTE: Please.
24 MR. ALLISTER MACDONALD: GNWT to
25 undertake to provide a summary of available survey

1 and statistical information over the past ten (10) to
2 fifteen (15) years about Abor -- Northern Aboriginal
3 engagement in the NWT mine workforce and, where
4 possible, information about turnover rates as well or
5 any other relevant information.
6 THE FACILITATOR EHRLICH: It's Alan
7 Ehrlich here for the Review Board. Just a
8 clarification.
9 I thought I heard your original
10 question had some aspects that were more specific to
11 the Tlicho, as well. What you've just rephrased was
12 about Aboriginal participation in general.
13 Is there anything you need to clarify
14 further in that?
15 MR. ALLISTER MACDONALD: I would
16 suggest, where possible, Tlicho or regional breakdown
17 of Northern Aboriginal would be great. I'm not
18 entirely confident that'll occur. I think that would
19 come out in the data where possible.
20 THE FACILITATOR EHRLICH: So, Amy,
21 are you comfortable agreeing with that undertaking?
22 MS. AMY LIZOTTE: Yep.
23 THE FACILITATOR EHRLICH: Okay. The
24 Review Board certainly thanks the GNWT for its
25 willingness to step in and -- and try and provide

1 some useful information to a group that needs it in a
2 timely manner.
3 We'll remind you that the deadline for
4 undertakings is February 23rd. And that is
5 Undertaking number 10.
6
7 --- UNDERTAKING NO. 10: GNWT to provide a summary
8 of available survey and
9 statistical information
10 over the past ten (10) to
11 fifteen (15) years about
12 Northern Aboriginal
13 engagement in the NWT
14 mine workforce and, where
15 possible, information
16 about turnover rates and
17 regional breakdown of
18 Northern Aboriginal
19
20 MR. ALLISTER MACDONALD: And I'll
21 thank you -- Al MacDonald from SENES. I'll thank you
22 as well, Amy, and I meant no offence. In terms of
23 information, I think it's out there somewhere, and --
24 and we'd love to have access to it, so.
25 Can I continue on? I'd like to move

1 to a discussion, unless the folks from Fortune have
2 any comments on that. Okay. We'll let the GNWT do
3 your work for you.
4 The -- let's talk a little bit about
5 training. Now, one (1) of the items that was
6 identified in training was a commitment -- well, I
7 won't say commitment, but a desire to support
8 underground mining training, underground miner
9 training, I believe it's called. Given the -- the
10 shortened life span of the underground works and the
11 fact it's going to a -- a contract miner it seems at
12 this point, has the Developer sort of moved away from
13 that training? And where would the training -- I
14 guess we would like more information about where the
15 training focus is likely to be, particularly in terms
16 of the ability to maximize northern aboriginal and
17 Tlicho engagement at the mine.
18 MR. PAT MOLONEY: Pat Moloney with
19 Fortune. The description with regards to the
20 underground mining and the training is accurate.
21 With regards to training that we would see with
22 regards to maximizing Tlicho employment, part of the
23 struggle goes back to the fact that at this point in
24 time, the -- the candidates that you would have for
25 employment are unknown.

1 Without a start date to be able to
2 recruit to, you don't know who your candidates are.
3 So you don't know where the focus of your training
4 would be. But what we would commit to is that we are
5 committed to helping Tlicho citizens who may not be
6 qualified for jobs, to give them the training. That
7 is the value of the Mine Training Society and their
8 willingness to jump in and -- and do that in a
9 qualified manner. It -- it's a matter of knowing who
10 the candidates are when we get closer to an actual
11 start date that would then tell us what training we
12 require.
13 DR. GINGER GIBSON: Ginger Gibson,
14 Tlicho Government. Are you also willing to do
15 learning assessments so that there can be
16 equivalencies for people to -- that have had lots of
17 engagement in -- in the workforce, but don't
18 necessarily have grade 12, for example? And so you
19 would do equivalency kind of testing to place people
20 without that kind of grade level education?
21 MR. PAT MOLONEY: Pat Moloney with
22 Fortune. And, yes, we would.
23 DR. GINGER GIBSON: Ginger Gibson,
24 Tlicho government. Is that a commitment in your --
25 already made in the DAR?

1 MR. PAT MOLONEY: Pat Moloney with
2 Fortune. I'm not certain how it was worded in the
3 DAR, but we can certainly check it. Just give us a
4 moment.
5 DR. GINGER GIBSON: If you can get
6 back to us when you -- that would be great. Thanks.
7 THE FACILITATOR HUBERT: Thanks very
8 much for that commitment. And Tlicho Government,
9 further questions?
10
11 (BRIEF PAUSE)
12
13 MR. RICK SCHRYER: Rick Schryer,
14 Fortune Minerals. We're searching through the DAR
15 right now to see if those specific words are in
16 there.
17 MR. ALLISTER MACDONALD: In -- in the
18 interim, it may be useful for the crowd, actually, to
19 understand better some of the flexibility that the
20 Developer has identified around criminal records as
21 well as educational requirements, which I'm familiar
22 with, but other people in the crowd may not be
23 familiar with.
24 MR. PAT MOLONEY: Pat Moloney with
25 Fortune. We've been trying to strongly get the

1 message out that we are committed to trying to hire
2 as many Tlicho people as possible.
3 Some of the feedback that we've
4 received from Tlicho people is that the lack -- their
5 lack of success in getting mining jobs has been
6 around the fact that they may not have their grade
7 12. And speaking to that, and -- and I know that's
8 part of what you were trying to get to, Ginger, is --
9 is that we want to be flexible around the person's
10 education level. At the end of the day, if the
11 person can do the job, if they have the essential
12 skill to do the job, then we are going to be flexible
13 around hiring them.
14 And the second part of it is around --
15 there was a lot of feedback from Tlicho citizens that
16 said that they were unsuccessful at getting jobs at
17 the diamond mines because of criminal record checks.
18 And we feel that we've got flexibility in our -- in
19 our different types of jobs that we can potentially
20 bring on people that may not have been successful in
21 their candidacy with the diamond mines. It would
22 have to be on a case by case basis, but we want to be
23 flexible in that area.
24 And it's -- one (1) more thing I just
25 wanted to speak to, is the use of the expression of

1 "learning assessment." The way that we view that is
2 that it -- it isn't so much about whether they have
3 their grade 12 or not, or the equivalency of their
4 grade 12, it's around are they capable of doing the
5 job. So just to clarify, that's how we -- we talk
6 about it in the DAR, okay.
7 MR. ALLISTER MACDONALD: Al -- Al
8 MacDonald, of SENES Consultants. I want to refer the
9 Developer now to a different issue, which relates to
10 costs and benefits to the Tlicho Government itself of
11 the proposed mine operation. This comes directly
12 from Tlicho Government Information Request number 18,
13 where the Tlicho Government asked for the Developer
14 to please provide an analysis of the tax revenue
15 implications to the Tlicho Government of this
16 proposed development.
17 I'm sure some Tlicho Government
18 representatives could let me know where I'm wrong,
19 but my understanding is that the Tlicho Government is
20 remitted a fair amount of income tax that Tlicho
21 citizens -- of Tlicho citizens from the federal
22 government. And that was what was being referred to
23 in that particular Information Request. The response
24 to which, unfortunately, at the time, was that local
25 or regional impacts of any kind, including tax

1 revenues, were not part of the requirements of the
2 terms of reference.
3 I would refer the -- the Developer to
4 the portion of the terms of reference which acts --
5 asks for all taxes remitted to federal, territorial,
6 or municipal governments and suggests that the Tlicho
7 Government must fit in there somewhere.
8
9 (BRIEF PAUSE)
10
11 DR. GINGER GIBSON: Ginger Gibson,
12 Tlicho Government. Just to add to this equation, if
13 you need copies of the Tlicho agreement we can make
14 them available to the analysts that are involved in
15 this work. And -- and then we'll re -- specifically
16 refer to -- you to the taxation area in the Tlicho
17 agreement.
18 We also -- I mean, the bottom line in
19 this one is that mines operating within and wholly
20 within Tlicho lands are going to be -- if people are
21 employed in them, will be a significant revenue
22 source to the Tlicho Government, which, as a oper --
23 as a government, as a self-government, a fledgling
24 government, is a very significant form of revenue.
25 The more people that are employed in the mine, the

more taxation revenue there is.

So it's certainly -- for Tlicho Government decision making it's certainly a significant figure that would be valuable to have. So we would request that that modelling be done based on a variety of figures.

(BRIEF PAUSE)

THE FACILITATOR HUBERT: Chuck Hubert, Review Board. Thanks very much for that request. And we'll await Fortune's response.

(BRIEF PAUSE)

MR. ROSS MITCHELL: Ross Mitchell, ERM. Just a clarification on the municipal tax question. We're certainly willing to think -- or to -- to look at the issue, but we'd also want to know if -- where we'd be ab -- be able to access some of that data because it may not be publicly available.

DR. GINGER GIBSON: I think, yeah, we can work with you on that. We can provide you both the Tlicho agreement. And then if you do modelling based on a number of different scenarios I think

1 you'd be able to -- we'd be able to work together to
2 figure that out fairly easily.
3
4 (BRIEF PAUSE)
5
6 MR. RICK SCHRYER: Rick Schryer,
7 Fortune Minerals. Yeah, Fortune Minerals commits to
8 working with the Tlicho Government in terms of de --
9 determining taxation, benefits, and I believe -- what
10 was the other one (1), anyway, the financial analysis
11 in relation to the Tlicho Government revenues.
12 THE FACILITATOR HUBERT: Thanks.
13 Chuck Hubert, Review Board. Thanks very much for
14 that commitment. And -- and you can, I suppose, use
15 the Tlicho Government IR number 18 as guidance as
16 well during your -- your discussions. Thanks.
17 That's great.
18 MR. ALLISTER MACDONALD: Just -- Al
19 MacDonald, from SENES Consultants. The second part
20 of Tlicho Government IR 18 will also provide
21 guidance, I believe, in which it was asked for the
22 Developer to describe all costs Tlicho Government is
23 anticipated to bear for infrastructure, education, or
24 other -- and I would add to that, you know, social
25 services that it provides within the Tlicho region

1 based on increased demand for services in a community
2 like Whati.
3 Once a better understanding of the
4 potential number of employees and in-migration to
5 Whati is understood, perhaps we can get a better
6 sense of the costs, the taxation being a benefit, the
7 service requirements being a cost from this.
8 So can we get a similar commitment
9 from the Developer to work with the Tlicho Government
10 to better understand the total number of services
11 that the Tlicho Government provides and how -- and
12 then a dialogue on how they may be affected by change
13 that occurs from the development?
14
15 (BRIEF PAUSE)
16
17 MR. RICK SCHRYER: Rick Schryer,
18 Fortune Minerals. Yes, we -- Fortune Minerals will
19 work with the Tlicho Government in order to try to
20 drive those costs that would come with, say,
21 increased in-migration into Whati. The only caveat
22 I'll put on that is -- is as Allister mentioned, that
23 we need to finish the in-migration study first,
24 otherwise we won't have any idea of how to -- to put
25 any quantifiable numbers to it. And we'll need Tlic

1 -- guidance from the Tlicho people in terms of their
2 inputs for that model.
3 DR. GINGER GIBSON: Ginger Gibson,
4 Tlicho Government. A small addition, just to -- a
5 small side note that someone raised to me is the
6 question of in-migration, not just of people from
7 other communities, Aboriginal communities, but also
8 non-Dene or non-Aboriginal people, just to ensure
9 that we've got that as well.
10 I want to treat an issue that's very
11 dear to our hearts in the -- in -- in the
12 implementation of the existing agreements that the
13 Tlicho Government holds with other companies in the
14 region.
15 In the last two (2) to three (3) years
16 we've spent a heck of a lot of time working with the
17 Cutty (phonetic) and -- and Diavik and -- and Snap
18 Lake, De Beers, working on a -- a really core
19 problem. People are not advancing in the mines.
20 There's commitments made to employment and then
21 people are passed over. They are -- they are moved
22 around in machines. They are kept at -- at fairly
23 junior levels, they're not promoted and they're not -
24 - they're not given training and education, or given
25 opportunities for apprenticeships.

1 It's a -- I don't think it's a good
2 track record. There are lots of good shining
3 examples of people being advanced. There's a few of
4 them, and we certainly celebrate those, but there's
5 plenty of non -- people that are not advanced.
6 I'd like the developers please to
7 speak about what measures you have in place in terms
8 of your commitments, but also to -- to talk with us a
9 little bit about what you think can be done on this
10 front and also seek the commitment from the developer
11 to make this a priority area. We'd like to see
12 Tlicho people in any operating mine in the region
13 become senior managers, and managers, and -- and
14 indeed CEOs of companies. So please talk with us
15 about your -- your plans on this area, in this
16 component.
17
18 (BRIEF PAUSE)
19
20 MR. PAT MOLONEY: Pat Moloney, with
21 Fortune. With regards to moving or -- or helping
22 people move forward within the organization, it is
23 impossible to guarantee success.
24 What we are committed to though is --
25 is identifying people in the workforce who have both

1 the aptitude and the interest, or hunger, to move
2 forward and providing them with the support.
3 Sometimes it's mentoring, sometimes it's just giving
4 them the opportunity to actually try the job on, and
5 sometimes it's additional education and -- and
6 training.
7 But we are committed to doing that,
8 and you have our commitment here.
9 DR. GINGER GIBSON: Thank you.
10 Ginger Gibson, Tlicho Government. We've seen a
11 number of things, and I think that we can think about
12 them in the long run, but we've seen a number of
13 things really work.
14 Adult education at site, an adult
15 educator being available at site for people to assist
16 in -- in upgrading, coaching; there's all sorts of
17 things -- measures that are available to people at
18 the work site that are not based in -- in goodwill
19 and -- and selection by a manager, the -- the -- kind
20 of the moment of the manager recognizing something in
21 someone, but measures to promote people to advance,
22 advancement plans.
23 So I think there's a whole host of
24 measures that it would be excellent to see the
25 Developer looking at.

1 (BRIEF PAUSE)

2

3 MR. BILL SHEPARD: Good afternoon,
4 Bill Shepard from Fortune Minerals. I first wanted
5 to say -- start off by saying -- in recognizing Chief
6 Alfonz's words, and Dr. Gibson's words at the
7 beginning, I want to say mahsi. They're much
8 respected, and they do drive a lot of our actions and
9 our behaviours moving forward and making this very
10 successful.
11 I've been asked to speak on this part
12 here because a lot of it rolls into not only the
13 developing of the individual at the mine site, but
14 also developing capacity, and also developing
15 opportunities for Tlicho businesses to support this
16 project as well.
17 We're doing a lot of behaviour-based
18 activity at Fortune Minerals right now as we prep and
19 get ourselves ready for this project to -- to be
20 successful.
21 What we are doing currently right now,
22 we are putting different programs and procedures to
23 mentor and to recognize success opportunity for
24 Tlicho workers at the work site, and also potential
25 Tlicho businesses that can help support the work

1 site.

2 With that in place, we're -- we're

3 listening to the words as far as having on-site

4 resources available to mentor and recognize the --

5 the individuals that can help us at a -- at a

6 grassroots level. But also, hopefully, we can

7 encourage entrepreneur relationships with our

8 facility as well.

9 As I mentioned before, rather than

10 just having words, we will focus on behaviour-base

11 activities. So Fortune's behaviours is what we've

12 done to accent this. We've made key relationships

13 with people within the community, such as the Tlicho

14 Investment Corporation, at all levels: at a working

15 functional level, at a managerial level, and also at

16 a leadership level to the Board level, to let them

17 know that they can be involved in our planning and

18 advanced planning of identifying individuals and/or

19 opportunis -- business opportunities.

20 With that in mind, we've taken a good

21 hard look at where we currently are doing business

22 here in the North, identifying the suppliers that we

23 have already on -- on the books, I'll say for the

24 NICO exploration part of the project, and how we can

25 evolve them into 100 percent Tlicho businesses

1 through the help of the TIC and other -- other groups
2 that are First Nations focussed.
3 We have adopted a First Nations first
4 policy at Fortune Minerals when we -- we look at
5 suppliers, and we look at businesses that will supply
6 our needs. So that's the behaviours that Fortune has
7 taken on, as far as moving forward.
8 We've also recognized -- this goes
9 beyond -- beyond simply recognizing or bringing First
10 Nation suppliers or Northern suppliers on board.
11 There's infrastructure and support needed to make
12 sure that those suppliers are successful in their
13 business.
14 As a supply chain person to bring a
15 First Nations or any supplier on board, to have them
16 go bankrupt after three (3) months doesn't do anyone
17 any favours. So what we've developed is a strat -- a
18 strategic relationship with the Canadian Counsel for
19 Aboriginal Business, and what we are doing, we are a
20 member in good standing with the CCAB, and what we
21 are doing is using their resources, in partnership
22 with Fortune Minerals, to identify opportunities that
23 we can provide services at the community-based level
24 and at the facility, that if entrepreneurs identify
25 themselves to having a skill or a -- a service

1 available to us, they also have the -- the backing or
2 the support to make them a successful business as
3 well.
4 So what we're doing, once again, is
5 we're looking at it at a behaviour-based level, not
6 just simply awarding and -- and getting a check in
7 the box, but how can we make sustainable service
8 success and capacity building within the communities
9 itself.
10 One (1) of the other things we're
11 doing this year is -- with our behaviour-based
12 training and our behaviours -- behaviours at Fortune
13 Minerals, in conjunction with the CCAB, we're
14 considering, or we're -- we're actually going through
15 PAR designation, which stands for progressive
16 Aboriginal relationship.
17 We are actually becoming a PAR-
18 certified company, so it will be a third party
19 validating Fortune's behaviours and -- and what we're
20 doing to continue on. So we can have -- provide a
21 gap analysis to make sure that if there's something
22 that we're missing or something we're not doing
23 correctly, we can put mitigating measures in place
24 proactively to help strengthen our -- our position
25 within the First Nations community, but also

1 strengthen First Nations' activity or engagement with
2 Fortune Minerals in a positive -- in a positive
3 manner. Thank you.
4 DR. GINGER GIBSON: Ginger Gibson,
5 Tlicho Government. Thank you, that's very
6 encouraging. We would welcome -- if the Developer
7 would like to provide any of those policies to the
8 Tlicho Government, for example, the First Nations
9 first policy, that would be excellent.
10 MR. BILL SHEPARD: Oh, I'm sorry,
11 that's -- Bill Shepard. Bill Shepard, Fortune
12 Minerals. Yes, we'll be happy to commit to that.
13 Part of the journey that we're going with -- through
14 our certification with this PAR designation is we're
15 going through a validation procedure with that. And
16 with that, we have to provide not only evidence of
17 our behaviours that we're producing. And I'd be
18 happy to share that with you.
19 Our journey, we're looking at, is --
20 we've already started. We should be finished that
21 designation or well done through the latter part of
22 this year. And we'll be happy to work with you and
23 give you progress reports and evidence of -- of our
24 journey there.
25 DR. GINGER GIBSON: Thank you, Bill.

1 I -- I think probably the most profound certification
2 you could get would be the certification from the
3 Tlicho Government. So I -- I think that, while it's
4 good to be audited, I think that the evidence of your
5 -- your work in terms of programs that you engage --
6 where you engage locally with Tlicho Government will
7 be really important.
8 Also, to have your, you know -- have,
9 for example, your managers spend time in the region,
10 be required to spend time in the region and not be
11 caught in a -- a cycle of fly in/fly out, so that
12 they become quite aware of Tlicho -- Tlicho culture.
13 Also, perhaps measures such as taking
14 Tlicho language training or -- or becoming involved.
15 But, for example, making Tlicho language the official
16 language of the mine site, even though people may not
17 speak it, making signage be Tlicho.
18 I think there's lots of ways to
19 certify yourself locally in the eyes of the Nation,
20 and that really comes down to how people from your
21 company work and work respectfully with the -- the
22 Tlicho.
23 We're going to turn to the GNWT to ask
24 some questions, and we'll have some follow-up
25 afterwards. Mahsi.

1 MS. AMY LIZOTTE: Amy Lizotte, with
2 the GNWT. I'd like to first start by thanking
3 Fortune for meeting with us and being flexible. We
4 reviewed our concerns this morning. So I guess I'll
5 just take this opportunity to go over our concerns
6 and what we discussed, I guess, this morning.
7 So our first question has to do with
8 the employment information that was provided in the -
9 - in the DAR. And we're pleased to see Fortune's
10 hiring goal of 50 to 60 percent Northern hiring.
11 However, we just wanted some further clarification on
12 the information presented, because it was difficult
13 to differentiate between direct, indirect, and
14 induced numbers for each project phase.
15 So we were wondering if Fortune could
16 provide a table showing the total direct employment
17 estimated for each project phase in person-years and
18 to further break that down to identify total direct
19 employment for NWT Aboriginals, NWT residents, and
20 out-of-territory residents in person-years for each
21 project phase.
22
23 (BRIEF PAUSE)
24
25 MR. ROSS MITCHELL: Ross Mitchell,

1 ERM. Thank you. That's a good question. As -- if
2 you look in the DAR on the economic assessment that
3 was done, we did provide a breakdown but we didn't
4 break it down by Aboriginal versus non-Aboriginal or
5 along those lines. We do have a breakdown though by
6 cumulative, and also direct and induced and indirect.
7 So to get that -- those sorts of -- to
8 break it down further, what you're asking would be
9 possible, but we would have to use the hiring goals
10 as a proxy and say, Okay, let's break down our
11 workforce. So if we want 50 to 6 (sic) percent
12 northerners, for example, during operations, then we
13 -- we would have to run the model again using those
14 numbers, if that would acceptable because, at this
15 point, you know, that -- we're just working estimates
16 of northerners and Tlicho and -- and those sorts of
17 breakdowns.
18 MS. AMY LIZOTTE: M-hm. Amy, with --
19 Amy Lizotte, with the GNWT. I think what you
20 explained would be -- would be what we're looking
21 for. I just wanted to clarify that we did notice
22 there was a lot of information presented in the DAR,
23 but we weren't -- I guess there was a bit of
24 confusion between the cumulative estimates and the --
25 and just specifically providing the direct employment

1 numbers for each project phase. And then -- so.
2 MR. ROSS MITCHELL: Ross Mitchell,
3 from ERM. I -- it's in there. It -- it may not be
4 as clear as perhaps it could have been, but if you're
5 just looking at direct and indirect and induced, our
6 analysis shows those numbers or the breakdown for the
7 three (3) different phases, you know, including
8 construction, operations, and closure. But we -- as
9 I said, we didn't do it by non-Aboriginal/Aboriginal,
10 for example.
11 MS. AMY LIZOTTE: Amy, with the GNWT.
12 Yes. So if -- if you could follow up with the
13 further breakdown, that would be great. Thanks.
14 MR. ROSS MITCHELL: Ross Mitchell,
15 ERM. Yes, we can do that. Thank you.
16 THE FACILITATOR HUBERT: Chuck
17 Hubert, Review Board. Is it appropriate to have that
18 as -- as an undertaking?
19
20 (BRIEF PAUSE)
21
22 MR. PAT MOLONEY: It's Pat Moloney,
23 from Fortune. Part of the discussion we had this
24 morning was around some commitments that we made with
25 regards to some information. So what I would suggest

1 is it might even be simpler if -- if we break off
2 because I know that we want to try and get this in
3 writing and get it signed off. If we could maybe
4 take the break now while we have our conversation and
5 maybe close that off.
6 THE FACILITATOR HUBERT: Excellent
7 idea. I'm just checking the time. Yeah, we can take
8 a fifteen (15) minute break and come back in fifteen
9 (15) minutes. Thanks, everybody, for your patience.
10 And there should be coffee left over there. See you
11 in fifteen (15).
12
13 --- Upon recessing at 2:36 p.m.
14 --- Upon resuming at 3:00 p.m.
15
16 THE FACILITATOR EHRLICH: Okay,
17 everyone, thanks for -- for stopping your
18 conversations and joining us again. You'll recall,
19 I'm Alan Ehrlich with the Review Board. I'm going to
20 co-chair this next portion with Shannon Hayden, who
21 is to my left. And we're going to pick up where we
22 left off, dealing with socioeconomic matters.
23 MS. SHANNON HAYDEN: Okay. So during
24 the break, Madelaine approached and said she would
25 like to speak a few words, so if Madelaine Chocolate

1 Pasquayak -- thanks.

2

3 (BRIEF PAUSE)

4

5 MS. MADELAINE PASQUAYAK: Mahsi. My
6 name is Madelaine Chocolate Pasquayak, Tlicho
7 Government, but I would like to ask some questions as
8 a Tlicho citizen.
9 I'm a member of the Diavik Communities
10 Advisory Board, and I believe that's the only
11 socioeconomic monitoring agreement that has been made
12 with the Tlicho region. We have four (4) members
13 that are on the board from all four (4) Tlicho
14 communities, from -- one (1) from Behchoko, Whati,
15 Gameti, and Wekweti. And we also have members from
16 N'Dilo and Dettah, Lutsel K'e, Kugluktuk, and also
17 North Slave Metis Alliance.
18 And on this Board, we -- and we
19 understand that there will be impacts made -- made on
20 our communities, these are the four (4) communities
21 that have been -- that have been listed as --
22 communities that are directly impacted by the -- by
23 the mining activities. And on this Board, one (1) of
24 -- one (1) of our mandate is -- is to -- is to create
25 a framework that would help us to collect data on the

1 negative impacts that -- that's happening on our
2 communities, and the positive impacts.
3 And -- and on this Board we've --
4 we're able to note that there is a lot of good
5 positive impacts that's happening in all -- in all
6 nine (9) communities. And that is in employment and
7 the training that's going on in the communities.
8 People that are getting jobs, and buying homes and
9 possessions like vehicles, skidoos, and boats with
10 outboard motors. You know, that economic benefit
11 that goes into the communities and social programs
12 that's created as a result.
13 But we also noted, too, the negative
14 impacts that's happening in our communities. And
15 that is that everyone has -- has raised concern about
16 the rise of drugs and alcohol abuse in the
17 communities, and also the gambling that goes on, and
18 also the family breaks -- breaks up, you know, that
19 happens as a result of spouses that go to work at the
20 mine site.
21 And we've also noted, too, that
22 there's -- there's a continuing unemployment in all
23 of our communities, and we often wonder why is this.
24 And we noted that a lot of the people that make
25 application for employment sometime lack the proper

1 training, and some just don't have the grades, and
2 some have criminal records, like its been said. And
3 -- and we also noted, too, that some -- some people
4 have serious problems and social -- substance abuse
5 problems. And so then we -- we made note of all
6 this.
7 And -- and the big thing that we also
8 noted, too, was that the people that get hired on by
9 -- by the mining companies, a lot of them lack money
10 management because there's no money -- money
11 management training in the communities. You know,
12 we've noted that a lot of the people that work on the
13 site, you know, when they fall into debt they don't
14 know how to correct that. And when they -- when they
15 get released from employment, for whatever reason,
16 some of them find themself with a big debt, you know.
17 And so these are the problems that --
18 you know, that we -- that we face, and then we try to
19 -- try to deal with this, you know. We're not the
20 only members that it involve -- that sits on this
21 Board, but we also have government representatives,
22 and also Diavik -- Diavik members sit on the Board
23 with us. So we're able to deal with these issues.
24 And I was just wondering, you know,
25 this -- this has been such an ideal, you know, model

1 would it be possible for -- for the Tlicho
2 Government, and -- and Fortune Minerals Limited maybe
3 think about forming such an agreement in the future
4 at some time?
5
6 (BRIEF PAUSE)
7
8 MR. RICK SCHRYER: Rick Schryer,
9 Fortune Minerals. Madeleine, could you please repeat
10 the -- the actual commitment that you're asking for?
11 It wasn't exactly clear what you were asking for and
12 I want to make sure I understand you.
13 MS. MADELAINE PASQUAYAK: Thank you,
14 Rick. This is Madelaine Chocolate Pasquayak. I was
15 -- the question was: Would it be possible in --
16 sometime in the future if -- if the Tlicho Government
17 and -- and Fortune Minerals Limited would be able to
18 sit down and -- and create such an agreement to help
19 mitigate the problems in the communities?
20 THE FACILITATOR EHRLICH: Madelaine,
21 it's --
22 DR. GINGER GIBSON: Gin -- Ginger
23 Gibson, Tlicho Government. Just to be clear, can we
24 ask for a commitment from the Developer to discuss --
25 and we've had commitments from you before, so we'd

1 ask for a commitment to discuss agreements with the
2 Tlicho Government. Mahsi.
3 MR. RICK SCHRYER: Rick Schryer,
4 Fortune Minerals. Yeah, we can certainly have an
5 agreement here -- or a commitment to discuss various
6 agreements with the Tlicho Government. Obviously
7 there are a number of agreements that we will need to
8 have with the Tlicho Government as this project moves
9 forward. And so, I mean, there's -- there's a --
10 there's a lot of things on the table as well in terms
11 of the types of agreements. So, yes, we commit to
12 negotiating agreements with the Tlicho Government.
13 MS. MADELAINE PASQUAYAK: Mahsi,
14 Rick. This is Madelaine Chocolate Pasquayak. I
15 would just like to share with you that back in the --
16 back in the days when I was only maybe 21, the first
17 job that I had was -- was as a Native employment
18 officer. And I recall back then, you know, the
19 people that used to come to me, a lot of the people
20 were out seeking employment.
21 And I recall taking their names and
22 their grade levels and -- and it occurred to me back
23 then that a lot of the people that were coming to me
24 all ha -- the highest grade level that they had was a
25 grade 7. There was very few at a grade 8, very few

1 at 9, hardly any at 11th and 12th. And then I
2 thought back and I -- and I real -- and I realized,
3 Well, of course, because a lot of the people that
4 have a grade 7 were people that had gone to a
5 residential school and that's where they got their
6 education.
7 And so then I -- so then I thought,
8 Well, gee, we have to up the grades a bit, because at
9 a grade 7, you know, what kind of position can you
10 qualify for, you know, other than just labour. All
11 the -- the majority of the people that came to me
12 were all -- were seeking labour -- labour jobs. And
13 it -- it seems like that's all they could qualify
14 for. So then, I -- I just thought, Well, gee, we've
15 got to make a lot of effort on educating our young
16 people and bring their grade level up.
17 And as it is today we have a lot of
18 young people, you know, who do go through the -- who
19 go through the education system. But a lot of the
20 grade 12 students that come out, do they really have
21 the qualifications of a grade 12 student? You know,
22 it -- it really concerns me that, you know, that my
23 chief should express concern that a lot of our grade
24 12 students that come back into the community are
25 walking the streets of Gameti with their hands in

1 their pocket, you know, because they can't find
2 employment, you know.
3 Why is that? You know, why is it that
4 our, you know, young students that come home from
5 school, you know, should -- should, you know, find it
6 -- find it hard, you know, finding a, you know,
7 adequate emp -- you know, employment. You know,
8 they've got the training, they've got the education
9 supposedly. So, you know, that really concerns me
10 and that was the question that I was raised in my
11 mind, why is it that, you know, our young people
12 cannot, you know, find employment?
13 One (1) time I -- one (1) Christmas I
14 did a study and I want to find out how many people
15 was actually unemployed in my community, so I listed
16 all the community of my people and I eliminated the
17 Elders, the children, the school-aged children, the
18 high school students, and those that work 9:00 to --
19 9:00 to 5:00, and even those that work in the mine
20 site.
21 And that left me with exactly 82
22 people that were unemployed. And that included, you
23 know, seasonal workers and part-time people. And
24 these were -- and I -- the only reason I put them in
25 the unemployment category was because these people

1 were still hoping for a full-time employment. So
2 then that gave me a percentage of approximately 35
3 percent, I believe. And the Diavik Diamond Mine --
4 when I shared this information with them they said,
5 You know, Madelaine, we should really commit
6 ourselves to try and to reduce that number if we can.
7 And so I thought, Yeah, good idea, but
8 this is only for one (1) community. What ab -- why
9 not the whole, you know, Dogrib, you know, region.
10 So then I thought, Well, if we can get the other
11 mining company on board and maybe get the -- Tli --
12 Tlicho leaders to -- to work on this and see if we
13 can up the number a bit. And I -- I just, you know,
14 thought, Well, that would be a real accomplishment.
15 And looking at page -- page 43 of your
16 -- this information here, if you could just follow
17 along with me, because I believe that this must be
18 the exploration phase that's -- that you've provided
19 information for.
20 It says that you've got sixty-nine
21 (69) employment opportunities. And of the sixty-nine
22 (69) opportunities there's fifty-two (52) that's
23 filled with First Nations. And that gives you a
24 percentage of 75 percent. And I thought, Boy, that's
25 a really good number. I thought, If we could just

1 keep that number up throughout the whole construction
2 phase and operation phase, you know, that would be
3 pretty awesome.
4 But then when you go down to the
5 employment opportunity in the future, this is
6 forecasted, and I'm kind -- I'm -- I'm sup -- because
7 it -- it doesn't state whether this will be during
8 the construction phase and also including the
9 operation phase. It was really hard to -- to tell
10 that the construction employment that you forecast at
11 four hundred (400) would be during those two (2)
12 phases.
13 And also, the hundred fifteen (115) at
14 mine site at any one time. Would that be of the four
15 hundred (400) that -- that you -- you forecast might
16 be working the mine site? And then you have a two
17 hundred (200) overall jobs. So what is that? You
18 know, from a hundred fifteen (115) to two hundred
19 (200), like, what's this?
20 You know, so -- so I just thought if
21 we could have some clarity on this then I think that
22 would probably help us. Maybe even get the
23 employment officers in their -- in the Tlicho
24 community to have a look at this and see how they
25 could, you know, maybe work with the numbers.

1 THE FACILITATOR HAYDEN: Rick, would
2 you like to address Madelaine? Thanks.
3 MR. RICK SCHRYER: Rick Schryer,
4 Fortune Minerals. Thank you for those comments,
5 Madelaine. The figures that you see in the
6 presentation -- the first number that you see is --
7 that's the actual number of people that will be
8 employed during construction, which we anticipate to
9 be around eighteen (18) months, or an eighteen (18)
10 month period.
11 After that, the employment numbers
12 drop down to about two hundred (200) full-time jobs,
13 overall, for the mining project. And of those, about
14 a hundred and fifteen (115) of those two hundred
15 (200) would be at the mine site at any one (1) time.
16 So, for operations, we're looking at about two
17 hundred (200) jobs for the eighteen (18) years of the
18 mine life, and four hundred (400) during
19 construction.
20
21 (BRIEF PAUSE)
22
23 MS. MADELAINE PASQUAYAK: Thank you,
24 Rick. I just wanted to be clear on -- on the
25 construction and operations phase. So you've made it

1 very clear that four hundred (400) will be during the
2 construction phase and the two hundred (200) during
3 the operation phase. Mahsi.
4 THE FACILITATOR HAYDEN: More
5 questions? Allister...?
6 MR. ALLISTER MACDONALD: Yeah. Al
7 MacDonald from SENES Consultants. I -- I only have
8 two (2) more questions and then I'll -- I'll move on
9 to other people.
10 The first question relates to
11 cumulative effects. And this -- my understanding
12 from the DAR is the Developer identifies the Tlicho
13 road route, as it's termed in the DAR, as being a
14 reasonably foreseeable future development. And, of
15 course, that's understood. The Developer feels it's
16 required for the mine to proceed.
17 Where we struggled a little bit in our
18 review of the DAR is in finding the social, economic,
19 and cultural effects of all uses of that Tlicho road
20 route, which is the requirement of cumulative effects
21 assessment. And so I guess the question really is --
22 is really about a starting point for this.
23 Has the developer identified any proxy
24 studies or case studies of other communities that
25 have previously been seasonal access only, that

1 became -- where new all-season roads went in, and the
2 effects on those communities? And, if not, will the
3 Developer commit to identifying some communities that
4 have faced similar challenges and seen new benefits
5 as well, as a starting point for discussion on the
6 cumulative effects of that all-season road so that it
7 can be properly assessed for this environmental
8 assessment?
9
10 (BRIEF PAUSE)
11
12 MR. RICK SCHRYER: Rick Schryer,
13 Fortune Minerals. I just had a quick discussion with
14 Ross, here, and he believes he can find you some case
15 studies that we could look, in terms of providing
16 some examples of communities that have experienced
17 that type of phenomenon. So -- and he -- and he
18 believes he can get it done by -- actually, as an
19 undertaking by February 23rd. So I think we can
20 commit to getting that done for you.
21
22 --- UNDERTAKING NO. 11: Fortune Minerals to
23 provide any proxy studies
24 or case studies of
25 communities that have

1 previously been seasonal
2 access only where new
3 all-season roads went in,
4 and the effects on those
5 communities
6
7 THE FACILITATOR EHRLICH: Allister,
8 it's Alan Ehrlich. I -- I first of all want to thank
9 Fortune for the undertaking. I also want to point
10 out that when we were doing -- when the Review Board
11 was doing its scoping sessions -- remember, we -- we
12 did them in -- in several communities in -- in the
13 Tlicho.
14 And one (1) of them was in Behchoko.
15 And Elders and other community members in Behchoko
16 were speaking about how they remember when Behchoko
17 was accessible only by seasonal road and then talking
18 about what changed when it became accessible by all-
19 weather road.
20 I think that if you are looking at
21 other examples of how this might affect communities
22 and you happen to have a Tlicho community that has
23 undergone certain changes, not that -- that they're
24 necessarily comparable, but that's one (1) of the
25 things you look at in a case study, is how comparable

1 is it, that there may an example within the Tlicho --
2 Tlicho region as well and, you know, in terms of
3 applicability that gets some of the noise out of --
4 out of doing a case study.
5 So I just wanted to point out that we
6 did hear that during the -- the scoping session.
7 Ginger?
8 DR. GINGER GIBSON: Ginger Gibson,
9 Tlicho Government. And thanks for that, Alan. If
10 you look at June Helm's work from 1967, there's a
11 specific reference in which she states that the
12 single biggest impact on the road, other than re --
13 or on the -- on Fort Ray, other than religion, was
14 the road.
15 And so she does have some discussion
16 of that, so I'd suggest you take a look at that.
17 Mahsi.
18 THE FACILITATOR EHRLICH: Alan
19 Ehrlich again. While we're on the subject of the
20 road, the Review Board has been advised by the
21 counsel of the Tlicho Government that the current
22 appeal has been dropped. So I -- I've spoken to a
23 representative of the Tlicho here today who said
24 they're -- they're fine with us mentioning this to
25 everyone in the room so that they understand that

1 when we started this technical session, we were
2 trying to be very careful with our wording, not to
3 discuss anything before the courts and that kind of
4 thing. But it's no longer before the courts.
5 My take on what I've heard here is
6 that a lot of this was discussed meaningfully under
7 the context of cumulative effects anyway, so I -- I -
8 - you know, I don't think that this -- that the --
9 the technical session has particularly suffered. But
10 I think it's just worth taking this opportunity to
11 make sure everyone in the room is up to speed on
12 where that is, because what I said earlier in the
13 opening statements two (2) days ago is no longer
14 accurate.
15 Okay, I'm going to hand it back to
16 Allister MacDonald, who looks like he's got more
17 questions. Am I correct?
18 MR. ALLISTER MACDONALD: I have only
19 one (1) more question. I would mention though, Ross,
20 that there's currently an assessment of an all-season
21 road to Tuk that's being undertaken. And the people
22 doing that assessment may have some valuable
23 information as well.
24 My last question actually is really a
25 follow-up question on Information Requests from

1 Natural Resources Canada, where they asked in their
2 IR-1-3 whether contingency plans for potential
3 changes in metal prices were in place effectively for
4 the project.
5 And further to this question, I'm just
6 wondering if the Developer, maybe not at the table
7 right now, but can expand on its answer there to
8 identify at what prices -- at what commodity prices -
9 - and we understand that changes can occur to the
10 mine plan, et cetera -- what prices the viability of
11 the operation would become in question where a
12 potentially a temporary closure might need to be put
13 in place for the different -- the different metals
14 and -- that are being mined.
15 And if the answer isn't currently
16 available, we would maybe just ask for an undertaking
17 to address that.
18
19 (BRIEF PAUSE)
20
21 MR. RICK SCHRYER: Sorry for the
22 pause. Rick Schryer, Fortune Minerals. We used very
23 conservative assumptions in metal prices when we
24 developed our -- our model for our pit for extraction
25 of our resource.

1 That being said, I'm going to have to
2 take this as an undertaking, simply because we need
3 to do some financial calculations in order to be able
4 -- able to address that -- that issue. So I would
5 ask that we -- we take that as Undertaking number 12,
6 is it, to be -- allow us to -- to just provide, you
7 know, a bit of a financial analysis on that.
8
9 --- UNDERTAKING NO. 12: Fortune Minerals to
10 indicate what commodity
11 prices the viability of
12 the operation would
13 become in question, where
14 potentially a temporary
15 closure might need to be
16 put in place for the
17 different metals that are
18 being mined
19
20 THE FACILITATOR HAYDEN: Okay. So I
21 have this in my notes as Undertaking 12. We had an
22 undertaking just a moment ago to get back about some
23 case studies for the all-season road. That was
24 Undertaking 11.
25 MR. ROSS MITCHELL: Yes. Ross, from

1 ERM. I -- I also want to ask a couple questions
2 about that, if that's okay -- or just a couple -- a
3 clarification. That's it.
4 THE FACILITATOR HAYDEN: Sure.
5 MR. ROSS MITCHELL: Okay.
6 THE FACILITATOR HAYDEN: Yeah.
7 MR. ROSS MITCHELL: I'll direct this
8 at Ginger and -- and Allister. Thank you very much,
9 by the way, for providing the -- the case studies.
10 So if -- if we can meet afterwards so
11 I can write down the exact names, if I got the
12 spelling, and if you have any other examples that you
13 think might be also useful, I really would appreciate
14 it. That would also make my time a bit easier, given
15 the tight deadline. Thank you very much.
16 THE FACILITATOR HAYDEN: So for
17 Undertaking 12, can maybe Fortune just restate
18 exactly how you'd like that undertaking to look like?
19 MR. RICK SCHRYER: Rick Schryer,
20 Fortune Minerals. Fortune commits to providing the
21 Tlicho Government with an analysis of, I guess, the
22 cutoff line for metal prices where the mine might
23 experience a shutdown or a closure, I believe was the
24 nature of the request.
25 DR. GINGER GIBSON: Mahsi --

1 THE FACILITATOR HAYDEN: Tlicho --
2 DR. GINGER GIBSON: -- yeah, that's
3 fine, thanks.
4 THE FACILITATOR HAYDEN: Okay. Thank
5 you.
6 DR. GINGER GIBSON: Ginger Gibson,
7 Tlicho Government. This is our last question. I
8 just wanted to thank the Developer for the amount of
9 work that you're going to be doing on socioeconomics.
10 As you know, this is in the heart of
11 the land claim, and it's the heart of the people's
12 fishing grounds, it's the heart of where economic
13 activity -- traditional economic activity occurs.
14 I'd like to ask the Developer if they
15 would be willing to commit to support social impact
16 workshops, modelling and planning workshops in the
17 communities, run by the Tlicho Government to discuss
18 and -- and consider and -- and look at --
19 specifically at the potential impacts and the
20 modelling of those impacts after information is
21 available.
22 And I think this is -- particularly,
23 there's a lot of concerns starting to get driven up
24 in the communities, and I think part of the Tlicho
25 Government's concern is that we really need to be

able to accurately model -- understand potential impacts on services and then -- and then plan for them as well. Mahsi.

(BRIEF PAUSE)

MR. RICK SCHRYER: Rick Schryer, Fortune Minerals. If I could see just a -- sort of a write-up, a bit of a write-up of what exactly we're -- you're proposing. I'm going to defer that commitment until we've actually seen an outline.

In concept, I -- I agree with the principle that we need to work on that together. I'd just like to see a bit more details in terms of what we're looking at. I think we can get the ball rolling with our March consultation efforts and see where that takes us as a good first step.

DR. GINGER GIBSON: Ginger Gibson. That's great. Thanks.

THE FACILITATOR HAYDEN: Any other questions on socioeconomics? GNWT...?

MS. AMY LIZOTTE: Amy Lizotte with GNWT. I just wanted to state for the record that we're going to submit the meeting minutes to the Review Board that meets the concerns of the

1 Department of Industry, Tourism, Investment, Health
2 and Social Services, and Education, Culture, and
3 Employment.
4 And also if we could go back to the
5 undertaking directed at the GNWT, we do -- I'd ask
6 Juanita to come up and share the information that we
7 do have available.
8 MS. JUANITA ROBINSON: Juanita
9 Robinson, GNWT. I heard two (2) questions in the
10 undertaking. One (1) was employment of Tlicho
11 citizens, and the other was employment of Aboriginal
12 people over, I think, a ten (10) or fifteen (15) year
13 period.
14 So the data on Tlicho citizen
15 employment would come from the IBAs, which are
16 private contracts, so we don't have that information.
17 We do, for 2010, have some information
18 on employment by community. The data we have is
19 understated, so these are -- are minimum numbers.
20 So in the Tlicho communities:
21 Behchoko, a hundred and eight (108); Gameti, sixteen
22 (16); Whati, fifteen (15); and Wekweti, three (3).
23 Now, of course, Tlicho citizens can
24 live in other places, too, so that's not -- that
25 wouldn't be the total employment. In Yellowknife,

1 there's eight hundred and seventy-four (874) people
2 employed at the mines.
3 That's the information we have on
4 employ -- on employment in the Tlicho area at the
5 diamond mines.
6 For employment over the whole period,
7 Aboriginal people: for construction phases which have
8 been reported since '96, 14 percent of the total; and
9 operations, 30 percent -- 14 percent of the Northern
10 total, and 30 percent of the Northern total for
11 operations.
12 So the actual numbers are: for
13 construction, fourteen and forty-five (1,445) person-
14 years; and operations, seventy-two hundred and sixty-
15 six (7,266) person-years; for a total of over eighty-
16 seven hundred (8,700) person-years. That's since
17 1996, of Aboriginal employment in -- in the north --
18 Aboriginal NWT residents and about seven hundred and
19 fifty (750) person years in 2010. That's what we
20 have that's available.
21 THE FACILITATOR HUBERT: Thank you
22 very much for that, Juanita.
23 Allister, I'd just like to ask if --
24 is that the kind of information you're looking for?
25 Do you hope to get more from the GNWT on that

1 subject? Are you satisfied? Where does that go from
2 here?
3 MR. ALLISTER MACDONALD: Thank you,
4 Alan, and thank you, Juanita, for that information.
5 Allister MacDonald from SENES Consultants.
6 What the Tlicho Government will do is
7 review the information that Juanita's mentioned and
8 see if it has any sort of follow-up requests. We'd
9 likely go offline to discuss those with them and move
10 forward from there.
11 THE FACILITATOR EHRLICH: Just on the
12 Review Board's behalf, I'm going to remind parties
13 that we do have a particular format for reporting the
14 results of sidebar meetings where the results are
15 relevant to decision-making that's being made in
16 environmental assessment.
17 So any meetings that you'd like the
18 results of to be considered by decision-makers -- in
19 other words, form part of the body of the evidence on
20 the public registry -- please use our -- our format.
21 Part of what that does is it gets both
22 parties to sign off that you were at the same
23 meeting, because sometimes we get meeting summaries
24 that seem very different from people who have been at
25 the same meeting; describes the issues and the

1 positions and the outcomes and all that kind of good
2 stuff, so we know that we're all, kind of, working
3 from the same place.
4 So that -- that goes for this as well.
5 You're welcome to have a meeting where you don't
6 report the results, but the results won't be
7 considered by decision-makers. We certainly would
8 appreciate it if you could give us one (1) of those
9 reports after your meeting.
10 MR. ALLISTER MACDONALD: Tlicho
11 Government would likely be sure to do that. And
12 trust -- trust me when I say that both sets of
13 decision-makers, the Review Board and the Tlicho
14 Government, will have access to this good
15 information.
16 THE FACILITATOR HAYDEN: Is there any
17 other questions for socioeco --
18 MR. MICHAEL BALL: Excuse me.
19 Michael Ball, with the GNWT. Sorry, I apologize for
20 my voice. I'd like to invite Fortune to meet with
21 the GNWT finance department to go over some of the --
22 the financial and economic numbers that underscore
23 their model.
24 It would allow us to develop a table
25 that would better estimate the -- the net fiscal

1 position to the GNWT of the potential operations.
2 Excuse me. If -- if that would be okay to -- to do
3 that within the near future, and then we could make
4 that, the table, public.
5 THE FACILITATOR HAYDEN: Fortune?
6 MR. PAT MOLONEY: Pat Moloney,
7 Fortune Minerals. And, yes, we will connect and set
8 a date for that meeting.
9 THE FACILITATOR EHRLICH: Mr. Bell,
10 is it?
11 MR. MICHAEL BALL: Ball.
12 THE FACILITATOR EHRLICH: Mr. Ball.
13 My apologies. If you would like the results of that
14 -- you said there was something that you could do
15 with the results that may be helpful. If you would
16 like the results of that to be part of the
17 undertakings from this session, then it would need to
18 be done by the 23rd of February.
19 That would involve the meeting and
20 then the application that you described. Is that a
21 realistic timeline for you?
22 MR. MICHAEL BALL: Michael Ball,
23 GNWT. No, I don't believe it would be possible to
24 produce output within -- within that timeframe. But
25 sometime shortly thereafter, I would hope that we

1 could have some output that would be available for
2 the public record.
3 THE FACILITATOR EHRLICH: Give me
4 just one (1) second, please.
5
6 (BRIEF PAUSE)
7
8 THE FACILITATOR EHRLICH: Mr. Ball,
9 here -- here's a question. And I -- I sympathize. I
10 think I'm sharing the same cold that you are, so I --
11 I feel for you. But would it be possible to -- it
12 sounds to me like Fortune has committed to -- to hold
13 the meeting.
14 If they're able to do it before --
15 around the 23rd of February, do you think you could
16 get the results onto the public registry before, say,
17 the first week of April?
18 MR. MICHAEL BALL: Michael Ball,
19 GNWT. The -- the analysis that we would have to do
20 within the finance department here would involve
21 several people. We could certainly strive to get it
22 done that quickly, but there would be several groups
23 involved. So we would have to really work for that,
24 but we can try to do that.
25 THE FACILITATOR EHRLICH: The reason

1 why I'm being quite prescriptive here is because the
2 purpose for the process is to try to lead to good
3 environmental assessment decision. And we want to be
4 sure that parties -- if you want this information to
5 be considered by parties when they're, you know,
6 forming their conclusions about this project in their
7 technical reports it has to be early enough so they
8 can think about it before they prepare their hearing
9 presentations. Otherwise, you have useful
10 information but not necessarily useful for the
11 environmental assessment.
12 So if you can make every effort to
13 have this prepared by let's say mid-April, that
14 should still be early enough to be valuable for
15 parties. We're not going to call it an undertaking
16 from this session, but we do note the commitment from
17 Fortune.
18 And I see that Pat has got a comment.
19 MR. PAT MOLONEY: Pat, from -- Pat
20 Moloney, from Fortune. And I -- I just want to state
21 that the individual -- possibly individuals, who we
22 would need to bring to that particular meeting.
23 We're heading into, right now, the time period that -
24 - because it's taxation, which is when they're at
25 their -- their busiest. So the likelihood of -- of a

1 meeting taking place in the near future is -- is
2 very, very slim. But we are committed to meeting and
3 -- and getting that information to the GNWT.
4 THE FACILITATOR EHRLICH: We thank
5 you for that. So I'll leave it standing at there.
6 If you're able to have the results on by mid-April,
7 you can expect them to be considered by decision
8 makers as part of the body of evidence.
9 If it's too close to the hearing time
10 -- there's a point before hearings where we shut the
11 public record because we don't want to surprise
12 people with evidence that they don't have time to
13 respond to. And the deadline for that will be
14 announced as the process marches on. But I wanted to
15 give you a good heads up that, you know, if you can
16 put useful information on the record early enough for
17 it to be thought about in the EA it would certainly
18 be more valuable to us. So thanks for that.
19 THE FACILITATOR HAYDEN: Juanita...?
20 MS. JUANITA ROBINSON: Juanita
21 Robinson. I just wanted to correct something I said
22 about the percentages. Those were percents of total
23 employments, so fourteen (14) for construction,
24 thirty (30) for operations, and for overall
25 Aboriginal employment of 20 percent -- 25 percent of

1 the total mine employment.
2 THE FACILITATOR HAYDEN: Thank you.
3 Are there any other questions from the people around
4 the table or in the crowd for socioeconomic?
5
6 (BRIEF PAUSE)
7
8 THE FACILITATOR EHRLICH: That being
9 the case, it's Alan Ehrlich here, we're going to move
10 on to air emissions, archaeological and heritage
11 resources, and other issues. For this, Shannon
12 Hayden and Paul Mercredi are going to co-chair. So
13 I'm going to trade spots with Paul.
14
15 QUESTION PERIOD RE AIR EMISSIONS, ARCHAEOLOGICAL, AND
16 HERITAGE RESOURCES:
17 THE FACILITATOR MERCREDI: Good
18 afternoon, everyone. Juanita, if -- if I may, can we
19 have that submitted to the Review Board for posting
20 on the registry? We do have it for the benefit of
21 those present. But, also, can we have that as a
22 concise document for the registry as well? And I'll
23 -- instead of having you walk up to the mic, I'll
24 acknowledge your nod here. And -- and thank you.
25 And with that we'll transition to the -- the next

1 item on our agenda and I'll open the floor.

2

3 (BRIEF PAUSE)

4

5 MS. AILEEN STEVENS: Hi, Aileen

6 Stevens, ENR. I'd just like to talk about air

7 quality pertaining to Environment Canada's

8 Information Requests, EC-7 to EC-10. And that'll

9 include contaminant loading during transport, the air

10 quality assessment and monitoring, and the

11 incinerator. And I apologize if any of these have

12 already been touched on over the last two (2) days.

13 So looking at the contaminant loading

14 during transport, this isn't necessarily an air

15 quality issue but it is a topic that people relate to

16 air quality. I see that you're going to be using

17 hefty bags, mega bags, super bags, whatever they're

18 called, to be transporting the concentrate.

19 In EC 10's IR it was unclear what the

20 response was. So I was just wondering if I could get

21 a little clarification on how the concentrate's going

22 to be transported and what measures are going to be

23 taken to prevent any spillage or just any issues with

24 the concentrate escaping from the bags at any point

25 during the transport.

1 MR. TOM RINALDI: Tom Rinaldi,
2 Fortune Minerals. The concentrate's going to bagged
3 in -- in what we refer to as super sacks. They're --
4 they're 1 1/2 cubic metres each with the specific
5 gravity of our concentrate that'll contain about 3
6 tonnes. These bags will be double contained.
7 They'll have an inner polyethylene liner which is
8 going to be a water tight liner, and then they'll be
9 surrounded by the -- the standard white super sack
10 that we're all familiar with.
11 MS. AILEEN STEVENS: Aileen Stevens,
12 ENR. So the inner liner is a separate bag, like this
13 is a -- a dual loading process. And you say it's --
14 it's watertight. Is it waterproof, is it airtight,
15 or is it similar to the typical sacks where there is
16 a liner inside, it's filled, it's sort of tied with a
17 rope, folded over, and then strapped down onto the
18 flat deck?
19 MR. TOM RINALDI: Tom Rinaldi,
20 Fortune Minerals. You are correct. The inner liner
21 is -- it's -- it's tied shut. It's not necessarily a
22 -- a watertight seal if you were to submerge this
23 bag, but it'll be tied off and then -- and then the -
24 - the outer bag will be tied. These will then be
25 placed on pallets and loaded onto a flatbed truck and

1 then those will be strapped down and -- and they'll
2 be transported that way.
3 MS. AILEEN STEVENS: Aileen Stevens,
4 ENR. Thanks for the clarification on that. I guess
5 there are just some concerns over this trans -- this
6 transportation method because it's not in secondary
7 containment. There is concerns over spillage, and
8 this has come up with other projects. And secondary
9 containment was recommended as part of the haulage
10 procedure.
11 I'm just wondering if you have
12 considered secondary containment and how you came to
13 the idea or the conclusion of using this method
14 instead of containerized trucks or -- or other
15 options that may have been considered.
16 MR. TOM RINALDI: Tom Rinaldi,
17 Fortune Minerals. The reason for using this type of
18 method as opposed to a -- a bulk container is this
19 material will be transported to Hay River will --
20 where it will then be transferred to a -- gondola
21 cars operated by CN Rail.
22 Because of the winter conditions up
23 here, if we were to put bulk material into a
24 container it would be frozen by the time it got there
25 and we would not be able to transfer it from one (1)

1 mode of transportation to the other.
2 MS. AILEEN STEVENS: Aileen Stevens,
3 ENR. Okay, great. So when you do get to the rail
4 car it's going to be transferred -- it'll stay in the
5 bags and be put into the cars that are then closed,
6 lidded, and then railroaded south?
7 MR. TOM RINALDI: Tom Rinaldi,
8 Fortune Minerals. There'll be -- if you're conc --
9 if you're familiar with what CN refers to as a -- a
10 flat bottom gondola. You've seen probably wood chips
11 and -- and such transported in these. They are an
12 open top car, but they are -- you know, they're --
13 they're a solid base and -- and solid walls. So
14 there'll be containment if there's a spill within the
15 car, but they will be open top.
16 MS. AILEEN STEVENS: Okay. So --
17 sorry, Aileen Stevens, ENR. My concern with --
18 sorry, I guess we'll just end up going back and forth
19 -- is that there's -- these bags are typically
20 susceptible to UV degradation. They are typically
21 susceptible to freezing to the ground, and when they
22 are lifted off they will tear open and spill their
23 contents. They're susceptible to wind blown action
24 on the highway. And there's concerns over
25 contaminant loading along the transportation route.

1 I note on the rail car it's going to
2 be in a solid -- solid-walled box. So has that been
3 considered for the transportation on the road, as
4 well? Any kind of secondary containment to prevent
5 any contaminant loading from the concentrate as it's
6 being taken from the mine to the railhead?
7 MR. TOM RINALDI: Tom Rinaldi,
8 Fortune Minerals. First off, it -- it's a double
9 bag, so it -- it is in a double containment of sorts
10 against wind, and such like that. These bags are
11 going to be placed on -- on pallets so they will not
12 be picked up with a crane, or something like that.
13 There's no possibility of the bag itself being frozen
14 to the ground. When they're -- when they're picked
15 up and loaded on the trucks, and then moved from the
16 trucks to the -- the rail transportation, the pallet
17 will stay with them.
18 MS. AILEEN STEVENS: Aileen Stevens,
19 ENR. So at the mine site then, are the concentrates
20 going to be loaded into these bags and immediately
21 placed on a pallet, onto a truck, and then onto the
22 road? Or is it going to be stockpiled somewhere and
23 then moved -- moved from the stockpile to the trucks
24 for transport?
25 MR. TOM RINALDI: Tom Rinaldi,

1 Fortune Minerals. The -- the pallet bag system is
2 going to be -- the pallet will be under the bag as
3 its being load -- loaded and weighed within the mill
4 facility. They'll be placed on a loading dock prior
5 -- prior to a truck loading. Obviously we have five
6 (5) truck loads a day, so trucks will be loaded five
7 (5) -- at five (5) different points during the day.
8 So the -- the bags will be sitting on a loading dock
9 for a period of hours before they're put on trucks.
10 MS. AILEEN STEVENS: And -- sorry,
11 Aileen Stevens, ENR. What methods will be in place
12 to ensure there's no residual concentrate on the
13 outside of the bags, or on the outside of the trucks,
14 from the loading process out of the hopper?
15 MR. TOM RINALDI: Tom Rinaldi,
16 Fortune Minerals. The inner polyethylene liner will
17 be around a loading chute after the filter, so the --
18 the concentrate being loaded into these bags will be
19 contained with -- inside the mill. It will then be
20 tied off, sealed, and then --then the outer liner
21 tied off around that. So there should be no
22 concentrate outside the mill building.
23 MS. AILEEN STEVENS: Aileen Stevens,
24 ENR. I'm going to have to come back to this.
25 If I can move onto the air quality

1 assessment?

2 MR. TOM RINALDI: Tom Rinaldi,

3 Fortune Minerals. If I may say one (1) thing, please

4 grab me offline after this and -- and we can go

5 through it in more detail.

6 THE FACILITATOR EHRLICH: Aileen,

7 it's Alan Ehrlich with the Review Board. Just

8 looking at the agenda, you know, we've got

9 archeological and heritage resources in with air

10 emissions, although obviously there's not a

11 particular close logical link to these. But looking

12 at the -- the time, this is where we -- we had to --

13 to fit other things.

14 I think that in the interest of

15 prioritizing, I'd like to -- to work through some of

16 the archeological and heritage resource issues, and

17 then get back to the air emissions as time permits,

18 before the end of the -- the day.

19 So I'm going to ask you to hold your

20 questions for a little bit of time. I believe there

21 will be time by the end of the day, but I want to be

22 absolutely sure that archeological and heritage

23 resources have -- you know, when I -- I look at the -

24 - the number of people from the Tlicho who are in the

25 room ready to respond to this, and considering the

1 treatment of both issues in the DAR, I -- I do think
2 that it would be a productive thing to just reverse
3 the order that we're doing this in.
4 So I'm going to beg your patience, and
5 we'll -- we'll get back to air issues in a little
6 bit. But I want to -- to switch gears here, get onto
7 archeological and heritage resources, park the air
8 issues for a moment, and we'll get back to you before
9 we're done here today.
10 So thanks for the first question. We
11 know that more are to follow shortly. And we're
12 going to ask if the Tlicho Government have any
13 questions or comments about archeological and
14 heritage resources.
15 MR. JOHN B. ZOE: Thank you very
16 much. John B. Zoe, Tlicho Government. I'm going to
17 try to frame this in such a way that it advances the
18 -- the view of First Nations in -- into the
19 environment that we're in right now.
20 I just wanted to talk a little bit
21 about the -- the history of the land claim governance
22 because it's very important, being a part of the
23 topic that we're talking about today, that we've been
24 involved with the land claim since the early '80s.
25 And we've been negotiat -- we've negotiated for a

1 regional claim between 1992 and 2005, the effective
2 date. So it's -- the agreement has gone through
3 Parliament and recognized by the Canadian
4 Constitution under Section 35. So it is a -- a law
5 of Canada. And it's recognized as a law of Canada.
6 And during -- during that time,
7 between now and 2005, with the establishment of the
8 Tlicho government, we've been setting up our
9 procedures and the structure of government and the
10 decision-making process. And -- but one (1) of the
11 things that we know about land claim agreements is
12 that there's -- there's no real process for
13 implementation. There's no set way of doing this
14 implementation.
15 And one (1) of the few ways of doing
16 implementation is actually sitting down and -- and
17 making agreements on -- on how things should be done.
18 Another is, if it's challenged in court and the
19 courts decide what it is. Or the other one is you
20 can -- we can just ignore it and the precedent will
21 generally set the terms of how implementation is
22 done.
23 But, at the same time, when we have
24 opportunities like this technical review leading
25 towards a larger public forum, that this is a process

1 of governments and its agencies to -- to define new
2 relationships. And so we see this part -- in parts
3 of the big picture, a -- a way for us to get
4 recognition for things that are important for the
5 Tlicho government that -- that doesn't necessarily
6 have an audience in public policy.
7 And that's one (1) of the things that
8 Chief Alfonz talked about, was that, what Tlicho
9 government is about. It -- it's about the language,
10 culture, and way of life. And -- and to include that
11 we also have a program services and decision-making
12 body and all the other good things that go with it.
13 We know that with the history of
14 government and mining that we also see this as an
15 opportunity to educate one -- one another because
16 we've learned quite a bit in the last few days that
17 we've been here. And we're also trying to educate on
18 our views in an environment that didn't necessarily
19 allow for that before.
20 And so it's -- so it's about -- but,
21 at the same time we're dealing with a -- a system
22 that's been generally created since 1921, when
23 governments, through the treaties, established
24 themselves as the authority to give out licences and
25 permits and to allow development in all the northern

1 territory. But at the same time what those treaties
2 have done is that they've created the Aboriginal
3 people as wards of government that should be taken
4 care of. From cradle to grave, we call it.
5 And we've had the residential schools
6 from the time of the treaties until the 1990s and --
7 and we know that through history that when the First
8 Nations and the Crown were meeting a couple of weeks
9 ago, the Prime Minister said that, you know, it's the
10 power of the majority government, especially the
11 conservative government from the 1960s under
12 Diefenbaker, that allowed for First Nations to vote
13 for the first time in Federal elections.
14 So that's a big step, you know, since
15 1921. That's almost forty (40) years of not being
16 able to vote and have a say in the system that --
17 that we're participating in now.
18 So there -- there -- and -- and part
19 of the -- the rise of the First Nations is to get
20 recognition for things that are very important to us,
21 that makes us -- that empowers ourself to participate
22 in -- in greater Canadian society without having to
23 be a liability.
24 So we're constantly looking for
25 traditional sources. And we might call it

1 archaeological, or we might call it heritage
2 resources. But irregardless, it's resources of -- of
3 who we are. I think that really defines our strength
4 if we're going to move forward in a positive way.
5 And at the same time, because we're
6 dealing with a development, that we know that there
7 has been mining in the area since the 1930s but we
8 didn't have any employment until 1990s, which --
9 which makes it another sixty (60) years that we
10 didn't participate in the largest resource extraction
11 that define what the Northwest Territories is today.
12 And -- and the -- and we -- we
13 developed an impact and benefit agreement to get
14 employment opportunities and training which is
15 available to the rest of Canadians. And it had to
16 take an impact and benefit agreement just to do that.
17 And it's very unfortunate, but -- but a blessing at
18 the same time, to break the long spell of not
19 recognizing that people could actually work, can
20 really participate in the economy of the North and
21 any direction that it takes. That -- and there's no
22 real reason, I guess, historically, that it would
23 have to take that to do that.
24 The other thing that I wanted to talk
25 about was that the -- the system that I talked about

1 earlier, one (1) of the ways of doing implementation
2 of land claim agreements is -- because there's no set
3 way of doing it -- is to use these public forums to
4 not alter, but make the system a little more
5 sensitive and take into consideration the -- the
6 views of the First Nations people that use and occupy
7 the area that the development is happening within.
8 And so aside from that, if we -- we
9 know that the system of developing a mine site is a
10 given under the mentality of how development are
11 supposed to happen in Canada, and especially in the
12 North, that it's a given. We know that.
13 But we also need to ensure that the
14 system allows for our input. And our greatest input
15 that we can offer at this time is our traditional
16 knowledge, which is not something that can be
17 collected in passing. It's deeply rooted, maybe so
18 deeply rooted that if I went any further, I'll be
19 tickling myself under my shoe -- under my feet.
20 But nevertheless, there are barriers
21 for sometimes getting to that information, because
22 there's the -- the untrustfulness of the people, and
23 even the First Nations governance that exists in --
24 in the North that a lot of it was usually one (1)
25 way.

1 We have this history of untrust that -
2 - that doesn't allow for real substance of
3 information to surface, and it can be skimmed off the
4 top, that we need to really dig into to make it
5 proper and meaningful in the -- in -- in the work
6 that it's going to take to develop that mine.
7 So it's very important that
8 consideration for the traditional knowledge is
9 seriously taken into consideration in development of
10 that mine.
11 Like I'm saying before, that these are
12 the only opportunities that we have in the absence of
13 the -- of any implementation policy for a land claim
14 agreement that is done on a case by case, by project
15 by project, on a daily basis, trying to make systems
16 that are foreign, systems that are -- that are
17 carrying out the work prior to 1921.
18 Those things, and the mentality behind
19 it, hasn't changed. So in some ways, we're
20 participating, and in some ways we're being looked
21 upon as words that should be talking to -- down to
22 words.
23 And -- and that we're saying that --
24 today that the Tlicho are a law-making authority.
25 They have 39,000 square kilometres of surface and

1 subsurface lands. And we have a taxation ability.
2 We have the ability for taking
3 advantage of the workers that are going to be there
4 in the communities. If they're working from one (1)
5 of the four (4) Tlicho communities, then that's how
6 the communities really benefit.
7 And -- and the money goes directly to
8 the communities so that the communities can rise
9 above the social challenges that are going to be with
10 us for some time. But it gives us the tools to do
11 that with.
12 And yesterday I was chatting with
13 Rick, and -- and I can't resist but say it, that I
14 was parked outside, and I told him I had a ticket
15 because I was in such a rush to get in. It was very
16 important for me to be in here. I just completely
17 forgot that I had money in my pocket.
18 Anyways, I ended up getting a ticket.
19 So he says, Well, why don't you go to City Hall, I
20 got a three (3) day pass for visitor and tourist. So
21 I was thinking, Well, I don't think it will work for
22 me, because I'll have to go there twice a week.
23 Bad enough I have to go outside every
24 two (2) hours. I don't -- I think they'll start
25 frowning at me after a while. But then I started

1 thinking, Well, it means that I'll have to admit that
2 I'm a tourist. I'm also a visitor, but I can't be,
3 because I'm on my own lands, right. And -- and my --
4 and -- but there should be some sort of exemption,
5 because I'm not from the Yellowknife municipality,
6 right.
7 So -- so in some ways the City of
8 Yellowknife, if they're -- if they're going to read
9 this stuff later, is that they should consider
10 changing their policies so that I would -- I don't
11 need to break my leg to get an exemption. Anyways,
12 I'll take that off my list right there.
13 But in the end, it's about -- like a
14 lot of things that I mentioned are topics for
15 frustration, if you want to be in that state of mind,
16 about -- about not having the ability to vote, not
17 having the ability to get a job, and the educational
18 levels are out of reach and so is employment. All of
19 these things that frustrate a lot of people that --
20 it's not -- it's not something necessarily that we
21 want to wear on our sleeve.
22 And so the Tlicho Government's
23 attitude has been to go beyond that, but use those as
24 an examples of how to make improvements, because it's
25 an -- it gives us an -- an indication of the steps

1 that we make to take us further away from those
2 frustration levels. And that's a good measurement of
3 progress.
4 And I was -- but at the same time, we
5 need to be driven by -- by vision away from that
6 state. And -- and it reminded me of something I was
7 reading about a week ago, or about a month ago, or a
8 couple of months ago. And it's -- it's this 2000 --
9 2000 -- year 2000 water board hearing -- the Diavik
10 Water Board hearing.
11 And it's such a big document, I
12 thought, Well, why am I keeping it around the house?
13 I should just toss it, you know. So -- well, maybe
14 I'll take a look at it first. So then I noticed an
15 Elder who passed away in 2005, Alexis Arrowmaker, was
16 -- had made a statement. And so that's what saved
17 that book. So it's still -- I still have it.
18 But I read it and it made a lot of
19 sense, because what he talked about was -- which is
20 very relevant today, and I think that's the kind of
21 message that is -- that is important. And that's a
22 good record of what these hearings does, is that it
23 provides a good insight into how the relationship
24 between the early explorers and where we are today,
25 and the messages that people leave behind.

1 But it had its -- had some -- it was
2 in the late 1930s. He said that they were travelling
3 by dog team, led by Chief Bruneau, and his son, Suzie
4 (phonetic), was also part of the train.
5 So there was a number of them, and
6 they were travelling by dog team on the north end of
7 Courageous Lake, which is just a portage away from
8 Lac de Gras.
9 And they were hunting, okay? They
10 were hunting for caribou and it's quite a ways from
11 Snare Lake. It's a long ways from Snare Lake to be
12 out there hunting. So it's not a day hunting; it's
13 weeks of hunting.
14 And they came upon a tent in this --
15 they call it tsiadai (phonetic) in the Tlicho
16 language. It means that's the last place you can get
17 wood if you're going to go any north -- any further
18 north.
19 And in there was this -- lack of
20 better word, kwhiti (phonetic) in a sleeping bag.
21 And there's no fire, because all of the stuff was in
22 array and nothing fitted. So he'd just given up, and
23 was sleeping in his sleeping bag and he wasn't
24 getting out.
25 So Bruneau asked the young guys, throw

1 something together. At least let him have a fire
2 before -- before we leave. So they cooked up
3 something and made a stove and pipes and got the
4 thing piping hot. And the guy, being so happy, in
5 another story -- not this one (1), but I heard that
6 story three (3) times. And -- and each one (1) has
7 its own flavour.
8 But the guy was so hot -- you know, it
9 became so hot in there with the red stove that it --
10 that he eventually had to get out of the -- the
11 sleeping bag. And the gu -- he was so happy that he
12 made some toast, put butter on it, and -- and offered
13 to everybody, but the Elders wouldn't touch it,
14 because what if it's no good for us, what if we
15 keeled over or something. We don't know who this
16 person is.
17 But, you know, the young bucks, they
18 can just almost taste it. And so one (1) of the --
19 them guys took it and ate it and, you know, he didn't
20 keel over. Then the mad rush for the toast happened,
21 because being a good host, he provided that toast,
22 but it broke the ice and they were on pretty well
23 good terms by the time they were leaving.
24 And so in the end of that testimony
25 that he gave to the Water Board Hearing -- I think it

1 would be good to -- to bring that up. In the end he
2 said, That's the way we must work together. That's
3 the way we must work together. And, you know, that's
4 an activity that happened in the 1930s, and -- and
5 it's a -- an echo of how far and how late we've come
6 to where we are today.
7 And so it's very important for us to -
8 - to ensure that the traditional knowledge that
9 speaks about the -- not only the flavour of what life
10 was like back then, but the mentality of the people
11 who were hearty, who were determined to make a living
12 out of nothing, okay.
13 And here's a development that probably
14 materialized from the people -- people like the one
15 (1) that was in the sleeping bag that helped develop
16 the North. But somehow those things never really
17 connected, never really connected.
18 And what makes this very important
19 where we are today is that the impact and benefits
20 that we had -- that we have with the -- the big three
21 (3) happened outside of our governance prior to 2005,
22 where we didn't have the ability to -- to concentrate
23 on it as closely as we should have and taken into
24 consideration all the effects on the community, and
25 the training, and having the people prepared, being

1 the first generation, finance, training, all of these
2 kind of things that -- that we could have probably
3 taken into consideration.
4 But it happened in its own time
5 outside of our governance that we didn't have. So we
6 had to balance a few things without compromising the
7 claim, without getting too hard.
8 So that's what we ended up with. It
9 doesn't mean that we're going to rake you over the
10 coals, Rick, or your team, but I think we're talking
11 about a -- a real, genuine fairness.
12 We're talking about breaking the
13 mould. We're -- we're talking about creating an
14 environment where the -- the North can be really
15 truly shared equally. Mahsi cho.
16 DR. GINGER GIBSON: Ginger Gibson,
17 Tlicho Government. John B. just gave you a flavour
18 for -- of Tlicho governance of the -- the emergence
19 of the Tlicho governance. He also illustrated that
20 the traditional knowledge study is fundamental, that
21 it's not ready, and that it's a core piece of the
22 governance of the Tlicho Government for moving
23 forward in -- in the heart of the Tlicho land claim.
24 I'd like to ask just two (2) questions
25 and then seek two (2) commitments from the Developer.

1 First two (2) questions, I'd like the Developer
2 please to identify in the DAR, in the -- the
3 Developer's assessment report, if you've been able to
4 address or to identify the potential impacts --
5 direct, indirect, and cumulative impact effects on
6 Treaty or Aboriginal rights or on the rights
7 protected under the Tlicho land claim.
8
9 (BRIEF PAUSE)
10
11 THE FACILITATOR MERCREDI: We'll give
12 Fortune a minute to caucus. And that was Paul
13 Mercredi, for the record.
14
15 (BRIEF PAUSE)
16
17 MR. RICK SCHRYER: Rick Schryer,
18 Fortune Minerals. We recognize the importance of
19 this to the Tlicho people, and we commit to -- to
20 further discussion on this, in terms of our
21 understanding of how you see your rights being
22 affected in this.
23 I don't think that's an interpretation
24 I'm comfortable doing on our own; I really don't. I
25 think that's something that we need to work on

1 together.

2 DR. GINGER GIBSON: Thank you.

3 Secondly, please identify whether the Developer's

4 assessment report, in your traditional knowledge

5 study, did you include any questions on the loss of

6 use or areas that have been avoided by harvesters in

7 the contam -- in the area of the Developer's -- of

8 the proposed mine site or talk about what we spoke

9 about a couple of times now, any of the psy --

10 psychosocial impacts associated with loss of -- with

11 -- with perceived contamination?

12 MR. RICK SCHRYER: Rick Schryer,

13 Fortune Minerals. I don't have our traditional

14 knowledge persons here, so I'm going to have to check

15 the document before I give a response to that.

16 DR. GINGER GIBSON: Ginger Gibson,

17 Tlicho Government. That's fine. The -- we'd like to

18 seek two (2) commitments from the Developer. We'd

19 like to seek a commitment -- and we do already

20 acknowledge that there's language in the commitments

21 put forward, but we'd like to seek a commitment to

22 collaboratively build a traditional knowledge

23 monitoring program.

24 We -- we -- given -- I think that,

25 given that you're beginning to understep -- stand the

1 depth of Tlicho knowledge and that it can't be hand-
2 picked by -- an individual can't be hand-picked out
3 by the community or by the Developer to represent
4 Tlicho knowledge, we believe that a strong and
5 effective traditional knowledge monitoring program
6 will need to be built in order to build Tlicho faith
7 in this system and to enhance and build Tlicho
8 knowledge about the -- the region. We already --
9 about what's going on with respect to this proposed
10 development.
11 We already have seen people beginning
12 to avoid Hislop Lake, seeking -- or beginning to
13 avoid setting net in Hislop Lake. So we believe that
14 there already are impacts being experienced from the
15 proposed development.
16 So we'd like to seek a commitment to
17 the De -- from the Developer to work closely on
18 developing -- jointly developing a traditional
19 knowledge -- knowledge program -- monitoring program.
20 MR. RICK SCHRYER: Rick Schryer,
21 Fortune Minerals. I believe we've made that
22 commitment in a variety of places, sort of in -- in
23 different areas. We have committed to incorporating
24 traditional knowledge into things like the Aquatic
25 Effects Monitoring Plan, which is a program that's

1 going to go on life of mine and -- and, as we
2 mentioned, in relation to the open pit, probably into
3 the fut -- you know, well into closure.
4 I made the commitment yesterday to
5 Chief Daniels to monitor caribou in post-closure. Of
6 course, we'd be monitoring caribou and other animals
7 as part of the Wildlife Monitoring Program, which I
8 also see having a traditional knowledge component,
9 and the same with the -- you know, the -- the
10 importance of the closure plan and incorporating
11 traditional knowledge.
12 So I think that there are multiple
13 opportunities for the inclusion of -- of traditional
14 knowledge into the various plans and monitoring
15 efforts that we're going to have with this -- with
16 this project.
17 So I see that we already have -- you
18 know, I think we need to sit down and figure out
19 where in all these plans traditional knowledge best
20 fits and how it's of best use.
21 But I think we've already got a
22 framework from our existing commitments in terms of
23 how we could move forward with the incorporation of
24 traditional knowledge into this project.
25

1 (BRIEF PAUSE)

2

3 THE FACILITATOR MERCREDI: Thank you,
4 Rick. And, Ginger, do you have a follow-up?
5 DR. GINGER GIBSON: Ginger Gibson,
6 Tlicho Government. Thank you. That's acceptable. I
7 -- I just want to close by saying that the Tlicho
8 Government does not have questions on culture,
9 because our cultural study has not been completed.
10 The traditional knowledge study and
11 all of the studies on culture that are relevant to
12 the Tlicho Government have not been started --
13 they're -- they're started, but they are not
14 completed.
15 And therefore, we do not have
16 questions of the Developer's work, because the Tlicho
17 Government places value in their own work.
18 Therefore, we believe that the
19 traditional knowledge study will have -- we will --
20 we believe it will have significance for the
21 predictions of significance that have been made.
22 We do not, as mentioned before,
23 believe that the traditional knowledge study can be
24 used in a functional sense just to plan operations
25 and build monitoring programs. We believe that it

1 will have significant impact on your predictions of
2 significance and on impact pathways. Mahsi.
3 THE FACILITATOR MERCREDI: Before we
4 continue, Ginger, on the second question Rick
5 indicated he was going to get back to you. And is
6 that possible to get back by the undertaking
7 deadline, or is this something that is going to kind
8 of evolve like as the other questions and -- and kind
9 of commitments there?
10 It sounded like it was able to be an
11 undertaking, since you would be able to contact your
12 traditional knowledge person. Can you indicate if it
13 -- if you are able to get that done before the
14 undertaking deadline?
15 MR. RICK SCHRYER: Rick Schryer,
16 Fortune Minerals. Yes, I believe we can answer that
17 question by the 23rd. Actually, I didn't write it
18 down specifically, so if it's in the transcripts,
19 that's fine. I can get it from there.
20 But, I mean, if -- we should be able
21 to get that singular answer, I believe there was only
22 one (1) question, by -- on the public registry by the
23 23rd.
24 THE FACILITATOR MERCREDI: We'll call
25 that Undertaking 13, and we'll look at the

1 transcripts for the wording.
2 Does that satisfy the second question
3 there, Ginger?
4 DR. GINGER GIBSON: Ginger Gibson.
5 It does.
6 THE FACILITATOR MERCREDI: Thank you.
7 And so we'll move on.
8
9 --- UNDERTAKING NO. 13: Fortune to identify
10 whether the Developer's
11 assessment report, in
12 their traditional
13 knowledge study, included
14 any questions on the loss
15 of use or areas that have
16 been avoided by
17 harvesters in the area of
18 the Developer's proposed
19 mine site or any of the
20 psychosocial impacts
21 associated with perceived
22 contamination.
23
24 THE FACILITATOR HAYDEN: Okay. So
25 it's about twenty (20) after 4:00, and I think we owe

1 it to Aileen to bring it back to air quality, so.
2 MS. AILEEN STEVENS: Thanks. Aileen
3 Stevens, ENR. Regarding the air quality assessment,
4 you indicated that there were going to be exceedences
5 of NO2, of the annual standard in approximately 42
6 hectares of land, and there was going to be PM2.5
7 exceedences within 2 kilometres of the lease
8 boundary.
9 So typically, we -- we don't often
10 come across air quality -- ambient air quality
11 exceedences. So I'm just wondering, in addition to
12 monitoring, what -- what have you looked at in terms
13 of reducing emissions so that the standards aren't
14 exceeded? Keeping in mind that the majority of the
15 emissions for NO2 and PM2.5 will be from combustion.
16 MR. CHRIS MADLUND: It'S Chris
17 Madlund, Golder Associates. I'll speak to -- I'll
18 speak to the issues separately, NO2 and -- and the
19 particulate matter issue separately.
20 Perhaps I'll -- I'll start with the --
21 with the NO2. In some respects, the answers are --
22 are similar in that the -- the assessment is based on
23 -- on modelling and -- and on the emissions estimates
24 that go -- that go into the modelling.
25

1 And in each case, we -- we endeavour
2 to be as -- as conservative as possible in the -- in
3 the assessment work that we do and in the emissions
4 estimates.
5 There are conservatisms inherently
6 built into the modelling system as -- as well. The
7 Kaltov (phonetic) model is inherently conservative.
8 The -- apart from the modelling -- or,
9 sorry, apart from the -- the planned monitoring
10 program, I don't know that there are specific
11 endeavours to -- to undertake to -- to reduce beyond
12 what has already been committed on the -- on the NO2.
13 That notwithstanding, like with the --
14 what I will talk to in a moment about the -- the
15 particulate emissions, our expectation is that on the
16 annual -- the annual basis, that the -- the ground
17 level concentrations that are predicted will likely
18 not be reached.
19 We see it consistently in -- in
20 modelling, that it -- it results in -- in
21 predications that are higher than are actually seen,
22 and that's -- that's consistent across -- across many
23 dis -- or, many -- many assessments.
24 With respect to the -- with respect to
25 the particulate portion of it, the PM2.5, you alluded

1 to the idea that it was likely related to combustion
2 emissions.
3 I would respectfully submit that the
4 PM2.5 portion, or the portion of the PM2.5 that is --
5 is likely to be resulting in the exceedences that are
6 shown in the -- in the assessment is more as a result
7 of the -- the estimates of emissions resulting from
8 road dust emissions.
9 And, again, though there isn't a great
10 deal of information available in the -- in the public
11 record, or in the literature on the specifics about
12 road dust in the winter in the Arctic, our -- our
13 expectation is that the monitoring that will be
14 undertaken when the project is -- is at least under
15 construction will demonstrate that the -- the ground
16 level concentrations will -- will not be anywhere
17 near what the -- what the predictions are.
18 MS. AILEEN STEVENS: Aileen Stevens,
19 ENR. Okay, that's good. But going back to the NO2,
20 because you have conducted the model and you have
21 predicted exceedences, and we are very keen to
22 monitor those and -- and see about confirming the
23 model results, have you looked into any treatment
24 methods, such as oxidation catalysts or selective
25 oxidation-reduction -- catalytic reduction, pardon

me, for the -- the gen sets or the non-mobile sources or for the diesel trucks?

MR. CHRIS MADLUND: Chris Madlund, Golder Associates. We have not to date, but we can go back and -- and have a look and -- and see if there's something that can be done in -- in that regard, just review the emissions data, in particular.

MS. AILEEN STEVENS: Is that an undertak -- sorry, Aileen Stevens, ENR. Will that be an undertaking to review NOX treatment methods for your emission sources?

MR. CHRIS MADLUND: Yes, it is. Chris Madlund, Golder Associates.

THE FACILITATOR HAYDEN: So this is Undertaking No. 14.

--- UNDERTAKING NO. 14: Fortune Minerals to review NOX treatment methods for emission sources

MS. AILEEN STEVENS: Aileen Stevens, ENR. With respect to the monitoring program, I recognize that you have put an outline in there for

1 particulate monitoring and some gaseous monitoring as
2 well for NO2 and SO2.
3 Is that a commitment from the
4 Proponent that there will be an air quality
5 monitoring plan that will be developed in
6 collaboration with ENR and Environment Canada?
7 MR. CHRIS MADLUND: Chris Madlund,
8 Golder Associates. Yes, that's -- that's correct.
9 In fact, previous work on other -- other northern
10 mines, I suppose, has yielded fairly positive results
11 with both ENR and -- and Environment Canada.
12 And it's -- it's been indicated on a
13 number of occasions that the -- the Snap Lake
14 monitoring program, or the monitoring plan that was -
15 - was developed there, would be a -- a great place to
16 -- to start for this project as well. So it would --
17 the -- the monitoring program would look similar to
18 that at Snap.
19 THE FACILITATOR HAYDEN: Okay. Do
20 you have more questions?
21 MS. AILEEN STEVENS: Aileen Stevens,
22 ENR. The final item I just want to revisit is the
23 incinerator. I know there was some concern over the
24 incineration of sewage sludge as well as the
25 municipal solid waste generated at the mine, because

1 it's typical that one (1) incinerator is not designed
2 to handle both waste streams and still meet the
3 Canada-wide standards for dioxins and furans.
4 And I'm just wondering if you could
5 please go over how you're going to properly select an
6 incinerator that will be able to meet both those
7 waste streams.
8 And, also, I'd be leaning towards the
9 development of an incineration management plan that
10 will incorporate the items outlined in Environment
11 Canada's technical document for batch waste
12 incineration.
13 MR. CHRIS MADLUND: Chris Madlund,
14 Golder Associates. An incinerator has been selected
15 that will -- will meet the needs and will be designed
16 to -- to meet the CCME criteria for emissions on --
17 on dioxins and furans.
18 Further to that, an incineration
19 management plan will be developed in -- in
20 consultation with EC and -- and ENR.
21 MS. AILEEN STEVENS: Thank you.
22 Aileen Stevens, ENR. And that will include stack
23 testing as well? Sorry, that's a question as well.
24 MR. CHRIS MADLUND: Yes, an initial
25 stack test would certainly be conducted post-

1 commissioning.

2 MS. AILEEN STEVENS: Aileen Stevens,

3 ENR. Thanks very much.

4 THE FACILITATOR HAYDEN: Are there

5 any other questions on air quality? Culture?

6 Archeology?

7 THE FACILITATOR EHRLICH: Thank you

8 very much, Aileen Stevens. It's -- we're reaching

9 the end of the agenda. Before I get to closing

10 remarks I'd like to recognize Paul Green, from

11 Aboriginal Affairs and Northern Development Canada,

12 who has a particular comment regarding the process

13 from here.

14 MR. PAUL GREEN: Thanks, Alan. It's

15 Paul Green, from Aboriginal Affairs, Water Resources

16 Division. I'd just first like to say thanks to

17 Fortune and their team for, you know, the effort they

18 put into their responses over the last few days.

19 It's been a great benefit to us.

20 But I'll note that we are expecting to

21 receive from them some fairly significant and

22 fundamental information on -- on one (1) of the key

23 lines of wa -- of inquiry, which is the water quality

24 and objectives in with some of the undertakings. And

25 we would like an opportunity to sort of provide

1 comments and some further interaction when we see the
2 -- see the results of the -- of -- of what they
3 provide to us. And we're thinking that a second
4 round of IRs might be an appropriate way to -- to
5 sort of -- to achieve that. I'm just putting that
6 out for consideration.
7 THE FACILITATOR EHRLICH: Okay.
8 Thanks for that. We -- we've got that. And I see
9 that the Tlicho Government would like to make a
10 comment or request.
11 MR. HENRY ZOE: We'll -- we'll do
12 both. First of all, as AANDC members indicated, us
13 too would like to thank everybody for being here and
14 participating in this process.
15 The Tlicho Government, as you know, is
16 not able to currently determine whether the
17 positive/negative impacts outweighs the benefit of
18 this proposed development, a factor central to our
19 authorization decisions.
20 There's -- are many new information as
21 well as all the undertakings that -- that the
22 Developer has committed to. The Developer has
23 committed to pro -- to provide major new piece of
24 information. These include the boreal caribou
25 modelling, analysis of values of water treatment

1 through reverse osmosis, the new values for metal and
2 contaminant, what the changes are in receiving
3 environment, and the new process detail. And -- and
4 also the geochemistry and the possibility for acid
5 rock drainage, seasonal sampling, risk assessment,
6 cumulative effects assessment, and several
7 socioeconomic issues -- socioeconomic issues.
8 And let us not forget about the
9 traditional knowledge study. It's also not available
10 for the Developer or -- or for the re -- the Review
11 Board. The TK study will provide the information not
12 yet collected on key valued components, such as
13 caribou. This new information may change predictions
14 of significance. For example, we believe that Tlicho
15 people are already experiencing impacts from proposed
16 mine. As Ginger indicated earlier, people who fish
17 at Hislop Lake are no longer fishing there because of
18 changes they see in fish. This is already an impact
19 on the Tlicho people. An area has been removed from
20 traditional use. We need to have the traditional
21 knowledge study available in order to assess impacts
22 properly.
23 There's significant holes or gaps in
24 our -- in our understanding of the proposed mine
25 site. Wetlands, will they work? Is there enough

space? What are the implications on vegetation and sediment uptake? Will the Developer be able to treat water coming off the co-disposal pile through the wetlands?

Boreal caribou are threatened. Will they be even more so? Reverse osmosis, we need to see detailed plans and designs for the process and residue management. Will they bring levels down to acceptable levels?

We wonder still about the water, about the plant that will take up metals, and about treating water forever. We need to see more detailed review of acid rock generation assessment, management, water quality predictions, particularly after the proponent receives feedback from Natural Resource Canada. We need to see the results of ongoing seasonal plankton sampling. We need to see closure planning evolution, particularly with respect to financial assurance. Cumulative social effects of mine and roads.

Tlicho Government supports AANDC in seeking to have another round of Information Requests. Our knowledge has grown enormously through this technical session. As you can see, our people are here to learn. Our traditional knowledge

1 holders, our chiefs, and our policy advisors. We
2 have also benefited from scientific experts, but not
3 from our own. Also from the thoughts of AANDC and
4 Fortune Minerals.
5 We support another technical session
6 to dig into some of the critical issues to refine our
7 knowledge. We also strongly believe that MVEIRB and
8 the Developer will benefit greatly from having a trad
9 -- a traditional knowledge study available.
10
11 Mr. Chair, that's our -- Tlicho
12 Government closing comments. Mahsi.
13 THE FACILITATOR EHRLICH: I'd like to
14 thank Henry Zoe for ably summarizing a huge range of
15 issues concisely in a -- in a short closing
16 statement.
17 So my understanding, procedurally
18 then, is that this sounds like a request for a second
19 round of Information Requests. And Paul from AANDC
20 is -- you said that this might be helpful. Is that
21 what you're getting at?
22 MR. PAUL GREEN: Sorry. Thanks,
23 Alan. Yes, I -- I believe the Information Request is
24 -- is a known sort of procedure, and it's -- I think
25 that would get us the information we're -- we're

1 looking for. So that's about that.
2 THE FACILITATOR EHRLICH: Okay. And
3 thank you for that. Question to the Tlicho
4 Government, are you planning to follow this statement
5 with any kind of written communication to the Review
6 Board for the record?
7 I mean, based on what you've just told
8 us, we can start, you know, getting the -- the
9 message across in-house to get some procedural
10 decisions made, but if you want to put something in
11 writing for the record it gives you more of an
12 opportunity to -- to craft your points, you know,
13 accurately.
14 DR. GINGER GIBSON: Ginger Gibson,
15 Tlicho Government. We would craft a letter that
16 supports AANDC's request for the IRs, another round
17 of IRs, and we will craft -- we will indeed put
18 forward a -- something if it's helpful to the Review
19 Board.
20 THE FACILITATOR EHRLICH: It would be
21 helpful. The Board is committed to a timely
22 environmental assessment, but it also needs to run an
23 assessment that meets the needs of the parties and
24 gives it the information it needs to make decisions.
25 You've both pointed out that some of these issues

1 include key lines of inquiry, and so the Board will
2 be cognizant of that when it's deciding what its next
3 move is.
4 I'm going to begin with the closing
5 statement. Before I do, you know, I -- I haven't had
6 a -- I've been in and out of here for the last few
7 days --
8 MR. RICK SCHRYER: Excuse me, could I
9 have a word.
10 THE FACILITATOR EHRLICH: Certainly.
11 Rick from Fortune --
12 MR. RICK SCHRYER: I'd like to
13 comment on the -- on the requests that have been
14 made. Fortune Minerals has already committed to a
15 number of undertakings to address questions and
16 issues that have been raised by the various parties
17 in -- in these sessions. And we will deliver those
18 information as requested.
19 We've always -- already made a number
20 of commitments to a variety of groups to work on --
21 with them one-on-one to resolve their issues. My
22 preference in moving forward would be that we
23 continue to have those one-on-one discussions with
24 people. I feel they're more constructive. And I
25 think that it would save more time than to go through

1 a second round of IRs where we've already addressed
2 and identified the questions and issues that need to
3 be addressed, and we already have a path forward in
4 order to be able to address them.
5 So I would just like to state that my
6 preference here is that we focus on the one-on-one
7 discussions with AANDC and Tlicho and any other
8 parties to have more constructive discussions on
9 these issues so that we can move them forward since
10 we've already identified them in this technical
11 meeting. Thank you.
12 THE FACILITATOR EHRLICH: Okay. And
13 I thank you for -- for that, Rick. I think that
14 you've -- you've certainly made your point clear.
15 And -- and the Review Board certainly would never
16 underestimate the value of direct dialogue as a way
17 of cutting through stuff.
18 I -- I should point out that in the
19 past it has very often had second rounds of IRs after
20 technical sessions, but the second round of IRs, if
21 it were to occur, would not necessarily have the same
22 kind of time frame as the first round of IRs. In
23 other words, there are a number of different options
24 available to the Board with that.
25 I would also suggest that once a

1 letter has been received from the Tlicho Government,
2 if you wish to make additional comments in addition
3 to the one (1) that you've just made and will be
4 captured on the transcripts, that you're also
5 encouraged to -- to put that in as well.
6 The point that I wanted to make before
7 -- I've -- I've been in and out for the last few days
8 and I didn't really have a chance to -- to complement
9 Fortune on the -- the models that you've done, the
10 dioramas that are out by the door here. I know these
11 are not easy or simple to make, especially when
12 you're trying to make them accurate to a certain
13 scale. I also know that the value of that kind of
14 work in communities goes much further than any
15 PowerPoint presentations can and, you know, I know
16 it's a difficult thing and -- and the ones you've
17 done here look wonderfully illustrative of what
18 you've produced.
19 And I -- I think it really does help
20 demonstrate that Fortune is -- is serious about
21 making sure that the people in the communities it
22 consults with have a -- a good understanding of -- of
23 the landscape layout of what's proposed. And anyway,
24 I just -- I just felt like some recognition was made
25 for that because we don't always get that kind of

1 thing in environmental assessments and I -- I think
2 it's helpful.
3 But I'll save the big thanks for the
4 whole session to Chuck since he's leading the
5 environmental assessment. I want to remind everyone
6 that there are, I believe, fourteen (14) -- fourteen
7 (14) undertakings, which mean you guys have done very
8 well. Remember, I said that the previous
9 environmental assessment walked out of here with
10 around sixty-seven (67) undertakings. Fourteen (14)
11 is an entirely respectable number and speaks to the
12 openness of the developer to deal with things on the
13 spot and to seriously resolve issues with commitments
14 where -- whereas possible.
15 And so to me that's a very positive
16 sign that you've got through a lot of rough terrain
17 with some kind of progress over the last three (3)
18 days and I think recognition is due there as well.
19 For the parts I have been in here I've heard numerous
20 smaller issues get resolved on the spot. I don't
21 like saying "fall off the table" because it sounds
22 like they haven't been resolved. In some cases where
23 there have been misunderstandings they've been
24 cleared up, but I've also seen smaller issues get
25 resolved here thanks to your efforts over the last

1 few days.

2 And, again, this is very valuable to

3 making sure the decision making focusses on the stuff

4 that really should matter about this project. So

5 again, kudos to you all for -- for working through

6 that stuff. I know it's not easy, especially

7 considering some of this is highly technical matter

8 and some of the matters that may not be technical in

9 the biophysical side are extremely complex on the

10 social and cultural side as well. And so it's not --

11 it's not fast going at any edge, but from what I've

12 seen, you guys have got some kind of serious results

13 and this is encouraging.

14 I want to remind everyone that the

15 transcripts are -- for the last two (2) days are

16 already available online. And from today they will

17 be available likely tomorrow, maybe sooner, at

18 tscript.com. That's tscript, one (1) word, dot com.

19 You go to their public -- their document repository I

20 think it's called -- transcript repository and then

21 look up Review Board and then pick the date and

22 you'll find a searchable version of what's here. You

23 hit, control-F, enter a keyword, and you can -- you

24 can find stuff. This makes it much easier to sort

25 through all the discussions you've had.

1 Something that helps make those
2 transcripts correct are if everybody signs in,
3 regardless of age. So there's a sign-in -- I -- I
4 say this, because a few people haven't signed in yet.
5 There's a sign-in sheet by the door. And the sign-in
6 sheet works just as well on the way out as it does
7 in. And it really helps Wendy know what's going on.
8 Whew. Okay. So as I've said, I'm
9 going to leave the thank you's and the final wrap-up
10 to Chuck Hubert who is leading the environmental
11 assessment.
12 MR. RICK SCHRYER: Rick Schryer,
13 Fortune Minerals. Allice Legat was supposed to send
14 me a link to -- to WRRB website to get me the -- that
15 reference for TK versus caribou. I'm going to ask
16 Ginger, but I think we got that covered in our
17 commitment to work on traditional knowledge studies?
18 Because that would -- see, that's just sort of a part
19 of the -- the greater whole.
20 DR. GINGER GIBSON: Ginger Gibson,
21 Tlicho government. That's correct, and we'll make
22 sure to get you the information, but we're fine with
23 it as -- as it is. Mahsi.
24 MR. RICK SCHRYER: Just for your
25 note, that was one (1) of the homework assignments, I

1 believe, from either the first or second day. Okay.
2 THE FACILITATOR EHRLICH: Thanks very
3 much, Rick. And now over to you, Chuck Hubert.
4 THE FACILITATOR HUBERT: Thanks very
5 much. I'd like to thank everybody who attended. Of
6 course, these technical sessions are about people and
7 people getting together and talking face to face and
8 asking questions and getting answers. And -- and so,
9 really, it -- the people make the event.
10 So thanks -- thanks very much to
11 everybody. I'd like to thank our Review Board staff
12 who have assisted me. Wendy -- Wendy Warnock, with
13 the transcription. Jeff with the Pido, Stacey
14 guarding the door, and -- and looking after the
15 catering issues.
16 Of course, I'd like to thank Fortune
17 and their -- their assembled team who took the time
18 to come out and -- and ask some really technical and
19 -- and specific questions. So thanks very much. I
20 think it's been valuable.
21 I'd like to thank the Tlicho
22 government and chiefs that were able to attend. The
23 Kwe Beh Working Group and all of the people from the
24 Tlicho communities who attended.
25 Also, other parties, of course.

1 Thanks very much. And with that I'll say bye for now
2 and probably talk to you soon again another time.
3 Thanks, bye.
4
5 --- Upon adjourning at 4:45 p.m.
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11 Certified Correct,
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16 Wendy Warnock, Ms.
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