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MACKENZIE VALLEY ENVIRONMENTAL  
IMPACT REVIEW BOARD  
  
PUBLIC HEARING  
DEZE ENERGY CORPORATION LTD.  
TALTSON HYDROELECTRIC  
EXPANSION PROJECT  
EA0708-007

Board:	Richard Edgericon	Chairperson
	John Ondrack	Member
	Fred Koe	Member
	Peter Bannon	Member
	Darryl Bohnet	Member
	Danny Bayha	Member
	Percy Hardisty	Member
	Jerry Loomis	Member

HELD AT:

Dettah, NT  
January 14th, 2010  
Day 1 of 2

1	APPEARANCES	
2	Vern Christensen	) MVEIRB
3	Martin Haefele	)
4	Tawanis Testart	)
5	Nicole Spencer	)
6	Alan Ehrlich	)
7	John Donihee	) Board Counsel
8	Paul Falvo	) Board Counsel
9	Paul Mercredi	)
10	Sunny Munroe	)
11	Aleksey Naumov	) Board Consultant
12	Bruce Stewart	) Board Consultant
13	Richard Browne	) Board Consultant
14	Anne Gunne	) Board Consultant
15	Petr Komers	) Board Consultant
16		
17	Chief Steven Nitah	) Lutsel K'e First
18	Elder Antoine Michel	) Nation
19	Elder George Marlowe	)
20	Tracey Williams	)
21	Archie Catholique	)
22	Felix Lockhart	)
23	Florence Catholique	)
24	Addi Jonnasson	)
25	Angie Lantz	)

1	APPEARANCES (Cont'd)	
2	Desiree Jonnasson	)
3	Sayiz Catholique	)
4	Jake Basil	)
5		
6	Tom Vernon	) Deze Energy
7	Don Balsillie	) Corporation
8	Damian Panayi	)
9	Shane Uren	)
10	Linda Zurkirchen	)
11	Louie Azzolini	)
12	Andrew Stewart	)
13	Dan Grabke	)
14	Jenica Von Kuster	)
15		
16	Stacey Lambert	) Environment Canada
17	Lisa Perry	)
18		
19	Marc Lange	) INAC
20	Erica Bonhomme	)
21	Lorraine Seale	)
22	Lionel Marcinkoski	)
23	Tricea Melander-Forde	)
24	Nathen Richea	)
25	Don Aubrey	)

1	APPEARANCES (Cont'd)	
2	Sophia Garrick	) Transport Canada
3		
4	Bruce Hanna	) DFO
5	Rick Garvais	)
6	Nicola Johnson	)
7	Doug Watkinson	)
8		
9	Lorretta Ransom	) GNWT
10	Kris Johnson	)
11	Van Adamczewski	)
12	Glen Mackay	)
13		
14	Arthur Peck	) Fort Resolution Metis
15	Tom Unka	) Council
16		
17	Wendy Botkin	) Parks Canada
18	Christian Bucho	)
19		
20	Dean Carter	) Carter Family
21	Jean Carter	)
22		
23	Robert Sayine	) Deninu K'ue First
24		) Nation
25		

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1		LIST OF UNDERTAKINGS	
2	NO.	DESCRIPTION	PAGE NO.
3	1	To provide a comprehensive list	
4		of commitments by January 29th at	
5		3:00 p.m. local time	82
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1 --- Upon commencing at 9:22 a.m.

2

3 THE CHAIRPERSON: Good morning, ladies  
4 and gentlemen. Before I start this meeting, it's always  
5 good that we start the meeting with an opening prayer.  
6 And after each meeting and each day, I like to close a  
7 meeting with a prayer.

8 So before I go into my comments, I'm going  
9 to ask an Elder from Lutsel K'e, George Marlowe, to come  
10 up and say a prayer to open this meeting.

11

12 (OPENING PRAYER)

13

14 THE CHAIRPERSON: Thank you, George  
15 Marlowe for doing the opening prayer. Mahsi.

16 I'd like to call the Public Hearing to  
17 order. It's 9:27 and I'm going to do my opening  
18 comments. But I was going to ask if one of the  
19 leadership that were here to do welcoming comments but I  
20 don't see them here now -- anyway, I'm going to continue  
21 on here.

22 For most of you that don't know, my name  
23 is Richard Edgericon. I'm the Chair for the Mackenzie  
24 Valley Impact Review Board.

25 Deze Energy has applied for a water

1 licence and a land use permit for a proposed expansion of  
 2 the Taltson Twin Gorge Facility Hydroelectric Dam north  
 3 of Fort Smith. The project may provide an alternate  
 4 energy source for the diamond mines operating in the  
 5 North Slave and will include a 690 kilometre transmission  
 6 line through Akaitcho Region. The proposed Taltson  
 7 hydroelectric expansion project was referred for an  
 8 environmental assessment by the Mackenzie Valley Land and  
 9 Water Board in October of 2007.

10 We have reached one of the final stages of  
 11 the environmental assessment which is the public hearing.  
 12 Today, the Board wishes to hear the views and opinions  
 13 that the parties or members of the public may have  
 14 regarding this proposed development. Over the course of  
 15 the next two (2) days, we ask that you do your best to  
 16 help the Review Board to understand your views about the  
 17 proposed development, potential economic, social, culture  
 18 effects, and the potential significance of these events.

19 The Review Board will full consider these  
 20 views while deliberating on its decision on this  
 21 environmental assessment. Once the decision is made, the  
 22 Board will write it down in a report of their  
 23 environmental assessment and send it to the Minister of  
 24 Indian and Northern Affairs for acceptance.

25 Before we go further, I would like to



1 introduce our Board Members and then introduce our staff  
2 and counsel. So I'll go from my far left and I'll get my  
3 Board Members to introduce themselves and then my staff.

4 MR. JOHN ONDRACK: Good morning everyone.  
5 I'm John Ondrack. I reside in Yellowknife and I'm  
6 appointed to this Board by the GNWT, or nominated, shall  
7 I say. And I'm very pleased to be here with my  
8 neighbours for this Hearing. Thank you.

9 MR. FRED KOE: Mahsi. Good morning. My  
10 name is Fred Koe and I'm a appointee of the Gwich'in  
11 Tribal Council.

12 MR. PETER BANNON: Good morning. My name  
13 is Peter Bannon.

14 THE CHAIRPERSON: My name is Richard  
15 Edgericon, again. I'll go to my right.

16 MR. DARRYL BOHNET: Good morning. My  
17 name is Darryl Bohnet. I live in Yellowknife and I was  
18 appointed by the Federal Government.

19 MR. DANNY BAYHA: Good morning. My name  
20 is Danny Bayha and I'm from the Sahtu, a nominee of SSI,  
21 and I'm pleased to be here as well. Thank you. I'm from  
22 Deline, as well.

23 MR. PERCY HARDISTY: Yes, good morning.  
24 My name is Percy Hardisty. I'm from Fort Simpson, Tlicho  
25 First Nations appointee.

1                   MR. JERRY LOOMIS:    Good morning.  My name  
2   is Jerry Loomis.  I'm from Norman Wells and I've been  
3   appointed by the Government of the Northwest Territories.

4                   THE CHAIRPERSON:   Thank you.  Then I'll  
5   go to my staff behind me, probably starting off in this  
6   corner over here.

7                   MS. NICOLE SPENCER:   My name's Nicole  
8   Spencer.  I'm environmental assessment officer.

9                   MS. TAWANIS TESTART:   Good morning.  My  
10   name is Tawanis Testart and I'm an environmental  
11   assessment officer with the Mackenzie Valley Review Board  
12   and I am the lead on this file.

13                  MR. ALAN EHRLICH:    I'm Alan Ehrlich,  
14   senior environmental assessment officer.

15                  MR. JOHN DONIHEE:    My name is John  
16   Donihee.  I'm Board counsel.

17                  MR. PAUL FALVO:    Paul Falvo, co-counsel.

18                  MR. VERN CHRISTENSEN:   Vern Christensen,  
19   Executive Director.

20                  MS. SUNNY MUNRO:    Sunny Munro,  
21   Communications Manager.

22                  MS. ANNE GUNN:    Anne Gunn, and I've been  
23   asked to help the Board with barren-ground caribou.

24                  MR. BRUCE STEWART:   Bru -- Bruce Stewart.  
25   I'm an aquatic advisor for the Board.

1                   MR. ALEKSEY NAUMOV:   Aleksey Naumov,  
2   advising the Board on hydrology.

3                   MR. PETR KOMERS:    Petr Komers, advising  
4   the Board on wildlife ecology.

5                   MR. RICHARD BROWNE:   And Richard Browne,  
6   advising the Board on geotechnical and dam issues.

7                   MR. PAUL MERCREDI:   Paul Mercredi, with  
8   the Review Board.

9                   THE CHAIRPERSON:   Thank you.  Next I'd  
10  like recognize our recorder is Wendy Warnock, who is  
11  going to be recording everything we say.  And I just want  
12  to mention that when you do speak, you mention your name  
13  and who you represent, and you speak through the Chair.

14                   To continue on, the Review Board is a co-  
15  management body established by the Mackenzie Valley  
16  Resource Management Act that makes its decision by  
17  consensus.  Our members are northerners nominated by the  
18  First Nations and by the Territorial and Federal  
19  governments.  Our goal is to make decisions that will  
20  benefit the North for all residents and the future  
21  generation.

22                   I have some additional comments on today's  
23  proceedings that I hope will help make sure everything  
24  goes smoothly.  We have limited time and the Review Board  
25  wants to hear what everyone has to say.

1                   Please note that there is an agenda for  
2 the Hearing which is available at the door. I ask that  
3 everyone respects the time allotted for their  
4 presentation and questions and use their time  
5 effectively.

6                   The Review Board will be producing an  
7 official transcript of this Hearing. The transcript will  
8 be available through our website and a public registry  
9 for this environment assessment.

10                  Parties should be aware that they will be  
11 invited to ask questions in turn after each presentation.  
12 The order of questions will follow the order of  
13 presentation. After party questions, I will invite  
14 questions of staff, counsel, experts, and members of the  
15 public. Please address all questions through the Chair.

16                  Deze Energy will give their presentation  
17 first. After they have given that presentation, we'll  
18 have scheduled a generous amount of time to allow the  
19 participants to ask questions.

20                  The order of the questions after each  
21 presentation will be as follows. I'll be asking  
22 questions from the GNWT, NRCan, Lutsel K'e Dene First  
23 Nation, DFO, Environment Canada, Deninu K'ue First  
24 Nation, Fort Resolution Metis Council, Carter family,  
25 Transportation Canada, INAC, Member of the Public, then

1 the Review Board, and finally, staff, counsel, and expert  
2 advisors.

3                   Anyone here today is welcome to speak or  
4 ask questions during the designated period for public  
5 questions. Please identify yourself to one of our staff  
6 so they can help you. Questions may be asked with a  
7 microphone so that everyone can hear and the transcribers  
8 can properly record it. We have simultaneous translation  
9 in both Dogrib and Chipewyan on your headsets.

10                   You can hear English on channel 2, Dogrib  
11 on channel 4, and Chipewyan on channel 6. I ask that you  
12 speak slowly and clearly for the interpreters.

13                   So with that I'd like to -- beginning with  
14 the presentation from Deze Energy. Before that though, I  
15 just want to make mention that we've -- just a little bit  
16 housekeeping items. I ask that when we come into a  
17 Public Hearing that we shut off our cell phones or put  
18 them on -- on quiet so that we don't disrupt the  
19 proceedings. And at the same time when people are doing  
20 their presentation, I ask that we be very respectful of  
21 each and other, and that I think everybody here has an  
22 opportunity to listen to what your views are going to be.  
23 So I ask that of you when you come up today and speak.

24                   With that, as well, there's public  
25 washrooms in the back and we will be breaking at certain

1 times today -- at 10:30. We'll -- we also have lunch  
2 here at 11:45. For -- for people that don't want to go  
3 back to town here, we -- we will provide lunch here  
4 today. And again, this afternoon at 2:45 we'll have  
5 another break and -- and again this evening we will be  
6 providing supper as well, and if people want to stay here  
7 we will also be doing that.

8 And this evening we have, starting at  
9 6:30, we have public statements so -- from the general  
10 public. Again, I'm going to say that, yes, we want to  
11 listen to what people have to say from the public as  
12 well, but again, we -- we're only going to be here to  
13 address this Public Hearing on this file.

14 So with that, I'm going to leave that  
15 there and I'm going to move forward to the presenters by  
16 Deze Energy. And, again, for the record, just speak  
17 through the Chair and then introduce yourself and we'll  
18 go from there. Thank you.

19

20 (BRIEF PAUSE)

21

22 THE CHAIRPERSON: Can we get a mic for  
23 the presenters?

24

25

1 (BRIEF PAUSE)

2

3 PRESENTATION BY DEZE ENERGY.

4 MR. DON BALSILLIE: Good morning, Mr.  
5 Chairman -- this thing is loud -- my name is Don  
6 Balsillie, Chairman of the Deze Energy Corporation, as  
7 well as the representative of the Akaitcho First Nations  
8 involved in this project.

9 Deze Energy's owners consist of the Metis  
10 Energy Company Limited, the Akaitcho Energy Corporation,  
11 and the NWT Energy Corporation (03) Limited. The Deze  
12 Energy Board structure consists of equal representation.

13 Deze Energy's approach to business: I was  
14 told -- excuse me, Mr. Chairman -- I was told earlier  
15 that there's -- I've got to direct someone to get our  
16 slides moving. Mr. Chairman? Tawanis?

17 THE CHAIRPERSON: I'm sorry, repeat your  
18 question.

19 MR. DON BALSILLIE: I think we've got  
20 just -- Tawanis is operating the slide presentation.  
21 Okay, we're good to go there. The second slide.

22 Our approach to business, Mr. Chairman, is  
23 a sustainable development. It's a made-in-the-North  
24 business model. We're looking at the social/cultural/  
25 environmental responsibilities. We're looking to

1 optimizing Aboriginal participation and benefits,  
2 appropriate rate of return, of course, in a business such  
3 as this, and we're looking at a long-term vision.

4           The project benefits include partnership,  
5 precedent, and blueprint future projects in the North,  
6 community ownership and multi-generational revenue  
7 stream, utilize existing reservoir and infrastructure  
8 supplemented with new generation facilities and  
9 transmission line. There will be no new flooding with  
10 this particular project. Continue with project benefits.

11           Each cubic metre of water that goes  
12 through these turbines can offset 45,000 tonnes of CO2  
13 from diesel generation emissions over a twenty (20) year  
14 span. Substantial NWT greenhouse gas reductions  
15 approximately 15 percent, with regional to global  
16 environmental benefits. We're looking at approximately  
17 two thousand (2,000) less B-train fuel trucks annually on  
18 the winter road that goes to the diamond mines.

19           Business employment and training  
20 opportunities will exist. Once again, long-term revenue  
21 streams for the majority Aboriginal owners in this  
22 project. A possible extension of the life -- the mine  
23 life associated with economic benefits.

24           Mr. Chairman, I would like to just mention  
25 that our presentation today is one where we're going to



1 share the podium here and have our different presenters  
2 come and take part in different aspects of our  
3 presentation. So, with that, Mr. Chairman, that's my  
4 part in this presentation. I'd like to thank you.

5 THE CHAIRPERSON: For the record, your  
6 name was Don Balsillie, and I just want to make sure we  
7 had that.

8 MR. DON BALSILLIE: Yes, Mr. Chairman.  
9 Thank you.

10 THE CHAIRPERSON: Okay. Thank you. The  
11 next presenter, if you can, just state your name, and  
12 then continue on with the presentation.

13 MR. DAN GRABKE: Okay, thank you, Mr.  
14 Chairman. My name is Dan Grabke. I'm with the Deze  
15 Energy Corporation and I'm here to talk about the  
16 components of the project.

17 On the screen and, also, on the map back  
18 here, you can see the different components. The Taltson  
19 Twin Gorges' facility exists near the Alberta NWT border,  
20 down below. Nonacho Reservoir is about 125 kilometres  
21 upstream in the -- in the northeast direction. And the  
22 other component is the -- the transmission line, about  
23 700 kilometres of transmission line heading up towards  
24 the diamond mines.

25 The next slide, please. So there's three

1 (3) main components, as I mentioned, and I showed on the  
2 -- the map, 161 kV transmission line, very similar to the  
3 one that goes from Snare Hydro to Yellowknife, or from  
4 Fort Smith -- Taltson to Fort Smith and Hay River.  
5 There's the Nonacho Lake control structure where the  
6 reservoir is, and then there's the Twin Gorges' facility  
7 where the hydro plant is.

8                   The next slide, please. This slide shows  
9 an overview, it's actually a picture of the model that's  
10 over by the wall behind the -- the audience, that  
11 everyone's welcome to look at during breaks. And it  
12 shows the existing facility on the right-hand side, as  
13 well as a long power canal that parallels the existing  
14 facility, and that's where the new plant is proposed to  
15 go.

16                   The next slide, please. We've done a  
17 great deal of -- of study and modelling on the river  
18 system. It's quite -- the Taltson river basin is a big  
19 basin, lots of very large lakes on it, and there's a  
20 number of components of it.

21                   One (1) of the ones that we'll be talking  
22 about, I believe Linda will talking about it with  
23 Fisheries, and DFO will be mentioning it. There's Trudel  
24 Creek, and that's a little loop of stream right at the  
25 bottom that bypasses the -- the plant.

1           Deze has been proactive in community and  
2 party involvement throughout this process. We've  
3 welcomed this process. We've worked with parties to  
4 address numerous interests throughout the process, as  
5 early as 2006. Some of the milestones to date is we  
6 submitted a project description in May 2007, referred to  
7 this Board in October 2007, submitted the developer's  
8 assessment report in February 2009, and we've had  
9 continual technical sessions and sidebar meetings  
10 throughout the summer and fall. We've continued right up  
11 to today engaging with parties to develop monitoring  
12 programs and adaptive management systems.

13           We've also responded throughout this  
14 process to the information that we've received. We've  
15 revised the design and developed mitigation and response  
16 to the environmental findings and party interest.

17           As will be mentioned later on in the  
18 presentation, we've adjusted the -- the routing of the --  
19 the transmission line to some known affects. We've  
20 revised the minimum flow in Trudel Creek; that's the --  
21 the stream that goes around the plant.

22           We've looked into flexible timing for  
23 scheduled outages to minimize impacts on the environment.  
24 We've looked at using a different type of explosive, on  
25 the recommendations of -- of some stakeholders and we've

1 incorporated that into our system.

2 We've got varying degrees of clearing,  
3 depending on the sensitivity of the area and where it's  
4 located. We don't propose having any trails. We're  
5 going to have very labour intensive but not machinery  
6 intensive activity in sensitive areas. And we've  
7 maintained that we have flexibility as far as crossing  
8 the Lockhart River. We need to get over to the other  
9 side somehow but we have not set in place a particular  
10 place to do that.

11 The next slide. Now, I'll pass it onto a  
12 couple of other members of the team, the technical part  
13 of the team, that will deal with the key interests  
14 through this process, the transmission line alternatives,  
15 East Arm Park area, caribou, and access, birds, Nonacho  
16 Lake, and Trudel Creek.

17 And I believe Tom Vernon is going to take  
18 over the mic here.

19

20 (BRIEF PAUSE)

21

22 MR. TOM VERNON: Mr. Chairman, ladies and  
23 gentlemen, my name is Tom Vernon, with Deze Energy Corp.  
24 Dan mentioned, I guess, through the -- the response to  
25 the DAR through the technical sessions and the IR

1 discussions, and now through some of the feedback leading  
2 up to this Hearing, a number of key issues we'd like to  
3 provide a little bit more detail on, that are obviously  
4 of -- of interest and continue to have response.

5                   Today I'd like to just cover a little bit  
6 of detail on the transmission line route alternatives.  
7 This was a specific area of study requested in the  
8 developer's -- in the terms of reference for the  
9 developer's assessment report. And a full response was  
10 provided in that report but I'd like to just step through  
11 a few of those details, and along with that cover a  
12 little bit of thought on the East Arm area, Lockhart  
13 River crossing, and then others will carry on with some  
14 of the other key issues.

15                   I don't know if I -- can I talk to this  
16 diagram here, Mr. Chairman? Can you see this okay?

17                   THE CHAIRPERSON: Yes. Please proceed.

18                   MR. TOM VERNON: Thank you. The terms of  
19 reference for the developer's assessment report  
20 specifically asked us to consider transmission line  
21 alternatives from the East Arm, which we considered our  
22 preferred route, as submitted in our 2007 project  
23 description, and as originally developed as far back as  
24 2003 for the Snap Lake power supply study.

25                   So a number of engineering and

1 environmental studies were undertaken for the three (3)  
2 alternatives that we were requested to -- to investigate  
3 in some detail, and that was the West Arm route, quite a  
4 long 1,250 kilometre long route, running completely  
5 around the other end of the lake, a submarine route,  
6 which heads north from Twin Gorges, crosses under Great  
7 Slave Lake with a marine cable, and then routes up to  
8 Snap Lake, connecting the mines in -- in a slightly  
9 different pattern than the baseline.

10               We considered the Simpson -- what we call  
11 Simpson Islands route, which was a combination of cable -  
12 - normal transmission through the Simpson Islands,  
13 combined with one (1) or more marine crossing in Hearne  
14 Channel and possibly between the islands, connecting  
15 similarly to Snap Lake. And we, of course, maintained  
16 our -- our baseline. And a number of these were -- I be  
17 -- in the terms of reference we were asked to study  
18 alternatives until they were found to be economically or  
19 technically non-viable.

20               All of these alternatives are technically  
21 viable, meaning that they could provide a system that  
22 delivered the power. Economically, I think probably even  
23 the early studies would have told us it would be  
24 challenging to have one (1) of these alternatives be a  
25 better economic -- economically viable than the baseline

1 route.

2                   Nevertheless, we -- we have -- we have  
3 undertaken a fairly detailed assessment of all four (4)  
4 of these and presented those results as a comparative  
5 assessment within the developer's assessment report, and  
6 the preferred alternative does remain the East Arm route.

7                   There are a number of fundamental reasons  
8 why it's very difficult for any of these other  
9 alternatives to compete against the baseline. The marine  
10 crossings are extremely complex to install.

11                   The Hearne Channel crossing, associated  
12 with the Simpson Islands route, would be one of the  
13 deepest marine crossings in the world, requiring very  
14 special cables. If anything ever goes wrong in the -- in  
15 the life of the cable, one could envisage six (6) months  
16 to a year of repair time, and as reliability in power  
17 generation is of paramount importance to the customer,  
18 that risk is deemed untenable, basically.

19                   If I could get the next slide, please,  
20 Tawanis. I guess once the baseline route became -- it  
21 became evident that the baseline route was still the  
22 preferred route, the East Arm route, we have invested in  
23 looking and working with groups to hone that route a  
24 little bit further.

25                   Go to the next slide, please, Tawanis. In

1 the northern end of this route, we've adjusted or  
2 realigned this route on the -- on the premise that we  
3 could lessen the impacts with the caribou migration by  
4 moving it away from certain areas, the east end of Mackay  
5 Lake. So that -- that routing has been altered.

6 Another example that we're considering  
7 which hasn't been -- wasn't reported on in the -- in the  
8 developer's assessment report, but as understudy is a --  
9 a move of the line behind Harry Lake to move it away from  
10 the Pike's Portage and Glacier Creek area. We're  
11 certainly amenable to considering an alternate route in -  
12 - in that area.

13 The next slide, please. Obviously a big  
14 challenge still remains in coming to a resolution of the  
15 alignment of a -- of a line, should it go through the  
16 East Arm and require a crossing of -- of the Lockhart  
17 River, and the specific details of working and  
18 constructing the line within a park, if a park matures in  
19 the East Arm area. And we've been sensitive to that and  
20 support that initiative and are still very open to  
21 discussing alternatives there.

22 The next slide. We're well aware that the  
23 falls, the numerous falls on the -- the Lockhart River  
24 and the Lockhart River itself, are an area of  
25 significance. We have endeavoured to study alternatives



1 and garner opinions on -- on what would be the best way  
2 to -- to route this line. There's physically, obviously,  
3 constraints in this area that are difficult to overcome,  
4 but we remain open to -- to dialogue and -- and routing  
5 alternatives that -- that satisfy people's desires in  
6 this area.

7                   The next slide. We have, related to the  
8 proposed park boundary, instigated a number of mitigation  
9 measures. Damian will touch on a few in terms of  
10 clearing methodology. We're going to do a lot of this  
11 work in the winter, work with helicopters to avoid access  
12 issues in this area and do everything we can to preserve  
13 the -- the environment as -- as -- as it is now.

14                   We've also offered some alternative  
15 mitigation measures realizing that these may be  
16 important, such as annual gatherings and more traditional  
17 knowledge collection. I guess if there's an area that's  
18 of -- of interest in that regard, this Lockhart River is  
19 -- is certainly -- is one we're aware there are sites and  
20 cultural issues and sites there, so.

21                   So, with that, I'll turn it over to Damian  
22 for discussion on caribou. Thank you, Mr. Chairman.

23                   MR. DAMIAN PANAYI: Mr. -- Mr. Chairman,  
24 my name is Damian Panayi. I'm a wildlife biologist with  
25 Golder Associates, here in Yellowknife. And I've been

1 working with Deze Energy since about 2006 on some of  
2 their wildlife and -- and related issues.

3                   So I'm just going to spend a few minutes  
4 talking about some of the effects to wildlife which we've  
5 -- which we've investigated and which we propose to  
6 mitigate. I'll also mention that we did also look at  
7 effects to a lot of other critters such as moose, and  
8 grizzly bear, and wolverine, and -- and muskrat, and  
9 beavers, but today we're just going to concentrate on the  
10 -- a few species in areas where we've -- where we've had  
11 a few concerns raised.

12                   So obviously, we recognize that this is a  
13 -- a sensitive time for -- for caribou and the resilience  
14 of the Bathurst population is probably fairly low right  
15 now, and we've seen recently bans on -- on hunting in --  
16 in the Bathurst wintering range. So this is a -- a  
17 sensitive topic and we -- we did go into some detail on  
18 our assessment of effects to -- to caribou.

19                   Some of the areas of concern which were  
20 raised include the effect of a transmission line going  
21 through the caribou's fall range up in the Lac de Gras  
22 and Mackay Lake area. Now, we know that Bathurst caribou  
23 have seen transmission lines before because there's one  
24 from Yellowknife to Snare Hydro. This one might be a  
25 little bit different because it's on the barren lands,

1 and caribou will be coming off the calving ground and  
2 they'll have their calves with them at that time. And we  
3 don't know much as -- as scientists, as biologists, we  
4 don't know much about how -- how barren land caribou  
5 react to transmission lines, so there's some uncertainty  
6 there.

7                   We did also look at the effects of -- of  
8 how this project might interact with environmental  
9 stressors, such as climate change, and -- and ice storms.  
10 And of course, we looked closely at the cumulative  
11 effects of caribou; that is the effect of the Taltson  
12 Project in addition to the existing mines, existing  
13 hunting, existing winter roads, and so on.

14                   So, just to review some of the areas where  
15 we hope to mitigate effects to caribou; what are some of  
16 the means that we hope to use to mitigate effects to  
17 caribou.

18                   There will, of course, be environmental  
19 monitors hired by Deze Energy during the construction  
20 phase. And these people would have a range of tasks, one  
21 of which would be to keep an eye out for caribou during  
22 construction. So, if there's caribou near a winter road,  
23 or if there's caribou near one of the camps, it would be  
24 the responsibility of these people to alert the  
25 construction crews and make sure that -- that there's

1 some sort of follow through.

2                   We have a draft Environmental Monitoring  
3 Plan which proposes, amongst other things, it proposes  
4 that we have scientific monitoring and -- and community  
5 based monitoring up on the barren lands, to see -- to see  
6 what we can learn about how caribou interact with a  
7 transmission line on the barren lands.

8                   The construction -- the construction  
9 schedule will consider caribou movement. So, we're going  
10 to try and have const -- have construction camps in areas  
11 where we don't anticipate seeing caribou, during seasons  
12 when we don't anticipate caribou. And there are, of  
13 course, areas and seasons where we do anticipate seeing  
14 caribou and we'll try to avoid those.

15                   For example, we've see caribou arrive in  
16 the Lac de Gras region in late July almost every year, so  
17 there will not be construction activities in that area at  
18 that time. And similarly there would be some form of  
19 mobile caribou protection measures which refers to  
20 managing construction activity when caribou are -- are  
21 seen in the area.

22                   The question of access has come up, and  
23 the project would require extending a -- a new winter  
24 road from the Twin Gorges' site up to Nonacho Lake, so  
25 you could, essentially -- during construction there would

1 be road access from Fort Smith to Nonacho Lake.

2                   And although that -- although there have  
3 been few caribou north of Fort Smith in recent years,  
4 there have still been re -- you know, concerns regarding  
5 how people might be able to access and hunt caribou from  
6 this winter road, and Deze's proposing a number of  
7 controls to make sure that -- that this additional  
8 harvesting is limited. For example, the road would be  
9 open to construction vehicles only, and there would  
10 actually be a gate and a fence proposed for the Twin  
11 Gorges' site so that nobody can drive past that point.  
12 And after construction all the winter roads and trails  
13 would be permanently blocked and -- and closed.

14                   And further to that, Environment and  
15 Natural Resources having indicated that they have  
16 regulatory tools that they can bring in, if it's -- if it  
17 seems to be required. For example, as we know the  
18 Ingraham Trail has a no hunting zone around it, extending  
19 a kilometre and a half off the road. So, there's various  
20 tools which the government can use as well.

21                   And just briefly we did also look at  
22 effects to -- to migratory birds and species at risk.  
23 And some of the issues identified there include  
24 collisions with the transmission line. So, often  
25 waterfowl actually fly into transmission lines, leading

1 to mortalities. And another issue which has come up is  
2 that of the flooding of nests in Trudel Creek. So should  
3 there be a water level change in Trudel Creek during the  
4 nesting season, that could lead to the -- the flooding of  
5 nests.

6 Now this could already happen under the  
7 existing hydro -- un -- under the existing Taltson  
8 project, and we're going to try and make sure that under  
9 the expansion, water levels are managed or -- or -- or  
10 nesting -- water -- waterfowl nesting in Trudel Creek is  
11 considered when they're managing water levels within that  
12 -- with the -- within that spillway, within the Trudel  
13 Creek spillway.

14 And, of course, we did identify some  
15 species at risk in the area, and we've been working with  
16 the government agencies, including Environment Canada and  
17 Environment and Natural Resources, to address concerns  
18 there.

19 So that's all I had. And I think Linda's  
20 going to speak next about some of the aquatics.

21 MS. LINDA ZURKIRCHEN: Mr. Chairman and  
22 audience, my name's Linda Zurkirchen. I've been working  
23 with Deze on the -- on the environmental assessment on  
24 this project for a number of years, primarily on the  
25 aquatics effects assessments.

1                   As Dan mentioned, there's a -- with any  
2 hydro project there's a lot of hydrology changes that may  
3 occur as a result of this project, and we've been looking  
4 at those effects on the various aquatic species through  
5 the system here, and the developer's assessment report  
6 contains a number of the predictions that have been made  
7 on the various aquatics effects.

8                   We have identified in this presentation  
9 here some of the key effects that we'd like to speak to.  
10 One (1) of those is the effects that we may see Nonacho  
11 Lake. Deze would like to mention that we recognize there  
12 is some history to Nonacho Lake and some of the flooding  
13 that occurred with the original Twin Gorges' facility,  
14 and that with the design of this project has been managed  
15 such that -- that any such negative effects would be  
16 mitigated right through the design of the project, and  
17 does not want to have similar effects occur through this  
18 project.

19                  And some of those mitigations that have  
20 been brought right into the design is to maintain the  
21 water level within Nonacho Lake at the -- within the  
22 existing range that has been occurring over the last  
23 forty (40) years, and that would be within the minimum  
24 level of the existing water licence, and within the  
25 maximum range that the water has been reaching an

1 elevation of, so that there would be no new flooding in  
2 the lake and that the water level would not be lower than  
3 what the wa -- current water licence minimum is.

4                   We recognise that there are current users  
5 of the lake. There are traditional users of that area,  
6 obviously, the fish species, the fish productivity of  
7 that lake, as well as other si -- other areas of the  
8 Taltson watershed, but, specifically, there's an interest  
9 in Nonacho Lake because of the flow changes. One (1) --  
10 just an item of clarification, there's discussion of a  
11 one (1) time construction drawdown, just to clarify that  
12 that is no different in magnitude on average than the  
13 annual operating drawdown that would occur over every  
14 winter.

15                   There's an approximate average 0.85 metre  
16 drawdown of the water level that would occur over the  
17 winter months; that would -- and be initiated during the  
18 construction. The reason for that to occur during  
19 construction is to allow works, constructions works, at  
20 the control facilities and at the existing dam site to  
21 occur without -- to occur in the dry and to occur with  
22 minimal effects to the surrounding waters, and then that  
23 drawdown would continue through the winter months during  
24 operations, a note of clarification.

25                   Deze is working with the parties



1 interested in this area to continue a monitoring program  
2 that monitors the prediction of the effects. The -- the  
3 developer's assessment report has identified that there  
4 would be no significant negative effects to the aquatics  
5 of Nonacho Lake and other water bodies and, as I  
6 mentioned, are working on monitoring programs and  
7 detailed monitoring programs to address those  
8 predictions.

9 As mentioned, we have been in discussion  
10 with parties, have used the lodge that is in existence on  
11 Nonacho Lake, used their guides, asked for direct  
12 fisheries information from those people who are intimate  
13 with the land and intimate with the -- the water bodies  
14 and the species and the habitats within that area and  
15 will continue to do so during the detailed design and the  
16 development of the monitoring programs and going forward.

17 Another area of interest, of specific  
18 attention, is Trudel Creek. The reason this piece of  
19 water is a focus is because it will experience a -- of --  
20 of all the reaches of water within the system, the  
21 largest change in flow. It historically was a very small  
22 creek.

23 We don't have much information about the  
24 system before the existing Twin Gorges. But from what we  
25 understand and from the information we have, there was

1 likely no connectivity to the Taltson River. Possibly  
2 some overflow in that area on very high events. Was a  
3 small brook-like system.

4               With the construction of Twin Gorges, that  
5 system received overflow from the Taltson River when it  
6 now takes that over the last -- well, since about 1965,  
7 accepts overflow that cannot be directed through the  
8 existing Twin Gorges' power facility. So it now has on  
9 average about 180 cubic metres a second which -- I think  
10 there's a number of photos. I'm not sure if there's  
11 photos here but certainly a number of photos in the  
12 developer's assessment report that show what the system  
13 looks like today.

14              So the Twin Gorges existing facility has  
15 caused change to Trudel Creek. It has also gone through,  
16 over the last forty-five (45) years or so, a number of  
17 small and large changes just due to the operations of  
18 Twin Gorges. It has experienced periods of zero flow to  
19 Trudel Creek for more than a month, a two (2) month  
20 period when natural river flows are low and the water is  
21 being used for power generation.

22              It's also -- it received very high flows  
23 during high flow flood events, natural flood events where  
24 flows in the Taltson River system are significantly more  
25 than what the turbines currently can manage and the flows

1 are directed down to Trudel Creek.

2                   So a system of a fair bit of flux over the  
3 last number of years. The -- just in their presentation  
4 there are some photos that demonstrate the change that  
5 the system has seen.

6                   This one, the reason the right hand photo  
7 is on a skew is to try and align the river so it has the  
8 same -- same alignment going north. The river across the  
9 top moving from the left to the right is Trudel Creek.  
10 You can see the difference on the right-hand photo around  
11 1980 when Twin Gorges is operating. There is a lot more  
12 flow going through the system. Trudel Creek on the left-  
13 hand photo is pre Twin Gorges, a very small system. So  
14 it experienced a lot of change over the last number of  
15 years.

16                   And we can take the next slide. Just  
17 another photo of what it looked like pre Twin Gorges.

18                   So moving forward into the expansion  
19 project, the predicted effects. The project is designed  
20 on a minimum release of 4 cubic metres a second to  
21 Trudel. This is a -- a considerably smaller number than  
22 the average flow that is currently going through it.

23                   This, on an average typical year, the  
24 system would see a hydro graph. This would not be  
25 necessarily a minimum of four every day every month of

1 every year but there are periods where a minimum of --  
2 minimum flow of four (4) could be experienced in that  
3 depending on the -- the natural flows in the Taltson  
4 system.

5                   We recognize that minimum release that's  
6 being proposed by the project could have changes to  
7 Trudel Creek; again, could cause habitat and ecological  
8 changes. And because of that, as early as 2006 and  
9 before, DFO -- or Deze commenced assessments into the  
10 fisheries and aquatic habitat of Trudel to get an idea of  
11 what these flow changes would occur, what -- what they  
12 would cause to the habitat, to the fisheries habitat of  
13 Trudel.

14                   And in 2008, an initial fisheries habitat  
15 assessment of the effects of a minimum release of four  
16 (4) was conducted and submitted to certain parties, to  
17 DFO, shared with DFO.

18                   And from that initial effects assessment,  
19 we defined that the -- predicted that there would be no  
20 significant negative effect to the fisheries and habitat  
21 of Trudel Creek.

22                   And as a result of that, the design  
23 proceeded with a minimum release of four (4) and  
24 proceeded into considerably more modelling, looked at  
25 various other components of the environment aside from

1 just the fisheries and moved that into -- as a project  
2 design and into the terms of reference and through the EA  
3 process.

4                   And as a result of that, looked at many  
5 aspects of the aquatic habitat, certainly in line with  
6 the key lines of inquiry of Trudel Creek, which looked at  
7 not only the fisheries aspects, but various -- various  
8 components of the ecology of Trudel Creek, looked at the  
9 wetlands, looked at benthics, a number of tools were  
10 used, water quality, modelling, habitat areas, and from  
11 this effects assessment, further determined and confirmed  
12 through the predictions that the -- confirmed the  
13 prediction that there would be no significant negative  
14 effects to Trudel Creek and that habitat would still  
15 remain to support the species, fish and other bird, fur  
16 bearers that currently use and reside Trudel -- in Trudel  
17 Creek.

18                   We wanted to bring forth a couple items  
19 associated with this -- this flow, that the minimum flow  
20 in Trudel is directly linked to the power generation.  
21 Flows from the Taltson River can be split at the forebay.  
22 They either are directed to the power generation  
23 facilities or they are spilled into Trudel Creek.

24                   So water that is not used for power  
25 generation would be directed down Trudel Creek. Also,

1 water that is required for power generation is taken out  
 2 of that spilled water that is directed to Trudel Creek.  
 3 It is also a direct link to the reduction of the  
 4 greenhouse gases. Every cubic metre of water that's used  
 5 for power generation is, in turn, turned into hydro power  
 6 which displaces the diesel electric power.

7                   We bring forth this as we'll --  
 8 specifically wanted to note that DFO has brought forth in  
 9 their technical recommendation to the Board a alternative  
 10 recommendation to the minimum flow release to Trudel  
 11 Creek. We recognize that they have interests that they  
 12 are looking to protect, the same as with Deze. Deze  
 13 definitely wants to protect the habitat and the ecology  
 14 of Trudel Creek and Deze wants to identify that we are  
 15 willing to work with DFO to continue to address any  
 16 concerns they have, feeling that there are other options  
 17 available other than a minimum release to mitigate any  
 18 outstanding effects that have not been mitigated to  
 19 satisfaction to date, and we'll certainly continue to  
 20 work with them in that as we move forward.

21                   I'd just like to remind people, parties,  
 22 the Board that not all change is necessarily bad to the  
 23 environment. Some change can have a benefit, as well.

24                   There are certainly effects, some negative  
 25 and some positive. The effects to -- to -- from the

1 minimum release of fore to Trudel will have a change in  
2 Trudel again. It has experienced change in the past.

3 The DAR predicts that the minimum release  
4 will not have a negative effect and will maintain habitat  
5 for the species that currently use and reside in Trudel.  
6 In addition, the project will significantly reduce the  
7 diesel generation and the particulate matter in emissions  
8 that are resulting from diesel power generation, as well  
9 as reduce the greenhouse gas emissions that result from  
10 that.

11 These all have considerable positive  
12 effects to the regional and -- and beyond regional  
13 environment, the fisheries, the terrestrial environment,  
14 the food chain that is either the receptor of particulate  
15 matter from burning hydrocarbon fuels and which are at  
16 risk from the global climate change.

17 And I think we're mostly well aware of the  
18 -- the literature and the public -- published information  
19 on that. So that there may be a change in Trudel and in  
20 some of the other water bodies but there's also a  
21 considerable regional benefit to the -- to the species,  
22 as well.

23 MR. DON BALSILLIE: Thanks, Linda. Mr.  
24 Chairman, in summary, Deze is very proud to present this  
25 project to the Mackenzie Valley Environmental Review

1 Board.

2                   This particular project is -- is precedent  
3 setting here in the North for northerners. During the --  
4 and throughout the -- the -- the project design, we've  
5 been very cognisant of the fact that we had to take into  
6 consideration the environmental, social and cultural and  
7 economic interests. So as you've heard, we've addressed  
8 those in many different measures.

9                   The template here is for future projects  
10 in the North. This project can be looked at as something  
11 that I think, as I said, is precedent setting and it  
12 could be looked at as something that other projects of  
13 this nature can follow to some degree.

14                   This is community ownership and, as well,  
15 it's a multi generational revenue stream that's going to  
16 be well received in our region and in the North.

17                   This project is going to see upgrades to  
18 an existing development and supplements with new  
19 infrastructure. The business aspects, employment and  
20 training benefits are quite large for a project of this  
21 nature and is going to be well received in our region,  
22 and the South Slave region as well as in this part of the  
23 Northwest Territories.

24                   Regional and global environmental benefits  
25 through greenhouse gas reduction, you've heard those



1 comments made throughout our presentation and we continue  
2 to reiterate those comments because we think it's very  
3 important when projects of this nature and this magnitude  
4 are in our backyard, that we take every measure possible  
5 to ensure that we're looking at utilizing and I guess  
6 putting in place various measures to ensure that we're --  
7 we're doing things in a positive manner. And it's going  
8 to set a benchmark for other developers that come into --  
9 into our region and into the North.

10 In our opinion, Mr. Chairman, this is a  
11 positive legacy for the people of the North. With that,  
12 Mr. Chairman, we'd like to thank the audience as well as  
13 the Board for having patience in our presentation. With  
14 that, marsi cho.

15 THE CHAIRPERSON: Thank you, Don  
16 Balsillie, for your presentation on behalf of Deze Energy  
17 Corporation. It's now 10:25, we have translators here  
18 that are probably going to need a break, as well.

19 So we'll stop here and we'll reconvene at  
20 10:45 with questions. So we'll come back at 10:45.  
21 Marsi.

22

23 --- Upon recessing at 10:23 a.m.

24 --- Upon resuming at 10:46 a.m.

25

1 THE CHAIRPERSON: Okay, it's 10:46. I'd  
2 like to call the public hearing back to order. So if I  
3 can get everybody to go back to their seats.

4 Next part of the agenda we have is that we  
5 -- we have order of questions I mentioned in my opening  
6 comments, and that if you ask your questions, I'm going  
7 to ask you to maybe prioritize your questions and, you  
8 know, if we can keep it to a minimum because we have a  
9 lot of people that are going to be probably on the list  
10 of order to ask questions, as well.

11 So but you still have an opportunity as we  
12 go through this process to put forward your questions, as  
13 well. So I'm going to go to the order I have in front of  
14 me and I'm going to ask if there's any questions, so in  
15 regards to the presentation made by the Deze Energy  
16 Corporation regarding this file.

17 So I want to go to the GNWT. Does the  
18 GNWT have any questions?

19

20 QUESTION PERIOD:

21 MS. LORRETTA RANSOM: Thank you, Mr.  
22 Chair. The GNWT does not have any questions at this  
23 time. My name is Lorretta Ransom.

24 THE CHAIRPERSON: Yes, thank you for  
25 that. Again for the record, we just need to make sure

1 that you state your name and who you represent.

2 The next one I have is Lutsel K'e Dene  
3 First Nation. Do you have any questions in regards to  
4 the presentation made here this morning?

5 MS. TRACEY WILLIAMS: My name is Tracey  
6 Williams and I'm speaking on behalf of Lutsel K'e Dene  
7 First Nation. No, we do not have any questions for Deze  
8 at this time, thank you.

9 THE CHAIRPERSON: Okay, mahsi. Next one  
10 in order is Parks Canada. Is there any questions in  
11 regards to the presentation made this morning?

12 MS. WENDY BOTKIN: My name is Wendy  
13 Botkin, with Parks Canada. No, we do not have any  
14 questions at this time.

15 THE CHAIRPERSON: Thank you. Next one on  
16 the list is DFO, Department of Fisheries and Oceans.

17 MR. BRUCE HANNA: Thank you, Mr.  
18 Chairman. It's Bruce Hanna, Fisheries and Oceans Canada.

19 Could you ask Deze Energy to elaborate on  
20 the statement of no connectivity through Tronka Chua Gap  
21 when in the DAR it was stated that personal communication  
22 from Tom Vernon indicated there was connectivity at  
23 certain times? Thank you.

24 THE CHAIRPERSON: Okay. Thank you.  
25 Question is put forward to Deze Energy Corporation. As a

1 speaker, mention your name for the record, as well.

2

3 (BRIEF PAUSE)

4

5 MS. LINDA ZURKIRCHEN: Linda Zurkirchen  
6 with Deze Energy. Thank you very much, DFO, for pointing  
7 that out. Actually the slide show was fairly abbreviated  
8 and there's a lot of information in the developer's  
9 assessment report. We did move through it, through the  
10 key issues and even with those, we moved through them  
11 very quickly.

12 To clarify and -- and to confirm what DFO  
13 has mentioned, there's -- there's very little information  
14 available on the -- on -- in the official literature  
15 about the history and the hydrology of the Nonacho Lake  
16 area pre Twin Gorges.

17 We certainly have been able to obtain and  
18 appreciate that we've been able to obtain information  
19 from people that frequented the area pre Twin Gorges and  
20 that is a significant amount of information and basically  
21 the bulk of the information that we have about that area.

22 I did mention that there was no  
23 connectivity through Tronka Chua Gap. What we -- what  
24 would be more accurate to say is that we -- from what our  
25 knowledge is, is that there was likely -- likely no or,

1 as occurs in Trudel Creek, very -- potentially periodic  
 2 times when flows may have gone through Trudel -- through  
 3 Tronka Chua Gap. As with a lot of the -- the flow  
 4 patterns in the North when water levels and water tables  
 5 rise they tend to -- can flow through various exit points  
 6 into different water bodies. Watersheds are not  
 7 necessarily clearly defined, and at certain water --  
 8 water levels, flows can go in two (2) different  
 9 directions.

10 So what we know is that there likely was  
 11 no connectivity on a regular basis. There is a potential  
 12 that some connectivity could have occurred, but that  
 13 would have been very periodic and very intermittent.

14 THE CHAIRPERSON: Thank you. I want to  
 15 go back to DFO. Does that answer your question?

16 MR. BRUCE HANNA: Yes, thank you. I just  
 17 have three (3) more questions, if that's all right?

18 THE CHAIRPERSON: Please proceed.

19 MR. BRUCE HANNA: In the presentation it  
 20 was suggested that Nonacho Lake levels would be regulated  
 21 between water licence minimum levels and maximum  
 22 historical levels.

23 During operations, is it likely that  
 24 Nonacho Lake will fall below historic minimums?

25 THE CHAIRPERSON: Thank you, DFO. Back

1 to the Deze Energy Corporation. Please proceed.

2 MS. LINDA ZURKIRCHEN: Linda Zurkirchen.  
3 I'm just going to take just a minute to confirm the water  
4 levels with part of the people that were involved with  
5 the modelling and will continue my answer to that.

6

7 (BRIEF PAUSE)

8

9 MS. LINDA ZURKIRCHEN: Okay, we're on.  
10 Linda Zurkirchen. Just confirming with Tom Vernon, who  
11 has been involved with the -- the hydrology and the  
12 modelling and the history that went into that modelling  
13 and confirming that the water licence elevation, which is  
14 the minimum, had been the -- the minimum water level that  
15 occurred in Nonacho Lake over the history of the Twin  
16 Gorges' operations.

17 THE CHAIRPERSON: Okay, thank you.  
18 Before I go back to DFO, I just want to mention that my  
19 hearing aids won't be here for another three (3) weeks,  
20 so maybe if people that are speaking, you know, you could  
21 speak up a little louder and a little bit clearer so  
22 people in the room could hear, and the Board Members  
23 could hear, as well.

24 So I want to go back to DFO. And, also,  
25 if you don't mind, there's a podium up here. And so

1 people could see you, it'd be nice if you'd just come up  
2 to the podium. Thank you.

3 MR. BRUCE HANNA: How's that? The next  
4 question: In the Trudel Creek flow history it was  
5 indicated that pre-development flow was approximately 2.5  
6 cubic metres per second with no connectivity through the  
7 Taltson.

8 However, technical information in the  
9 developer's assessment report indicated that the flow was  
10 higher. Please elaborate on how the 2.5 cubic metres per  
11 second was derived.

12 THE CHAIRPERSON: Okay, thank you.  
13 Again, well, before I go to the Deze Corporation, I just  
14 want to make sure that -- if you don't mind speaking up a  
15 little bit more the next time around.

16 In the last question, I want to go back to  
17 Deze Energy Corporation. Mahsi.

18 MS. LINDA ZURKIRCHEN: Yes. Linda  
19 Zurkirchen, for Deze. The minimum or the average of 2.5  
20 cubic metres pre Twin Gorges was developed from a  
21 hydrological assessment that was conducted, looking at  
22 the overland flow of the catchment area of Trudel Creek  
23 and the water that could be -- could occur from  
24 precipitation and from runoff that occurs in that basin.

25 It's a standard methodology for

1 calculating how much water could occur in a system. It  
2 was derived from air photo interpretation, from water  
3 basins with similar characteristics to the Trudel Creek,  
4 and from local knowledge and traditional knowledge that  
5 was gathered during the -- the assessment process.

6 THE CHAIRPERSON: Thank you. Back to  
7 DFO. Your final question?

8 MR. BRUCE HANNA: Thank you, Mr.  
9 Chairman. The final question is: Is the assessment that  
10 four (4) cubic metres per second as a minimum flow would  
11 not cause significant negative fisheries effects based on  
12 a straight four (4) cubic metre per second minimum flow,  
13 or does it incorporate the variables over seasonal  
14 hydrograph that was indicated?

15 THE CHAIRPERSON: Thank you, DFO. Back  
16 to Deze Energy Corporation.

17 MS. LINDA ZURKIRCHEN: Linda Zurkirchen.  
18 The effects assessment used, inherently it -- the minimum  
19 flow of four (4) is also controlled by the maximum flow  
20 that can be accepted through the turbines. As we  
21 mentioned before the water out from Tru -- from Taltson  
22 River can, at the forebay, go two (2) directions, either  
23 through the turbines, or through Trudel Creek.

24 So the effects assessment was conducted on  
25 the waters that would be received by Trudel Creek,



1 controlled by the maximum capacity of water that could go  
2 through the turbines. So the effects assessment looked  
3 at a number of tools. One of those tools was the habitat  
4 available under -- under a average hydrograph on a --  
5 over the years of the database we have. On that there  
6 would be a small hydrograph that would occur on a typical  
7 year.

8 It also looked at a number of other tools,  
9 which also included a reasonableness test, and an  
10 assessment of what would occur on other years where the  
11 average would not be experienced and alternate flows to  
12 that average, such as a lower flow than the typical  
13 average might be occurred on a -- such as a dry year, and  
14 what might occur on a dry year in Trudel.

15 THE CHAIRPERSON: Okay. Thank you. Did  
16 you have one (1) final question, or that's it?

17 MR. BRUCE HANNA: No, that's it. Thank  
18 you very much.

19 THE CHAIRPERSON: Very good. Thank you  
20 very much, DFO.

21 I'm going to go to Environment Canada. If  
22 you have no questions then that's fine, but if you do  
23 have questions, then I'll ask people to come up to the  
24 podium. Environment Canada?

25 MS. LISA PERRY: It's Lisa Perry, with

1 Environment Canada. No, we don't have any questions, Mr.  
2 Chair.

3 THE CHAIRPERSON: Thank you, very much.  
4 Moving on to -- in order of the list I have is Deninu  
5 K'ue First Nation, questions for Deze Energy  
6 Corporation?

7 MR. ROBERT SAYINE: My name -- my name is  
8 Robert Sayine. I come from Deninu K'ue. At the present  
9 time, the -- the people that are the delegates from  
10 Deninu K'ue are not here today yet. And I -- I myself, I  
11 am on DKFN First Nations council, but at the present time  
12 I don't have a question. We will wait until the -- the  
13 people that are gonna be here to get here. I think  
14 they're -- they're on their way. Thank you.

15 THE CHAIRPERSON: Okay. Thank you for  
16 that, Robert Sayine. I'm going to move over to the next  
17 part of the agenda, but I'm thinking that you were saying  
18 that not everybody is here from Deninu K'ue yet, so  
19 that's fine. We'll -- you know, you guys are still going  
20 to be doing a presentation.

21 Okay. We're going to move on to Fort  
22 Resolution Metis Council. Do you have any questions for  
23 -- to the presenters from Deze Energy Corporation?

24 MR. ARTHUR PECK: Hi, I'm Arthur Peck,  
25 Fort Resolution Metis Council. Right at this time we

1 don't have any questions, but you will hear some later.

2 Thank you.

3 THE CHAIRPERSON: Thank you very much.

4 I'm going to move on to the Carter family.

5 Do you have any questions for Deze Energy Corporation on  
6 their presentation? If you have comments, again if you  
7 can come up to the podium, please.

8 MR. DEAN CARTER: Hello, my name is Dean  
9 Carter, I am son of Merlyn Carter, and Jean Carter, my  
10 mother, is here. We have some questions --

11 THE CHAIRPERSON: Excuse me for a second.  
12 Mr. Carter, if you can, just if you can speak up a little  
13 bit louder.

14 MR. DEAN CARTER: Thank you. Yeah.

15 THE CHAIRPERSON: Thank you.

16 MR. DEAN CARTER: We have some questions  
17 regarding the transmission lines and just the number of  
18 people. Wi -- will there be -- will there be any work  
19 camps on Nonacho Lake, and, if so, how many people are  
20 you anticipating employing or how large will the camps  
21 be, for how many -- how long a period of time will they  
22 be there?

23 THE CHAIRPERSON: Thank you, Mr. Carter.  
24 I'm going to go to the Deze Energy Corporation  
25 spokesperson.

1                   MR. TOM VERNON:   Tom Vernon, Deze. The  
2 question is on camps on Nonacho Lake. We have worked  
3 with a contractor who does construct transmission lines  
4 to develop a strategy, a preliminary construction  
5 strategy, and my recollection is that he would propose a  
6 camp of about fifty (50) in Sparrow Bay, which would be  
7 somewhat north of your -- well, I'm sure you know where  
8 Sparrow Bay is -- in a -- in a staging area there. That  
9 camp would be there for perhaps eight (8) months to one  
10 (1) year.

11                  MR. DEAN CARTER:   And is that the only  
12 place?

13                  THE CHAIRPERSON:   Thank you. I'll go  
14 back to Mr. Carter.

15                  MR. DEAN CARTER:   Yes, is that the only  
16 place on Nonacho Lake? Will there be any people -- any  
17 camps at the Nonacho Lake dam or any other -- any other  
18 locations on Nonacho Lake?

19                  THE CHAIRPERSON:   Thank you. I'll go  
20 back to Deze Energy Corporation.

21                  MR. TOM VERNON:   Tom Vernon again. You  
22 asked -- your first question was specific to the  
23 transmission line. So that camp at Sparrow Bay is  
24 specific to the transmission line. There would be a  
25 construction facility at the dam location to construct

1 the new control structure. My recollection, again, that  
2 is about a one (1) year, perhaps fourteen (14) month  
3 period, a staff of fifty (50).

4 THE CHAIRPERSON: Thank you. I'll go  
5 back to Mr. Carter.

6 MR. DEAN CARTER: Is there, to your  
7 knowledge, any other people that will be employed on  
8 Nonacho Lake in any way related to this project, whether  
9 it be transmission line or any other? So we have one (1)  
10 at Sparrow Bay. We have one (1) at the Nonacho Lake dam.  
11 Any other -- any other place on the lake, to your -- to  
12 your knowledge?

13 THE CHAIRPERSON: Thank you, Mr. Carter.  
14 I'll back to Deze Energy Corporation.

15 MR. TOM VERNON: We -- we don't believe  
16 there are any other. There may be some monitoring moving  
17 about the lake, but no -- nothing permanent or -- in the  
18 way of camps, or in that regard.

19 THE CHAIRPERSON: Thank you. I'll go  
20 back to Mr. Carter.

21 MR. DEAN CARTER: We've had fisherman  
22 fish at Nonacho Lake dam for nearly fifty (50) years,  
23 even before there was a dam there. It is one (1) of the  
24 best fishing areas on Nonacho Lake.

25 Will they be allowed to fish during dam

1 construction?

2 THE CHAIRPERSON: Thank you, Mr. Carter.  
3 I'll go back to Deze Energy Corporation.

4 MS. LINDA ZURKIRCHEN: Linda Zurkirchen.  
5 We -- Deze would make efforts to enable as much fishing  
6 and fishing opportunities within the area during  
7 construction.

8 In consideration of personal safety, we'd  
9 certainly work with the Carters and with other -- any  
10 other users of the area to try and design construction  
11 practices so that their traditional and contemporary uses  
12 would still be able to go on, but there's certainly a  
13 consideration of personal safety that would have to be  
14 incorporated into that also.

15 THE CHAIRPERSON: Thank you. I'll go  
16 back to Mr. Carter.

17 MR. DEAN CARTER: Yes, will any of the  
18 one hundred (100) employees on Nonacho Lake in their  
19 hours off during a day be allowed to hunt caribou or to  
20 fish?

21 THE CHAIRPERSON: Thank you. I'll go  
22 back to Deze Energy Corporation.

23 MS. LINDA ZURKIRCHEN: Linda Zurkirchen.  
24 What Deze is proposing is that there would be a no  
25 hunting and no fishing policy for employees working

1 within -- on the construction of the facilities as much  
2 as that can be regulated within the legal environment,  
3 within other regulations in the legal environment.

4 But certainly, as an employee in camp and  
5 within the parameters that Deze can put on there --  
6 theirs or contractor, or consultant workers and staff  
7 associated with the -- the project, there would be a no  
8 hunting and no fissing -- fishing policy.

9 THE CHAIRPERSON: Thank you. I'll go  
10 back to Mr. Carter.

11 MR. DEAN CARTER: I appreciated the  
12 questions of Mr. Hanna with DFO on both the historic  
13 maximums and minimums.

14 If there is a -- like a drawdown of water,  
15 what -- I've seen a one (1) time drawdown, from what  
16 levels will the drawdown be taken and how long of a  
17 drawdown are we expecting?

18 THE CHAIRPERSON: Thank you, Mr. Carter.  
19 I'll go back to Deze Energy Corporation.

20 MS. LINDA ZURKIRCHEN: Linda Zurkirchen.  
21 We're just deciding who's the best equipped to answer  
22 that question.

23 THE CHAIRPERSON: While you're deciding  
24 that, I have a question for Mr. Carter. Your questions,  
25 do you know how many more questions you have, just for

1 the record?

2 MR. DEAN CARTER: I've got probably about  
3 three (3) and my mother has some.

4 THE CHAIRPERSON: Very good. Thank you.  
5 Back to Deze Energy Corporation.

6 MR. TOM VERNON: Yeah, Tom Vernon, Deze.  
7 So drawdowns in -- in the new operating  
8 regime would, essentially, follow an annual trend and  
9 it's difficult to de -- define what a drawdown is from,  
10 other than an average lake level, and the fluctuations  
11 are -- are currently in the range of approximately --  
12 well, traditionally, about 1.3 metres of fluctuation in  
13 the natural lake level that would rise to about 1.8  
14 metres in -- in the operating environment that we  
15 forecast for -- for Nonacho Lake.

16 I'm not positive that answers your  
17 question, but, essentially, staying above the water  
18 license minimum that it's -- that's currently set.

19 MR. DEAN CARTER: Okay --

20 THE CHAIRPERSON: Thank you. Back to Mr.  
21 Carter.

22 MR. DEAN CARTER: Wha -- what I'm trying  
23 to determine is, there is a huge difference in the water  
24 levels of today and the water levels of pre-Nonacho Lake  
25 dam. When you say historic maximums or minimums, are we



1 talking about maximums and minimums including pre-dam  
2 days or since the -- since the dam was built?

3 And because the water started going up  
4 after the dam was built, it was -- when the dam was first  
5 built it was at its original level, and it's gone up a  
6 long ways, like several -- several metres.

7 THE CHAIRPERSON: Thank you, Mr. Carter.  
8 I'm going to go back to Deze Energy Corporation.

9 MR. TOM VERNON: Tom Vernon. My  
10 recollection is the Nonacho Lake level gauge, which is  
11 what we have to base our assessment on, has been running  
12 since about 1962, so there are a few years of records,  
13 not complete years of records, prior to the dam going in,  
14 in 1968.

15 So our comments and our assessment are  
16 pretty much entirely based on records since 1968 from the  
17 WSC gauge.

18 THE CHAIRPERSON: Thank you. I'll go  
19 back to Mr. Carter.

20 MR. DEAN CARTER: So we're -- we're  
21 talking about 1968 levels?

22 THE CHAIRPERSON: And back to Deze Energy  
23 Corporation.

24 MR. TOM VERNON: When -- sorry. Tom  
25 Vernon. When we give you ranges of historic maximum and

1 minimums, I believe we're looking at -- at the record, es  
2 -- essentially, since the -- the lake has been as it is  
3 now, with the dam in place.

4 THE CHAIRPERSON: Thank you, Mr. Carter.

5 MR. DEAN CARTER: Okay. If you just --  
6 sorry. The reason this is of interest to us is because  
7 we're talking about lake trout spawning in very shallow  
8 waters in potentially hundreds of places. So if you have  
9 a -- if you have a drawdown of water you could  
10 potentially destroy millions of ova. If the -- if the  
11 drawdown of water is over an extended period of time you  
12 could potentially wipe out an entire generation of fish.

13 So it's -- it's important to us because  
14 we've had this as our family home during the summer for  
15 nearly a half a century. And if we're taking a drawdown  
16 of water from what it was fifteen (15) years ago, you --  
17 you could potentially destroy a whole pile of -- of ova.  
18 So it's -- it's advantageous to have a level set. For  
19 example, this fall it's two feet down from what it was a  
20 year before.

21 Now if -- if trout are already spawning in  
22 two feet of water, if we draw it down a metre from the  
23 two feet now, could there potentially be a danger to the  
24 lake trout spawning in that lake?

25 THE CHAIRPERSON: Mr. Carter, I'm going

1 to -- before I go back to Deze Energy Corporation, we  
2 want to make sure that you still have one (1) more  
3 question coming up, then your mother is coming up. But  
4 your -- your comments are interesting, but I think at the  
5 same time you -- we also have you tomorrow at 1:30. So  
6 if we could just stick to the questions and -- and  
7 tomorrow you have that opportunity to make that  
8 presentation.

9 So I'm going to go -- just quickly go back  
10 to Deze Energy and then I'll come back to you for your  
11 final question. Thank you.

12 MS. LINDA ZURKIRCHEN: Linda Zurkirchen.  
13 I think I understand. Thank you for clarification of the  
14 interest behind this question. I think I can answer a  
15 couple of things very briefly, that the annual drawdown  
16 under the operations is predicted to be similar, in  
17 similar ranges to the annual fluctuations that have been  
18 seen in the lake over the past years since Twin Gorges  
19 operates, and appreciate that lake trout are an important  
20 species to the lodge owners, to traditional users of that  
21 area.

22 And Deze has been working with DFO to  
23 develop a program that targets lake -- exactly what the -  
24 - the Carters are speaking of, the lake trout spawning  
25 habitat, and confirming predictions made in the DAR that

1     there would not be a significant negative effect to lake  
2     trout.

3                   THE CHAIRPERSON:     Okay.  Thank you.  I  
4     want to go back to Mr. Carter and your final question,  
5     and then I'm going to ask your mother to come up.

6                   MR. DEAN CARTER:     I had -- I had asked a  
7     question, I just didn't recall their answer on how long  
8     the drawdown would take place over?  Just because I'd  
9     already asked that, but I just didn't get their comments.

10                  THE CHAIRPERSON:     Okay.  Thank you.  
11     We'll go back to Deze Energy Corporation.

12                  MS. LINDA ZURKIRCHEN:     Linda Zurkirchen.  
13     The fluctuations in the lake would happen on a seasonal  
14     basis but I believe the drawdown of specific interest to  
15     lake trout would be a -- a slow and natural reduction of  
16     the lake level from fall through the winter months when  
17     flows don't come into the lake.  And then in spring when  
18     flows naturally flow into the lake, the water would start  
19     rising again.

20                  THE CHAIRPERSON:     Thank you.  Was that  
21     your final question, Mr. Carter?

22                  MR. DEAN CARTER:     Just with regard, one  
23     other question I --

24                  THE CHAIRPERSON:     All right.  Please  
25     proceed.

1                   MR. DEAN CARTER:    The winter road, is the  
2   work on the winter road underway as of yet from up to  
3   Nonacho?  Is the -- is the work on the -- the winter road  
4   underway yet?

5                   THE CHAIRPERSON:    Okay.  Thank you.  I  
6   presume that's your last question, Mr. Carter?  Okay,  
7   thank you.  And then I want to go back to Deze Energy  
8   Corporation, and then I'm going to ask your mother to  
9   come up.

10                  MR. TOM VERNON:    Tom Vernon.  On the  
11   question of the winter road, there's no work underway on  
12   the road to Nonacho Lake from Twin Gorges.

13                  THE CHAIRPERSON:    Thank you.  I would  
14   like to thank Mr. Carter for your comments and questions.  
15   And I'm going to go to your mother.  If you -- for the  
16   record, can you state your name and then post your  
17   questions.

18                  MS. JEAN CARTER:    Jean Carter.  I want to  
19   address Deze -- Don Balsillie in his presentation here,  
20   approach to business.  I noticed he had mentioned  
21   appropriate rate of return, and long-term vision.  Well,  
22   we really also run a business on Nonacho Lake, so I want  
23   to ask him how does he think this is going to affect us  
24   in our business on Nonacho Lake.

25                  THE CHAIRPERSON:    Thank you, Jean Carter.

1 I'm going to go to Don Balsillie from Deze Energy  
2 Corporation.

3 MR. DON BALSILLIE: Don Balsillie, Deze  
4 Energy Corporation. I guess your question is pretty  
5 broad, in -- in the sense in terms of how it's going to  
6 affect your business. That -- that question, I think,  
7 can be answered in -- was answered in part by previous  
8 speakers. In terms of your business being one that  
9 depends on the -- on the fish stocks, you've heard from -  
10 - from Deze that the impacts are going to be minimal.

11 So, in that regard, I can see that there  
12 is concern by your family with regard to ongoing usage of  
13 a resource that you depend on and, as we move forward, I  
14 mean, more questions will be answered to give you comfort  
15 that the impacts are going to be minimal. And if there  
16 is ongoing concern with what is happening with Deze,  
17 we're open to much more dialogue away from this  
18 particular setting, to ensure and give you comfort that  
19 we'll take every means possible to try and minimize any  
20 impacts that may be felt by your family in this  
21 particular regard.

22 MS. JEAN CARTER: So when you say  
23 "comfort," what do you mean by "comfort"?

24 THE CHAIRPERSON: Thank you. Thank you,  
25 Mr. Balsillie. I'm going to go back to Jean Carter.

1 MS. JEAN CARTER: I'm sorry. This is all  
2 new to me, so excuse me when I speak when I shouldn't.

3 MR. DON BALSILLIE: When I -- when I say  
4 "comfort," meaning basically that there's -- there's  
5 additional information that's required specific in nature  
6 to the project and the impacts that it may have on the  
7 fisheries stocks, the water levels, et cetera, all those  
8 types of information can be made available to you to give  
9 you comfort that you're well aware of what has been  
10 proposed and the possible impacts. And if there's other  
11 means that you want to, I guess, approach us with, we're  
12 quite open to having dialogue with you in terms of -- of  
13 addressing your concerns.

14 THE CHAIRPERSON: Thank you. Back to  
15 Jean Carter.

16 MS. JEAN CARTER: And it's also mentioned  
17 here that there would be no new flooding. So that  
18 indicates to me that they are admitting that flooding has  
19 taken place, but now they're saying no new flooding.

20 Can they guarantee that there will be no  
21 new flooding, and if they can guarantee, how do they  
22 propose to do this?

23 THE CHAIRPERSON: Thank you for your  
24 question. We'll go back to Deze Energy Corporation.

25

1 (BRIEF PAUSE)

2

3 MR. DAN GRABKE: Thank you. Dan Grabke.

4 Yes, there was flooding in the past. When the Nonacho  
5 dam was built, it raised the -- the lake level about 3  
6 metres back in 1968, I believe. And so there was  
7 flooding in the -- in the past. You can see that along  
8 the shoreline with all the trees under water.

9 Our project is proposing no additional  
10 flooding, not taking the water any higher than what has  
11 been in the past and in -- since the dam was built. And  
12 that's one (1) of the reasons why we're building the new  
13 control structure as a -- so we can release water -- more  
14 water faster.

15 As you're aware, some -- the Power Corp.  
16 opens up some gates in order to alleviate high water  
17 levels at your camp in the past, but they can only do so  
18 much with those old gates. We're putting in more gates  
19 so that we can control the water levels and not allow  
20 anymore flooding, additional flooding. Thank you.

21 THE CHAIRPERSON: Thank you. We'll go  
22 back to Jean Carter.

23 MS. JEAN CARTER: Now you mention -- you  
24 mentioned no higher than flooding in the past. What --  
25 so what past are you talking back -- about, since the



1 dam?

2 THE CHAIRPERSON: Thank you for your  
3 question. Back to Deze Energy Corporation.

4 MR. DAN GRABKE: Yes. Yes, that is  
5 correct. We -- the -- the water level won't go any  
6 higher than it's been before in the last forty (40)  
7 years.

8 THE CHAIRPERSON: Thank you. Back to  
9 Jean Carter.

10 MS. JEAN CARTER: Was that four (4) years  
11 or forty (40) years?

12 THE CHAIRPERSON: Deze Energy  
13 Corporation.

14 MR. DAN GRABKE: Forty (40) years. Since  
15 the dam was built.

16 MS. JEAN CARTER: So then if you could  
17 raise that, did you say nine (9) -- how many metres did  
18 you say?

19 THE CHAIRPERSON: Deze Corporation. Nine  
20 (9)?

21 MR. DAN GRABKE: I believe the water was  
22 raised 3 metres back in the '60s.

23 THE CHAIRPERSON: Thank you. Jean  
24 Carter.

25 MS. JEAN CARTER: So that's close to 10

1 feet, correct? So if that -- if that water is raised 10  
2 feet, it's going to probably almost, for sure, wipe up --  
3 wipe out mo -- a lot of our buildings.

4 THE CHAIRPERSON: I'm going to go back to  
5 Deze Energy Corporation.

6 MR. DAN GRABKE: Okay. I might not be  
7 expressing this well. The water was raised 3 metres in  
8 the past and now fluctuates in a range around -- the --  
9 the original flooding was substantial and -- and fairly  
10 sudden, and now there's been natural fluctuations in  
11 those -- those levels, plus and minus.

12 We're talking about not raising the water  
13 any more than what has been occurring in the past. And  
14 so whatever you've seen at your camp before, you'll see  
15 in the same range.

16 THE CHAIRPERSON: Thank you. Before I go  
17 back to Jean Carter, I just had to ask the question in  
18 regards to how much more questions you have, and just  
19 remind you as well that tomorrow we have you on the  
20 agenda at 1:30. So I'll like to ask you that question.

21 MS. JEAN CARTER: Well, I'm really sorry  
22 that we have to take so long but we -- had we been  
23 informed or invited to any of these discussions, this --  
24 a lot of our questions probably could have been answered.  
25 We came very late to this here Hearing -- the pre-

1   hearings and this, so we have not had sufficient time to  
2   get all these questions answered.

3                   And I know we're only allowed thirty (30)  
4   minutes tomorrow. There's no possible way we can have  
5   everything answered that we want. And so I'm taking the  
6   opportunity, and I apologize for it, because I realize a  
7   lot of other people have concerns, not only us, but we  
8   are the only inhabitants on Nonacho Lake and have never  
9   been contacted by phone, fax, e-mail.

10                  Like, we are not living in the mediaeval  
11   age. We have con -- many ways of contacting people and I  
12   feel really disconcerted to think the only tenants on  
13   Nonacho Lake have not been consulted.

14                  Now -- and I notice also the Deze  
15   presentation here that they consulted with numerous,  
16   like, times with Lutsel K'e, which I think they should,  
17   and Parks Canada. But I think as a only ren -- tenant on  
18   Nonacho Lake and been there for over fifty (50) years, we  
19   should have had more input into this.

20                  THE CHAIRPERSON:   Okay. Thank you.  
21   Before you continue on here, I just want to make mention  
22   that we do have a process in place here, in regards to as  
23   how we administer, handle, liaise. And, you know, people  
24   are aware of the rules that we have and there are  
25   processes already in place as to how we deal with this

1 file, and I want to make mention that, yes, I appreciate  
2 your comments at this time, but at the same time you do  
3 have some time tomorrow at 1:30.

4 But at the same time as well, before the  
5 Public Registry closes, you have an opportunity to also  
6 express your other questions you may have, or concerns  
7 you have, in writing to the Board.

8 So I just want to leave that with you.  
9 But I'm going to come back to you again and ask you in  
10 regards to the amount of questions you have. Thank you.

11 MS. JEAN CARTER: Yeah, I -- I probably  
12 have two (2) for sure, maybe three (3), but they should  
13 be answered fairly easy.

14 They talked about the caribou. I believe  
15 it was Damian. He -- they do not where -- know where the  
16 -- the caribou -- I think that's the Bathurst herd,  
17 migrates through Nonacho Lake. But they are going to  
18 anticipate and then take -- or take measures to protect  
19 the caribou.

20 Well, I can tell you where they migrate on  
21 Nonacho Lake. They migrate right out in front of our  
22 camp and behind there is a -- narrow waters there; that's  
23 where they migrate and they've been doing that for years.  
24 And I have pictures that I'm going to have brought over  
25 from Hay River tomorrow and I'm going to place them.

1                   So, where do you -- I want to know from  
2     Damian, where do you anticipate that these caribou will  
3     migrate? What areas?

4                   THE CHAIRPERSON:    Okay. Thank you, Jean  
5     Carter. That's one of three (3) questions you have. So  
6     I'm going to go back to Deze Energy Corporation in  
7     regards to that question. Please proceed.

8                   MR. DAMIAN PANAYI:   Thank you, Mr.  
9     Chairman. Damian Panayi. I'm not going to try and  
10    predict caribou movements. They're -- they're highly  
11    unpredictable, but we -- we do know that and we have seen  
12    that caribou will occasionally come down to -- to -- and  
13    I'm speaking from the data that I've seen, that caribou  
14    will occasionally come down to the Nonacho Lake area and  
15    spend the winters there. And further south of there,  
16    there was some burns, you know, some forest fires in the  
17    1970s, I think, and so they don't seem to go too much  
18    further than that area right now, but we expect that  
19    would -- you know, they have done in the past and most  
20    likely will again in the future.

21                  So, yes, there's caribou in that area and  
22    the plans are to limit use of the winter road by hunters  
23    on -- on -- in trucks and vehicles so that we can try and  
24    limit the amount of -- limit the effect to those caribou.

25                  THE CHAIRPERSON:    Okay, thank you. I

1 want to go back to Jean Carter, to your second question.

2 MS. JEAN CARTER: I'll go -- in -- in  
3 regards to that winter access road, that is -- like I've  
4 been around for a long time, probably most of you would  
5 think too long, but I have seen the effects of access to  
6 Nonacho Lake with the equipment, without a road, let  
7 alone a -- putting a road in, so -- and I know you have  
8 said you were -- will monitor that, well it -- but I  
9 can't see how effectively that is going to be. So how do  
10 you propose to have -- keep access on that road, where no  
11 one will be able to come in?

12 We have a lot of assess out -- access out  
13 there at Nonacho Lake that I'm concerned about, and, of  
14 course, the caribou that migrate through -- through there  
15 I'm concerned about, and so how do you anticipate  
16 stopping this?

17 THE CHAIRPERSON: Okay, thank you, Jean  
18 Carter. I want to go back to Deze Energy Corporation.

19 MR. DAMIAN PANAYI: Mr. Chairman, it's  
20 Damian Panayi again.

21 Currently, the plans to control use of the  
22 winter road by harvesters is that we will have a gate and  
23 a fence at the Twin Gorges' property. So somebody --  
24 there -- somebody driving from Fort Smith could make it  
25 as far as Twin Gorges. We would like to put a gate at

1 the Slave River, but that's Crown land, and so Deze  
2 Energy cannot legally do that. But we can put a gate at  
3 Twin Gorges, so nobody can drive a truck further than  
4 Twin Gorges under -- is what we're proposing.

5 And there would, of course, be  
6 environmental monitors hired by -- by Deze who would  
7 monitor harvesting, or wood cutting, or trapping, or  
8 fishing activity by -- by non-project people along that  
9 road. And if a problem arises, then -- then those people  
10 are there to -- to deal with that problem.

11 THE CHAIRPERSON: Thank you. I want to  
12 go to Jean Carter, to your final question.

13 MS. JEAN CARTER: Okay, it's mentioned in  
14 here on summary how -- how this could be multi-general --  
15 ge -- generational revenue stream. Well, talking about  
16 multi-general -- generational, that's what -- what we  
17 are. We -- this is five (5) generations, I'm -- I'm  
18 talking about. And it was said that this is a positive  
19 thing, and it is a positive thing, but it's -- if it  
20 affects you, it isn't a positive thing, and this is going  
21 to affect us.

22 So I want them to be able to explain to me  
23 how this can be positive when a ne -- when we've been  
24 there for fifty (50) years and we see all this activity  
25 and flooding, which we've lived with for fifty (50)

1 years, and moving our cabins back, you tell me how this  
2 is a positive thing?

3 THE CHAIRPERSON: Okay, thank you, Jean  
4 Carter, to your final question. I'm going to go to Deze  
5 Energy Corporation.

6

7 (BRIEF PAUSE)

8

9 MR. DAN GRABKE: Sorry. Thank you, Mr.  
10 Chairman. We believe this is a positive project because  
11 of the things that come out of it, as listed in -- in our  
12 conclusions as far as greenhouse gases, and -- and  
13 revenue, and those sort of things.

14 We're suggesting that Nonacho Lake isn't  
15 operated in a manner that hasn't occurred in the past.  
16 We're not flooding additional land. There will be a  
17 brief period where there will be some activity on the  
18 lake; we'll try and control the impact of that. We've  
19 had discussions with you about how we could do that, and  
20 so it has less of an effect.

21 And as far as access we -- as Damian  
22 mentioned, we're looking at controlling access, but we  
23 also recognize that you can't control everybody, and  
24 we've suggested hiring a caretaker for your camp during  
25 that period.



1                   We have to remember that the winter road  
2 period isn't like the Tibbitt to Contwoyto road. It's  
3 not an ongoing thing, it's a temporary thing for three  
4 (3) seasons with a fair bit of activity during one (1)  
5 season, and when the trucks are done it's no longer  
6 maintained. So, it's actually a very brief period.

7                   Also, we have to cross the Slave River.  
8 So the Slave River alone controls access by having a  
9 short period that you can cross it.

10                  And so in -- in summary, I guess, we  
11 believe that Nonacho Lake will -- will be experiencing  
12 changes in water levels that have occurred in the past  
13 not to any more extreme than have occurred in the past,  
14 and that there will be some effect on -- on your -- your  
15 business during construction, and we'll try and minimize  
16 that or work with you through it.

17                  THE CHAIRPERSON:     Okay. Thank you, very  
18 much. I want to go to -- I've got other people that's  
19 waiting too on the list here to speak. So if that  
20 concludes Jean Carter's comments --

21                  MS. JEAN CARTER:     Can I just make -- can  
22 I just make one more comment -- comment?

23                  THE CHAIRPERSON:     Sure. Please,  
24 proceed.

25                  MS. JEAN CARTER:     This then, you -- you

1 said we have had discussions in the past -- past. I can  
2 mention that probably on one (1) hand, and those were  
3 very brief and initiated by me.

4 But my concern is, here, I want everybody  
5 to know the impact this is going to have on not only  
6 Nonacho Lake but on five (5) generations of people,  
7 thousands of fishermen that come up year after year. And  
8 if they take a break from -- from all the activities this  
9 is going to greatly impact on us, and that has to be  
10 recognized.

11 THE CHAIRPERSON: Thank you, Jean  
12 Carter. Thank you for your comment. I'm going to leave  
13 that there. I remember I mentioned a little bit earlier  
14 that the -- your family has an opportunity to speak  
15 tomorrow at 1:30, and to give a presentation. And, as  
16 well, you know, people -- yourself, if you have further  
17 comments or questions you could also send it to the Board  
18 and have it posted on the public registry.

19 Also, I just want to remind people that,  
20 you know, we've -- you know, prior to coming here, the  
21 Review Board has done everything it can in terms of  
22 letting people know the public hearing here today. We've  
23 advertised it, we put it on the radio, we had meetings in  
24 the communities, and so on, and, you know, we had  
25 technical hearings, as well.

1                   So everybody had an opportunity prior to  
2 coming here, and we also have copies of your presentation  
3 on our binders, as well, and our agenda is developed and  
4 based on that information. And as a result of that  
5 information, as Chairman, I want to make sure that we've  
6 complied to the agenda we have here because we only have  
7 a day and a half left to go. So I want everybody to have  
8 an opportunity to speak.

9                   So I'm going to back to the order of  
10 questions. I'm going to go to INAC. Is there any  
11 questions to the presentation made this morning?

12                   MR. MARC LANGE:   Marc Lange, with Indian  
13 and Northern Affairs. No questions, Mr. Chairman.

14                   THE CHAIRPERSON:   Thank you very much.  
15 Moving on to Transport Canada. Any comments -- sorry,  
16 questions to the presenters?

17                   MS. SOPHIA GARRICK:   Sophia Garrick,  
18 Transport Canada. We don't have any questions at this  
19 time.

20                   THE CHAIRPERSON:   Thank you. I'm going  
21 to move on to MVEIRB expert staff. In the back of me --  
22 I'm not sure who is going to -- but I'm going to go to my  
23 left, Mr. Donihee.

24                   MR. JOHN DONIHEE:   Thank you, Mr.  
25 Chairman. My name is John Donihee, I'm Board Counsel.

1 We have questions from several folks at the back table.  
2 And with your indulgence, Sir, we'll sort of move them in  
3 to this seat where the microphone is, and we'll get those  
4 questions asked for you.

5 THE CHAIRPERSON: Thank you, Mr.  
6 Donihee. Please proceed.

7 MS. TAWANIS TESTART: Thank you, Mr.  
8 Chair. Tawanis Testart, Review Board. I would like to  
9 ask Deze to clarify for everyone's benefit.

10 You spoke in your presentation and have  
11 numerous times referred on the record to various  
12 management plans that are intended to reduce or mitigate  
13 impacts from the project, and these management plans are  
14 going to be developed at a future time.

15 I was wondering if Deze could clarify when  
16 they anticipate that those management plans would be  
17 finalized; things like the nest management plan, wildlife  
18 management plans, and how it intends to communicate the  
19 contents of the -- those plans to interested stakeholders  
20 and local land users.

21 THE CHAIRPERSON: Thank you, Tawanis  
22 Testart, for your question. I'm going to go to Deze  
23 Energy Corporation.

24 MR. SHANE UREN: Thank you, Mr. Chairman.  
25 Shane Uren from Deze Energy. We've developed draft

1 monitoring plans through discussions, through this  
2 process, through sidebar meetings, and through individual  
3 meetings we've had with the various agencies. Those  
4 plans are now in draft as we know and we plan to continue  
5 to work with the agencies to develop those through this  
6 process as it concludes and -- and through the regulatory  
7 process as we -- as we move through the project.

8                   In terms of communicating those plans to  
9 the stakeholders, our understanding and it's our intent  
10 to get that information out to the parties where the  
11 information is relevant through the various regulatory  
12 processes that are in place for authorizations for  
13 approvals and permits.

14                   THE CHAIRPERSON: Thank you. I'm going  
15 to go back to our MVEIRB expert, Tawanis Testart.

16                   MS. TAWANIS TESTART: Thank you, Mr.  
17 Chair. Currently on the record we do have a copy of the  
18 draft monitoring plan as provided by Deze Energy.

19                   I think that that is a good first start.  
20 However, monitoring does not necessarily mean management  
21 and the management plans that have been referred to, the  
22 nest management plan, that would be responses to specific  
23 circumstances in the environment.

24                   And I guess my question that I would like  
25 Deze to answer is how they anticipate that the contents

1 of those management plans, which have not yet been  
2 included on the public record, can be considered by the  
3 Review Board in terms of their decision making if -- if  
4 they are not complete or they're not present on the  
5 record.

6 THE CHAIRPERSON: Thank you, Ms. Testart.  
7 I want to go back to Deze Energy Corporation.

8

9 (BRIEF PAUSE)

10

11 MS. LINDA ZURKIRCHEN: Linda Zurkirchen.  
12 Thank you for clarifying for us if there's a difference  
13 between management plans and the monitoring program.

14 We have submitted in the developer's  
15 assessment report an outline of some of the management  
16 plans that we have put forth in draft form.

17 They are in, I believe, chapter 7 of the  
18 developer's assessment report, mitigation -- the  
19 management plans that provide some mitigation measures  
20 and procedures to avoid or mitigate impacts such as a  
21 sediment erosion, a control plan, Waste Management Plan,  
22 Spill Contingency Plan for some.

23 Through this process, through the  
24 technical sessions, through our engagement with the  
25 parties, we have also been recommended and agreed to



1     you saying?

2                     THE CHAIRPERSON:     Thank you, Mr. Donihee.  
3     I want to go back to Deze Energy Corporation.

4                     MS. LINDA ZURKIRCHEN:     Linda Zurkirchen.  
5     What we're saying is that the management plans, we've put  
6     forth some. Some are -- have been -- are not -- have not  
7     been developed yet because of the information that has  
8     just come forth in the recommendations for these plans.

9                     Some of the information associated with  
10    these plans is very detailed, detailed procedural  
11    information that we can't finalize until we have more  
12    information on the detailed design phase of the project  
13    and potentially how a contractor may or may not be able  
14    to conduct works. We are prepared to commence at this  
15    time to further developing those plans and to what the  
16    content may be, but until we move into detailed design,  
17    we are not necessarily able to flush out some of the  
18    detailed procedures that have to be followed and -- and  
19    would be contained in those plans.

20                    So we would commit to -- at this point in  
21    time, commit to finalizing those plans with the parties  
22    and agencies that have requested that input during the  
23    permitting stage if this project is advanced to that  
24    point.

25                    THE CHAIRPERSON:     Thank you. I'm going



1 to go back to Mr. John Donihee.

2 MR. JOHN DONIHEE: Thank you, Mr.  
3 Chairman. John Donihee. I just want to be clear. And  
4 Ms. Testart's question, really, I guess, was pointing to  
5 a situation where you're co -- you're -- you're offering  
6 commitments to develop management plans which are not  
7 going to be available until after the environmental  
8 impact assessment process is completed. So the plans, as  
9 I understand what you're saying, are intended to address  
10 operations and to show the regulators at that point how  
11 your -- your commitments and -- and how the mitigation is  
12 going to work in practice.

13 But I -- I just want to be clear, that  
14 it's -- it's not your position that these plans are  
15 necessary in order for the -- to -- to validate the  
16 impact assessment that you've conducted. So is that --  
17 am I -- are we on the same wavelengths now?

18 MS. LINDA ZURKIRCHEN: Yes.

19 THE CHAIRPERSON: Thank you, Mr. Donihee.  
20 I'm going to go to Deze Energy Corporation.

21 MS. LINDA ZURKIRCHEN: Linda Zurkirchen.  
22 Yes, that's correct.

23 THE CHAIRPERSON: Mr. Donihee...?

24 MR. JOHN DONIHEE: Thank you, Mr.  
25 Chairman. Through the -- the process and that you'd be

1 prepared to file that list with the Board in the near  
2 future, could we ask for an undertaking to file this  
3 comprehensive list, say in the next two weeks?

4 THE CHAIRPERSON: Thank you, Mr. Donihee.  
5 Deze Energy Corporation, please proceed.

6 MS. LINDA ZURKIRCHEN: Linda Zurkirchen.  
7 Yes, we would commit to filing that within two (2) weeks.

8 THE CHAIRPERSON: Okay, having said that,  
9 two (2) weeks, and I'm going to give you until January  
10 29th at 3:00 p.m. local time. Would that be a sufficient  
11 time?

12 MS. LINDA ZURKIRCHEN: Yeah. Linda  
13 Zurkirchen. Yes, thank you, Mr. Chairman.

14 THE CHAIRPERSON: Very good. Mr.  
15 Donihee.

16 MR. JOHN DONIHEE: Thank you, Mr.  
17 Chairman. Just for the record, that'll be Undertaking  
18 number 1.

19

20 --- UNDERTAKING NO. 1: To provide a comprehensive  
21 list of commitments by  
22 January 29th at 3:00 p.m.  
23 local time

24

25 MR. JOHN DONIHEE: I want to switch

1 topics a little bit. I -- I note from the presentation  
2 made by Deze officials some discussion of alternative  
3 alignments for the transmission line.

4 In fact, during your oral presentation  
5 there was an example given of a move of one (1) portion  
6 of the line away from the east end of Mackay Lake. And  
7 so I'm -- I'm wondering how this assessment of  
8 alternatives has -- how -- how your assessment of the  
9 alternatives has captured these options for the Board.

10 You know, have you identified all of the  
11 impacts associated with all of the options and if you're  
12 now favouring this line, say, or alignment that's moved  
13 away from the east end of Mackay Lake is -- is -- are the  
14 impacts of that particular option highlighted in some way  
15 so that the Board is clear which of the alternative  
16 routings is being favoured and -- and which one is the  
17 one, I suppose, that ought to be considered in the report  
18 of environmental assessment?

19 THE CHAIRPERSON: Thank you, Mr. Donihee.  
20 Back to Deze Energy Corporation.

21 MR. TOM VERNON: Tom Vernon. Thanks for  
22 that question. I think the answer to that is that the  
23 baseline route presented in the DAR includes all  
24 modifications that were noted in that particular slide as  
25 you mentioned around Mackay Lake. We just presented that

1 as a -- as a -- as a move that we undertook and an  
2 optimization process based on an environmental assessment  
3 that -- that we carried out before we put the baseline  
4 preferred route down in the DAR.

5 The next examples in the -- the proposed  
6 park area and the Harry Lake area are examples of what we  
7 could work with and consider if that was a recommendation  
8 by the Board or by other stakeholders that we -- we take  
9 up.

10 I'm just indicating that we're flexible on  
11 corridor to -- to the maximum extent we can be.

12 THE CHAIRPERSON: Thank you. Going back  
13 to Mr. Donihee.

14 MR. JOHN DONIHEE: Thank you, Mr.  
15 Chairman. John Donihee. I'm -- I'm -- I'd like to ask  
16 you now about the Lockhart River area. You indicated  
17 that you do have to cross it somewhere.

18 It's obviously a matter of some  
19 sensitivity as to where that exactly happens, you know.  
20 Can you indicate what problems and impacts you considered  
21 and -- in -- in relation to some of the options about  
22 rerouting around the Lockhart River area, the sensitive  
23 area?

24 THE CHAIRPERSON: Okay, thank you, Mr.  
25 Donihee. I'm going to go back to Deze Energy

1 Corporation.

2 MR. DAMIAN PANAYI: Mr. Chairman, if I  
3 can add something supplementary to the previous answer?  
4 Just going back to that area where we move the  
5 transmission alignment near Mackay Lake and Lac de Gras,  
6 that was an area which, during the baseline studies when  
7 we first started investigating that area, we saw right  
8 away that there was a lot of caribou trails in the area.

9 And because there was a lot of caribou  
10 trails, we were also finding a lot of archaeological  
11 sites. We know that the Narrows between Lac de Gras and  
12 Lac de Sauvage has -- has quite a -- a history of use.

13 And there's also hunting camps in the area  
14 so there's outfitting companies that are reliant on a --  
15 you know, a pristine environment.

16 And so this is -- this was for us a case  
17 of the environmental assessment process at its best in  
18 that we saw a problem and we fixed it, or we did what we  
19 could to mitigate the effects by moving the transmission  
20 line to a different location.

21 And Deze -- we brought that example  
22 forward just to show that Deze has made changes to the  
23 project as we've seen problems and we're hoping to  
24 continuing with -- with that approach. Thank you.

25 THE CHAIRPERSON: Thank you. Just as a

1 reminder, it's ten to 12:00 but I want to go back to Mr.  
2 John Donihee.

3 MR. JOHN DONIHEE: Thank you, Mr.  
4 Chairman. I wonder if we could now come back to the  
5 question I asked about routing around the -- the Lockhart  
6 River area and in particular the Old Lady of the Falls,  
7 that sensitive area.

8 THE CHAIRPERSON: Thank you, Mr. Donihee.  
9 I'll go back to Deze Energy Corporation.

10 MR. TOM VERNON: Tom Vernon with Deze. I  
11 guess the answer would be that we have always considered  
12 that we would come to a resolution of -- of the least  
13 impact area in -- in a particular run of that river  
14 between Artillery Lake and Great Slave Lake that would be  
15 acceptable.

16 We've never drawn -- well, we've drawn a  
17 route but we've always maintained that that was something  
18 we could easily live with moving, increasing spans,  
19 changing tower configuration.

20 There's really -- if -- if one is going to  
21 run a transmission line across that area, it -- it pretty  
22 much has to be in its landline. It has to be between  
23 Great Slave Lake and Artillery Lake.

24 That has been our -- our presentation in -  
25 - in -- in the development of this corridor since --

1 since 2003. There may well be other technically viable  
2 approaches.

3 We do not have them to offer you today  
4 because we assumed we would come to a resolution of -- of  
5 crossing in the -- in the 4 or 5 kilometres of the -- of  
6 the Lockhart River.

7 THE CHAIRPERSON: Okay. Thank you. I  
8 think I'm going to stop it there. Mr. Donihee will come  
9 back after lunch with questions.

10 On the agenda here, the GNWT was going to  
11 do a presentation at one o'clock. I'm willing to push  
12 that back to 2:00. And NRCan's presentation is not  
13 longer -- they've -- they're not going to be here to do a  
14 presentation, but they gave a written submission to the  
15 Board, so therefore that free's up that time.

16 So, with that I'm going to continue on  
17 with questions after lunch. We'll come back at 1:30 and  
18 we'll continue on. And lunch is provided. And I'll --  
19 we still need to finish off questions. So, with that  
20 we'll take an hour and a half break. Marsi.

21

22 --- Upon recessing at 11:52 a.m.

23 --- Upon resuming at 1:30 p.m.

24

25 THE CHAIRPERSON: Okay, good afternoon

1 again. Again, I'd like to call the public hearing back  
2 to order. It's 1:31. Before I continue on with the  
3 questions, I want to apologize about the -- the food  
4 here. I guess we didn't really anticipate this amount of  
5 people that came out today, so we got some more food  
6 coming. It should be here any time. But as it arrives,  
7 I think what we'll do is we'll continue on with the  
8 meeting and people could go ahead and still eat while the  
9 public hearing's in process.

10 As well, we got GNWT coming on shortly  
11 here, but before we do that, we want to finish off with  
12 some of the questions that are here. So if we could go  
13 back to the order of questions.

14 I'm going to back to Mr. John Donihee, in  
15 regards to the presentation made this morning. Mr.  
16 Donihee?

17 MR. JOHN DONIHEE: Thank you, Mr.  
18 Chairman. John Donihee, Board counsel. I have, I think,  
19 just a couple of questions related to issues around  
20 access and caribou.

21 It appears that the original work for the  
22 -- the DAR was done with information about the Bathurst  
23 caribou herd only, and that as a result of information  
24 requests and some of the technical meetings, that  
25 additional information was provided and the -- that Deze



1 Energy did some reconsidering on the basis of information  
2 about the Beverly and the Ahiak herds as well.

3 Now, all three (3) of these herds are in  
4 serious decline. As was indicated this morning, the  
5 Government of Northwest Territories has just imposed an  
6 unprecedented closure on all hunting on the Bathurst  
7 range. It's my understanding that the information about  
8 the Beverly herd indicates that it's down to perhaps as  
9 low as a few hundred caribou, and that the Ahiak herd is  
10 also in a -- in a serious decline.

11 So with -- with that as a background, I  
12 guess the question I really have for the developer is --  
13 relates to the conclusions that were drawn about the  
14 effects of the project on -- on caribou. And, in  
15 particular, I guess what I'm concerned about is -- or  
16 would like you to -- to help us with is how certain --  
17 what I want to know is how certain you really are about  
18 the -- the effectiveness of the mitigation measures that  
19 you've proposed.

20 I suggest to you that, you know, with  
21 these herds in the kind of condition that they're in,  
22 that there's less room to get it wrong in respect of  
23 these mitigation measures, and so I wonder if you'd  
24 comment on first your -- the general approach to  
25 mitigation and -- and tell the Board, if you will, how

1 certain you can be about the effectiveness of these  
2 proposed measures.

3 THE CHAIRPERSON: Thank you, Mr. John  
4 Donihee. Before I go to the presenters, to Deze  
5 Corporation, just for the record, when you speak, again,  
6 just mention your name and who you represent, and, at the  
7 same time, if you can, speak a little bit louder so  
8 people can hear you.

9 So, with that, I'm going to go to Deze  
10 Energy Corporation.

11 MR. DAMIAN PANAYI: Thank you, Mr.  
12 Chairman. The answer to the first part of the question  
13 regarding Bathurst and -- sorry, Damian Panayi, Golder  
14 Associates representing Deze Energy.

15 Yes, in the -- in this -- in the Nonacho  
16 Lake area, we -- we would expect to see Bathurst caribou,  
17 Beverley caribou and Ahiak caribou, so caribou from three  
18 (3) different herds. The information we have suggests  
19 that Bathurst are the most commonly found -- the most  
20 commonly found herd in that region and there has been  
21 more information brought to our attention since then  
22 which does indicate that presently there might be more  
23 Beverley and Ahiak activity out there than we had  
24 anticipated, and that historically the range went much  
25 further. I mean, like back in the 1960's the -- and

1 prior to that the range went much further than it does  
2 currently.

3 But with that in mind, we based the -- we  
4 predominantly based the effects assessment on our  
5 findings from the Bathurst caribou and we used that as a  
6 surrogate essentially for barren-ground caribou as a  
7 whole.

8 And the reasons for that are -- are fairly  
9 solid which are that we have far more information about  
10 the Bathurst herd than we do for other herds. And the  
11 Bathurst herd is obviously or likely exposed to much more  
12 cumulative effects than other herds.

13 And there's a lot of information showing  
14 that the existing diamond mines, the existing hunting  
15 camps, the existing winter roads do tend to be more in  
16 Bathurst range than Ahiak or Beverley range. And  
17 likewise, the Taltson project would -- has greater  
18 overlap with the Bathurst range than the Beverley and the  
19 Ahiak.

20 So that gave us the strongest -- that sort  
21 of gave us the strongest position we had to -- to proceed  
22 with the effects assessment. And we made a number of  
23 very conservative assumptions in our effects assessment  
24 just to be sure that we were over estimating effects.  
25 And in doing so we did not find significance. There are

1 some areas of uncertainty which we highlighted in the  
2 presentation for sure.

3 And the second question was with regards  
4 to access and we would control access and -- and -- and  
5 how that -- how effective that would be.

6 As I mentioned there would be a new winter  
7 road from Fort Smith to Nonacho Lake in operation for  
8 three (3) years.

9 And Deze proposes to install a gate and a  
10 fence at Twin Gorges so that if somebody's driving up  
11 from Fort Smith they wouldn't be able to make it past  
12 Twin Gorges.

13 There is plans for signage and it's just -  
14 - the general rule for -- for the project is that only  
15 project vehicles will be allowed on those roads.

16 Now, obviously, it's difficult to enforce  
17 these things and I would anticipate that people are going  
18 to try to get on this road and people will get on this  
19 road and that is why we're proposing to have  
20 environmental monitors and it's part of their job -- will  
21 be part of their job to -- to monitor use of the road by  
22 non project vehicles.

23 And there's a similar example of -- of  
24 such at the Ross Lake camp on the Tibbitt-Contwoyto Road  
25 which is operated by the Yellow Knives Dene.

1                   And that would give us a feel for how  
2 people are using the road and if issues come up then we  
3 can -- we can deal with those as they arise and we would  
4 be -- we would like to, you know, hope to work with  
5 Environment and Natural Resources on those issues as they  
6 arise.

7                   And as I mentioned also during the  
8 presentation that there is the possibility of -- of  
9 localized work stoppages if we do run into high numbers  
10 of caribou during -- during construction. Thank you.

11                  THE CHAIRPERSON: Thank you. I'm going  
12 to go back to Mr. John Donihee.

13                  MR. JOHN DONIHEE: Thank you, Mr.  
14 Chairman. John Donihee. I do understand your plan for  
15 access control and environmental monitors. The  
16 mitigation and monitoring plan that you filed makes  
17 reference to those sorts of things, app -- approaches to  
18 impact reduction.

19                  And -- and I'll paraphrase it I guess.  
20 But what it says, as I read it, is that, you know, and  
21 you've just said that again, if problems occur, you know,  
22 that other mitigation will be considered.

23                  And I just wonder because you don't  
24 identify any real thresholds or any specific monitoring  
25 activities, or any framework for making decisions, the --

1 the question I have really is: Given that kind of  
2 monitoring, how are you really going to know if your  
3 mitigation is not working?

4 THE CHAIRPERSON: Thank you, Mr.  
5 Donihee. To go back to Deze Energy Corporation.

6 MR. DAMIAN PANAYI: Damian Panayi. We'll  
7 know if the mitigation isn't working because there'll be  
8 evidence of people hunting on the winter road.

9 THE CHAIRPERSON: Thank you. Mr.  
10 Donihee?

11 MR. JOHN DONIHEE: Thank you, Mr.  
12 Chairman. And so you see some people hunting on the  
13 winter road, and what does that tell you? How are you  
14 going to know what that's doing to the herd? Is there --  
15 if there's no closure and hunting is still legal, how do  
16 we actually know whether or not this hunting is pushing  
17 that herd closer to the edge?

18 THE CHAIRPERSON: Thank you, Mr.  
19 Donihee. Deze Energy Corporation?

20 MR. DAMIAN PANAYI: There would -- Damian  
21 Panayi. There would obviously be regular reporting back  
22 to Environment and Natural Resources, there would be  
23 annual reports which summarize our observations, and the  
24 environmental monitors obviously would, you know, have  
25 free reign to -- to phone Environment and Natural

1 Resources and discuss problems as they arise.

2 And this is something for which we do have  
3 some experience at the existing diamond mines. At those  
4 locations they -- they don't use thresholds, and -- along  
5 the existing Tibbitt-Contwoyto Road there is no threshold  
6 for how many people are allowed to use the road.

7 We have found in practice that having  
8 environmental monitors, who come from the communities, do  
9 a very good job at -- at keeping an eye on how the  
10 project is interacting with -- with wildlife, and -- and  
11 they deeply care and want to make sure that the project  
12 is not having effects to the wildlife.

13 THE CHAIRPERSON: Okay. Thank you. Mr.  
14 Donihee?

15 MR. JOHN DONIHEE: Just one more question  
16 to conclude on this line, Mr. Chair. I -- I note from a  
17 letter filed by ENR under the Deputy Minister's signature  
18 yesterday, in reference to a question about -- ENR was  
19 asked on -- about the developers proposal to reduce  
20 access and how effective that might be, and that in their  
21 conclusion ENR indicates that they've committed to  
22 working with the developer to further develop their -- I  
23 assume that means Deze's environmental monitoring  
24 program, as well as your human/wildlife conflict  
25 management plan.

1 I wonder if you can tell the Board what  
2 Deze's plans are to further refine and develop this  
3 environmental monitoring program, particularly in respect  
4 of these caribou questions we've been talking about.

5 THE CHAIRPERSON: Thank you, Mr.  
6 Donihee. Deze Energy Corporation?

7 MR. DAMIAN PANAYI: Yes, thank you.  
8 Damian Panayi. Yes, we have filed drafts of these plans.  
9 And the plan currently to proceed with these things is to  
10 wait and see the findings of, you know, what concerns are  
11 raised during these meetings, and the outcome of this  
12 environmental assessment process, and then during the  
13 regulatory stage we will fine tune these plans. But the  
14 commitments to -- to develop the plans and continue the  
15 plans are definitely there.

16 THE CHAIRPERSON: Thank you. Any  
17 further questions from Mr. Donihee?

18 MR. JOHN DONIHEE: I -- I just -- one  
19 question from -- on this line from Mr. Ehrlich.

20 MR. ALAN EHRLICH: Thank you. Alan  
21 Ehrlich, Senior Environmental Assessment Officer with the  
22 Review Board.

23 Damian, you've mention that there will be  
24 a program for looking to see whether or not there's  
25 increased access and increased hunting from increased



1 access. And you've mention that if an issue is  
2 identified then Deze will have to do something about  
3 that, possibly with ENR.

4 What kind of options does Deze have to  
5 address the problem if it is identified, once the gate's  
6 in and the -- the measures you've described are in  
7 place?

8 THE CHAIRPERSON: Thank you, Mr.  
9 Ehrlich. Going back to Deze Energy Corporation.

10  
11 (BRIEF PAUSE)

12  
13 MR. DAMIAN PANAYI: It's -- we -- we  
14 don't have, you know, exact numbers, and so on, just yet,  
15 and this is something which we're going to be working  
16 towards.

17 We are committed to continually working  
18 with Environment and Natural Resources and other  
19 interested parties to develop a solid plan. The  
20 mitigation which we are proposing is outlined in some of  
21 our previous responses and there are some limitations to  
22 what Deze can do.

23 For example, Deze is not allowed to put a  
24 gate on the far side of the Slave River, you know,  
25 because of land tenure issues. So there are, obviously,

1 limits to what Deze can do but, you know, in working with  
2 Environment and Natural Resources, I'm sure we can come  
3 up with -- with some workable solutions.

4                   And I mentioned earlier a possible  
5 solution is -- is that used on the Tibbitt-Contwoyto --  
6 sorry, the Ingraham Trail, where there's a no hunting  
7 corridor within a kilometre and a half of the road. So  
8 there's various different tools out there. And,  
9 possibly, if it became a real problem, you could go as  
10 far as having manned, you know, gates with people  
11 permanently stationed there to monitor traffic coming up  
12 and down the road.

13                   But, again, the plan is to sort of have  
14 environmental monitors who will keep note and -- and keep  
15 -- make observations or keep note of any non-project  
16 vehicles they see on the road. Presumably, they can have  
17 a word with these people, and also keep track of any  
18 signs of -- of non-project use of the road, such as gut  
19 piles on the side of the road or places where people have  
20 been harvesting firewood.

21                   THE CHAIRPERSON:   Thank you.  Mr.  
22 Ehrlich, any further comments, questions?

23                   MR. JOHN DONIHEE:   Mr. Chairman, I have  
24 one (1) more question, Mr. Ehrlich has a question, and  
25 then we have a couple from our -- our experts, so we'll -

1 - we'll move along fairly quickly.

2 My last question really for Deze is:  
3 Since the Carter family were granted a party status in --  
4 in this proceeding after the -- right after the pre-  
5 hearing conference, have there been any -- any direct  
6 meetings between Deze Energy and the Carter family in  
7 order to explore options for reducing some of the  
8 concerns and the impacts that the project might have on  
9 the operation of the lodge on Nonacho Lake?

10 THE CHAIRPERSON: Thank you, Mr. Donihee.  
11 Deze Energy Corporation.

12 MR. DAN GRABKE: Thank you, Mr. Chairman.  
13 Dan Grabke, Deze Energy. As we -- we had meetings --  
14 brief meetings with the Carter family, some discussions  
15 and -- and some communications in previous, but at the  
16 pre-hearing conference, we met shortly thereafter to talk  
17 specifically about the project.

18 Prior to that, I had forwarded information  
19 regarding sections of the DAR I culled out that had  
20 explained what was -- what we anticipated to happen at  
21 Nonacho, what the project was about, to both the Carters  
22 and their lawyer.

23 We talked a bit about impacts, and some of  
24 the impacts are understandable. We -- I can certainly  
25 see those. And we communicated some ways of -- of

1 handling those, recognizing that there -- there could be  
2 some impacts during construction and that we could  
3 actually utilize this project to improve their  
4 operations.

5 Right now, they have a dock system, even  
6 though the -- the camp is on a reservoir. It has been on  
7 a reservoir for the last forty (40) years and there has  
8 been fluctuations in water levels.

9 We could improve their dock system while  
10 there's a winter road in there in order to -- because  
11 there would be an easy way of getting the freight in  
12 there. There would also be crews there that would be  
13 readily available to assist with that.

14 And so a package was put together and  
15 presented to them, and it's under consideration, I  
16 believe.

17 THE CHAIRPERSON: Thank you. Mr.  
18 Donihee.

19 MR. JOHN DONIHEE: Thank you, Mr.  
20 Chairman. Mr. Ehrlich has a question now.

21 MR. ALAN EHRLICH: Thank you. Alan  
22 Ehrlich, senior environmental assessment officer with the  
23 Review Board. My question concerns the Lockhart River.  
24 You've expressed this morning an openness to try to avoid  
25 problems in that area where possible.

1                   I'm wondering if Deze is prepared to look  
2   at avoiding the Lockhart River itself by possibly  
3   crossing the bay of Great Slave Lake where the mouth of  
4   the Lockhart River enters Great Slave Lake, in other  
5   words, instead of actually crossing the river, crossing  
6   Great Slave Lake either above or below water, and -- and,  
7   obviously, in a manner that doesn't conflict with the  
8   heritage sites in the area.

9                   My question is: Would you be open to  
10  looking at some of those options?

11                  THE CHAIRPERSON: Thank you, Mr. Ehrlich.  
12  I want to go to Deze Energy Corporation.

13                  MR. DAN GRABKE: Thank you, Mr. Chairman.  
14  Dan Grabke. Just to give a little bit of background.  
15  The reason why we -- we have the line on the map where we  
16  put it, even though we communicated that it was just a  
17  guess and -- and that we're willing to put the line  
18  anywhere with -- with feedback that -- that stakeholders  
19  and wise people could tell us where to put it, was that  
20  we were trying to minimize the -- the intrusion.

21                  So we went straight line as -- as quick as  
22  possible across the river, trying to stay away from both  
23  the mouth of the river and the Lady of the Falls. And so  
24  we have it about halfway in between.

25                  There's no reason why we couldn't go

1 closer to the mouth of the river. In fact, although we  
2 haven't studied it, it's probably technically possible  
3 and -- and perhaps economically possible to go across the  
4 waters beyond the mouth of the river, either aerial or a  
5 small underwater cable. The cable wouldn't be very  
6 lengthy and you can perhaps double or triple it so the  
7 reliability issue wouldn't be a factor.

8 One of the reasons why we didn't consider  
9 that in the first place is because of the visual effect.  
10 You'd have towers coming down the hill and boaters and  
11 that sort of thing on McLeod Bay would be able to see  
12 these towers.

13 You can mitigate that to some degree by  
14 having smaller towers, maybe painted towers, that sort of  
15 thing, but they'd still be an impact that way. And so  
16 again, that's one of the reasons why we are further away  
17 from shore. But if -- if -- if we get guidance that that  
18 is the best place to put it, then we're certainly willing  
19 to entertain that, with -- with the understanding that  
20 that's part of this process.

21 That's -- that's part of the -- the  
22 ongoing process that we're in now. That's an improvement  
23 of the process and it doesn't reset the process or start  
24 all over, that sort of thing, that it's a -- a tweaking  
25 of -- of this process. We'd certainly entertain that.

1 Thank you.

2 MR. ALAN EHRLICH: Thank you.

3 THE CHAIRPERSON: Thank you. Any final  
4 comments from Alan?

5 MR. ALAN EHRLICH: No. Right now we'd  
6 like to take the opportunity to bring our experts to ask  
7 their questions, if that's all right with you, Mr. Chair?

8 THE CHAIRPERSON: Very good. We've got  
9 seven (7) minutes before the next presenter. So if we  
10 could try to wrap this up quick so the Board Members  
11 still need to ask questions, as well.

12 MR. BRUCE STEWART: Bruce Stewart,  
13 Advisor to the Review Board, Mr. Chairman. I have four  
14 (4) brief questions.

15 Mr. Chairman, if this development is  
16 approved, construction may begin within a year or two  
17 (2). Will that time be sufficient for gathering the  
18 information needed to understand existing environmental  
19 variability, seasonal, inter-annual and to form a useful  
20 baseline for identifying project related effects later  
21 on?

22 THE CHAIRPERSON: Thank you. And I'll go  
23 to Deze Energy Corporation. Proceed.

24 MR. SHANE UREN: Shane Uren, Deze Energy  
25 Corp. We believe that it will. The beginnings of

1 construction focus on a winter road and will take some  
2 time for that winter road to be put in place.

3 There's staging activities, there's land  
4 activities that'll be taking place in the first year  
5 which gives us time to collect what we feel will be  
6 sufficient baseline data in areas that we've identified  
7 as needing -- needing more information.

8 THE CHAIRPERSON: Thank you. I'll go  
9 back to the experts. Any further questions?

10 MR. BRUCE STEWART: Bruce Stewart. Deze  
11 -- Mr. Chairman, Deze has been considering 36 megawatt  
12 and 56 megawatt design options.

13 Which in Deze's view is best from an  
14 environmental standpoint and why?

15 THE CHAIRPERSON: Thank you. I'll go  
16 back to Deze Energy Corporation.

17 MR. SHANE UREN: Shane Uren, Deze Energy  
18 Corporation. Deze doesn't have a strict view on which  
19 option is better, the 36 or the 56. We've presented the  
20 range between these two (2) options, given our  
21 understanding of the economics of the project and the  
22 stage of development that the engineering have taken the  
23 project to, and thus we presented that range so that  
24 within this range we've identified all the potential  
25 effects and, therefore, covered the -- the range of



1 possibilities of potential impacts of the project.

2 THE CHAIRPERSON: Thank you. We'll go  
3 back to the experts.

4 MR. BRUCE STEWART: Bruce Stewart, Mr.  
5 Chairman. Two (2) design alternatives for the South  
6 Gorge bypass spillway that offer greater control over  
7 ramping in Trudel Creek -- sorry, two (2) of them offer  
8 greater control over ramping in Trudel Creek than the  
9 preferred design were dis -- were discussed in the  
10 commitments. High cost was cited as one (1) of the  
11 factors that made these designs less attractive.

12 Were environmental costs and benefits  
13 factored into these cost estimates?

14 THE CHAIRPERSON: Thank you, Mr.  
15 Stewart. Go back to Deze Energy Corporation.

16 MS. LINDA ZURKIRCHEN: Linda Zurkirchen.  
17 We looked at the effects to the environment that needed  
18 mitigation and as a result assessed that the bypass  
19 structure that is presented in the developer's assessment  
20 report mitigates effects so that there is no significant  
21 negative effect to Trudel Creek from an outage event.

22 And that is how we approached the -- that  
23 additional mitigation for ramping is not determined to be  
24 necessary because of the -- the design that is presented  
25 in the developer's assessment report mitigates effects so

1     that they are not significant.

2                     THE CHAIRPERSON:     Thank you.   Mr.  
3     Stewart?

4                     MR. BRUCE STEWART:     Can I follow up to  
5     that question, Mr. Chairman?   So, am I to understand that  
6     environmental costs weren't set aside against economic  
7     costs for any of these options?

8                     THE CHAIRPERSON:     Thank you.   Back to  
9     Deze Energy Corporation.   If you can, make sure you speak  
10    a little bit louder again, just to remind you.   Also, we  
11    have a couple more minutes here, so I want to remind our  
12    experts that we'd like to move on with the agenda, so if  
13    there's any pressing questions then we should get to it.

14                    MS. LINDA ZURKIRCHEN:   Linda Zurkirchen.  
15    Environment -- there was no dollar value assigned to  
16    environment and to environmental effects in any of our  
17    effects assessment.   We did not try to put a dollar value  
18    to an environmental component.   So if looking at  
19    translating environmental costs into a dollar value to  
20    compare against the cost of a bypass facility, no, that  
21    was not done.

22                    THE CHAIRPERSON:     Thank you.   I'm going  
23    to go back to Mr. Stewart.

24                    MR. BRUCE STEWART:     My last question,  
25    Mr. Chairman.   To -- what flow would the South Gorge

1 spillway have to carry to avoid the need for annual  
2 ramping of the Trudel Creek river system? And what  
3 protection would this offer from emergency shutdowns, in  
4 terms of hours of grace, frequency, that sort of thing?

5 THE CHAIRPERSON: Thank you, Mr.  
6 Stewart. Deze Energy Corporation?

7 MR. SHANE UREN: Shane Uren, Deze Energy  
8 Corporation. So the numbers off the top of my head I  
9 can't remember -- I can't recall, but the current plan  
10 has for the existing turbine and two (2) additional  
11 turbines. And if the South Valley Gorge could manage the  
12 capacity of one (1) turbine, then that would eliminate  
13 the need for ramping of a scheduled event because the  
14 ramping could be done on a turbine by turbine basis.

15 So in terms of emergency shutdowns or  
16 unforeseen or unscheduled outages that would take all  
17 three (3) plants offline, that would eliminate the  
18 capacity of one (1) turbine being routed through Trudel  
19 Creek. So, you've got -- let's say you've got, in -- in  
20 the situation where all three (3) turbines are running at  
21 maximum capacity and there was a full outage, full  
22 unscheduled outage, the South Valley spillway -- sorry,  
23 the South Gorge spillway could be opened, take the  
24 capacity of one (1) turbine if it was at that capacity.  
25 Then the capacity -- the -- the remaining flow would

1 route through Trudel Creek.

2 So to answer your question, if the South  
3 Gorge spillway was of the capacity of one (1) turbine,  
4 one (1) of the new turbines, the bigger flow, then the  
5 effect that it would have on an emergency outage or an  
6 unscheduled outage would be the reduction of one of the  
7 maximum capacities of a turbine.

8 Is that clear?

9 THE CHAIRPERSON: Thank you. I'll go  
10 back to Mr. Stewart.

11 MR. BRUCE STEWART: Followup to that  
12 question, Mr. Chairman, I wonder if Deze would commit to  
13 providing us a number that meets that and to answering  
14 the -- the questions related to how many hours of grace  
15 that would give in the event of an unanticipated shutdown  
16 and how frequently that -- that might occur?

17 THE CHAIRPERSON: Thank you, Mr. Stewart.  
18 Deze Energy Corporation?

19 MR. SHANE UREN: Shane Uren, Deze Energy  
20 Corporation. Could you -- could you repeat the question?  
21 I guess I just -- I understood the first part was what  
22 was the number which I believe off the top of my head was  
23 74 cubic metres a second is the design capacity of one of  
24 the new turbines, but I didn't catch the followup to  
25 that.

1                   THE CHAIRPERSON:   Thank you.   Mr.  
2   Stewart?

3                   MR. BRUCE STEWART:   What I was asking  
4   was, what sort of time it would take for ramping to raise  
5   to -- to a volume that that spillway could not handle and  
6   it would have to ramp into Trudel Creek, and how  
7   frequently that might occur over time?

8                   THE CHAIRPERSON:   Thank you, Mr. Stewart.  
9   Back to Deze Energy Corporation.

10                  MR. SHANE UREN:    Shane Uren, Deze Energy  
11   Corporation.   So I believe the question was regarding to  
12   unscheduled outages.   So where the entire plant will be  
13   taken offline in a -- in a lightning strike or some  
14   unforeseen situation.

15                  So it depends.   So the question is how  
16   long could -- would it be before Trudel would have to  
17   spill in an unscheduled outage if the South Gorge  
18   spillway was of a bigger capacity, of the capacity of one  
19   (1) turbine, one (1) new turbine?

20                  Well, that -- that's going to depend on  
21   the flow into the forebay.   So if that happened at a time  
22   of year when two (2) of the three (3) turbines were  
23   running, then it would take so much time for the forebay  
24   to -- to fill up to the -- to a level where the -- the  
25   one (1) turbine couldn't handle the flow and then it

1 would be spilled over.

2 And in the DAR we've -- we've looked at  
3 this scenario and, again, if I recall correctly, it was  
4 in the order of twelve (12) hours that it would take for  
5 the spillway to -- or sorry, for the forebay to fill to a  
6 level where it would start to spill over into Trudel.

7 Was it twelve (12) hours or six (6) hours  
8 or -- it's in that order of magnitude which is based on  
9 an average -- an average condition during the summer, if  
10 I understand -- if I remember correctly.

11 THE CHAIRPERSON: Thank you. I'll go  
12 back to Mr. Stewart.

13 MR. BRUCE STEWART: Mr. Chairman, I  
14 wonder if Deze could review the material and confirm it  
15 for the record tomorrow, please?

16 THE CHAIRPERSON: Thank you, Mr. Stewart.  
17 Back to Deze Energy Corporation.

18 MR. SHANE UREN: Shane Uren, Deze Energy  
19 Corporation. Yes, we can -- we can take a look at that.  
20 It is in the DAR and we'll review that information.

21 THE CHAIRPERSON: Okay. Thank you. Mr.  
22 Stewart, did you have further questions?

23 MR. BRUCE STEWART: I'm finished, Mr.  
24 Chairman, thank you.

25 THE CHAIRPERSON: Okay. Is there any

1 further questions from our experts to Deze Energy  
2 Corporation?

3 MR. PETR KOMERS: Petr Komers, Wildlife  
4 Advisor. Just a couple of questions. I would like to  
5 follow up on our earlier discussion on a nest management  
6 plan.

7 The reason presumably why we're talking  
8 about nest management, and you noted that in your  
9 presentation, is because of the value of wetlands. The  
10 wetlands have a lot of different values because of the  
11 different animals that live there, some of which are  
12 endangered species. There are fur bearers, such as  
13 muskrats and beaver and so on.

14 Would Deze consider the development of a  
15 comprehensive wetland management plan?

16 THE CHAIRPERSON: Thank you. I'm going  
17 to go back to Deze Energy Corporation.

18 MS. LINDA ZURKIRCHEN: Linda Zurkirchen.  
19 What Deze has put forth in the monitoring program may  
20 touch on what is being spoken to here in terms of a  
21 wetland management plan.

22 What Deze is looking at as part of the  
23 monitoring program, recognizing that the hydrological  
24 changes could change some of the -- the wetlands and the  
25 wetland configurations which tie to terrestrial and

1 aquatic species, the -- the plan looks at -- at the  
2 monitoring program, looks at taking what we internally  
3 call sort of ecological units based on a wetland area,  
4 and monitoring that wetland area against flow changes  
5 that would be occurring in the system, and monitoring the  
6 pre-project operations configuration or ecology of that  
7 wetland, and, also, the operations -- operations  
8 monitoring program, operations configuration of that  
9 wetland.

10 And that is a component in the monitoring  
11 program now.

12 THE CHAIRPERSON: Thank you. I'll go  
13 back to our expert, Mr. Kaufman (phonetic), I believe  
14 that's his last name.

15 MR. PETR KOMERS: Petr Komers, Mr.  
16 Chairman. Just one (1) last question. The monitoring is  
17 fine and I'm aware of your draft monitoring program.  
18 What we are missing there though is some of the ideas of  
19 how -- let's say, if you measure an effect that was or  
20 was not expected, how would you mitigate that? What kind  
21 of adaptive management would you take?

22 And I wonder if you can comment briefly on  
23 what options you would have to alleviate any potential  
24 effects on -- on wetland throughout the river system?

25 THE CHAIRPERSON: Thank you very much.



1 I'm going to go to Deze Energy Corporation.

2 MS. LINDA ZURKIRCHEN: Linda Zurkirchen.

3 The -- the way we project -- predict to doing this is  
4 that the changes in the hydrology, aside from Trudel  
5 Creek, which will experience a fairly abrupt change  
6 within a short amount of time in terms of the -- the  
7 quantity of flow to that system, the rest of the  
8 hydrology will change on a relatively short -- it's a  
9 relatively small amount of change to the hydrology.

10 There's a change in the controls at  
11 Nonacho Lake, but there is not a large change in how the  
12 fluctuations of water are going to occur throughout the  
13 system. So the way we've looked at this, is to target  
14 the areas that we anticipate would see the greatest  
15 amount of change in the shortest amount of time and focus  
16 our monitoring on those sites, so that if a change in the  
17 system is going to occur, we would see it the earliest  
18 and we would be able to react to that and move that  
19 forward into other areas; that we may expect that change  
20 to occur in other areas over a longer duration of time,  
21 and, in that case, monitor the need for management or  
22 mitigation in that there may be change, but this may not  
23 necessarily be a negative effect on the wetland.

24 It may just be a transition, which is what  
25 they -- what we're predicting in the DAR, transition of

1 the wetland into a different zone within the shoreline.

2 And, in this case, mitigation may not be  
3 required. It may just be a monitoring program to ensure  
4 that the transition is indeed occurring and -- and  
5 occurring at a pace that supports the ecology of the --  
6 of the Taltson River or Trudel Creek.

7 THE CHAIRPERSON: Thank you. I'm going  
8 to go back to our experts again.

9 MR. PETR KOMERS: Thank you, Mr.  
10 Chairman. This is all my questions.

11 MR. ALAN EHRLICH: Mr. Chairman, it's  
12 Alan Ehrlich here. We do have one (1) final expert who  
13 has some questions, and after that that would conclude  
14 the Review Board's experts.

15 MR. RICHARD BROWNE: Hello, my name is  
16 Richard Browne, chief technical consultant to the Board.  
17 I have two (2) questions, one of -- to do with the  
18 alternative spillways and Taltson Dam and -- and another  
19 on geo-technical permafrost issues along the transmission  
20 line. So I'll start with the issue of the spillways,  
21 which Mr. Stewart and Petr have somewhat talked about  
22 before.

23 In the -- there's a table 1, page 52 of  
24 the Deze October Commitments and it provides information  
25 on five (5) alternatives considered in providing a bypass

1 spillway to direct water flow in the even of a plan or  
2 unplanned shutdown of the Taltson generating facilities.

3           The options considered reduce water  
4 discharges to Trudel Creek by varied amounts, thereby  
5 reducing environmental impact. Deze is currently  
6 proposing a small bypass spillway, about 30 cubic metres  
7 per second, to the South Gorge, which offers only a  
8 portion of the flow from a generating unit shutdown.  
9 Deze gives this option the highest benefit cost ratio and  
10 a low cost.

11           Two (2) other options were reported to  
12 have moderate benefit cost ratios. These were a  
13 controlled intermediate sized bypass spillway into the  
14 South Gorge for 75 to 150 cubic metres per second of  
15 flow, and this is given a high cost, and a controlled  
16 bypass spillway leading from the power canal to beneath  
17 Elsie Falls, or near there, for 30 cubic metres per  
18 second of flow and a low cost.

19           The final option of -- of five (5) in  
20 total was a flow bypass through the powerhouse, with a --  
21 a low cost. It's noted that the intermediate size  
22 spillway would have the capability, it appears, to offset  
23 the flow of one (1) complete generating unit on outage  
24 and startage and re-startage. Therefore, this larger  
25 capacity spillway would sch -- have scheduled shutdowns

1 having limited impact on Trudel Creek.

2                   Ultimately the question I'd like to ask,  
3 is in the table of spillway options, three (3) of them  
4 all indicate that -- the last three (3) of them all  
5 indicate 30 cubic metres of -- per second flow capacity.  
6 That's for the small spillway that bypass canal and the  
7 powerhouse.

8                   Why is the same flow capacity indicated  
9 for these three (3) different technical solutions?

10                   THE CHAIRPERSON: Thank you for your  
11 question. Going back to Deze Energy Corporation.

12                   MR. TOM VERNON: Tom Vernon, Deze. Okay,  
13 the question is why are the -- why did we look at three  
14 (3) different configurations of a spillway or a release  
15 facility at -- at the Twin Gorges' site for 30 cubic  
16 metres per second.

17                   30 cubic metres per second comes about as  
18 a, basically, a minimum flow of record in the Taltson  
19 River below Twin Gorges and is also, we think, why the  
20 existing water licence supports a flow of about, I  
21 believe it's 28 cubic metres per second, at that same  
22 location.

23                   Currently that's not necessarily what  
24 happens, and we viewed sustaining the minimum flow, and  
25 certainly the water licence minimums, as -- as something

1 we could certainly incorporate, and 30 cubic metres per  
2 second was viewed as a -- a viable minimum flow to  
3 support downstream habitat. And we looked then at  
4 various scenarios, purely from a technical viewpoint,  
5 what would be best, in terms of releasing 30 cubic metres  
6 per second from the facility, and that -- that's --  
7 that's where that arose.

8                   And those are all technically feasible,  
9 but as we've put in the stable here, have -- delivered  
10 different levels of benefit and not a particularly  
11 different levels of cost. We -- we chose to proposed the  
12 one that delivered the best benefit.

13                   THE CHAIRPERSON: Thank you. I'm going  
14 to go back to our expert, Mr. Browne.

15                   MR. RICHARD BROWNE: Yes, Richard Browne  
16 here. I guess, therefore, can an increased flow capacity  
17 be achieved for some, or all, of the three (3) low cost  
18 options that you've provided to, you know, 40, or 50, or  
19 -- or more cubic metres per second?

20                   THE CHAIRPERSON: Thank you. Deze Energy  
21 Corporation?

22                   MR. TOM VERNON: Tom Vernon. Yes, at --  
23 at cost.

24                   THE CHAIRPERSON: Thank you. Mr. Browne?

25                   MR. RICHARD BROWNE: Richard Browne,

1 again. So, therefore, as a means to reduce ramping flows  
 2 in Trudel Creek, is it technically possible to use a  
 3 combination of the low cost spillway options, to permit  
 4 the passing of the flow from the shutdown of one (1) of  
 5 the new generating units for scheduled maintenance? I  
 6 believe that capacity would be someplace in the order of  
 7 80 cubic metres per second.

8 THE CHAIRPERSON: Thank you. Deze Energy  
 9 Corporation?

10 MR. SHANE UREN: Shane Uren, Deze Energy  
 11 Corp. Yes, it's possible, and it's de -- definitely  
 12 technically possible, and that's why we -- we concluded  
 13 from our assessment there of various alternatives to the  
 14 size of the South Gorge spillway.

15 But what we looked at and what is  
 16 presented and shown in the -- in the developer's  
 17 assessment report, is that a spillway at the South Gorge  
 18 of 30 cubic metres per second will not cause significant  
 19 impacts, environmental impacts, in Trudel Creek -- in  
 20 Trudel Creek, excuse me, and, therefore, the project was  
 21 put forward with a South Gorge spillway of a capacity of  
 22 a 30 cubic metres per second. And the environmental  
 23 impacts associated with that are presented and were  
 24 deemed not significant from our assessment of the -- of  
 25 the project.

1 THE CHAIRPERSON: Thank you. I'll go  
2 back to Mr. Browne.

3 MR. RICHARD BROWNE: Richard Browne,  
4 again. Could you clarify that? I didn't quite  
5 understand. You're saying that the 30 cubic metre per  
6 second flow is desired over a higher flow for Trudel  
7 Creek? Could you clarify for me?

8 THE CHAIRPERSON: Thank you. Deze Energy  
9 Corporation?

10 MR. SHANE UREN: Yeah, Shane Uren, Deze.  
11 Once we did our assessment of various sizes of -- of  
12 bypass spillways, we -- we looked at cost and we -- we  
13 then looked at the environmental impact associated with  
14 the various sizes.

15 What we presented in the DAR was the  
16 preferred size and the resulting environmental effects  
17 with that size. And the resulting environmental effects,  
18 with a 30 cubic metres per second bypass spillway, were  
19 deemed not significant environmental effects.

20 THE CHAIRPERSON: Okay, thank you. Mr.  
21 Browne?

22 MR. RICHARD BROWNE: Richard Browne  
23 again. I hear what you say. So, I guess there -- that's  
24 where there may be some difference in opinion between the  
25 -- the experts for the Board here and -- and their

1 concerns with environmental impacts in Trudel Creek. So,  
 2 I guess, ultimately, that isn't resolved, and -- and one  
 3 (1) of the options that might be available would be to  
 4 increase the capacity of the flow through the Taltson  
 5 area, through one, (1) or a combination of options, to --  
 6 to reduce that flow.

7 So, I guess, the idea is that something  
 8 that Deze would consider further studying and possibly  
 9 committing to increasing that flow in the spillway  
 10 capacity in -- in the detailed design of the facility.

11 THE CHAIRPERSON: Thank you. Deze  
 12 Energy Corporation?

13

14 (BRIEF PAUSE)

15

16 MR SHANE UREN: Shan Uren, Deze. Through  
 17 the -- this process, through discussions with the Board's  
 18 technical experts, through the technical sessions, the  
 19 sidebar meetings, we have not been advised that -- of  
 20 significant -- of significant -- of a difference of view  
 21 in terms of significance impact -- significant impact,  
 22 from the project as currently presented. And we've been  
 23 moving forward with the project and with monitoring and  
 24 additional baseline studies as needed, to present and  
 25 implement a robust management -- or monitoring program.



1                   We -- we are open to suggestions of  
2 additional mitigation, or other mitigation, or -- or the  
3 like, for the project, but we haven't been presented with  
4 an opinion of a significant effect from the project, from  
5 the technical experts, from the parties, from the  
6 agencies, and we've been moving forward with refining our  
7 monitoring plan.

8                   THE CHAIRPERSON:     Thank you.  Mr.  
9 Browne?

10                  MR. RICHARD BROWNE:   Richard Browne,  
11 again.  Yeah, thank you very much for that comment.  And  
12 if possible, I have another question to ask about the  
13 transmission lines, and permafrost, and geo-technical  
14 matters.

15                  The question on this is, an extensive  
16 network of hydro transmission lines, approximately 700  
17 kilometres in length, is to be constructed across  
18 wetlands, river valleys, areas underlaid by permafrost,  
19 and other potentially sensitive areas, valley slopes, and  
20 substantial overburden may be present in some areas,  
21 however limited information is currently available.

22                  Deze has provided general statements  
23 indicating that they will attempt to minimize impacts to  
24 the land during construction and operation of the hydro  
25 electric facilities.  However the draft environmental

1 monitoring plan, and other Deze documents, makes limited  
2 reference to assessing and monitoring impacts related to  
3 permafrost disturbance, slope stability, and restoration  
4 of some of these areas.

5 My question I guess is that: Will Deze  
6 commit to completing a thorough review along the  
7 transmission line routes, access routes, and at the  
8 structure sites, et cetera, of areas of potential  
9 significant geotechnical related concern, including  
10 permafrost degradation and slope stability?

11 THE CHAIRPERSON: Thank you, Mr. Browne.  
12 I'm going to go back to Deze Energy Corporation.

13 I'll -- as well before they go on, do we  
14 also have -- I mentioned earlier that we had sandwiches  
15 here, in case people hadn't had a chance to eat. So, the  
16 food's over here, so feel free to go grab yourself a  
17 sandwich here. And I'm going to continue on here with  
18 Deze Energy Corporation.

19 MR. TOM VERNON: Tom Vernon. If I want a  
20 sandwich, can I get out of this question? I'll take that  
21 as, no.

22 That's a good question, Richard. Thank  
23 you. I think we've touched on this topic before in the  
24 technical sessions. Certainly, it -- it's in no one's  
25 interest to have geotechnical instabilities in, either

1 the construction phase, or in long term operations of the  
2 transmission line, or any of the other facilities.

3 We're fortunate, I guess, in the routing  
4 to have a great deal of very sound shield rock to  
5 construct most of the towers on, and that will be sought  
6 out, obviously, as -- as much of that as -- as we can,  
7 given the probable tower configuration.

8 We've recently undertaken an extensive  
9 LIDAR and photo survey of the entire corridor, which  
10 provides a desktop opportunity to develop design to  
11 specifically avoid wetlands. And the photos offer a good  
12 way of identifying ice wedge areas and other less  
13 desirable and -- and higher maintenance, and potentially  
14 higher impact areas.

15 So I'm -- I'm sure I -- I'm not speaking  
16 here for the final design group, which would be done by --  
17 - by others, but it will be in everybody's interest to --  
18 to avoid the areas first, and, certainly, as we go  
19 through these areas, and do -- do put the line in, that  
20 those baseline conditions are identified. And if they're  
21 expected to be problematic in the future, then a proper  
22 observation and -- and monitoring plan wou -- would be  
23 put in place.

24 THE CHAIRPERSON: Thank you. I'll go  
25 back to Mr. Browne.

1 MR. RICHARD BROWNE: Richard Browne.  
2 Yes, thank you very much for that, and we look forward to  
3 monitoring of the route by some qualified geotechnical  
4 people. Thank you very much.

5 THE CHAIRPERSON: Okay. Order of  
6 questions, I -- so I believe this concludes the questions  
7 for legal counsel, staff, and experts. Am I correct on  
8 that?

9 MR. JOHN DONIHEE: Yes, Sir.

10 THE CHAIRPERSON: Thank you, Mr. Donihee.  
11 Okay. So I want to go to questions from  
12 the public. Any questions from the public for the  
13 presenters?

14 Okay, none. I'm going to go, quickly,  
15 just to my left -- to my right on my Board Members, and  
16 then we're going to back on the agenda here.

17 So to my far left, I want to go to Mr.  
18 John Ondrack, Board Member.

19 MR. JOHN ONDRACK: John Ondrack, Board  
20 Member. I have no questions at this time. Thank you.

21 THE CHAIRPERSON: Thank you. Mr. Fred  
22 Koe?

23 MR. FRED KOE: No questions.

24 THE CHAIRPERSON: Mr. Peter Bannon?

25 MR. PETER BANNON: No questions.

1 THE CHAIRPERSON: Thank you. Mr. Darryl  
2 Bohnet?

3 MR. DARRYL BOHNET: No questions.

4 THE CHAIRPERSON: Mr. Danny Bayha? One  
5 (1) question.

6 MR. DANNY BAYHA: Thank you. Danny Bayha,  
7 Board Member. In terms of your -- your monitoring plans,  
8 and you have -- in your presentation, you have draft  
9 environmental monitoring plans. I'm interested as to how  
10 long after your construction phase your done, and your  
11 operational phase, you anticipate this monitoring plans  
12 and -- and hiring an environmental monitor to continue.

13 Would it be for the life of the project or  
14 is -- it'll be into the future? So I'm just interested  
15 in if you had any thoughts on that. Thank you.

16 THE CHAIRPERSON: Thank you, Mr Bayha.  
17 Deze Energy Corporation?

18 MR. SHANE UREN: Shane Uren, Deze Energy  
19 Corporation. Deze will implement monitoring and continue  
20 to do so for as long as necessary, to manage and track,  
21 and monitor potential effects, and -- excuse me, and  
22 verify the predictions outlined in the developer's  
23 assessment report.

24 THE CHAIRPERSON: Thank you. Mr. Bayha?

25 MR. DANNY BAYHA: Thank you. I just have

1 a follow-up question.

2                   So -- and -- and once you have some of the  
3 more baseline data and -- and try to fill up some of the  
4 uncertainty that you mentioned in your presentation,  
5 would that be a way -- I mean, I -- I guess the question  
6 will be how would you share that information with the  
7 communities or affected parties that are -- will be  
8 affected by some of the changes had you found, or...?

9 Thank you.

10                   THE CHAIRPERSON: Thank you, Mr. Bayha.  
11 Deze Energy Corporation?

12                   MR. SHANE UREN: Shane Uren, Deze. Oh,  
13 we anticipate that through the subsequent phases of the  
14 regulatory process, that conditions and measures will be  
15 put in place, jointly, to inform the communities and keep  
16 them aware of what's going on with the project through  
17 construction, through operations.

18                   And if changes are to be made in  
19 monitoring, or effects identified and, therefore,  
20 adaptive management measures implemented, then we  
21 anticipate, and would encourage, the involvement of the  
22 communities that to notify -- the communities of -- of  
23 any changes.

24                   THE CHAIRPERSON: Okay, thank you. Any  
25 further questions, Mr. Bayha?

1 MR. DANNY BAYHA: No further questions.

2 Thank you.

3 THE CHAIRPERSON: Thank you, Mr. Bayha.

4 I'm going to go to Mr. Percy Hardisty, Board Member.

5 MR. PERCY HARDISTY: No questions, Mr.

6 Chair.

7 THE CHAIRPERSON: Thank you, Mr.

8 Hardisty. I'm going to go to Mr. Jerry Loomis.

9 MR. JERRY LOOMIS: I have no questions at  
10 this time.

11 THE CHAIRPERSON: Very good. Thank you  
12 very much, ladies and gentlemen, for your input and or  
13 what -- questions. We'll take a five (5) minute break  
14 and we'll get the GNWT to set up, and we'll start in five  
15 (5) minutes. Thank you.

16

17 --- Upon recessing at 2:30 p.m.

18 --- Upon resuming at 2:40 p.m.

19

20 THE CHAIRPERSON: Next on the agenda we  
21 have the GNWT presentation.

22

23 (BRIEF PAUSE)

24

25 THE CHAIRPERSON: Okay. We'll continue

1 on with the agenda here. I want to turn the floor over  
2 to the GNWT. Again, if you can, just state your name and  
3 who you represent and for that have hearing problems like  
4 myself here, if you could speak up a little bit louder.  
5 Thank you.

6

7 (BRIEF PAUSE)

8

9 PRESENTATION BY GNWT:

10 MS. LORRETTA RANSOM: Good afternoon, Mr.  
11 Chairman, Board Members, staff, and experts. My name is  
12 Lorretta Ransom. I'm an environmental assessment analyst  
13 with the Government of the Northwest Territories. I co-  
14 ordinate GNWT input into environmental assessments.

15 I'm joined today by Van Adamczewski. He  
16 is the ungulate wildlife biologist for the Department of  
17 Environment and Natural Resources. We also have Kris  
18 Johnson who is a senior policy analyst of Aboriginal  
19 Relations and Resource Development, with Industry,  
20 Tourism and Investment. We have Glen Mackay, he's the  
21 assessment archaeologist with the Prince of Wales  
22 Northern Heritage Centre, with the Department of  
23 Education, Culture and Employment. And we're here today  
24 to provide our final comments on the Deze Energy Corp.,  
25 Taltson Hydro Electric Expansion Project.



1                   Since the release of the developer's  
2     assessment report in March of 2009, the GNWT has attended  
3     technical sessions, participated in Information Request  
4     process, in addition to the technical report phase.  
5     We've had meetings with Deze Energy Corp.  
6     representatives, as encouraged by the Review Board, and  
7     have provided a develop -- a document summarizing those  
8     meetings which is posted on the Public Registry.

9                   Based on the information reviewed, some  
10    issues pertaining to GNWT departments were brought  
11    forward in the analytical phase. Today our presentation  
12    will briefly cover the primary issues within our mandate,  
13    including wildlife, employment and economic development,  
14    and archaeological resources.

15                  With regards to archaeological resources,  
16    the developer's assessment report provides a  
17    comprehensive approach to the protection and management  
18    of archaeological resources. The components of this  
19    approach include avoiding known archaeological resources,  
20    completing archaeological impact assessments of areas  
21    likely to contain unrecorded archaeological resources.  
22    The Proponent has completed impact assessments of the  
23    project footprint.

24                  Components also include monitoring the  
25    condition of know archaeological sites near the project

1 footprint, providing a manual for recognizing heritage  
2 resources to construction crews, and preparing a  
3 Mitigation Plan outlining the appropriate measures to be  
4 undertaken in the event previously unrecorded  
5 archaeological resources are discovered during the  
6 construction of the project, and distributing it to the  
7 appropriate people such as contractors and surveyors.  
8 The GNWT is confident that the approach outlined in the  
9 developer's assessment report will provide effective  
10 management of archaeological resources.

11                   The possibility of impacts to  
12 archaeological sites through increased erosion due to  
13 changes in the hydrology regime associated with the  
14 project was discussed with the Proponent. It was  
15 determined to be an invalid pathway for effects on  
16 archaeological resources.

17

18                   (BRIEF PAUSE)

19

20                   MS. LORRETTA RANSOM: In our initial  
21 discussions with the Proponent at the first technical  
22 session and in our Information Request drafted in June  
23 2009, we raised several issues regarding wildlife.

24                   1. The potential for increased harvester  
25 activity as a result of increased access to the project

1 area.

2 2. The uncertainty of behaviour --  
3 behavioural reaction of barren-ground caribou -- caribou  
4 to the transmission line on the open barren lands.

5 3. Why certain available data and  
6 information was not used or referenced during evaluation  
7 of the potential project effects on caribou, and why a  
8 rare plant -- a rare plant survey was not conducted as a  
9 part of the species at risk evaluation.

10 In response to our issues and similar  
11 issues raised by others, Deze Energy has committed to  
12 work with the GNWT and other parties to finalize an  
13 environmental monitoring program, a human wildlife  
14 conflict management plan, and other relevant plans and  
15 programs.

16 The GNWT also received a request for  
17 additional information on December 16th, 2009, from the  
18 Review Board. The Board recognized information gaps  
19 related to potential effects of pro -- the project on  
20 caribou, in relation to the issues raised by the GNWT  
21 throughout the EA process. Our response was provided to  
22 the Review Board yesterday and we believe that it  
23 addresses the gaps identified by the Board.

24 GNWT's initial issue regarding employment  
25 and economic development for questions around Northwest

1 Territories business and procurement opportunities and  
2 the implementation details on Deze's NWT business policy:

3 Through correspondence between the GNWT  
4 and Deze, in addition to information provided during the  
5 technical sessions, greater clarity was provided on the  
6 Proponent's original commitments.

7 Deze had committed to submitting their  
8 final draft business employment training policy framework  
9 to the public registry in time for this public hearing.  
10 They have done so and this satisfies those requirements  
11 of the GNWT.

12 Furthermore, Deze has also agreed to  
13 provide a -- provide final numbers on employment and  
14 procurement for the project prior to construction. The  
15 GNWT's satisfied that the commitments made by Deze will  
16 enhance the employment and economic benefits of the  
17 Taltson expansion project for residents of the NWT.

18 The GNWT's confident the majority of its  
19 issues with the Taltson hydroelectric expansion project  
20 have been addressed through monitoring and mitigation  
21 measures outlined in the developer's assessment report,  
22 draft plans, programs, and commitments made in technical  
23 sessions and undertakings, including Deze's commitments  
24 document, and meetings, or discussions, that we've had  
25 with the Proponent. There are no outstanding issues

1 related to the protection and management of archeological  
2 sites. Wildlife issues will continue to be addressed  
3 with the Proponent, as it develops -- as they develop  
4 plans and programs for the regulatory phase.

5 We will rely on the monitoring and  
6 mitigation measures and commitments to ensure the project  
7 will proceed in a manner that is satisfactory to the  
8 GNWT. This ends our short presentation for today and we  
9 welcome any questions that you may have. Thank you.

10

11 QUESTION PERIOD:

12 THE CHAIRPERSON: Thank you for your  
13 presentation. I'm going to go to the order of questions  
14 from the people that are here.

15 I want to go to Lutsel K'e Dene First  
16 Nation. Do you have questions for the GNWT on their  
17 presentation?

18

19 (BRIEF PAUSE)

20

21 THE CHAIRPERSON: Sure, go ahead, Charlie  
22 Catholique. Okay, hang on a second.

23 MR. CHARLIE CATHOLIQUE: Good afternoon.  
24 My name is Charlie Catholique. I'm from Lutsel K'e. We  
25 don't have any question for -- at this time. Thank you.

1                   THE CHAIRPERSON:   Thank you, Charlie  
2   Catholique, from Lutsel K'e. Mahsi.

3                   Moving on to Parks Canada --

4                   MS. TRACEY WILLIAMS:   Excuse me, Chair, I  
5   apologize, I do have one (1) question for --

6                   THE CHAIRPERSON:   Okay. Please, proceed  
7   with your question.

8                   MS. TRACEY WILLIAMS:   This is Tracey  
9   Williams, Lutsel K'e Dene First Nation. I had one (1)  
10   question regarding use of terminology in your  
11   presentation regarding pathway. I think you said  
12   "pathway" -- "invalid pathways," regarding the  
13   hydrological regime and archaeological sites that may be  
14   negatively impacted, for instance, shoreline  
15   archaeological sites. If you could just expand upon that  
16   use of pathway -- invalid pathways. Thank you.

17                  THE CHAIRPERSON:   Thank you for your  
18   question. I'll go back to the GNWT.

19                  MR. GLEN MACKAY:   Glen Mackay, from the  
20   Prince of Wales Northern Heritage Centre, GNWT.

21                  The -- the statement that we made  
22   regarding the potential for erosion to archaeological  
23   sites, basically we're saying that we don't think that  
24   there's -- there's a -- we think that there's minimal  
25   risk of that happening. We determined that through

1 discussions with the Proponent.

2 I think the -- the key reasons are that  
3 we're not going to see a major change to the hydrology  
4 regime of the Taltson River, and that we're not going to  
5 see a great amount of new flooding. A lot of the local  
6 geology is -- is bedrock, so we won't see a lot of  
7 erosion of sediments that may contain archaeological  
8 deposits. And then in the case of the -- of Trudel  
9 Creek, I think erosion potential will be -- will be  
10 reduced based on in general reduced water flow.

11 So we concluded, based on our discussions  
12 with the Proponent, that erosion of archaeological sites  
13 through changes in the hydrology regime is a minimal risk  
14 in the context of this project. Thanks.

15 THE CHAIRPERSON: Thank you. Another  
16 question to Lutsel K'e.

17 MS. TRACEY WILLIAMS: Thank you. Tracey  
18 Williams, Lutsel K'e Dene First Nation. Concerning  
19 minimal impacts then, will -- will there be, for  
20 instance, Trudel Creek, a recovery, a reconnaissance of  
21 some measure, for that archaeological area?

22 THE CHAIRPERSON: Thank you, Tracey  
23 Williams. I'm going to go to GNWT.

24 MR. GLEN MACKAY: Thank you. Glen  
25 Mackay, Prince of Wales Northern Heritage Centre. I

1 don't believe that -- that the Trudel Creek area was  
2 looked at, specifically, sharing the archaeological  
3 impact assessment, in that there was no -- that there was  
4 no new major infrastructure or ground disturbance  
5 expected to happen in that area.

6 So I don't think that that area was looked  
7 at specifically in the impact assessment, but we don't  
8 expect any new impacts from the project in that area.

9 THE CHAIRPERSON: Okay. Thank you. Any  
10 further comments or more questions from Lutsel K'e?  
11 None? Very good. Thank you.

12 I'm going to move on to Parks Canada. Any  
13 questions for the GNWT presenters?

14 MS. WENDY BOTKIN: No questions at this  
15 time.

16 THE CHAIRPERSON: Very good. Thank you  
17 very much. Moving on to DFO, questions to the presenter?

18 MR. BRUCE HANNA: No questions, thank  
19 you.

20 THE CHAIRPERSON: Thank you. Moving on  
21 to Environment Canada. Any questions to the presenter?

22 MS. LISA PERRY: No questions.

23 THE CHAIRPERSON: Thank you. I'm going  
24 to go to Deninu K'ue First Nation. Any questions to the  
25 presenter?



1 MR. ROBERT SAYINE: No.

2 THE CHAIRPERSON: Thank you. Robert  
3 Sayine, former Chief of Deninu K'ue? Mahsi.

4 We're going to move on to Fort Resolution  
5 Metis Council. Any questions to the presenter?

6 MR. ARTHUR BECK: Actually, I didn't want  
7 to ask any questions today, because all -- most of our  
8 questions is going to be in our presentation done  
9 tomorrow. But since you gave me the mic I'll have to  
10 throw one out there.

11 Well, when you guys were in that area, has  
12 anybody checked into the natural lake, historical sites,  
13 and archeological sites, and burial sites before this all  
14 took place? Thank you.

15 And, also, maybe -- I haven't heard  
16 anything in the presentation about the water. I haven't  
17 heard anything about the water, no sampling a lot of the  
18 mercury levels in the water -- or in mineral sampling so  
19 far. Thank you.

20 THE CHAIRPERSON: Thank you, GNWT. Mr.  
21 Mackay?

22 MR. GLEN MACKAY: Glen Mackay, Prince of  
23 Wales Northern Heritage Centre. The archeologist hired  
24 by the Proponent to conduct the archeological impact  
25 assessment of the project, they did look at the Nonacho

1 Lake control structure and some of the -- the camp and  
2 laydown areas in that area as well, and they determined  
3 that those areas weren't in conflict with any  
4 archeological sites. And archeological sites -- known  
5 archeological sites in the area of Nonacho Lake will be  
6 avoided by the project. Thank you.

7 THE CHAIRPERSON: Thank you. Any further  
8 comments or questions from Fort Resolution Metis Council?

9 MR. ARTHUR BECK: Actually, I probably  
10 don't have any more questions. But, yeah, I guess the  
11 old sites are all under water now, so I guess there  
12 wouldn't be any more damage. Thank you.

13 THE CHAIRPERSON: Okay, thank you.  
14 Moving on to the Carter family, questions for the  
15 presenter? Please proceed. State your name.

16 MR. DEAN CARTER: Dean Carter. In the  
17 1970s there was an archeologist by the name of Dr. Bryan  
18 Gordon who ended up, as I recall, with the Civilization  
19 of Man in Ottawa, and he did a fair bit of archeological  
20 work in the natural and Thelon areas. He's one that we  
21 know of.

22 I was just wondering, like, where the  
23 transmission line goes and the work goes, is the Heritage  
24 Centre or the Government aware of other archeological  
25 studies that have been concluded, or even the one (1)

1   that we've mentioned? Have you attempted to get in  
2   contact with the archeologists to see if they could maybe  
3   add some helpful information so that these places could  
4   be protected?

5                   THE CHAIRPERSON:   Thank you, GNWT. Mr.  
6   Mackay?

7                   MR. GLEN MACKAY:   Thank you. Glen  
8   Mackay, Prince of Wales Northern Heritage Centre. That -  
9   - that's right, Brian Gor -- Gordon did quite a lot of  
10  archeological inventory in the Nonacho Lake area, as well  
11  as a broader area of the upper Thelon.

12                   The other sort of major locus of  
13  archeological research has been associated with the  
14  diamond mines, so there's quite an extensive  
15  archeological record, or database, of archeological sites  
16  that were recorded during the diamond mine processes, and  
17  then do the impact assessment of the transmission line  
18  and -- and infrastructure associated with this project.

19                   The archeologist was -- archeologist  
20  involved recorded nine (9) new archeological sites, as  
21  well. From the report of the archeological impact  
22  assessment, as the footprint -- the footprint was  
23  assessed, at this point, all of the sites can be avoided  
24  by the project. Thanks.

25                   THE CHAIRPERSON:   Thank you. Carter

1 family, any further questions?

2 MS. JEAN CARTER: Yes, I have one (1).

3 Jean Carter. I've noticed one (1) word used fairly  
4 freely this afternoon, and that was the word  
5 "monitoring". So I'm wondering how you intend to monitor  
6 this.

7 This is just not a little jot north of  
8 Yellowknife on the In -- Ingraham Trail, or the ice road,  
9 but Nonacho Lake is a fair ways from here, accessible  
10 only by air, so how do you intend to monitor this?

11 THE CHAIRPERSON: Thank you, Jean Carter.  
12 I'm going to go back to the GNWT. Mr. Mackay...?

13 MS. LORRETTA RANSOM: Thank you. This is  
14 Lorretta Ransom. I hope I can answer your questions.

15 With respect to monitoring, we do intend  
16 to, I guess, monitor through Deze's monitoring. So they  
17 will be required as part of their monitoring plans and  
18 programs to collect certain information and report on it.  
19 It'll maybe be annually, or monthly, or I'm not sure, but  
20 -- so that's how we intend to monitor or keep an eye on  
21 their monitoring, as well as keeping regular contact with  
22 them.

23 THE CHAIRPERSON: Thank you. Now that  
24 was the final question for the Carter Family. I'm going  
25 to go to INAC. Questions to the GNWT presenters?

1 MR. MARK LANGE: Mark Lange, no  
2 questions.

3 THE CHAIRPERSON: Thank you. Transport  
4 Canada, questions to the presenter?

5 MS. SOPHIA GARRICK: Sophia Garrick,  
6 Transport Canada. We don't have any questions.

7 THE CHAIRPERSON: Thank you. I'm going  
8 to go back to Deze Energy Corporation and questions to  
9 the presenters of the GNWT Government.

10 MR. DON BALSILLIE: Thank you, Mr.  
11 Chairman, no questions from us.

12 THE CHAIRPERSON: Okay, thank you. I  
13 want to go to MVEIRB legal counsel, Mr. Donihee. Any  
14 questions from experts and staff and legal counsel?

15 MR. JOHN DONIHEE: I have a couple of  
16 questions, Mr. Chairman. It's John Donihee. And I  
17 believe that's all there will be from us.

18 THE CHAIRPERSON: Very good. Proceed.

19 MR. JOHN DONIHEE: I want to come back  
20 to the caribou issue with the folks from GNWT. And the  
21 first question I have is whether or not the Government,  
22 considering the state of herds and the wide scale closure  
23 north of the lake now, whether GNWT has any concerns  
24 about demand for caribou, in particular, to be displaced  
25 south of the lake and into the area, given the new access

1     that may be created?

2                     THE CHAIRPERSON:     Thank you, Mr. Donihee.  
3     Government of Northwest Territories?

4                     MR. VAN ADAMCZEWSKI:     Van Adamczewski,  
5     with GNWT ENR.   It's a valid question from Mr. Donihee,  
6     and I think, overall, our perception or experience is  
7     that areas that are accessible by roads that trucks can  
8     drive on, those tend to be the places that attract a lot  
9     of hunters and where you see a lot of traffic.   Areas  
10    that are typically only accessible by skidoo, especially  
11    at long distance, you typically don't see as many hunters  
12    using them.

13                    We also understand, from one of our  
14    wildlife officers, that there are existing trap line  
15    trails from Fort Resolution and Lutsel K'e, so there is  
16    already some trail access to the areas that would be  
17    along the transmission corridor.

18                    So with the gate and the fence and the  
19    patrolled winter road, we wouldn't expect normally to see  
20    a huge volume of hunter traffic up that road.   But, I  
21    talked with Susan Fleck our director, and if there's a  
22    need for it we could put in a check station.   If there  
23    are reports from the Deze monitors of a lot of traffic or  
24    hunting, one of our wildlife officers would be -- would  
25    be there fairly quickly.   And if need be, we could

1 establish a no hunting corridor on the transmission line,  
2 or on the winter road if that's needed.

3 THE CHAIRPERSON: Thank you. We'll go  
4 back to Mr. Donihee. This is your second question, so  
5 you had a couple of questions, so I presume this is your  
6 final question?

7 MR. JOHN DONIHEE: Yes, thank you, Mr.  
8 Chairman. John Donihee.

9 I guess my sense, in relation to the  
10 answer to the last question, and on the basis of Ms.  
11 Ransom's answers to previous questions, is that the  
12 GNWT's approach, and I just want to confirm this I guess,  
13 because in your answers to the Board's questions filed  
14 yesterday and the answer just given, you're simply  
15 suggesting that a check station could be set up. You're  
16 not -- it doesn't seem to indicate that the GNWT has any  
17 actual plans to do anything beyond relying on information  
18 that might be provided by Deze Energy.

19 So is that a fair assessment of the GNWT's  
20 current position, that you're just going to let this go  
21 and see what results from the environmental monitoring  
22 that's undertaken by Deze Energy?

23 THE CHAIRPERSON: Thank you, Mr. Donihee.  
24 Government of the Northwest Territories?

25 MR. VAN ADAMCZEWSKI: Van Adamczewski,

1 with GNWT. I think, initially, that would probably be  
 2 our approach. We would probably ask some of our wildlife  
 3 officers to do some patrols in the winter as well, as  
 4 part of the -- the areas that they check. If there is  
 5 any indication that we're getting serious numbers of  
 6 hunters, then we would probably step in with some sort of  
 7 measured response. If there isn't much of an issue, then  
 8 we probably wouldn't do much more than periodic patrols  
 9 and communication with the Deze environmental monitors.

10 But we do take the harvest and access  
 11 issue quite seriously, so if there's a need for stronger  
 12 measures, then we would certainly take those.

13 THE CHAIRPERSON: Thank you. Mr.  
 14 Donihee, any further questions?

15 MR. JOHN DONIHEE: One (1) last question,  
 16 Mr. Chairman, with your indulgence. John Donihee. I --  
 17 I note in the response to the -- the Board's questions  
 18 filed yesterday, that an indication that GNWT is -- is  
 19 committed to working with the developer to further  
 20 develop their environmental monitoring program. And --  
 21 and here I'm, although I realize that that program is  
 22 probably wider or broader than just wildlife, I'm really  
 23 focussing on the -- the wildlife component of that  
 24 program.

25 So the -- I guess there's two (2) -- two



1 (2) questions. The first one (1) is, how would -- in its  
2 work with the developer on that mo -- developing that  
3 monitoring program, how would GNWT inform and involve  
4 stakeholders in the developing of the monitoring program?

5 And, I guess, second, I'm wondering  
6 whether GNWT can advise the Board as to whether it has  
7 any thoughts about, sort of, minimum standards and  
8 thresholds, you know, what should the monitoring program  
9 look like, how should it work, what -- what basic  
10 standard, I guess, would GNWT set in order to decide that  
11 the monitoring program is acceptable from the  
12 Government's point of view.

13 THE CHAIRPERSON: Thank you, Mr. Donihee,  
14 for your final question. Government of Northwest  
15 Territories?

16

17 (BRIEF PAUSE)

18

19 MR. VAN ADAMCZEWSKI: Van Adamczewski,  
20 GNWT. You do like to ask hard questions, Mr. Donihee.

21 At this point, we don't really have a  
22 strong response or a good response to your question. It  
23 would be a matter of taking a look at the environmental  
24 program in a little more detail. And our expectation  
25 would be that if there are any indications of trouble

1 with wildlife, with hunting, with access, with any  
2 disturbance to archeological sites, then we would be  
3 engaged more and more, if -- if there's a need for that.

4 The initial design of the environmental  
5 program, I -- I guess we'll lead with Deze, and -- and  
6 work with them to try to improve it as time goes by.

7 THE CHAIRPERSON: Thank you for that.  
8 The order of questions now, that I'm going to go to the  
9 public and then to the Board. The questions are directly  
10 to the GNWT on their presentation they made here today,  
11 so, as well, this evening, we also have, from 6:30 until  
12 8:30, public has an opportunity to address the Board as  
13 well, so I wanted to remind people of that.

14 So now I'm going to go to the public. Any  
15 questions to the GNWT on their presentation?

16 Alfred Boulanger, an Elder from Dettah?  
17 For those that are here, if you have headsets, you may  
18 want to put them on. Thank you.

19

20 (TRANSLATION COMMENCES)

21

22 ELDER ALFRED BOULANGER: Good afternoon.  
23 Although we have a meeting here, I was not informed of  
24 this meeting when they first started.

25 This community is our community here. I

1 just arrived here. I don't see our Chief here, or  
2 councillors are not here. Why is that? Why is such a  
3 big important meeting, and our Chief are not here? We  
4 should be asking these people questions. This is  
5 something very important for the First Nation.

6 In order to get a good feedback from  
7 people, we need to ask questions. As Dene people, we  
8 have our way of life, our traditional values. The white  
9 people have their own values; I know what their values  
10 are.

11 Ever since I was a little child when the  
12 white people came into this land and start establishing  
13 all these things, we know the contamination they've  
14 caused and it's still happening right to today. We  
15 cannot follow in their footsteps.

16 These people that says that they found  
17 some sites, old sites, archaeological sites, these are  
18 our past ancestors that lived there. They don't know  
19 that information. By rights, as Dene people, we should  
20 be the one offering these kind of information, our way of  
21 life, where our people lived, where our ancestor lived,  
22 we should be working with them, identifying these sites  
23 with them.

24 Instead, what they're doing is doing their  
25 job on their own. I totally disagree with that area,

1 because these area is my area.

2

3 (BRIEF PAUSE)

4

5 ELDER ALFRED BOULANGER: You don't un --  
6 can't hear me, some of you? You can -- can you hear me?  
7 I speak in many languages, Slavey, Chipewyan, Dogrib,  
8 maybe even Cree. I speak all those languages.

9 As First Nations people, this is our area.  
10 We grew up on the land. I grew up on the land. When the  
11 non-Dene come into our lands, they are contaminating the  
12 land. They're contaminating the animals as well, but --  
13 but it seems like we're not speaking up on some of these  
14 issues like we should.

15 We need to come together and have a good  
16 discussion with all the leadership before this kind of  
17 big meeting happens. That way, you get all your correct  
18 information.

19 I don't see any of my relatives from this  
20 community here in this hall. I'm very disappointed to  
21 see that. Those of you that came from other communities  
22 are here. We have all these presentations, but the  
23 people of this community is not present. The Chief or  
24 counsellors are not here at all. They should be present  
25 here. Why is that?

1                   I can ask any questions because I know  
2 the land, I know the areas of this area, and I know all  
3 the areas, all the lakes. I know everyone of them right  
4 in the East Arm, around Lutsel K'e, in that area.

5                   The people travelled in that area from --  
6 people from Deninu K'ue and Fort Smith all know that area  
7 very well. They know where all the archeological sites  
8 are, the burial sites. They know all these. That's on  
9 their land. They know it. We know all this information  
10 here too. Even us, the people from this area know the  
11 sites in the barren lands into all -- where all the mine  
12 sites are. And the Behchoko people know their area too.

13                  We can't always let the non-Dene people  
14 monitor our lands. These are our lands. We should be  
15 involved in monitoring the area. And even the young  
16 people that know their area, they should be hired to do  
17 the monitoring. Why is it that the government people  
18 always doing the work? I -- I don't agree with that.

19                  Even here, there's a lot of people here.  
20 There's a lot of us that our hearts are crying because of  
21 the closure of caribou hunting. A policy was put in  
22 place without any consultation of the First Nation, and a  
23 lot of people's hearts are crying because of that. The  
24 animal -- we survive with this animal.

25                  Everyone of the Dene people survived with

1 these animals, the bear that kills people. And even the  
2 wolverine can attack people. We're supposed to protect  
3 the people from these animals. As long as I can  
4 remember, thousands of years back, the Dene people, they  
5 lived off the land and they survived on the land, so the  
6 land was a very important -- was -- is really important  
7 for them.

8 Have you ever heard of a caribou killing a  
9 human? I've never heard anything like that. So having  
10 to close this caribou hunting for the Dene people, I am  
11 very disappointed. That is a decision that was made  
12 without any consultation, which I -- I disagree with. We  
13 need to bring that issue up as well.

14 And the MLAs should know that this is not  
15 their -- their area to make a decision. They are not  
16 supposed to make that decision for us. I -- I disagree  
17 with what has happened. I was not raised with store  
18 bought food. I was raised with the animals of the land.  
19 All the Dene people were raised like that.

20 If that is closed for us, how are we going  
21 to survive? How are our people, our young people going  
22 to survive? We don't have money coming out of the bank  
23 like some of you. We don't have a steady income coming  
24 in, so they need to consider this.

25 And the -- the hydro that we're talking

1 about right now, how many years are they going to work on  
2 it? Is it going to benefit you? Are you going to become  
3 rich with this hydro, or is it the people that's only  
4 going to work on hydro is going to be the one that's  
5 benefiting financially with this project?

6 And how long would this project be? Is  
7 there an end to it? Would the First Nation benefit from  
8 it at all financially? I want you guys to think about  
9 some of these questions.

10 The most important area I see there on the  
11 map, it says that it's going through Parry Falls. That's  
12 a very spiritual site for our Dene people. No one should  
13 touch that area at all. We wouldn't allow you guys to  
14 touch that. You have to be aware of that and make sure  
15 that you don't go in that area, the spiritual site.

16 They said there's an old lady there in the  
17 water. It's a spiritual site and I don't think anyone  
18 should be allowed to work in that area. If -- if any  
19 development happens in that area, something tragic will  
20 happen. We know this was said a long time ago.

21 When we say this kind of things to the  
22 non-Dene, they don't seem to believe us because they  
23 don't believe in it, as your meeting here today.  
24 Although it's not really affecting me in this community,  
25 those that are being affected, the people of Lutsel K'e,

1 if they agree with the project, we, the people of this  
2 community, can support them if that's what they want to  
3 do.

4 We're here to support each other. If  
5 Lutsel K'e has problems with it, we will have problems  
6 with it. So I would have loved to see the Chief here.  
7 We -- we should have had more of our First Nation members  
8 here.

9 I see other First Nation members here and  
10 I'm happy to see them. I like this kind of meeting in  
11 our community, but I think it would have been nice to see  
12 our First Nations here. I just wanted to mention this.

13 I'm not disagreeing with a lot of things,  
14 but we need to be more informed of what's going on  
15 because a lot of our lands are being contaminated by many  
16 activities and the closure of caribou hunting is a big  
17 issue for us, something that you need to think about.

18 That's all I want to say for now. Marsi  
19 cho.

20

21 (TRANSLATION CONCLUDED)

22

23 THE CHAIRPERSON: Mahsi, Alfred  
24 Boulanger, Elder from Dettah. If he could put the  
25 headset on him, I want to respond to some of his



1 comments. There was really no questions to the  
2 Government of Northwest Territories' presentation.

3 But if Alfred, I'm not sure if you could  
4 hear me good, but some of your comments you've mentioned,  
5 I agree that perhaps maybe leadership should be here, and  
6 this is a public forum, so the door is open for the  
7 public to come in and listen, and participate, and ask  
8 questions.

9 Earlier this year, also, late fall, the  
10 Review Board put out notices about this Public Hearing  
11 here today. As well, people had an opportunity to become  
12 Intervenors in this process so that if they have issues  
13 or concerns, they are able to come here today and do a  
14 presentation and people could ask questions.

15 For the Yellowknife Dene First Nation,  
16 Alfred, Yellowknives Dene First Nation didn't apply to be  
17 an Intervenor. This is why they're not on the list.

18 Again, just for the record, we do have  
19 like Deze Energy, we have the Government of Northwest  
20 Territories, Lutsel K'e First Nation, Parks Canada, DFO,  
21 Environment Canada, Deninu K'ue First Nation, Fort  
22 Resolution Metis Council, the Carter Family, INAC and  
23 Transport Canada. These are the people that applied to  
24 be Intervenors here and just so I want to make note for  
25 the record that YKDFN or Akaitcho Travel Corporation

1 didn't make any Intervenor status here today.

2 But I do agree that if the Chiefs were  
3 here, I would be asking them to do welcoming comments and  
4 acknowledgement. And I just want to make mention to  
5 that, to you Alfred.

6 Although that your comments are right and  
7 we really appreciate your comments. So anyway, mahsi for  
8 that, Alfred, and you still have an opportunity to say a  
9 few words anytime as they come up and also this evening.

10 The public has an opportunity including  
11 for members of the Yellowknives Dene First Nation,  
12 anybody else out there that may have questions regarding  
13 Deze Energy Corporation application.

14 So with that I'm going to continue on to  
15 the public. Is there any comments for the GNWT  
16 presenters? Okay. None at this time.

17 I'm going to go quickly to my far left.  
18 I'm going to go to Board Member John Ondrack for  
19 questions for the GNWT presenters.

20 MR. JOHN ONDRACK: Thank you, Mr. Chair,  
21 I have no questions at this time. Thank you.

22 THE CHAIRPERSON: Thank you, Mr. John  
23 Ondrack. I'm going to go to Mr. Fred Koe.

24 MR. FRED KOE: No questions, Mr. Chair.

25 THE CHAIRPERSON: Mahsi, Fred Koe. I'm

1 going to go Mr. Peter Bannon, Board Member.

2 MR. PETER BANNON: Thank you. I have one  
3 (1) question. Peter Bannon.

4 Given the GNWT's interest and  
5 responsibilities in relation to heritage sites which  
6 includes cultural sites, what's the GNWT's view on some  
7 of the impacts or potential impacts expressed in relation  
8 to the cultural integrity for lack of a better word in  
9 relation to the Taltson Crossing?

10 THE CHAIRPERSON: Thank you, Board Member  
11 Peter Bannon. I'm going to go to the GNWT Government.

12 MR. GLEN MACKAY: Glen Mackay, Prince of  
13 Wales Northern Heritage Centre. Just as the Board knows,  
14 the Canadian Prince of Wales Northern Heritage Centre  
15 really focusses our -- our role in the land use review  
16 process and in -- in the environmental assessment process  
17 on archaeological sites as defined in the Northwest  
18 Territories Archaeological Site Regulations.

19 So basically -- I mean the key to that is  
20 that there's, you know, tangible evidence of human  
21 activity that's fifty (50) years or older. So in terms  
22 of the archaeological impact assessment, with the type of  
23 infrastructure that's been developed, you know, along the  
24 transmission line where there's towers spaced at regular  
25 intervals, what basically happened in the impact

1 assessment was the archaeologist examined those areas.  
 2 And where they found archaeological sites based on the  
 3 material evidence there, they were able to delineate the  
 4 size of that site. And -- and -- and then -- and the  
 5 Proponents committed to altering their route such that  
 6 those archaeological sites can be avoided.

7                   So, in that sort of framework of  
 8 archaeological impact assessment, you -- you sort of end  
 9 up with dots -- buffered dots on a map. So while all of  
 10 the archaeological sites that are -- are known from  
 11 before and found during the impact assessment for the  
 12 project footprint are dots on the map with a buffer  
 13 around them to facilitate avoidance during project  
 14 activities.

15                   But of course, I think we know -- I mean  
 16 we understand that, you know, a landscape of cultural  
 17 significance that's of such great importance to the --  
 18 the Dene people can't really be characterized as dots on  
 19 a map in that way.

20                   So the Prince of Wales Northern Heritage  
 21 Centre does -- does recognize that there's a cultural  
 22 impact, a potential cultural impact, if infrastructure is  
 23 -- is built close to the -- to the Lady of the Falls site  
 24 or -- or across the Lockhart River.

25                   In terms of sort of our role in assessing

1 archeological sites, we think that those impacts to  
2 archeological sites as I've defined them can be managed  
3 by the project. As for impacts to a -- to a cultural  
4 landscape, I'm not sure. We've -- we note that there's a  
5 large amount of -- of evidence on the public registry  
6 relating to the -- the spiritual significance of that  
7 area and -- and know that the Board has dealt with this  
8 issue in several prior environmental assessments and are  
9 -- are confident that they will come up with a good -- a  
10 solution that -- they'll come up with a solution in -- in  
11 the context of their mandate to -- to -- to examine and  
12 address cultural impacts to -- or impacts to the cultural  
13 environment. Thank you.

14 THE CHAIRPERSON: Thank you. I'm going  
15 to go back to questions with Peter Bannon.

16 MR. PETER BANNON: That's fine. No more  
17 questions.

18 THE CHAIRPERSON: Thank you, Mr. Bannon.  
19 I'm going to go to my right to Daryl Bohnet, Board  
20 Member.

21 MR. DARRYL BOHNET: Thank you, Mr. Chair,  
22 I have no questions at this time.

23 THE CHAIRPERSON: Okay, thank you. I'm  
24 going to go to his right, Board Member Danny Bayha.

25 MR. DANNY BAYHA: Danny Bayha, Board

1 Member. Thank you for your presentation.

2 I guess the question I have is that on --  
3 earlier you had some assessment done I -- I take it for  
4 the archeological sites. Have you used TK or First  
5 Nations' involvement in your assessment in coming to your  
6 conclusions for the -- for the development site in  
7 question? Thank you.

8 MR. GLEN MACKAY: Glen Mackay, Prince of  
9 Wales Northern Heritage Centre.

10 THE CHAIRPERSON: Thank you, Mr. Bayha.  
11 Government of Northwest Territories?

12 MR. GLEN MACKAY: Thank you. Glen Mackay,  
13 Prince of Wales Northern Heritage Centre.

14 The Proponent for the development hired a  
15 consulting archeologist to conduct the -- the work.  
16 There was community -- community engagement in -- in the  
17 participation of people from the local First Nations in  
18 the project. I think they hired a resident of Fort Smith  
19 that was familiar with -- with land use in that area.  
20 That's my understanding and I -- I think that there were  
21 consultation meetings with -- with communities prior to  
22 the archeological work being -- being conducted, but I'm  
23 not 100 percent sure on that. Thank you.

24 THE CHAIRPERSON: Thank you. Mr. Danny  
25 Bayha?



1 Bayha?

2 MR. DANNY BAYHA: Thank you. One (1)  
3 final question. In your conclusions in the three (3)  
4 bullets, the first one, it says the majority of issues  
5 have been addressed in terms of Taltson hydro expansion  
6 project.

7 Is there any outstanding ones that still  
8 hasn't been satisfactory to GNWT? Thank you.

9 THE CHAIRPERSON: Thank you, Mr. Bayha.  
10 Government of Northwest Territories?

11 MS. LORRETTA RANSOM: It's Lorretta  
12 Ransom. I guess that statement means that there is more  
13 to be completed in the regulatory phase with respect to  
14 the monitoring programs.

15 So, with respect to whether our issues  
16 have been completely -- were dealt with, we see ourselves  
17 continuing on into the regulatory phase. Thank you.

18 THE CHAIRPERSON: Thank you. Any further  
19 questions, Mr. Bayha?

20 MR. DANNY BAYHA: Thank you. That's all.

21 THE CHAIRPERSON: Thank you, Mr. Bayha.  
22 To your right, I'm going to go to Mr. Percy Hardisty,  
23 Board Member.

24 MR. PERCY HARDISTY: Marsi, Mr. Chair. I  
25 do not have any questions at this time. Marsi.



1 THE CHAIRPERSON: Thank you, Mr. Percy  
2 Hardisty. To his right, Mr. Jerry Loomis, Board Member.

3 MR. JERRY LOOMIS: I have no questions.

4 THE CHAIRPERSON: You have no questions.  
5 Okay, thank you. That concludes the presentation and  
6 questions for the Government of Northwest Territories.  
7 Up next we have Lutsel K'e Dene First Nation doing a  
8 presentation.

9 So what we'll do is we'll take a five (5)  
10 minute break and give them a chance to set up here, and  
11 we'll start in five (5) minutes. Five (5) minutes.

12

13 --- Upon recessing at 3:40 p.m.

14 --- Upon resuming at 3:53 p.m.

15

16 THE CHAIRPERSON: Up next on the agenda  
17 that I have here is a presentation from the Lutsel K'e  
18 Dene First Nation. Again, I just, you know, if the  
19 Elders are speaking or that kind of thing, I encourage  
20 everybody in the room to put their headsets on just to  
21 show them respect when they're talking.

22 And, also, when I turn the mic over to  
23 Lutsel K'e, I'll get you to do your introduction of the  
24 First Nation there for the record as well. And when  
25 people speak, if you can, say your name and who you

1 represent so that we have that for the record as well.

2 With that, I want to continue on with the  
3 presentation here, so I'm going to turn the mic over to  
4 Lutsel K'e Dene First Nation.

5

6 LUTSEL K'E DENE FIRST NATION PRESENTATION:

7 MS. TRACEY WILLIAMS: Thank you very  
8 much, Chair. We want to thank the Review Board for  
9 giving us this time to speak today. My name is Tracey  
10 Williams. I am the acting Lands and Resources Director  
11 for the Lutsel K'e Dene First Nation.

12 We are here to talk to you here today  
13 about why Lutsel K'e Dene First Nation is opposing the  
14 East Arm routing of the Taltson hydro expansion, as it is  
15 a matter of cultural survival.

16 I'm going to give you a presentation  
17 summary quickly. I'm going to speak just quickly on  
18 highlighting Lutsel K'e's main issues, and then we are  
19 going to have an all chiefs statement. The present and -  
20 - present and former chiefs of the Lutsel K'e Dene First  
21 Nation are joining together for a unified message, that  
22 the Desnedche-Kache area is off limits to industrial  
23 development.

24 Then we will have former Chief Antoine  
25 Michel give a -- give a presentation on the continuous

1 struggle for acknowledgement of this message of  
2 protection for the Desnedche-Kache area and as seeing  
3 themselves as the stewards and guardians of this area.

4 Elder George Marlowe will then come up to  
5 speak on the spiritual meaning and significance of this  
6 area. Youth Desiree Jonnasson will then speak for pe --  
7 Elder Pe -- Pierre Catholique, who is the only present  
8 living chief who is unable to join with us this evening  
9 because of health matters, and will provide the Board --  
10 the Review Board a -- the story of the Old Lady of the  
11 Falls.

12 Then Sayiz Catholique with Jake Basil and  
13 Desiree Jonnasson will give a presentation as well on the  
14 future of this area and the Lutsel K'e Dene First Nation.

15 So if we could look to the slide that I've  
16 provided which goes into essentially summarizing the  
17 points that we will review with you today. The issues  
18 with this project are as -- as the follows:

19 The proposed transmission line cannot be  
20 constructed in the Desnedche-Kache area which is  
21 Artillery Lake to Great Slave Lake.

22 This area is off limits to development, is  
23 the most important sacred and cultural site of the Lutsel  
24 K'e Dene people.

25 3. Impacts on caribou will come from

1 increased hunting access.

2 4. Proponent has not demonstrated that  
3 the East Arm route is in the public interest and reducing  
4 greenhouse gas emissions. The greenness thus unproven.

5 And 5. Impacts to wildlife from  
6 development of the Desnedche-Kache area are unacceptable.  
7 In in-depth wildlife studies, example, migratory bird  
8 studies especially in this area are mandatory.

9 So I'm showing you a map now that gives  
10 you some understanding of when I say Desnedche-Kache that  
11 you have a clear understanding of what we mean by that.

12 So I'm going to go over to the map and  
13 just clarify what we're speaking of today. The map we  
14 are using is a map that is a draft map of traditional  
15 place names, study project that we have currently  
16 underway.

17 So you'll have to forgive the fact the  
18 fact that this is a draft map. This is -- generally  
19 speaking this is the Kache area here.

20 Desnedche runs -- this is the Lockhart  
21 River and it runs all the way up to Decho which is  
22 Artillery Lake. So when we speak of this area, we are  
23 meaning from Artillery Lake to Great Slave Lake. This is  
24 the area that we are speaking of today. We want to make  
25 sure that that's clarified.

1                   As you can see this is another map and  
2 this is the Proponent's map of the exact area. And as  
3 you will notice the proposed transmission line, the East  
4 Arm route is going directly through the Desnedche-Kache  
5 area, in fact it crosses the area.

6                   So this is the problem that we have with  
7 the project. The main problem. This area is a -- is the  
8 number one (1) cultural no-go zone for developments for  
9 the Lutsel K'e Dene. The whole -- the whole length of  
10 the Lockhart River is sacred. The area doesn't embody  
11 just a few stories with symbolic hold, but the very being  
12 of the people is interwoven into this land, today, now,  
13 this minute.

14                  The power of Ts akui Theda is living here  
15 in this room as these people speak of her. At the mouth  
16 of the Lockhart River, Ts akui Theda water can be  
17 collected, brought back with the people to their homes  
18 for the vibrancy it brings into the home and the healing  
19 powers of the land it embodies.

20                  The Lutsel K'e Dene are impacted by the  
21 very thought of this area being developed and it is  
22 causing stress and harm to them as they sit here and  
23 every -- for every day that they're met with the  
24 challenges that of having to defend the continued  
25 sanctity of this area into the future.

1                   The continue to desire -- the continued  
2    desire for industry to develop this area lobbied through  
3    the Government and through this EA process is seen as the  
4    highest form of disrespect.

5                   This slide speaks to the myriad of  
6    cultural work currently in progress. Studies and all  
7    sorts of work that the community is currently engaged in.  
8    There -- this area that we speak of Artillery Lake to  
9    Great Slave Lake is full of burial sites, cabin sites,  
10   seasonal harvesting sites, legend locations, as well as  
11   petroforms which I use to describe rocks or rock  
12   alignments that can be shaped as animals or things that  
13   tell a story which help to inform which is often  
14   described as a cultural landscape.

15                  There are special sites within this area  
16   known only to the Dene and that will remain so for  
17   generations to come. The area cannot be subject to  
18   microanalysis compartmentalized by zoning, identified by  
19   the creation of safe corridors, or given any other  
20   semantic jargon, piecemealing, or instituting of any ad  
21   hoc buffer zones to satisfy what would be deemed adequate  
22   protection measures for the Lutsel K'e Dene.

23                  There is no identifying areas within the  
24   Lockhart River area that we have defined that would  
25   mitigate the overall negative impacts of the staging and

1 construction of transmission line towers over, through,  
2 or across the Desnedche-Kache area. The area is slated  
3 for protection at this moment and that means the entire  
4 area from Artillery Lake to Great Slave Lake.

5               So thus, Desnedche-Kache area will not be  
6 developed. As we have stated in this presentation  
7 already the area is off limits. Our technical later --  
8 letter dated December 15th gives understanding and depth  
9 to a historical chronology that is but a small window  
10 into the message that the Lutsel K'e Dene have repeated  
11 about this area now for almost forty (40) years in  
12 various different venues and for different reasons. It  
13 is off limits to development of any kind.

14              So I'd like to give an illustration of  
15 this. Regional power feasibility studies for run of the  
16 river hydro development at Glacier Creek were undertaken  
17 in the earlier part of the last decade. These studies  
18 were not plans directly for the Lockhart River, but would  
19 have diverted water from it. The benefits of this  
20 project were discussed at length by the entire community  
21 with many meetings and full member assemblies and would  
22 have had benefit to the community, but in the end of  
23 those discussions the answer was a resounding no in 2005.  
24 Development would be too close to the Lockhart River and  
25 the area was too sacred and too high of a value

1 spiritually to be resourced. The Lutsel K'e people are  
2 woven into their land.

3 So caribou impacts. Winter road access.  
4 The Proponent is planning a winter road to Nonacho Lake  
5 and this is going to create road access to this area from  
6 Fort Smith and Alberta and communities such as Fort  
7 Chipewyan, Fort McMurray, et cetera will have access to  
8 this area.

9 Now, we know that the Ahiak herd is in  
10 decline by 60 percent. They are overwintering in the  
11 Lutsel K'e area and south as confirmed by biologists from  
12 the GNWT that have actually been having conversations  
13 with Lutsel K'e in the last -- in -- in December.  
14 Bathurst, Beverly and other herds are also known to  
15 overwinter in the area of the proposed winter road --  
16 roads area and they -- we all know they're in dire  
17 decline.

18 So the Proponent says that they are going  
19 to control access to the winter road, however, it's very  
20 clear that INAC and -- from INAC and industry sources  
21 that access just can't be legally barred on winter roads,  
22 period, and we use the example of the Tibbit to Contwoyto  
23 winter road for this reason.

24 So carbon footprint. The Proponent  
25 suggests that the project will reduce carbon dioxide



1 emissions by replacing diesel-generated power by hydro  
2 power from levels current at the diamond mines, but there  
3 is no evidence to prove this on the public record at  
4 present. Some facts are also contrary to the Proponent's  
5 assertions, no reduction on file -- fuel load. Increase  
6 in fuel load will in fact be created for heating at the  
7 mine site itself, and carbon footprint of project  
8 construction and induced developments have not been  
9 accounted for.

10 So MVEIRB must require that the Proponent  
11 do a full carbon costing, status quo versus with project.  
12 If no sigdi -- significant reduction in carbon emissions,  
13 then no green arm -- argument can be used for this  
14 project.

15 I also want to add to that a GNWT press  
16 release in which ja -- dated January 8th, 2010, where the  
17 -- where our premier, Premier Floyd Roland, says:

18 "We cannot afford to wait for the  
19 Federal Government to negotiate or  
20 determine what actions we -- we will  
21 take." [He said.]

22 "As northerners, we are already  
23 witnessing and addressing the impacts  
24 of climate change in our region. We  
25 must lead the way by reducing our own

1                   emissions and demonstrating that there  
2                   is support across Canada for act -- for  
3                   our nation to take stronger measures.

4                   So in sum., these are the Lutsel K'e Dene  
5 First Nation directives:

6                   No development in the Desnedche-Kache  
7 area. Road access to caribou will degrade the herds.  
8 Decisions by the Board require precedent setting action  
9 on caribou at this time.

10                  Uncontrollable winter road access to  
11 caribou herds in crisis is -- is unacceptable. And  
12 monitoring impacts in process is also not acceptable.

13                  Further study -- wildlife studies are  
14 mandatory for the Desnedche-Kache area, and we echo many  
15 of Environment Canada's recommendations here.

16                  Carbon footprint analysis is mandatory.  
17 It must be done to demonstrate that the project is in the  
18 public interest.

19                  And in sum, Lutsel K'e will never stray  
20 from protecting this area for time in memorial. The Old  
21 Lady is not to be disturbed until the end of time. This  
22 area cannot be violated with development from any source,  
23 especially of the kind purely motivated neither by  
24 necessity nor human progress, humanitarian progress. The  
25 ancestors had used the land and found salvation in it,

1 and the only salvation of the land itself would be a  
2 sufficient tribute to them.

3 And now it is my privilege to introduce  
4 the next speaker, the Chief of Lutsel K'e Dene First  
5 Nation, who is joined by all the living chiefs of Lutsel  
6 K'e Dene First Nation.

7 And -- would you like me to introduce  
8 them? And I will introduce them from left to right. Ms.  
9 -- Ms. Florence Catholique, Mr. Archie Catholique, Mr.  
10 Felix Lockhart, Ms. Addi Jonnasson, Ms. Angie Lantz, Mr.  
11 Antoine Michel, and Mr. Steven Nitah. Thank you.

12 CHIEF STEVEN NITAH: Marsi cho, Tracey.  
13 I'd also like to acknowledge Mr. Albert Boucher, who was  
14 an acting chief for -- for a short period of time. I  
15 would like to start by thanking you, Mr. Chairman, and  
16 the gentlemen that sit on the -- the Board for giving us  
17 the time this afternoon to present our presentation and  
18 express our concerns with this proposed project.

19 I also would like to take the time to  
20 acknowledge Chief Eddie Sangris and the people of the  
21 Yellowknives Dene for -- in which -- in whose territory  
22 we are at today. The Yellowknives Dene's traditional  
23 territory is -- is hosting this public hearings, and I'm  
24 going to be speaking about the tra -- traditional  
25 territory of the Lutsel K'e Dene First Nations people.

1                   As -- I'll be speaking briefly about some  
2 of our concerns and -- and explain some of the concerns  
3 that we have as Tracey explained and there'll be others  
4 following me that will explain our positions and why we  
5 take the positions we do.

6                   This issue transcends politics as  
7 represented by the living chiefs here in our unified  
8 presentation to you that -- we did this to illustrate the  
9 level of concern that we have about the proposed project.  
10 The transmission line should not and will not cross the  
11 Lockhart River, will not cross Desnedche. That's just  
12 the bottom line. We can't say it anymore clearer than  
13 that.

14                  As Tracey indicated, we, as a community  
15 and as a people, had the opportunity to look at  
16 developing that area for ourselves and we went through  
17 the entire process to a point where we looked at the  
18 benefits to the community and the membership and no  
19 amount -- no amount of money was good enough for the  
20 people of Lutsel K'e to develop that area.

21                  So this is not something new. This area  
22 has been targeted by different levels of government, the  
23 Federal and the Territorial Government for development  
24 dated over forty (40) years and for forty (40) years  
25 plus, the people of Lutsel K'e have fought against any

1 development in this area. We continue to fight. The GNWT  
2 was one (1) of them. They're still there, they just have  
3 a different face, the face of Deze now and we will  
4 continue our struggles in this area, that's a mandate  
5 that we have that each First Nations member from Lutsel  
6 K'e are born into. They have a mandate to protect that  
7 area.

8 All my life I've been told and remember  
9 the sacred tales of Ts akui Theda, Old Lady in the Falls  
10 as told by Elder after Elder and I will be telling that  
11 story as I get older and become an Elder, that is my  
12 responsibility as a member of the Lutsel K'e Dene First  
13 Nations. The story connects us to Desnedche.

14 This story, as passed down through the  
15 generations, tells of a time when the world was still new  
16 and all things spoke to each other, a spiritual Ts akui,  
17 old lady. Upon hearing of the -- of the return of a  
18 hunter who had killed beavers, asked for beaver blood,  
19 and wasn't given any as this was a time of famine and the  
20 supply of meat was very low. She wanted blood, she  
21 wanted beaver blood. When she didn't get it, she went to  
22 where she sat now, sat down and from that time on offered  
23 herself as a spiritual guider for the people that believe  
24 in her. It's not restricted to the people of Lutsel K'e,  
25 it's for all people that believe in her.

1                   There was another spiritual guy, his name  
2   was Satchuden (phonetic). Satchu (phonetic) in English  
3   means "Sun Ray" or "Sun Rope." He turned himself into a  
4   fly and went back to where Ts akui Theda had sat herself  
5   and was wondering why she -- she sat down. She said tell  
6   the people not to come and visit me, just so that they  
7   can look out of curiosity. Only those that believe in  
8   me, believe in what I stand for should come and seek help  
9   whether it's for spiritual strength, physical strength,  
10   emotional strength.

11                   In our -- in my time I've had -- I've  
12   witnessed people from as far as -- away as the Navajos,  
13   northern Saskatchewan, the Tlicho, people of the  
14   Mackenzie Valley, Mackenzie River, have come to seek her  
15   help, and she's not filled them.

16                   During the period of colonization when we  
17   as First Nations people were criminally and wrongly  
18   persecuted and forbidden from practising our  
19   spirituality, we went underground. And only recently  
20   when the Canadian law started recognizing us as -- First  
21   Nations people as people, and our religions and  
22   spirituality that we can -- we started going back to Ts  
23   akui Theda.

24                   Now annually, we gather there every year.  
25   We gather there to pay tribute and respect to Ts akui

1 Theda. For those that want and seek her help, she's  
2 there and they go visit her right at the -- the falls.  
3 You can also go right to the mouth of the river, on  
4 either side of the river, and seek that assistance as  
5 well, and will be granted if you believe in her.

6 I think that this transmission line as  
7 proposed is presupposing several things; the Gahcho K'ue  
8 project, for example, it has been said that it will be  
9 the anchor client for the project. Mr. Chairman, have  
10 you guys provided a permit to Gahcho K'ue and De Beers to  
11 proceed with that project? I don't think so.

12 A transmission line, as proposed, will  
13 have easy access to string a line east into the upper  
14 Thelon where we know there is great interest in uranium  
15 development in that area. Your former colleague, your --  
16 the former Chairman of the Board reviewed an application  
17 for a permit for exploratory work in the upper Thelon by  
18 UR Energy at their Screech Lake project. We went through  
19 this already.

20 We know that Canada is almost finished  
21 their -- their Land and Resource Management Plan for the  
22 Upper Thelon. They're gonna be -- they're gonna be  
23 releasing a draft form of that in March. The pressure on  
24 the ownership group of the Taltson -- or the Deze Energy  
25 Group to string a line over there is going to be great.

1 Would it make their project more feasible? Yes,  
2 definitely. Do we want that project? No.

3 The transmission line goes across -- as  
4 proposed, going across the Lockhart River would give our  
5 fair -- is not in -- it's not in the project description,  
6 but we know that whole area, we know the East Arm and the  
7 whole of Akaitcho on the east side is full of minerals.  
8 We've done studies when we looked at Titan and nena  
9 (phonetic), that's myra (phonetic), looking for mineral -  
10 - to do a mineral assessment. We know there's uranium.  
11 We know there's diamonds. We know there's copper in all  
12 -- in that -- that whole area. This line makes every one  
13 of those projects feasible.

14 The Proponents will say that each project  
15 will be measured upon what -- on its own merits. Well,  
16 the merits are gonna look pretty good when there's a  
17 clean source of energy in that area, a cheap and secure  
18 source of energy.

19 We've already -- are suffering and  
20 impacted by decisions made by the GNWT using Akaitcho  
21 legislation. In the Wek'eezhii area where the caribou --  
22 the Bathurst caribou numbers are way down. The Ahiak  
23 Herd is down by 60 percent, Bath -- the Beverley, we  
24 don't know yet, but it's -- we -- we've been told that  
25 that herd is down too.





1   there that believe that that area should be protected and  
2   that there should be no development in the Desnedche-  
3   Kache area. And, of course, you know, this -- I know  
4   it's not part of the -- the project description, Nonacho  
5   Lake has always been a sore point for our people.

6                   We used to have a community on Nonacho  
7   Lake. That community and all the burial sites and all  
8   the other historical sites has been flooded and there's  
9   been nobody ever took responsibility for that. Now, they  
10   want to expand the pro -- the -- the project for -- that  
11   caused the original destruction of our lands. Marsi cho.

12                   MS. TRACEY WILLIAMS:   We'll now have Ant  
13   -- Mr. Antoine Michel speaking.

14                   ELDER ANTOINE MICHEL:   I'm going to do it  
15   in my language, so put your ears on.

16  
17                   (TRANSLATION COMMENCES)

18  
19                   ELDER ANTOINE MICHEL:   ... and how our  
20   Elders used to be sick, and then they used to go over  
21   there and ask that old -- that lady for help, so it's  
22   very important --

23                   THE CHAIRPERSON:   Antoine, sorry to  
24   interrupt, we've just got problems with the translation  
25   equipment, can you hang one minute.

1 (BRIEF PAUSE)

2

3 THE CHAIRPERSON: Okay, with that,  
4 okay, Antoine Michel, please continue.

5

6 (TRANSLATION CONTINUES)

7

8 ELDER ANTOINE MICHEL: The reason why we  
9 wanted to protect our land, this is an -- this land has  
10 been very important. That Old Lady sits under that  
11 river. That's exactly what it looks like. It looks like  
12 a lady sitting on that river.

13 If you're sick, you go over there and ask  
14 her for help, anywhere. Right from -- you leave from  
15 your house, and you keep praying to her and asking for  
16 help until you get there. The reason you're sick --  
17 well, she's going to take that sickness away. You have  
18 to believe in her. Some people don't believe in her, so  
19 she wouldn't help that people -- that person. But if you  
20 do believe in her, she would help her.

21 I think there's about three (3) or four  
22 (4) people that went over there because they were sick  
23 with cancer, and today those people are still alive.  
24 They could have been dead because the doctors said they  
25 had no help -- or no hope for them. So this is why this

1 old -- the Old Lady had helped her.

2                   You see, all these literatures that have  
3 been made, even one (1) person will say he also went --  
4 there's also a literature of this person who was cured by  
5 this Old Lady by the river. So this is why we love that  
6 river and we don't want nothing -- or no damage done to  
7 it. We still have these old roads, those routes -- the  
8 roads that we travel is over a hundred years old and  
9 there's portages that we go. Until today we still use  
10 those words and -- those roads. It's over a hundred  
11 years old. Look all around, there are us.

12                   There's mine development from Alberta,  
13 there's highways to -- now, they even have a winter road  
14 going out to diamond mines in the barren lands. Because  
15 of that look at all our caribou, our wildlife and they  
16 were saying that the animals are the ones that are  
17 suffering and the people are benefiting from -- from it.  
18 It's only the Europeans that are benefiting, not us. And  
19 all our animals as Dene people, we keep our land. We  
20 keep and watch our wildlife, that's the kind of people we  
21 are. So when we say "Kache," Fort Reliance, there's also  
22 a berry patch there and there's old houses, cabins, but  
23 yet there's still some of them are still standing up.  
24 Where people used to stay, there's a whole bunch of  
25 historical sites and burial sites there and the river

1 that's going into the Great Slave Lake, say that river as  
2 falls is about between a hundred feet. You could still  
3 see it's the very clear water. You could see right to  
4 the bottom and see up the lake. You could see the fish  
5 and you could see all kinds of rocks and if you go down  
6 south and if you look into the lake, you can't see clear  
7 water. We don't want that to happen to our river what's  
8 happening out in the south, all the waters.

9                   We use everything. Everything off the  
10 land we use it for medicine and even rocks, berries,  
11 those are all our foods, that's our health, that's our  
12 medicine, our drugstore so this is why we love that land.

13                   It wouldn't look good for us if they put a  
14 hydro line over that river. There'll be crisscross all  
15 hydro -- hydro lines over there and the land is not going  
16 to be beautiful anymore and it's going to hurt a lot of  
17 our Dene people. We want to keep what we have left of  
18 our land for our future generations to come. In 1993  
19 NCPC had taken a parcel of the land where they -- when I  
20 was a chief and I went there with my councillors and then  
21 we talked about it, so, they stopped the project.

22                   The land we're talking about is -- doesn't  
23 belong to -- to anybody. It belongs to the Lutsel K'e  
24 people and we are treaty people and we have to hang on to  
25 our treaty and our lands. We're not going to let go of

1 anything that we already own and now people are coming  
2 from -- outsiders are coming trying to take over our land  
3 and do -- and do all kinds of projects on our land.

4 My grandfathers had told me that there is  
5 a lot of people that had given us a lot of good words who  
6 are not here with us today. When I talk like this  
7 sometimes I don't talk on my own words, I talk -- I talk  
8 of the way that my ancestors had taught us to talk and  
9 I'm saying this for the future generation of my  
10 grandchildren and the Lutsel K'e people and all the  
11 natives from here.

12

13 (TRANSLATION CONCLUDED)

14

15 ELDER ANTOINE MICHEL: ... and how the  
16 Old Lady sits. There's histories after history that  
17 people give us, what to keep. I want to keep that land,  
18 that river. There's fish in there, you can see it, like  
19 I said. It's so clear and you can drink the water, real  
20 clear water. Actually, we have it here, inside the  
21 building here, we do have it. That's healing water.  
22 Like I said, there's some letters has been sent to us  
23 from down south that people heal from it. So that's why  
24 we love the land and we want to keep it for our future  
25 kids.

1                   Like I said, there's trails there. Over a  
2 hundred years and it's just like today yet. That's all I  
3 wanted to say. Mahsi.

4                   MS. TRACEY WILLIAMS: I'd like to  
5 introduce Elder George Marlowe.

6                   ELDER GEORGE MARLOWE: You look sad, you  
7 people, so I'll tell you a little joke, okay, first. Me,  
8 myself, my name is George Marlowe from Lutsel K'e. I was  
9 born in Lutsel K'e, 1940. I'm really old, 70 years now.  
10 And me, I thought only white people get bald. But look  
11 it, I'm bald too. I'm Indian.

12                   Well, first of all, I'll talk about a  
13 healing too. You see that fall there? You look at it  
14 really good. Looks like a gown, nightgown. Looks like  
15 somebody sitting, the Old Lady. Look at that. You close  
16 really -- look at it really close.

17                   First, I was born in Lutsel K'e in 1940.  
18 But my grandparents, my grandfather, my dad, they moved  
19 to Fort Reliance, 1947 or '46, '48, that area. They  
20 build a house.

21                   Chief former -- Chief Felix Lockhart's dad  
22 build a house there. And Charlie Tally (phonetic), her  
23 dad build a house there. And Archie over there, we're  
24 all in one family that time, all the Drybone family. And  
25 those -- that time, I was only the one baby. I was about

1 nine years old. But I still remember good.

2 In 1948, the weather station was built,  
3 Fort Reliance. Since then -- well, I got a lot of  
4 stories about that Old Lady, the fall. That's the reason  
5 why we don't want a line today here, like -- like Chief  
6 and Antoine said.

7 That river there, you could see some  
8 people over there, sitting, praying. And there's another  
9 one again on top of that. There's another place that's  
10 where there's a cave. It's a big -- big cave like this,  
11 just like a -- round like this. And you go inside. When  
12 you go inside, like in June or July, August, there's just  
13 green grass, just like a -- it's real nice. And there's  
14 two place just like somebody sitting, just like a chair.  
15 You could sit there. And that's where the people heal  
16 all the time.

17 In the old days, that's where they go.  
18 From Artillery Lake, they bring people to that -- that  
19 far -- that one's on top. That's where they bring  
20 people. Like, they use a stretcher or something. They  
21 bring people there.

22 Not too long this summer, Antoine's dad,  
23 Joe, was telling a story about that. And he brought the  
24 old lady there, who's really sick and can't walk, so they  
25 brought him (sic) there. And three (3) days later, that



1 old lady -- that -- she's not old at that time, young  
2 girl, he walk from there back to Timber Bay. That's  
3 where the people lived that time.

4                   So there is something in there. Myself,  
5 when I'm from that place where -- there's a trail -- we  
6 got a trail going that way to the -- where the -- where  
7 the plane used to land, the lake there. Dean knows it,  
8 that's where they bring us there when it's -- his dad and  
9 help us. He knows how to fly. He knows where to land.  
10 He's a real good pilot. That's why they help us just  
11 about every summer with his dad. I still remember. And  
12 thank you very much, Dean, with that.

13                   And we go down there, we pray right there.  
14 Some people stay overnight. Some people stay overnight,  
15 others -- far and to. Not too long ago we had one (1)  
16 really bad cancer. You know, the doctor said don't -- no  
17 hope. His name is Marvin Adam (phonetic) from Fond du  
18 Lac. When he land at that lake, Andrew was there. And  
19 him, there's and my wife -- all -- there's about six (6)  
20 of us, we walk with Marvin Adam to the far end, really  
21 sick. He's got no hair, nothing, can't even walk. We  
22 have to stop, stop, stop. It took us about three (3)  
23 hours, and it was raining like hell, just raining.

24                   So we finally got to the far end and we --  
25 we make fire. We put tarp -- we got tarp ready, a

1 plastic tarp. And then we had lunch. Marvin couldn't  
2 eat, just drink a little bit of tea. And towards about -  
3 - I think it's about 6:00 maybe, something -- it's  
4 getting dark now. So I told him, I want to bring you in  
5 that cave. I make him go in there and us -- all of us,  
6 other side of the hill. I told him, nobody's going to  
7 look at you. That's what old man J.P Catholique told me  
8 to do that. When you put somebody in a cave, don't look  
9 at him. You got to go other side of the hill and stay  
10 there all night.

11                   Towards in the morning, that Marvin Adam  
12 came back about -- after daylight, anyway. Oh, he looks  
13 just happy, just smiling, starting to eat, just happy  
14 now. And then, from there, he walked back to that lake  
15 where -- Dean knows how far, as far as that lake is, the  
16 plane lands there. Was very happy now. Not -- he's not  
17 even slow. He walk fast, just stay with us. That's what  
18 happened.

19                   And another one from Lac Brochet, a young  
20 kid, young -- young -- just young, not -- not there, but  
21 that picture was -- I seen a picture there. I make him  
22 stay there alone too on the island. I put the mosquito  
23 bar for him. I tell him to stay there, and I give him a  
24 little -- little bit of lunch. I got water for him. I  
25 told him to pray, stay there. Try to stay up all night,

1 I told him. If you hear something, tell me, I told him.  
2 So I left him there. And in the morning I got back to  
3 him -- the young kid, and that's the place right here,  
4 that two island -- one more this side here, that's where  
5 I make him stay.

6 And I -- and my granny used to tell me, if  
7 you stay beside Old Lady, you're going to hear something  
8 at three o'clock. And then, sure enough, that young kid  
9 said, three o'clock I hear a noise just like this  
10 [UNREPORTABLE SOUND].

11 And my granny said that Old Lady's  
12 meeting's at three o'clock in the morning; that's what he  
13 said. If you hear that, that's a good sign; that's what  
14 he said. And if you -- if you see a rainbow someplace --  
15 no rain or nothing, if you see a rainbow, that's a good  
16 sign, a really good sign.

17 So every time I go to that waterfall, both  
18 places I go, as far as I go on top of the hill, I look  
19 down the waterfall, I could see -- maybe I could see a  
20 rainbow. Well, I'm just happy. And sometimes I could  
21 see smoke coming up. Just the same as you make fire in  
22 the bush, you see the smoke going up. I see that -- a  
23 lot of people see that and that's a good sign.

24 So those kind of things that happen from  
25 way before us. We even got Black Lake people, just a

1 while ago and I got a phone call, why Deze Energy want to  
2 put the hydro line. That place is secret place, healing  
3 place. So nobody should never bother, they say. Same as  
4 at Lac Brochet too. We even got six (6) Elders from New  
5 Mexico, two (2) young guys and one (1) a boy and a young  
6 girl. They came to Fort Reliance too. And they -- they  
7 went up there, they were happy. Somebody help them until  
8 today that nobody phones, they're supposed to phone.

9                   And myself 2004 I had a cancer really bad.  
10 Now people have cancer, they always die. And that time  
11 on March I did the carnival for Lutsel K'e people. I  
12 went down to a hundred and thirty-eight pounds (138). I  
13 like to dance, you know, the things that -- I like to  
14 dance and everybody knows the Yellowknife people and  
15 different people knows that I like to dance.

16                   And that time last day Sunday in my speech  
17 I went up like this, I told people, every person that  
18 have a cancer they die right away. I told them next  
19 year, you're not going to be here. And I could see young  
20 people have tears in their eyes. Even my wife, my kids.  
21 But I was sitting right there, right at by the mouth of  
22 the river right there by the river where Antoine said you  
23 could see hundred feet right there. The little island,  
24 that's where I was sitting and I prayed. I told the old  
25 lady I have a cancer, I cannot live anymore. I was

1 praying on that.

2 All of a suddenly I just didn't feel  
3 better again now. And then that same time in springtime  
4 I went to Edmonton doctor to check on me again for  
5 cancer. As soon as I walk in there, what the hell's the  
6 matter with you, George, he told me then. Why, I said.  
7 Well you look healthy. Surprise. I was really surprised  
8 at doctor. So he told me, what are you doing? I told  
9 him that I think the Old Lady helped me. So I really  
10 believe in the Old Lady so that is why today we don't  
11 want no hydro line go across.

12 If we put a hydro line across, in the  
13 future maybe the Old Lady will be disappear. How about  
14 our kids now? Us will be gone anyway. But the kids.  
15 Any -- that's for anybody. It's not only for Dene  
16 people. That's for white people too. If you're sick,  
17 you have problem with your family, anything, come to  
18 Lutsel K'e. If I'm still okay, I will help you.

19 If you're a -- a man, you have to make  
20 something your own even though you're sick. Try to make  
21 a -- out of bone something to carve like maybe a little  
22 knife and put a fish around or sinew, make it a really  
23 fancy little knife. Put little leather case. No -- no  
24 needle, like, use your own. You got to make that way,  
25 it's a man.

1                   The woman you have to make your own needle  
2 case or something maybe what's good, what do you think,  
3 you have to do it yourself. Needle case, make needle  
4 with a bone, put sinew over with a caribou -- get sinew  
5 from caribou. Make a little thread, put it there maybe -  
6 - make it really good.

7                   If you go to that waterfall, if you're  
8 sick, pray, give it to him -- her. You put it in the  
9 river. You're going to feel different. There's going up  
10 a hill right there. You're going to feel different, you  
11 going up a hill and then you have to walk about another  
12 forty (40) minutes to where the plane lands. You will  
13 feel different.

14                   I had one daughter too, Vanessa  
15 (phonetic). Her legs, doctor said, I have to cut her  
16 legs. It's a sickness, some kind of a sickness from the  
17 bottom up. She couldn't even walk there with us at the  
18 time, crying, yelling every time stepped, just yelling,  
19 mom, dad and I was still walking. And -- and that place,  
20 we slept there beside a waterfall, seven of us -- two (2)  
21 -- there was a guy and a woman from Cold Lake and Liza  
22 Charlo from Dettah, she's not here -- here and Tony  
23 Mercredi from Fort Chip.

24                   There were seven (7) of us that slept  
25 there and me, I was making the fire going and I remember

1 that story about that Old Lady at three o'clock. My  
2 grandmother told me. So I wait for three o'clock. Just  
3 everybody's sleeping, nice and warm. I put firewood -- I  
4 keep fire going. Three o'clock I went back to where I'm  
5 -- were praying and I hear that now. Well, it's pitch  
6 dark but I'm just happy and all suddenly steam came up  
7 and that steam, it smelled like ashes, just ashes,  
8 nothing but ashes, and just came to us and the people  
9 that were sleeping there and me.

10 Right away I run back, I told my wife I  
11 heard that noise. I think the ashes curing us, maybe our  
12 daughter will be fine. In the morning my daughter woke  
13 up boy just happy now. He (sic) doesn't even feel his  
14 legs. He walk up a hill, went back to where our plane  
15 land. Until today, never cut her leg, still running  
16 around.

17 So those kinds of things, if you white  
18 people, you're sick, you have to believe. Like Antoine  
19 said, you have to believe. You're around United States  
20 or other countries, if you can think about Old Lady and  
21 if you think about it just about every day, you're going  
22 to be there, right here. You're going to be there. No  
23 matter the money costs a lot but just like somebody's  
24 going to help you all the way until you meet that Old  
25 Lady. It's not an old lady but a waterfall and if you --

1 one (1) of us -- somebody go there with us, we'll show  
2 you how to do it.

3 Even Bishop was there, that Dennis and he  
4 came up there and oh, it looks real good. I got his  
5 picture. He was standing right on top of that rock and  
6 the waterfall down and he was praying like this where  
7 he's got the white clothes on, just the same as that --  
8 that Pope. It looks really beautiful and he's praying  
9 and that and then he was just happy, too, even him. Now,  
10 he said I believe it now. He said, them is still alive,  
11 that Bishop.

12 But too many things to say but one (1)  
13 thing I want to say again, last year when I was here I  
14 asked for what happened to compensation? I'm still going  
15 to say it again. I asked for compensation. They flood  
16 the water and I want to ask for compensation for they  
17 kill all the trees around the lake. I want to ask for  
18 compensation all the fish, mercury, all the fish are  
19 spoiled. I want to get compensation for that, too, and  
20 also the burial ground. Some of them not too long ago I  
21 think the translator was there, Sarah, and Mercredi with  
22 us going around and he said -- he said something about  
23 three (3) kids or two (2) kids were buried here but they  
24 couldn't find that place. It was a nice sandy point  
25 beach -- not anymore, nothing. It can't find it. So



1 those kind of things like that, I said I ask for  
2 compensation.

3 And also I asked DFO, I wonder if we could  
4 make a trip this winter 'cause as soon as I get back, if  
5 Sammy, Albert's brother Sammy, we had a trail there  
6 already. It doesn't matter if it's not cold under 20  
7 below. Friday night I want to go that way. I want to go  
8 hunting to Nonacho Lake because I really love that land.  
9 It's really good land. It doesn't matter at night, it's  
10 a trail I could make it.

11 And I'll sit up at 10:00 and the next day  
12 I'll shoot caribou. So I was thinking when I talked to  
13 Bruce I said if you set a net, you should bring a fish  
14 back but people not -- might not believe it. You have to  
15 see for yourself when you get that fish out and last year  
16 I said, the water goes up and down and ice drop. If the  
17 ice drop again, you'll see it for yourself too. Because  
18 I know ice goes like that, drop all the time.

19 And when I hear this energy -- this  
20 talking about we're not flooding too much he said. But  
21 we've got our own trail there. It used to be a dog team  
22 trail and then we used a skidoo, same place. Some of  
23 them you can't even go to a shore like they have to make  
24 a turn. So if it don't rise, the water lots, that means  
25 that if I go there with my skidoo I could go out on that

1 trail again.

2                   Lots of water in the bush like I -- I  
3 don't know how far. You can't even walk there. If you  
4 walk there you'll probably -- you're going to go down.  
5 You're going to go into the water. So you have to watch  
6 what you're doing. But some young people, they don't  
7 watch. They just go ahead. Now they're going to be --  
8 there -- maybe they're there already now. I don't know  
9 about that. Next week we'll be there anyway.

10                   This -- this water got from the Lady of  
11 the Fall water, fresh water. It's from last summer but  
12 look at this, just like it's fresh. And when I drink  
13 this water, I'm not scared nobody, okay? Good water,  
14 it's like fresh from last summer.

15                   I think that's all I'm going to say now  
16 and I thank you very much. I've very happy to be here  
17 again. I hope -- I always pray, talk to Old Lady, always  
18 tell the people whoever in here to go home safe. Let the  
19 Old Lady protect you to go home to your family. Thank  
20 you very much.

21                   MS. TRACEY WILLIAMS: And now I'd like to  
22 introduce Sayiz Catholique, Desiree Jonnasson and Jake  
23 Basil, the youth of Lutsel K'e to close our presentation.

24                   MISS SAYIZ CATHOLIQUE: Hello. Marsi  
25 cho, I'm thankful to be here. I'd like to thank the

1 Yellowknives Dene First Nation for allowing this meeting  
2 to be here on their traditional territory. So I'm really  
3 thankful for that.

4 My name is Sayiz Catholique of Lutsel K'e.  
5 I'm very honoured to be one of the representatives of the  
6 children and youth of Lutsel K'e. The other Lutsel K'e  
7 representatives are Desiree Jonnasson and Jake Basil  
8 standing here behind me. I have some letters here that  
9 are written by some of our children and our youth  
10 regarding this important issue. I think that's it very  
11 important that they are informed of what's going on, so,  
12 this are some of the things that our children and youth  
13 had to say.

14 This first letter is written by a grade 3  
15 student. He says:

16 "My name is Devon. I do not want the  
17 powerline to go on my land. It might  
18 hurt the animals."

19 This is Devon Catholique and he's in the  
20 grades 2, 3 and 4.

21 This next letter is to the Mackenzie  
22 Valley Water Board.

23 "Every year we go to Desnedche and I  
24 love going there. We go there to ask  
25 our grandmother for help. We have to

1 keep her safe. Please don't let the  
2 powerline go through. Marsi cho.  
3 Sache Catholique, grade 5 student."

4 And this is a junior high student and he  
5 says,

6 "If the mines are going -- if the mines  
7 are only going to be 20 years before  
8 they shut down, then why are they  
9 making the powerlines if it's only  
10 going to be 20 years? I don't like the  
11 idea of the powerline on the East Arm  
12 because it disturbs the Lady of the  
13 Falls, meaning that it is supposed to  
14 be quiet for people to pray and to  
15 respect the land. Sincerely, Troy  
16 Marlowe"

17 This is a high school student that's  
18 written a letter and it's about -- it says,

19 "My feelings about the Taltson hydro  
20 expansion. My name is Hermaline  
21 Catholique, a senior high school  
22 student at Lutsel K'e Dene School.  
23 I've heard they are discussions about  
24 increasing the capacity of the Taltson  
25 generating station. The part of the

1           proposal that has caught the attention  
2           of the people of my community is the  
3           part suggesting transmission lines are  
4           to be built up around the East Arm,  
5           over the Lockhart River and to the  
6           barren lands to power our diamond  
7           mines. In my opinion, we shouldn't go  
8           ahead with this project. I believe  
9           this because I wouldn't want anything  
10          to ruin our future land for our future  
11          children. I think there would be  
12          pollution in our waters if we do go  
13          through with it. If anything goes  
14          wrong with the hydro project, we are  
15          the ones who are going to be paying for  
16          it. Who knows? Maybe we would slowly  
17          eliminate the caribou and other wild  
18          animals around our area. I don't think  
19          power in the diamond mine is more  
20          important than keeping our lands  
21          beautiful and protected or either  
22          moving the migration of our land  
23          animals to a place that would be harder  
24          for us to find. Going through with the  
25          hydro could be a great idea for money

1 but money comes and goes. But if you  
2 change the land, do you think it would  
3 change back? No. As a Lutsel K'e Dene  
4 member, I disagree with the hydro  
5 project. It might ruin the Lady of the  
6 Falls, move the caribou, or maybe get  
7 them sick. The caribou -- we might  
8 even kill some of the fish. Plus  
9 there's the spiritual gathering every  
10 year. We go there. That if -- if the  
11 hydro project went through, what would  
12 happen? Things wouldn't be the same.  
13 Everything would be different. I think  
14 we should keep that side of the lake  
15 the way it is so we would want our  
16 future grandchildren to be where we  
17 were. So they can see for themselves  
18 what we did once when we were young.  
19 They can see what we saw and it should  
20 stay that way. Honestly, I don't think  
21 that the hydro project to power the  
22 mines is a good idea. The mines are  
23 doing good as they are. They're going  
24 to put money in it that wouldn't even  
25 be good for us. Money isn't

1 everything. There are far more  
2 important things in this world, like  
3 our land. Our land is our home. Yours  
4 truly, Hermaline Catholique."

5 Our -- we had an elder, our former Chief  
6 Pierre Catholique was supposed to share the story of Ts  
7 akui Theda. And on his behalf, we have one of our youth  
8 representatives, Desiree Jonnasson, who will share the  
9 story. And so I'd like to introduce Desiree Jonnasson.

10 MISS DESIREE JONNASSON: Thank you,  
11 Sayiz.

12 Old Lady of the Falls, as told by Elders  
13 Zepp Casaway and Pierre Catholique.

14 "I will tell you a true story about how  
15 it was in the beginning and how Ts akui  
16 Theda came to be. This story was  
17 passed on to me as it was passed on  
18 from generation to generation. The Old  
19 Lady of the Falls has been there since  
20 the earliest of times.

21 It started in a place called Kache  
22 (Fort Reliance) and Eedacho K'ue  
23 (Artillery Lake). It used to be called  
24 Beaver Lake in those days because there  
25 was a beaver living there. You could

1           see the beaver's lodge if you happened  
2           to be out at Eedacho K'ue.  
3           People were often in that area because  
4           that is where the caribou crossing is  
5           and where the -- they went to hunt  
6           caribou in the fall time. Even today,  
7           Dene people still go through there to  
8           hunt caribou.  
9           In those days, there used to be a man.  
10          His name was Hacho. He was a big man.  
11          One day Hacho saw the beaver's lodge.  
12          He could see it because it was on a top  
13          of a small hill. He decided he wanted  
14          to kill the beaver but saw that he  
15          would have to get the beaver out of the  
16          lodge. So he started to push the dirt  
17          to one side. Today you can even see  
18          where he pushed the dirt to one side.  
19          He was so busy digging and moving the  
20          dirt that he didn't notice that the  
21          beaver had another lodge in the narrows  
22          close to the main land. It wasn't far  
23          from the main route that the Dene  
24          people used then they travelled in that  
25          area.



1 But the beaver did not stop at that  
2 lodge, instead he went down the  
3 Lockhart River to the main lake - Tu  
4 Nedhe. The people there were starving.  
5 When they saw the beaver, they thought  
6 that may -- they may be able to kill  
7 him. It was then that Hacho saw the  
8 beaver and ran after him with a shovel.  
9 He threw the shovel into the water but  
10 the smart beaver swam away. The handle  
11 of the shovel broke and Hacho had to  
12 leave it there sticking out of the  
13 water. That is why when you go to the  
14 North end of Eedacho K'ue, you can see  
15 a rock sticking out of the water, that  
16 is the handle of Hacho's shovel.  
17 After Hacho broke his shovel he didn't  
18 give up. He continued to follow the  
19 smart beaver back up the Lockhart  
20 River. By then the Dene people from Tu  
21 Nedhe were following Hacho. The river  
22 was strong and the beaver soon got  
23 tired so Hacho killed him. The Dene  
24 people were so hungry that they went  
25 after the meat right away. There was

1 enough meat from the beaver for all of  
2 the Dene people for two or three days,  
3 but there was one woman who asked for  
4 the beaver's blood. Hacho told her he  
5 could not give her the beaver blood  
6 because there was not very much left.  
7 So the woman sat down at the falls and  
8 waited.  
9 All of the other Dene people followed  
10 Hacho, who was chasing another beaver  
11 down the river. They were heading  
12 toward the East Arm of Tu Nedhe. After  
13 a while the people noticed that the  
14 woman was still back at the falls. So,  
15 Hacho picked two healthy people to go  
16 back and look for her. They went all  
17 the way back to -- up the Lockhart  
18 River and they found her sitting under  
19 the falls. She had been sitting there  
20 a long time under the falls. The two  
21 people told her that Hacho was asking  
22 for her to return to Tu Nedhe. She  
23 said, I cannot return with you. I have  
24 been sitting here too long and now I --  
25 I will be here for all eternity. Then

1 she said, go back to where you came  
2 from, go back to Hacho and the others  
3 and give them this message. So, the  
4 two people returned to Hacho and the  
5 others, and gave them the message.  
6 This is how the Dene people learned  
7 about the Old Lady of the Falls (Ts  
8 akui Theda). From that day forward,  
9 the Dene people have gone to visit the  
10 Ts akui Theda to pay their respects,  
11 share their worries, and to ask for  
12 help. That is the story of Zepp  
13 Casaway and Pierre Catholique."

14 I now would like to share a short personal  
15 story with you. My mother told me that she and my dad  
16 wanted to have a child. She could not get pregnant. She  
17 and my dad went to see the Old Lady at the Falls in July  
18 of 1991. My dad walked from the Desnedche cabin grounds  
19 to see the Old Lady at the Falls, my mother went by  
20 plane. My mother and dad made a prayer and an offering  
21 to the Old Lady at the Falls. My mother got pregnant  
22 shortly after that trip and I was born in May of 1992.  
23 My mother and father took me back the next year to the  
24 spiritual site in August of 1992 when I was three (3)  
25 months old. They thanked her with a prayer and an

1 offering.

2 My first trip to the see the Old Lady of  
3 the Falls was when I was five (5) years old. I walked to  
4 the falls with my grandmother. My grandmother showed me  
5 how to make a prayer offering and thank the Old Lady at  
6 the Falls. Ever since then I have been going to the  
7 spiritual site at Desnedche.

8 One day I would like my children and  
9 grandchildren to experience the spiritual and healing  
10 powers of the Old Lady of the Falls. I want to ensure  
11 that Ts akui Theda is protected from any and all types of  
12 resource development so that she continues to sit at  
13 Prairie Falls for future generations. I pledge today to  
14 help protect the sacredness of the Old Lady of the Falls.  
15 Marsi Cho.

16 MS. SAYIZ CATHOLIQUE: Marsi Cho,  
17 Desiree. I'd like to introduce our next youth  
18 representative, Jake Basil.

19 MR. JAKE BASIL: Thank you. I'm happy  
20 and very honoured to be here to represent the youth in  
21 our community, and our Dene people, and our land. Our  
22 lakes, our rivers and our lands, it all means a lot to  
23 us. It is our heart, and we take care of it, and it  
24 takes care of us. It feeds us; it keeps us strong; it  
25 teaches us how to survive out on the land. When we go

1 see Lady of the Falls, Ts akui Theda, for spiritual  
2 healing, she lends us powerful energy, joyful energy, to  
3 heal us, to make us happy again.

4 All energy is borrowed and all energy is  
5 returned. What we think in our hearts, minds, and  
6 spirits of our lands, of Ts akui Theda, of our people is  
7 wonderful. Sometimes we can't -- sometime it is  
8 undescribable in words that I can't describe.

9 I think we should not have this hydro  
10 Taltson expansion. It will not be good for Ts akui  
11 Theda. She will not like it. She told us to protect her  
12 and keep the land healthy and strong, and the land will  
13 keep us strong.

14 Just last winter I went to the barren  
15 lands. And this fall and last summer I went to Reliance  
16 with a gathering. It's so beautiful out there. You just  
17 have to see it for yourself to believe in her. It's so  
18 wonderful and it just makes you feel good inside.

19 And I want to continue to see it that way,  
20 healthy, clean, fresh air, and for my children to see it  
21 that way, as I saw it. For the next generation, I would  
22 like to have it the same, to always be the same. Thank  
23 you.

24 MISS SAYIZ CATHOLIQUE: As you can see,  
25 the importance of oral history ensures our cultural and

1 spiritual survival. In one (1) of the versions of the  
2 story, my grandmother says, "I cannot be disturbed until  
3 the end of time." Well, this development is going to  
4 disturb her. It's up to us to ensure her protection and  
5 we will do what we have to do at all costs to keep her  
6 safe. Whether or not this goes through, we won't sit by  
7 and let this happen.

8                   There's no need for us to share our most  
9 sacred secrets in such a public way, you know. These are  
10 our most intimate secrets. My family is buried there.  
11 That place is a special part of me. There's no way that  
12 I'm going to sit by and let this development go through.

13                   Our Elders and my late Grandfather, Jonas  
14 Catholique, used to share a lot of stories about her and  
15 how our grandmother has always helped us, and this is one  
16 (1) of the stories that they have to share.

17                   And there -- in the past, when there was  
18 no caribou, we would ask our grandmother for help. We'd  
19 pray to her and she would help us by using her mist from  
20 the falls. She would use her mist to point in the  
21 direction of where the caribou were, and so that's how  
22 she would guide us, and then we'd find the caribou.

23                   She has always helped us and she always  
24 will help us. We are the future generation. Our  
25 children and youth talk about their own children and

1 their own future generation; that's how far ahead that  
2 they look. Our younger ones, they see it that far and  
3 they want to keep it like that.

4 We will continue to keep our Dene people  
5 strong by ensuring the survival of our culture and  
6 traditions by going out on the land. We will continue to  
7 strengthen our well-being, our bodies, our hearts, our  
8 minds, and our spirits by visiting our grandmother as  
9 Desnedche.

10 This last year that I went there,  
11 afterwards, I had wanted to -- to write about her. I  
12 just felt this need to -- to write something, so I just  
13 want to share what I had written. I was helping out at  
14 the youth centre and there -- all the youth were there,  
15 hanging out, and being noisy, and goofing around, but I  
16 just managed to sit there and -- and write what I felt at  
17 that moment.

18 I'm really glad that that picture is there  
19 because -- the picture that we brought. I was going to  
20 have everybody look at the other one that says, "Working  
21 together to make wise decisions," and I think that's  
22 false advertisement. So, I'm really happy we brought  
23 along our own picture right there because that picture is  
24 what I was seeing in my mind as I was travelling there by  
25 boat.

1                   And so this is what I had written:  
2                   "Desnedche, my heart and my spirit, my  
3                   home. Riding across the water, clean,  
4                   clear and blue, the sun shines showing  
5                   the beauty of the land, the trees, the  
6                   hills slowly passing by.  
7                   A peacefulness envelopes me knowing  
8                   I'll be there at that place that I  
9                   could call home. The sun is shining,  
10                  the sky a perfect blue.  
11                  If I had wanted I could stop and drink  
12                  that crystal clear blue water, so  
13                  clean, pure and untouched.  
14                  That cool refreshing water is like the  
15                  song that touches my soul, soothing,  
16                  cool and refreshing with the knowing  
17                  that my grandmother is a part of it.  
18                  She breathe her spirit into it. A  
19                  healing power all of its own. A  
20                  waterfall that flows, a powerful place  
21                  that can be felt deep within.  
22                  It's a place where all elements meet.  
23                  The sheer force of it sparkles life  
24                  into every living thing. From the  
25                  powerful force of the falls to the



1                   littlest grain of sand and knowing that  
2                   she has been there since the beginning  
3                   of time watching over us, healing our  
4                   ancestors, the Thaidene Dene and my  
5                   grandmothers and grandfathers all the  
6                   way down the generations.  
7                   Stories of her powers have reached  
8                   hundreds of listeners. Many who have  
9                   travelled from different countries to  
10                  come to this place. A place that words  
11                  cannot describe which can only be felt,  
12                  seen and heard.  
13                  Once you have been here, it carves  
14                  itself into you and a part of you is  
15                  left there. It imprints itself into  
16                  your soul, a place so special that if I  
17                  close my eyes I am there. My spirit is  
18                  there.  
19                  My face is kissed by her mist and she  
20                  envelopes me with a feeling that is  
21                  sure bliss. My favourite place on  
22                  earth, untouched, pure and healing."  
23                  So that's something that I feel really  
24                  strongly about and I'm really, really proud of -- for the  
25                  last forty (40) years how our chiefs have really fought

1 hard to keep our land safe and I'd like to congratulate  
2 each and every one of them for what they have for our  
3 people to ensure that our land is safe, to ensure that  
4 our grandmother is safe.

5 And I can pretty much guarantee that the  
6 next forty (40) years of leaders will keep that area  
7 safe. So with that, I'd just like to say, you know, that  
8 we do not support this at all. The transmission line  
9 across the Lockhart River cannot be mitigated. Marsi  
10 cho.

11

12 QUESTION PERIOD:

13 THE CHAIRPERSON: Okay. Thank you very  
14 much to the presenters from Lutsel K'e and your  
15 presentation here today.

16 I think what I'll do is quickly go through  
17 the order of questions and then supper's here so we'll  
18 have supper right after that.

19 Right now I've got the list of orders  
20 here. Any questions for Parks Canada in regards to  
21 Lutsel K'e's Dene First Nation's presentation?

22 MS. WENDY BOTKIN: No questions.

23 THE CHAIRPERSON: For the record Parks  
24 Canada said no. Very good, thank you. I'm going to move  
25 on to Environment Canada. Any questions to the

1 presenter?

2 MS. LISA PERRY: No questions, Mr. Chair.

3 THE CHAIRPERSON: Thank you very much.

4 Moving on to Deninu K'ue First Nation. Any questions to  
5 the presenter?

6 MR. ROBERT SAYINE: No, none from Deninu  
7 K'ue. And, Mr. Chairman I'd just like to point out like  
8 no one here is from -- from DKFN is here today I don't  
9 think and they were supposed to be in tomorrow. So I --  
10 I kind of came here as a Board of Director of Deze. So  
11 this is why I kind of hesitate to answer any questions on  
12 behalf of First Nations.

13 THE CHAIRPERSON: Very good. Okay thank  
14 you, Robert. Chief Robert -- former Chief Robert Sayine.

15 No reason why we've -- we have this list  
16 of order is based on the Intervenors that people applied  
17 here so we have in that order so your comments are duly  
18 noted.

19 Moving on Fort Resolution Metis Council,  
20 are there any questions to the presenters?

21 MR. ARTHUR BECK: Actually we have no  
22 questions. We share the Old Lady with Lutsel K'e and  
23 everybody else, so, we have no questions. Thank you.

24 THE CHAIRPERSON: Okay. Thank you very  
25 much. Moving on to the Carter Family. Any questions for

1 the record?

2 MS. JEAN CARTER: No, we don't have any  
3 questions, thank you.

4 THE CHAIRPERSON: Very good, thank you  
5 very much. Moving on to INAC. Any questions to the  
6 presenters?

7 MR. MARC LANGE: No questions, Mr.  
8 Chairman.

9 THE CHAIRPERSON: Okay. Thank you.  
10 Transport Canada, any questions to the presenters?

11 MR. SOPHIA GARRICK: No questions.

12 THE CHAIRPERSON: Very good, thank you.  
13 I'm going to go to Deze Energy Corporation. Any  
14 questions to the presenters?

15 MR. DAN GRABKE: Thank you, Mr. Chairman.  
16 No questions.

17 THE CHAIRPERSON: Very good. Thank you.  
18 Moving on to the GNWT. Any questions to  
19 the presenters?

20 MR. VAN ADAMCZEWSKI: No questions but I  
21 would like to thank all the speakers from Lutsel K'e.  
22 You spoke from the heart and I found it a very moving  
23 presentation. So I thank you and, yeah, that was -- that  
24 was very touching. Thank you.

25 THE CHAIRPERSON: Thank you. I'm going

1 to go to MVEIRB legal counsel.

2 Any questions to the presenters?

3 MR. JOHN DONIHEE: No, Mr. Chairman.

4 THE CHAIRPERSON: Thank you. MVEIRB  
5 staff, any questions to the presenters?

6 MR. ALAN EHRLICH: No questions, Mr.  
7 Chair.

8 THE CHAIRPERSON: Thank you. To the  
9 experts of MVEIRB, any questions to the presenters?

10 MR. ALAN EHRLICH: None, sir.

11 THE CHAIRPERSON: Thank you very much.

12 Moving on to the general public. Any  
13 questions to presenters? None. Very good.

14 Moving to my far left, Mr. John Ondrack,  
15 Board Member, questions to the presenters?

16 MR. JOHN ONDRACK: No questions.

17 THE CHAIRPERSON: Thank you. Going to go  
18 to Mr. Fred Koe, Board Member, any questions to  
19 presenters?

20 MR. FRED KOE: No questions.

21 THE CHAIRPERSON: Thank you. Mr. Peter  
22 Bannon, Board Member, questions to the presenters?

23 MR. PETER BANNON: No questions.

24 THE CHAIRPERSON: Thank you. Mr. Darryl  
25 Bohnet, Board Member, questions to the presenters?

1                   MR. DARRYL BOHNET:   It's -- I guess it's  
2 moving too fast so I do have a question. I want to  
3 preface it by saying that I very much respect the  
4 spiritual and cultural significance of the Lady of the  
5 Falls.

6                   A long time ago in my youth, I used to  
7 work for Water Survey of Canada and had many  
8 opportunities to visit the other end of the Lockhart  
9 River. We had a gauging station there and, as I recall,  
10 there used to be a cable way across that river. I don't  
11 know if it's still there or not. It's been a -- been  
12 quite a while.

13                  I also recall that the Lockhart River is  
14 about 20 miles long. So I need somebody to help me to  
15 understand. I understand that the lower reaches is where  
16 the Lady of the Falls is. So I need somebody to help me  
17 understand why the whole length of the 20 miles of  
18 Lockhart River is -- is of concern and why another line  
19 can't cross higher up.

20                  So can you help me with that, please?

21                  THE CHAIRPERSON:   Thank you, Board Member  
22 Darryl Bohnet.

23                  I'm want to go to Lutsel K'e Dene First  
24 Nation, Tracey Williams.

25                  MS. TRACEY WILLIAMS:   I'm Tracey

1 Williams, Lutsel K'e Dene First Nation, and I can try and  
2 answer that for you.

3 THE CHAIRPERSON: Still not on here, so  
4 for the record.

5 MS. TRACEY WILLIAMS: It is -- it is on.

6 THE CHAIRPERSON: Okay. Can you move the  
7 mic closer?

8 MS. TRACEY WILLIAMS: Can you hear me  
9 now? Okay. I'm just going to go over to the map and --  
10 but quickly, I think I can answer this actually without  
11 going to the map.

12 We spoke -- in my presentation, I spoke of  
13 petroforms and also in the story that you heard today,  
14 that Desiree read out, that is the version of the Old  
15 Lady of the Falls story as told by Zepp Casoway and  
16 Pierre Catholique and others, relate there is a -- there  
17 is numerous people in reference to beaver, a large beaver  
18 in that story.

19 And these places actually exist. Like, we  
20 -- we could take a trip out to this area and we could  
21 actually have Elders of Lutsel K'e point out these places  
22 within the story to us. So this, essentially, tells why  
23 from Desnedche to the mouth, to Kache, of why the whole  
24 entire river is sacred, because of these actual places  
25 that tell the story.

1                   So we could go through the landscape and  
2   have that come to life for us. Does that help answer?

3                   THE CHAIRPERSON: Thank you, Tracey.

4                   I'll go back to Board Member Darryl  
5   Bohnet.

6                   MR. DARRYL BOHNET: Yes, thank you very  
7   much. And that is quite helpful. I just -- the other  
8   part of the question was, is that other line still across  
9   the river? It's been a long time so I don't know.

10                  MS. TRACEY WILLIAMS: Does the other --  
11   does the other line cross the Lockhart?

12                  MR. DARRYL BOHNET: Does the other line  
13   across the river still exist?

14                  MS. TRACEY WILLIAMS: Yes. There's  
15   nothing. It's gone.

16                  THE CHAIRPERSON: Okay, thank you, Tracey  
17   Williams.

18                  Darryl Bohnet, any -- any more questions?

19                  MR. DARRYL BOHNET: Thank you. No,  
20   thanks.

21                  THE CHAIRPERSON: Very good. Thank you,  
22   Board Member Darryl Bohnet.

23                  And I want to move to Board Member Danny  
24   Bayha.

25                  MR. DANNY BAYHA: Thank you. I just



1 wanted to thank you, and thank the Elders and youth for  
2 the presentation. Thank you.

3 THE CHAIRPERSON: Thank you, Board Member  
4 Danny Bayha.

5 I going to go to Board Member Percy  
6 Hardisty.

7 MR. PERCY HARDISTY: Marsi, Mr. Chair. I  
8 don't have any questions. Marsi.

9 THE CHAIRPERSON: Thank you. I want to  
10 go to your right, Board Member Jerry Loomis.

11 MR. JERRY LOOMIS: I have no questions.

12 THE CHAIRPERSON: Thank you. With that,  
13 that concludes the presentation made by Lutsel K'e Dene  
14 First Nation.

15 I just want to say thank you to the Chief  
16 and the Elders for being here today to give us the  
17 presentation to the Board, so I want to say mahsi cho,  
18 and especially to the young people. It was really good  
19 to see that we see young people like that come to a  
20 meeting like this and express their heartfelt words, and  
21 I want to say mahsi to them.

22 Before we go for supper here, also, the  
23 presentations that are made here today will be available  
24 for you if you guys want a copy, and we'll try to make  
25 that available sometime this evening, if not, the first

1     thing tomorrow morning.

2                     And the other thing too is that, for  
3     supper, the Review Board went out and tried to hire some  
4     poachers, but Roger Fraser (phonetic) went out and caught  
5     them, so we can't give you caribou, so, therefore, we  
6     have no choice -- to eat some moose and bannock.

7                     So, with that, we're going to break for a  
8     half hour here and then we're going to continue on with  
9     Parks Canada, then we'll go to public concerns. So we'll  
10    break until six o'clock.

11

12    --- Upon recessing at 5:23 p.m.

13    --- Upon resuming at 6:09 p.m.

14

15                    THE CHAIRPERSON: Before I go ahead, now  
16    we're a little bit behind the agenda here, but I'm not  
17    going to worry too much about it. We'll give everybody  
18    the opportunity to say what you have to say.

19                    We also have Parks Canada that's going to  
20    be up next, but before Parks Canada comes up and make  
21    their presentation, this morning we didn't have the  
22    opportunity to have the Chiefs available from the  
23    Yellowknives Dene First Nation, and so I would like to  
24    recognize chief Eddie Sangris for the Yellowknives Dene  
25    First Nation to come to up to say a few welcome remarks.

1                   There's a podium and mic there, so I'd  
2     like to recognize Chief Eddie Sangris.

3                   CHIEF EDDIE SANGRIS:   Yeah, I just want  
4     to -- you know, I'd like to apologize for not being here  
5     this morning. We, as Chief, have the whole bunch of, you  
6     know, mandates and responsibilities, so one of our -- we  
7     had a -- we have our meeting on negotiations all week  
8     this week, and that's the only time we could do it  
9     because the lawyers are in town. And, anyway, I would  
10    like to apologize for not being here this morning here to  
11    -- to do the welcoming remarks.

12                  You know, I realize if -- if it was a  
13    political session, I'll be here first thing in the  
14    morning, but this is just a technical presentation on --  
15    on -- and I don't envy you guys sitting up there because  
16    I know -- I know how it is to -- you know, to do the work  
17    that you guys do and -- and listen to people all day, and  
18    here we are in the evening, so I -- I won't make my -- my  
19    speech that long.

20                  But on behalf of Yellowknife Dene First  
21    Nation, the Chief and council nik -- and the members, the  
22    Elders and the youth, I'd like to welcome the Board, and  
23    we'll want to say, you know, you're welco -- welcoming to  
24    our community of Dettah.

25                  And, as you know, we have two (2)

1 communities, one (1) is in Dilon (phonetic), and we --  
2 we'd like to welcome you into our territories. It's only  
3 fitting that, you know, the -- the -- where the session  
4 is held, at the -- the First Nations, the community  
5 welcomes you to make you feel at home. And one (1) of  
6 the things that we -- you know, we try to do, as First  
7 Nations, is make everybody feel welcome. You know,  
8 there's -- that's what our forefathers have always taught  
9 us, you know, to coexist, to help each other.

10                   So, once again, I'd like to say, on behalf  
11 of the Yellowknives Dene, welcome to Dettah and hopefully  
12 this will -- will turn out the next day -- then next two  
13 (2) -- yes -- today and tomorrow. Tomorrow morning I'm  
14 supposed to be at another meeting at nine o'clock and  
15 tonight I have a meeting at seven o'clock, so -- I'd --  
16 I'd like to stay for this, you know, to hear this thing,  
17 but we have other agendas that we have to attend to.

18                   So on -- on behalf of Yellowknife, I'd  
19 like to welcome the Board to have their session here in  
20 Chief Dragie's (phonetic) territory, within Akaitcho  
21 region. Marsi.

22                   THE CHAIRPERSON: Mahsi, Chief Eddie  
23 Sangris, for those welcome remarks and it is an honour to  
24 be in your traditional territory and to have this public  
25 hearing in the community of Dettah.

1                   With that, I'm going to move on to the  
2 last presentation of the day, Parks Canada. If you could  
3 come to the main table here and come and join us and  
4 we'll start off with your presentation. As well, when  
5 you speak, again, just mention your name and who you  
6 represent, and also if you could speak clearly and loud  
7 so we can hear. Mahsi.

8

9 PRESENTATION BY PARKS CANADA:

10                   MS. WENDY BOTKIN: Hello. My name is  
11 Wendy Botkin and I'm an EA specialist with Parks Canada.  
12 I am joined in this presentation by my colleague,  
13 Christian Bucho, with Parks Establishment Branch, also of  
14 Parks Canada. Thank you for this opportunity to present  
15 to the Board as part of -- part of this process.

16                   Just to begin, I'd like to outline what  
17 our presentation will touch on. In -- in our  
18 presentation, I will speak to Parks Canada's interest in  
19 the project and why -- why essentially we are here, and  
20 to the issues that we raised throughout the environmental  
21 assessment today; and specifically, that's the protection  
22 of cultural and ecologically important sites, and also  
23 potential visitor and wilderness experience for people  
24 who would come to a national park established on the East  
25 Arm of Great Slave Lake.

1                   So first, the proposed national park  
2     reserve in the East Arm area. There is a long history of  
3     interest in establishing a national park reserve in the  
4     East Arm area of Great Slave Lake. That was first  
5     proposed in the 1960s. And reflecting that interest, in  
6     -- an Order in Council was made almost 40 years ago, in  
7     1970, withdrawing an area of land from disposition to  
8     other ends, and that was for the purpose of establishing  
9     a park. This was a formal acknowledgement of the Federal  
10    Government's interest in a new national park.

11                  So in 1970, and reaffirmed in 1997, there  
12    was a permanent land withdrawal order. It identified  
13    land that has been withdrawn from disposal for a proposed  
14    national park reserve.

15                  In 2007, there was a second interim land  
16    withdrawal order and that Order in Council identified  
17    additional lands withdrawn from disposal, and that was  
18    done concurrent with the Akaitcho Treaty 8, Interim Land  
19    Withdrawal. This provided for disposition of land for  
20    transmission lines and ancillary facilities for power  
21    generated at any hydroelectric project on the Taltson  
22    River.

23                  Just as a clarification, please note that  
24    if the line is already built before a new park is  
25    established, the line would be on national park land and

1 it would be subject to the applicable Act and regulations  
 2 and that specifically is the Canada National Parks Act  
 3 and the regulations, pursuant to that Act. The Canada  
 4 National Parks Act does not allow new power lines in  
 5 national parks. If a new national park reserve is  
 6 established before a line is built, only Parliament could  
 7 make an exception to allow a transmission line to be  
 8 built.

9 Just here is an image which you've seen  
 10 already today, outlining the study area for the proposed  
 11 national park. The -- the darker green area reflects the  
 12 1970/1997 withdrawal order, and the -- the larger,  
 13 lighter green area represents the -- the later additional  
 14 lands from the second Order in Council.

15 I note that initially the developer's  
 16 assessment report referred only to the smaller area  
 17 identified in the 1990 -- 1970/1997 withdrawal order

18 After the DAR was submitted both Parks  
 19 Canada and Deze placed accurate boundaries before the  
 20 Board and Deze re-drew key maps, with respect to  
 21 viewscape analysis and access and staging areas, to  
 22 clarify the information that was in the DAR, in the  
 23 developer's assessment report.

24 I'd like to also update the Board and  
 25 members of the audience on the status of the park

1 establishment process, as we are in January 2010. And  
2 Parks Canada and Lutsel K'e Dene First Nation are nearing  
3 completion in negotiating a framework agreement for the  
4 process of establishing a national park reserve.

5           Actually let -- let me -- let me step back  
6 a bit. Since the late 1960s when the national park  
7 proposal was initially rejected by the people of the  
8 community now known as Lutsel K'e, Parks Canada has  
9 maintained it's interest in establishing a national park  
10 reserve in this area. And the -- as a side table to the  
11 Akaitcho Treaty 8 main table, Parks Canada and Lutsel K'e  
12 Dene First Nation began to negotiate this -- this  
13 framework agreement. And that's the agreement that is --  
14 is nearly complete.

15           Concurrently, Parks Canada is also  
16 negotiating a framework agreement with the Northwest  
17 Territory Metis Nation, in accordance with their draft  
18 lands and resources agreement in principle. The process  
19 is similar to layout a process for establishment of a  
20 national park reserve, and these negotiations are also  
21 still underway.

22           I'd now like to speak to Parks Canada's  
23 interest raised during the EA. Our focus was on the  
24 ecological integrity and the preservation of cultural  
25 resources of the natural park -- national park reserve,



1 and park aesthetics and visitor wilderness experience  
2 within the proposed park reserve. Just as a  
3 clarification, in our analysis, we used understandings of  
4 ecological integrity, based on our experience in other  
5 national parks. As we learn more about this particular  
6 park, the East Arm area, and we discuss the ecological  
7 and cultural values of the park with Aboriginal groups  
8 and other parties, to the park establishment process, we  
9 will be able to be more specific about the ecological and  
10 cultural values of -- of this particular park.

11               So cultural and ecologically sensitive  
12 sites. One of Parks Canada's goals is the preservation  
13 of cultural and ecologically sensitive sites within a  
14 national park. At this stage in the park establishment  
15 process, although there is some information available  
16 with respect to culturally and ecologically important  
17 sites, there has not been a full inventory of these sites  
18 within the study area. Our goal within the EA was to  
19 ensure that if such sites were encountered, that they  
20 were accurately identified and avoided.

21               Deze's response to these issues at the  
22 developer's assessment report noted their intent to  
23 include archaeological assessments and a guidance manual  
24 -- the provision of a guidance manual to construction  
25 crews to identify sites as components were -- were built.

1 We had three (3) recommendations that we raised through  
2 the assessment.

3 First, prior to construction, assessment  
4 should be made by qualified people in areas of high  
5 potential for important cultural sites.

6 During construction environmental monitors  
7 should be on site with training and/or appropriate  
8 qualifications, to identify important cultural sites or  
9 sensitive ecological sites, for instance, denning --  
10 denning sites.

11 And our third recommendation was that  
12 information on identified sites should be supplied to  
13 Parks Canada for areas in or near the study area for the  
14 proposed national park reserve.

15 I'd also like to clarify that these  
16 recommendations would apply to the construction of any  
17 transmission line and also to any other components within  
18 the boundary of the park.

19 We also spoke to wilderness experience and  
20 view -- viewscape. Parks Canada's goal with respect to  
21 the wilderness experience of visitors to an -- a proposed  
22 national park was to mitigate the impacts to -- to  
23 viewscales and to preserve the sense of a wilderness  
24 experience.

25 In the developer's assessment report, Deze

1 noted its intention to identify the transmission line  
2 route in consultation with the community of Lutsel K'e,  
3 one (1) of the parties to the park establishment process,  
4 and an important information holder with respect to  
5 viewscape and cultural significance. The developer's  
6 assessment report also noted the distance and the number  
7 of towers predicted to be visible from key viewpoints.  
8 Deze further committed, during the EA process, to a  
9 graphical representation of this with ongoing discussions  
10 with Parks Canada to assist in final route selection.

11               Also, during the EA process, Deze made a  
12 further commitment to an investigation of differing tower  
13 types that may reduce the visual impact of the  
14 transmission line in key areas where view could be  
15 affected from both a visitor and a cultural perspective.

16               Parks Canada supports the -- the DAR  
17 mitigation to identify the transmission line route, in  
18 consultation with Lutsel K'e. The should also include  
19 other aboriginal groups or parties to the park  
20 establishment process. Parks Canada also wants to be  
21 included in discussions on final selection of the  
22 transmission line and in other areas where the project  
23 components would be within the park boundaries.

24               So in -- in summary, in addition to the  
25 commitments made within the developer's assessment report

1 and later commitments during the environmental  
2 assessment, Parks Canada recommends, prior to  
3 construction, assessments should be made by qualified  
4 people in areas of high potential for important cultural  
5 sites.

6                   During construction, environmental  
7 monitors should be onsite with training and/or  
8 appropriate qualifications to identify important cultural  
9 sites or sensitive ecological sites. The information on  
10 the identified sites should be supplied to Parks Canada  
11 for areas in or near the study area, for the proposed  
12 national park reserve.

13                   And, finally, Parks Canada should be  
14 included in discussions with respect to final se -- route  
15 selection and in other areas where project components  
16 could be within park boundaries.

17                   And, with that, I'd -- I'd like to end  
18 this -- this part of the presentation. Thank you for  
19 this opportunity, and we would be pleased to entertain  
20 questions.

21                   THE CHAIRPERSON: Thank you for your  
22 presentation, Wendy Botkin; I believe that's right.

23                   MS. WENDY BOTKIN: Yes, that's correct.

24

25 QUESTION PERIOD:

1 THE CHAIRPERSON: Yes, thank you very  
2 much for you presentation. Order for questions for the  
3 presentation in front of us, we have -- Parks Canada did  
4 the presentation, so I want to go to my list here. I  
5 want to go to DFO. Do you have any questions to Parks  
6 Canada on their presentation?

7 MR. BRUCE HANNA: No questions.

8 THE CHAIRPERSON: For the record, no  
9 questions from DFO.

10 Environment Canada, is anybody that have  
11 the mic for -- Environment Canada, do you have questions  
12 for Parks Canada on their presentation? There's nobody  
13 here. Okay, I'm going to move on.

14 Deninu K'ue First Nation, any questions  
15 for Parks Canada? Don Balsillie?

16 MR. DON BALSILLIE: Thank you, Mr.  
17 Chairman. Don Balsillie, member of Deninu K'ue First  
18 Nation down, in the Fort Resolution, Northwest  
19 Territories. The question I have for Parks Canada is,  
20 for some time now they've been in deliberations with  
21 Lutsel K'e on the possible establishment of an East Arm  
22 park in that location that you've identified on the map.

23 My question is: Have, to -- to date,  
24 Parks Canada had any discussions with Lutsel K'e, in  
25 terms of their possible involvement in this particular

1 issue as the rights do exist in this area, and an  
2 establishment of such a large park would definitely have  
3 a great impact on their rights?

4 THE CHAIRPERSON: Thank you, Don  
5 Balsillie, Deninu K'ue First Nation member. I'm going to  
6 go to Parks Canada. Wendy?

7

8 (BRIEF PAUSE)

9

10 MS. WENDY BOTKIN: I -- I have been  
11 involved in the EA process. I -- I haven't been involved  
12 in the park establishment process very much. I don't  
13 believe that the park establishment process has focussed  
14 on -- on this project. I -- do you have anything further  
15 to add?

16

17 (BRIEF PAUSE)

18

19 MR. CHRISTIAN BUCHO: Christian Bucho,  
20 Parks Canada. Yeah, we had -- basically our comments are  
21 based on -- on this proposal here, so we didn't have any  
22 discussions with Lutsel K'e on the proposal that we are  
23 discussing today. We only discussed a park establishment  
24 agreement with -- with the community.

25 THE CHAIRPERSON: Okay. Thank you. I

1 want to go back to Deninu K'ue, Don Balsille. Maybe if  
2 you could help rephrase your question so that they  
3 understand the question.

4 MR. DON BALSILLIE: Thank you, Mr.  
5 Chairman. I was just wondering -- I'll rephrase my  
6 question -- any discussions to date, have they involved  
7 the Deninu K'ue First Nation members?

8 THE CHAIRPERSON: Thank you, Don  
9 Balsillie. And when you talk about involving Deninu  
10 K'ue, you're talking about their involvement in regards  
11 to the parks in the Lutsel K'e or Dene, in that area?

12 MR. DON BALSILLIE: Yes, Mr. Chairman,  
13 with reference to this particular area that you see on  
14 the map. I was referring to whether or not there was any  
15 discussions specifically to the folks down in Deninu  
16 K'ue, in terms of consultation or any sort of input to  
17 date, or is that being contemplated for the future?

18 THE CHAIRPERSON: Okay. Thank you.  
19 Before I do to the Parks Canada, I just want to recognize  
20 that Mayor Gordon Van Tighem from Yellowknife. Welcome,  
21 mahsi cho for coming here tonight.

22 I'm going to go to Parks Canada, Wendy, or  
23 Mr. Bucho, can you maybe help answer that questions from  
24 Mr. Don Balsillie?

25 MR. CHRISTIAN BUCHO: Christian Bucho,

1 Parks Canada. The negotiations with the Lutsel K'ue  
2 First Nations have proceeded under auspices of Treaty 8,  
3 Akaitcho main tables, with the agreement of all of the  
4 Akaitcho communities, as far as I understand. And with  
5 basically the park proposal -- Lutsel K'e being the  
6 closest community to the proposal and the community with  
7 the -- the -- I guess with the largest interest.

8 We have been dealing with the community of  
9 Lutsel K'e and with the agreement of all the parties to  
10 the Akaitcho Treaty 8 main table.

11 THE CHAIRPERSON: Okay, thank you, Mr.  
12 Bucho. Does that answer your question, Mr. Don  
13 Balsillie? Thank you very much.

14 I'm going to move on to Fort Resolution  
15 Metis Council. Questions to the presenters? There's  
16 nobody here? Okay.

17 I'm going to move on to the Carter Family.  
18 Any questions to the presenters? One question?

19 MR. DEAN CARTER: If the proposed park  
20 goes through so would the people of Lutsel K'e be able to  
21 come and go any time as they please?

22 THE CHAIRPERSON: Thank you, Mr. Dean  
23 Carter, I believe. Mahsi. I'll go back to Wendy, or Mr.  
24 Bucho, Parks Canada.

25 MR. CHRISTIAN BUCHO: Christian Bucho,



1 Parks Canada. Yes, Aboriginal rights are fully  
2 recognized within all national parks.

3 THE CHAIRPERSON: Thank you. I'm going  
4 to go -- that concludes the question from the Carter  
5 family? Thank you.

6 INAC, any questions in regards to the  
7 presentation made by Parks Canada?

8 MR. MARC LANGE: No questions, sir.

9 THE CHAIRPERSON: For the record, INAC  
10 has no questions to the presenters.

11 Going to go up to Deze Energy Corporation.  
12 Any questions to the presenters, Parks Canada?

13 MR. DAN GRABKE: No questions, thank you.

14 THE CHAIRPERSON: Thank you. Government  
15 of Northwest Territories, questions to Parks Canada?

16 MS. KRIS JOHNSON: No questions, thank  
17 you.

18 THE CHAIRPERSON: Okay, thank you.  
19 Finally, Lutsel K'e Dene First Nation, any questions for  
20 Parks Canada? Can you state your name, for the record?

21 ELDER GEORGE MARLOWE: Nothing. George  
22 Marlowe. Nothing.

23 THE CHAIRPERSON: Okay. Mahsi cho. Okay  
24 I'm going to go to the next part here. I have the Review  
25 Board legal counsel, questions for the Parks Canada.

1                   MR. JOHN DONIHEE:   John Donihee, for the  
2 Board. I have one (1) question, Mr. Chairman. I'm  
3 referring to slide 3 of -- of your presentation, and it's  
4 the one that indicates the land withdrawals. And there  
5 are three (3) listed, the most recent of which you  
6 indicate to be an interim withdrawal order, and indicate,  
7 as well that includes an exemption for the transmission  
8 line and ancillary facilities.

9                   The question I have is: Does the 1970 --  
10 the permanent land order, does that include an exemption  
11 of that -- of that type as well?

12                  THE CHAIRPERSON:   Thank you, Mr. Donihee.  
13 I'm going to go to Parks Canada, Mr. Bucho, or Wendy.

14                  MS. WENDY BOTKIN:   The 1970/1997 land  
15 withdrawal does not refer one way or the other to a -- to  
16 the transmission line. It does not include that. We  
17 understand that the land withdrawal does not pre --  
18 prevent this project, and it is on that basis that we  
19 have participated in -- in this EA.

20                  THE CHAIRPERSON:   Thank you, Parks  
21 Canada. Mr. Donihee...?

22                  MR. JOHN DONIHEE:   John Donihee. Thank  
23 you, Mr. Chair. Just -- just to be clear then, would the  
24 -- because if you turn to your next slide, actually,  
25 number 4, it appears that the -- that, you know, the

1 transmission that we've been talking about this afternoon  
2 would actually go through the 1970 withdrawal area as  
3 well, so I'm just wondering whether there's any  
4 additional legal requirements that would have to be met  
5 for Deze Energy to secure approval to run a transmission  
6 line across that -- that particular land withdrawal area.

7 MS. WENDY BOTKIN: Just --

8 THE CHAIRPERSON: Thank you, Mr. Donihee.  
9 Parks Canada...?

10 MS. WENDY BOTKIN: We -- Wendy Botkin,  
11 Parks Canada. Just to say again, we understand from the  
12 advice we have to date that the land withdrawal,  
13 including the 1970/1997 withdrawal, does not prevent this  
14 project. The specific mechanism for any authorization is  
15 probably better directed towards INAC, but that's the  
16 understanding that we have.

17 THE CHAIRPERSON: Thank you, Parks  
18 Canada. Mr. Donihee, any further questions?

19 MR. JOHN DONIHEE: John Donihee. Thank  
20 you, Mr. Chairman. Those are my questions.

21 THE CHAIRPERSON: Thank you. I want to  
22 go to the Review Board staff. Any questions for the  
23 presenters?

24 MR. ALAN EHRLICH: Alan Ehrlich, for the  
25 Review Board staff. No questions. Thank you, sir.

1 THE CHAIRPERSON: Thank you. The next  
2 one is the Review Board experts. Any questions for the  
3 presenters?

4

5 (BRIEF PAUSE)

6

7 MR. ANNE GUNN: Mis -- Mr. Chairman, it's  
8 Anne Gunn. I'm providing information for the Board and I  
9 have a question for Parks Canada.

10 The -- the Proponent has rated the effects  
11 of the increased access for caribou. The -- the effects  
12 are rated as minor because it's dependant on mitigation.  
13 However, we've heard today that there's some uncertainty  
14 about the effectiveness of the mitigation, especially  
15 given the declines in the Bathurst, the Ahiak, and the  
16 Beverly herds, all of which whose annual ranges overlap  
17 the proposed national park.

18 So I guess it would be fair to say that  
19 caribou is -- will be an important -- or is an important  
20 component of the ecological integrity of the proposed  
21 park. And, in that case, my question to you is that: Is  
22 Parks Canada concerned about any risk to the ecological  
23 integrity, given the uncertainty about mitigation?

24 And then I have second question. Does  
25 Parks Canada have any recommendations for enhanced

1 monitoring or mitigation for caribou in the proposed  
2 park? And that would not only include this project, but  
3 I'm thinking of cumulative effects and the responses of  
4 caribou with ecotourism and tourism in general? Thank  
5 you.

6 THE CHAIRPERSON: Thank you, Anne Gunn.  
7 Back to Parks Canada.

8 MR. CHRISTIAN BUCHO: Excuse me.  
9 Christian Bucho, Parks Canada. I guess this is somewhat  
10 of a hard question to -- to answer, since -- since we  
11 don't know for certainty whether there's going to be a  
12 national park or not. I think Parks Canada feels very  
13 confident that we will have a national park and,  
14 obviously, we -- we won't be the -- the parties deciding  
15 whether there's going to be a line inside the park or  
16 not.

17 But assuming that we have a national park  
18 and a potential line crossing the park, I think Parks  
19 Canada would -- would not consider, I guess, a land  
20 easement in the park for that line. The line would be  
21 under the jurisdiction or the -- the footprint for the  
22 line would be falling under the Canada National Parks Act  
23 and Regulations.

24 So really, all mitigations and all work of  
25 ecological integrity, related to caribou, within the --

1 the existing national park would then fall entirely  
2 within the responsibility of Parks Canada, and not of  
3 Deze Energy, or Deze Corporation.

4 I'm not sure if that answers your  
5 question.

6 THE CHAIRPERSON: Thank you, Parks  
7 Canada. I want to go back to Anne Gunn.

8

9 (BRIEF PAUSE)

10

11 MR. JOHN DONIHEE: Mr. Chairman, John  
12 Donihee, Board counsel. I guess the sidebar debate here  
13 relates to the fact that it doesn't really appear that  
14 the question was answered. We do understand that if  
15 there were a park there in the future that Parks Canada  
16 would be responsible for the management of wildlife  
17 within that park and would be making the rules.

18 My understanding, though, was that the  
19 question that was asked was about the proposed mitigation  
20 for the project as it is now and whether Parks Canada is  
21 satisfied with that.

22 THE CHAIRPERSON: Thank you, Mr. John  
23 Donihee. I want to go back to Parks Canada. I guess --  
24 I think the question is pretty clear, so can you do your  
25 best to answer that question? Thank you.

1                   MR. CHRISTIAN BUCHO:   Christian Bucho,  
2   Parks Canada. I'm -- again, I think the only thing I can  
3   answer in the absence of an actual national park right  
4   now, I do not have a mandate and I cannot speak to  
5   additional monitoring initiatives or ways to monitor the  
6   impact on caribou at this point in time.

7                   THE CHAIRPERSON:   Thank you, Mr. --

8                   MR. CHRISTIAN BUCHO:   It's beyond the  
9   scope of our -- of a mandate. We have no mandate outside  
10  of the park and there's no park right now.

11                  THE CHAIRPERSON:   Thank you, Mr. Bucho.  
12  Does that answer your question, Mr. Donihee?

13                  MR. JOHN DONIHEE:   That's the best answer  
14  we'll get, Mr. Chairman. Thank you.

15                  THE CHAIRPERSON:   Very good. Thank you  
16  very much.

17                  Okay. I want to go to my far left. I  
18  want to go -- is there questions from Board Member, John  
19  Ondrack, to Parks Canada?

20                  MR. JOHN ONDRACK:   No, no questions.  
21  Thanks, Mr. Chair.

22                  THE CHAIRPERSON:   Thank you very much,  
23  John Ondrack.

24                  I want to go to Board Member Fred Koe.  
25  Questions to Parks Canada?

1 MR. FRED KOE: No questions at this time.

2 THE CHAIRPERSON: Thank you. Mahsi, Fred  
3 Koe.

4 I want to go to Peter Bannon. Questions  
5 for Parks Canada on their presentation?

6 MR. PETER BANNON: No questions at this  
7 time.

8 THE CHAIRPERSON: Thank you. Mr. Darryl  
9 Bohnet, Board Member, questions for Parks Canada?

10 MR. DARRYL BOHNET: Thank you very much,  
11 Mr. Chair. No questions at this time.

12 THE CHAIRPERSON: Thank you. I want to  
13 go to Board Member Danny Bayha. Questions for Parks  
14 Canada?

15 MR. DANNY BAYHA: Yes, I have one (1)  
16 question. Thank you, Mr. Chair.

17 THE CHAIRPERSON: Please proceed.

18 MR. DANNY BAYHA: The -- you said the --  
19 in the presentation, that there is some of the  
20 negotiations are near completion. Would you -- and  
21 you're confident that there will be a park established  
22 there in that area. With that confidence, can you, if  
23 possible, give us an idea when that might take place,  
24 officially have a park established in that area --  
25 proposed area? Thank you.



1                   THE CHAIRPERSON:   Thank you.  Thank you,  
2   Board Member Danny Bayha.  I want to go to Parks Canada.

3                   MR. CHRISTIAN BUCHO:   Christian Bucho,  
4   Parks Canada.  When we mentioned that negotiations are  
5   near completions, we were speaking of negotiations for a  
6   framework agreement, not negotiations for the actual park  
7   establishment agreement or impact and benefit plan.  The  
8   framework agreement is -- is a framework to lay out the  
9   process for additional negotiations.  So in that regard,  
10   we don't have.  We haven't actually started negotiations  
11   yet.

12                  Assuming that the framework agreements are  
13   being put in place with -- with the two (2) principal,  
14   you know, groups who are working right now, the Lutsel  
15   K'e Dene First Nation and the NWT Metis Nations, we hope  
16   to have some type of a park establishment in place in a  
17   few years from now.

18                  That's as precise as it can be.

19                  THE CHAIRPERSON:   Thank you, Parks  
20   Canada.  I'm going to go back to Board member, Danny  
21   Bayha.

22                  MR. DANNY BAYHA:   Thank you.  No more  
23   questions.

24                  THE CHAIRPERSON:   Thank you, Mr. Danny  
25   Bayha, Board member.  I'm going to go to Board member

1 Percy Hardisty.

2 MR. PERCY HARDISTY: Marsi, Mr. Chair. I  
3 don't have any question at the moment. Marsi.

4 THE CHAIRPERSON: Okay, mahsi, Percy  
5 Hardisty, Board member. I'm going to go to Board member  
6 Jerry Loomis.

7 MR. JERRY LOOMIS: I have no questions at  
8 this time.

9 THE CHAIRPERSON: Thank you very much,  
10 Board Member Jerry Loomis.

11 That concludes the presentation for Parks  
12 Canada. Thank you very much for your presentation. And  
13 I'd like to thank the presenters again, and also the  
14 people that are putting questions forward.

15 The next part of the agenda we have, we  
16 have public statements by the general public in regards  
17 to this file in front of the Review Board, and I just  
18 want to make it clear that this Taltson Hydroelectric  
19 Expansion Project, Environment Assessment 0708-007, was a  
20 file that was referred to us.

21 And the purpose of this public hearing  
22 here today is to hear public concerns from the public on  
23 this agenda item. And so I'm going to allow -- I have a  
24 list here of people that signed up so far to give a brief  
25 presentation here tonight.

1                   And because we're behind in terms of time  
2 today, we're behind by fifteen (15) minutes, so we made  
3 up ground here, so I'm kind of happy we did that.  
4 However, again, I'm going to restrict the presenters to  
5 time.

6                   And because there was a process that was  
7 already in place in regards to getting people to become  
8 Intervenor and notices were put in the paper, the media,  
9 the radio, and that kind of thing, so I want to give  
10 everybody an opportunity to speak and say what you have  
11 to say in regards to this file in front of the Review  
12 Board. And, at the same time, I'm asking people to be  
13 very respectful of each other.

14                   So I want to go to the North Slave Metis.  
15 I'm going to give you guys ten (10) minutes to do your  
16 presentation. Thank you.

17

18 PUBLIC STATEMENTS:

19 NORTH SLAVE METIS ALLIANCE:

20                   MS. SHERYL GRIEVE: Good evening. My  
21 name is Sheryl Grieve. I'd -- I'm the environment  
22 manager for the North Slave Metis Alliance. We are  
23 actually Intervenor and registered as parties.

24                   However, due to not attending the pre-  
25 hearing conference, we didn't become aware of deadlines,

1 but my presentation probably isn't more than ten (10)  
2 minutes anyway since I didn't have much time to make it.

3 Our number one issue and our biggest issue  
4 is lack of consultation. We don't have adequate  
5 information. There's been no assessment of economic  
6 impacts on the North Slave Metis. There's been no  
7 assessment of impacts to NSMA heritage resources.  
8 There's been no assessment of impacts to NSMA harvesting  
9 activities. There's no methodology or rationale for  
10 identification of interested parties.

11 There's been no community engagement plan  
12 for the North Slave Metis, no socioeconomic baseline  
13 studies involving the NSMA, no incorporation of North  
14 Slave Metis traditional knowledge, and no description of  
15 the North Slave Metis traditional use or occupancy.

16 We -- we've had insufficient time.  
17 There's been chronic short notice when -- when dealing  
18 with Deze. We've always tried to become involved in the  
19 studies and consult with them, but they have had other  
20 priorities and our capacity is limited, as well.

21 We've had insufficient opportunity to  
22 express our views. Section 4 of the DAR does not even  
23 mention the one (1) brief meeting that did occur.

24 Our requests to participate in baseline  
25 studies were not taken seriously. We've had no

1 participant funding and we have a chronic lack of  
2 capacity that everyone knows about.

3 We did express some views anyway but there  
4 has been no accommodation. We've had no response to our  
5 requests for participation. We've had no confirmation  
6 that customers will address socioeconomic impacts and  
7 we've no guarantee of protection for our heritage values.

8

9 (BRIEF PAUSE)

10

11 MS. SHERYL GRIEVE: Pardon me. I was  
12 expecting to use my own laptop.

13 So you might ask, if we're not being  
14 consulted then why is it that we think we should be?

15 The reason is because it's our homeland.  
16 This power line is going through our land, not  
17 exclusively held but held for two hundred (200) years and  
18 more, because we were here and had established our own  
19 relationship with the Dene long before Canada implemented  
20 effective control and quite possibly before the Royal  
21 Proclamation of 1763.

22 The Constitution of Canada recognizes and  
23 affirms our existing aboriginal rights and our Treaty  
24 rights and those rights include the inherent right of  
25 self determination and the right to make a living off our

1 resources.

2                   These quotes are from Emile Petitot's --  
3 from Emille Petitot's writings. They're one of many  
4 sources that tell you a little bit about the Metis  
5 history in this area and how long it's been.

6                   These are some more quotes. You can read  
7 the presentation which I've submitted to the Board  
8 already.

9                   Francois Beaulieu has been designated as a  
10 person of national historic significance as one of the  
11 founding fathers of the Metis in the North and you're  
12 probably familiar with him.

13                   Our members are -- a significant number of  
14 our members are direct descendants of Francois Beaulieu  
15 and his friends and family back in the 1700s here.

16                   This family tree shows five (5)  
17 generations of Metis in the North Slave area. They used  
18 and occupied the North Slave area but not only that area.  
19 Two (2) of Bill Enge grandparents are in this family  
20 tree. This is a small portion of Francois Beaulieu's  
21 family tree and Bill Enge is the president of the North  
22 Slave Metis. I'm using him as an example. You'll have  
23 to read -- you'll have to look at the presentation to be  
24 able to read it anyway.

25                   All of our members have to provide similar

1 documentation of their roots in our -- in this territory.  
 2 It was the Metis who built and habited and often managed  
 3 the early fur trading posts which eventually became  
 4 Northwest Territories' first permanent communities. This  
 5 includes Yellowknife Bay, Salt River, Fort Rae, Fort  
 6 Beaulieu which is now called Lutsel K'e, and Fort  
 7 Reliance, Fort Enterprise, et cetera, Lac La Marte and  
 8 others.

9

10 (BRIEF PAUSE)

11

12 MS. SHERYL GRIEVE: You can -- you can  
 13 tell some of the history of the Metis on the landscape by  
 14 the many French names and it's quite insulting to the  
 15 North Slave Metis members to not be considered, you know,  
 16 equally to the other people who we share this land with.

17 You might also be asking, why isn't it  
 18 good enough to just consult with the South Slave Metis  
 19 Council or Tribal Council or the -- their new name is the  
 20 Northwest Territories Metis Nation or Metis Nation of the  
 21 Northwest Territories?

22 So I'm going to explain a little bit about  
 23 why there's two (2) Metis groups. They are a very mobile  
 24 people and the family ties extend all the way from  
 25 Manitoba to Inuvik to Vancouver, but yet there were

1 people who were more familiar and more settled in  
2 different areas.

3 It is -- it's clear that certain Metis  
4 families used and occupied the far northwest for  
5 generation after generation. In fact, we can trace Bill  
6 Enge's family in this territory for nine (9) generations.

7 Francois Beaulieu's II -- Francois  
8 Beaulieu II's father, Francois the first, was a French  
9 Canadian Metis trader in the service of the company Desu  
10 (phonetic) and he lived in the area during the 1700s.

11 Francois Beaulieu's Uncle Jacques  
12 (phonetic) had been in the North long enough to be a  
13 translator for both the -- both the Yellowknives and the  
14 Dogribs during their war and to be their spokesman before  
15 the first white people arrived in 1786. That was Peter  
16 Pond and Laurent Larue (phonetic).

17 I'm going to skip over some of this  
18 information because you can read it on my presentation.

19 In -- in 1920, Canada decided it needed  
20 to protect its interests in the mineral resources in the  
21 North and decided to sign treaty.

22 Scrip and treaty were both done at about  
23 the same time and Metis were given the choice of treaty  
24 or scrip. And, you know, a husband might do one (1) and  
25 the wife might do -- do the other. Two (2) brothers



1 might each pick one (1), scrip or treaty.

2                   The treaty -- the territory outlined  
3 during the negotiations of Treaty 11 at Fort Rae went  
4 from the Mackenzie River, Great Bear Lake, Great Slave  
5 Lake, Contwoyto Lake, and Coppermine River. And we're  
6 not too sure about the far east area where the line is  
7 there, but it does include Artillery Lake.

8                   At least three (3) of the signatories to  
9 Treaty 11 were Metis. Old man Jermaine (phonetic) signed  
10 for Snare Lake, Suzie (phonetic), the old prophet, signed  
11 for Yellowknife, and Josee (phonetic) Beaulieu signed for  
12 Lac La Marte. And we do have their genealogical charts.

13                   In -- in 1975 to 1990, there was a  
14 comprehensive claims process which involved all the  
15 Northwest Territories' Native people, but when it failed  
16 in 1990, the Canadian Government decided to break the  
17 territory up into regions. That's how we ended up with a  
18 North Slave and a South Slave Metis group.

19                   THE CHAIRPERSON: I'm going to give you a  
20 couple more minutes here. If you could maybe conclude  
21 your presentation. I'm just trying to watch out for the  
22 time we have here.

23                   But at the same time, to the general  
24 public here, that if you also wanted to do a presentation  
25 here, just show your hands and the staff will come to you

1 and we'll put your name down on the list, as well.

2 So continue on, please.

3 MS. SHERYL GRIEVE: This is a document  
4 signed by the Metis Nation, or the Northwest Territories  
5 Metis Nation just before is disbanded, after the 1990  
6 land claims process failed.

7 It's an agreement saying that the North  
8 Slave Metis Alliance will take the North Slave region and  
9 the South Slave Metis Tribal Council will have the South  
10 Slave region. And that explains why there's two (2)  
11 Metis groups who are now both interested in the East Arm.

12 The Tlicho Agreement also crosses our  
13 territory, actually, it's completely inside of our  
14 territory, but we're not involved and their land claim  
15 has no effect on our rights.

16 Our second biggest issue besides not being  
17 consulted is socioeconomic issues. There -- when the  
18 diamond mines stop hauling fuel on that winter road,  
19 we're going to lose economic opportunities that we  
20 depended on when those projects were approved.

21 And that leads in also to issue number 3,  
22 the need for the project. Since the three diamond mines,  
23 who are going to be the clients of this project, have all  
24 had environmental assessments that do not include hydro  
25 and which do include economic benefits for existing

1 Aboriginal groups that have IBAs and stuff. They're  
2 going to need environmental assessments to change their  
3 project descriptions and there will have to be  
4 compensation.

5                   This is the Ekati -- this is an excerpt  
6 from the Ekati Environmental Assessment, their  
7 Development Assessment Report. It shows that the  
8 reduction of -- if there's a significant reduction in  
9 fuel loads, it could be worth a loss of business to the  
10 NSMA of about \$1 1/2 million. The Diavik comprehensive  
11 report rejected hydro, and the Snap Lake assessment also  
12 rejected hydro.

13                   Issue number 4 -- I'm trying to hurry  
14 along -- is that NSMA heritage and -- heritage resources  
15 and values are not the same as archeological resources.  
16 Heritage resources encompass much more. And, also, our  
17 heritage values and resources are not identical to other  
18 people's, and nobody else is competent or qualified or  
19 delegated to speak on our behalf. We need to be  
20 consulted regarding our heritage resources.

21                   Issue number 5, traditional land use and  
22 occupancy has not been documented and our traditional  
23 knowledge has not been used. This, I think, is a very  
24 significant drawback and this project has not presented  
25 enough information to allow the Board to approve it. We

1 also don't think that the routing through the park area  
2 is a good idea.

3 Any questions?

4 THE CHAIRPERSON: Thank you for your  
5 presentation. At this point, it's a public -- this gives  
6 an opportunity for public to give statements. This is  
7 not an opportunity for public to come back and ask  
8 questions so we're going to continue on now.

9 I want to thank you for coming in and  
10 doing your presentation. And a copy of your presentation  
11 should be made available to the staff here so that it  
12 could be circulated and also put it on the public  
13 registry.

14 Thank you very much for your presentation.  
15 I'm going to move on to Todd Slack, for YKDFN. If he can  
16 come up and -- again, we're going to try to limit  
17 presenters to at least ten minutes and just so that it  
18 gives everybody a chance to speak.

19 Todd Slack, YKDFN.

20

21 PUBLIC STATEMENT BY YKDFN:

22 MR. TODD SLACK: Thanks, Mr. Chair, and  
23 thanks, David, for letting me go first. My name is Todd  
24 Slack. I'm with the Lands and Environment Department of  
25 the Yellowknives Dene, and I have a few hopefully short

1 remarks.

2                   We have three (3) points that we'd like to  
3 raise as part of our public statement here, the first of  
4 which is to offer support for Lutsel K'e Dene First  
5 Nation.

6                   Respecting the cultural and spiritual  
7 sanctity of the Lockhart River and Old Lady of the Falls  
8 does not just mean that changes -- some changes need to  
9 be made. The people of Lutsel K'e have told the  
10 Proponent how important this is but the Proponent does  
11 not seem to be hearing the message. There must be a  
12 realization that there are areas of critical cultural  
13 significance in the Territories that are often not  
14 compatible with development, regardless of suggested  
15 mitigation or potential changes to the project. The  
16 mitigation measure for this kind of situation is the  
17 selection of a different route. As Lutsel K'e has said,  
18 there is no best route across the Lockhart River.

19                   The second point we'd like to raise is a  
20 discussion of the alternatives. The selection of one of  
21 the alternative routes, although perhaps more technically  
22 challenging, would go far towards solving the intractable  
23 positions of the Proponent and Lutsel K'e Dene. Work  
24 done by other parties -- though that's not the right word  
25 -- other groups examining the alternatives analysis

1 undertaken by the Proponent has created uncertainty with  
2 regards to the adequacy. Land and Environment is not  
3 convinced that the Proponent undertook a meaningful  
4 process during which any option but the current one could  
5 have been selected.

6                   While we're not sure if these other  
7 alternatives are on the public record, there are at least  
8 two (2) reviews of them that question the ranking  
9 criteria and the assumptions that were used. The company  
10 cites costs and technical challenges as their rationale  
11 for ruling out the alternatives, but the cost  
12 differentials have not been adequately detailed.

13                   As to the technical challenges, there are  
14 many other cases of submerged transmission lines  
15 including those that suffer significant icing, so we're  
16 not -- not convinced that that option should have been  
17 ruled out. This should not be taken as support for any  
18 particular alternative routing, but just that there needs  
19 to be additional consideration because of what we heard  
20 today.

21                   The final issue relates to the caribou.  
22 The construction of a road north will undoubtedly result  
23 in increased hunting pressure on the NWT caribou herds,  
24 which are already at significant risk. As we've seen  
25 from winter road operations in the Chief Dragie's

1 (phonetic) territory this cannot be successfully  
 2 mitigated. The Yellowknives Dene have been pushing for  
 3 access control on the Tibbitt-Contwoyto Road for years,  
 4 including on an application just last month, and there  
 5 has been -- never been successful accommodation of these  
 6 concerns.

7                   Following Mr. Donihee's question to the  
 8 Proponent earlier, if access control measures fail, which  
 9 seems likely, the Proponent mentioned how they would work  
 10 with ENR to impose stricter measures. Given the  
 11 experience with the winter road to the mines there is no  
 12 reason to -- to suspect that this would result in  
 13 meaningful action.

14                   ENR's 2009 -- December 2009 report  
 15 examining the -- the decline of the Bathurst caribou  
 16 cites the access associated with the winter road as the  
 17 most significant impact associated with development, yet  
 18 here we are talking about another road deep into caribou  
 19 habitat introducing further most likely significant  
 20 impacts to the caribou herds.

21                   INAC and the GNWT are supposed to  
 22 guarantee Treaty rights, yet every time Treaty rights and  
 23 development end up in contests with each other, it is the  
 24 former that are sacrificed. Rights being infringed upon  
 25 while the privileges of development -- developments using

1 the land continue unaltered.

2 Every meeting, workshop, and opportunity  
3 in which caribou have been discussed over recent years  
4 has seen discussion and recommendations to address the  
5 impacts of development on caribou. The Board can review  
6 the 2004 Bathurst Caribou Management Plan or the  
7 recommendations arising from the 2007 Caribou Summit in  
8 Inuvik to see that these remain almost entirely  
9 unfulfilled. The relationship between the health of the  
10 caribou herds and the developments that occur within  
11 their habitat are not divorced.

12 As the Board knows, ENR recently  
13 introduced emergency management actions in regard to the  
14 Bathurst caribou herd. As part of this mitigation, they  
15 are proposing that the parties whose Treaty rights will  
16 be infringed upon will receive support to accessing -- to  
17 access neighbouring caribou herds.

18 These herds are clearly under pressure.  
19 Given the current impacts to the Bathurst herd, the  
20 viability of neighbouring herds is tremendously important  
21 for the First Nations to continue exercising their  
22 aboriginal practices and pass on their traditional  
23 knowledge. The introduction of a new road and a 500  
24 kilometre long transmission line with uncertain impacts  
25 should be seriously examined especially in light of those



1 -- of the sacrifices that are already being asked from  
2 Treaty holders who are the ones depending most on the  
3 caribou.

4 THE CHAIRPERSON: Thank you, Mr. Todd  
5 Slack for YKDFN for your presentation, and also maybe if  
6 you can make a copy of that presentation available to our  
7 staff so that can be put onto a public registry, as well.  
8 Thank you very much.

9 Next one I have on the list here is  
10 Avalon. We -- again, we're trying to restrict everybody  
11 to at least ten (10) minutes or so. So I'm going to turn  
12 the floor over to Avalon. Again, for the record just  
13 introduce yourself and your name for the record. Thank  
14 you.

15

16 (BRIEF PAUSE)

17

18 PUBLIC STATEMENT BY AVALON:

19 MR. DAVID CONNELLY: Thank you. Thank  
20 you, Mr. Chair. I had to overcome my technological  
21 challenges. And I thank you for your forbearance.  
22 You're quite correct that there was an opportunity to  
23 fully register. We did miss the deadline, and my  
24 apologies to the Board.

25 My name is David Connelly. I'm a

1 consultant that's lived in the Northwest Territories for  
2 twenty (20) years and I am the northern strategic advisor  
3 to Avalon, and they've asked me to present today on their  
4 behalf.

5 I'm going to talk very little about their  
6 project, other than to point out that it is a major power  
7 consumer, and that is our interest in this project.  
8 Because I don't have all the slides and, unfortunately,  
9 this is a brand new one, I'm going to have to walk a  
10 little closer to -- to see it.

11 We would like to talk about a supportable  
12 alternative route which we think would have lower social  
13 and cultural impact, less environmental impact, fewer  
14 cumulative effects, more system, let's just say,  
15 flexibility, greater regional economic employment, and  
16 contract opportunities for aboriginal groups, more  
17 profitable for Deze, its owners, and the NWT, reduce many  
18 of the risks to all stakeholders, and to reduce  
19 Nechalacho's carbon footprint and power cost. Nechalacho  
20 is the rare earth project under development just north of  
21 the Simpson Islands.

22 Avalon's interest is in developing a very  
23 long life mine north of the Simpson Islands at Thor Lake.  
24 Avalon projects it will spend \$500 million on diesel to  
25 produce power to supply this mine. The anticipated life

1 of the mine matches -- both timing and life of the mine  
 2 match both the startup date of Taltson and the proposed  
 3 fifty (50) year life of the Taltson dam. We think that  
 4 could help the financing of the dam.

5 Hydro would significantly reduce Avalon's  
 6 carbon footprint and improve and extend the socioeconomic  
 7 benefits for Nechalacho. This is just a statement.  
 8 Whenever we talk about numbers in a public company, we  
 9 have to say don't invest based on them.

10 Project highlights. Rare metals, such as  
 11 rare earths and lithium, are key enablers of many green  
 12 technologies. Currently, China has 95 percent of the  
 13 supply. The North Slave area has the mo -- the best  
 14 reserve -- the best potential deposit outside of China.  
 15 It's very large. In fact, today, the deposit -- there  
 16 was an announcement about four (4) hours ago that the  
 17 official size of the deposit has doubled based on last  
 18 year's drilling.

19 It's exceptionally enriched in rare  
 20 earths, which are the ones that are most currently  
 21 demanded in things like wind turbines, computers, cell  
 22 phones, medical devices.

23 The pre-feasibility study will be  
 24 completed this spring. It's well financed. It's a  
 25 serious project. And we've been heavily engaged with the

1 GNWT in retaining the value-added opportunities in  
2 Northwest Territories, as well.

3 The project has two (2) very significant  
4 power loads, the mine site and the mine separation plant  
5 north of the Simpson Islands, about 8 kilometres inland,  
6 where the rock will be crushed and pulverized.

7 And its load, after the -- grows to  
8 between 6 and 10 megawatts after the first four (4) or  
9 five (5) years of operation. In addition, the value  
10 added -- if the value added is able to be retained in the  
11 Northwest Territories, most likely at a location in the  
12 South Slave, an additional 10 to 24 megawatts will be  
13 required.

14 We're focussing today on discussing the  
15 mine load, and the mine load is this load, which grows  
16 over the first four (4) or five (5) years and stabilises  
17 for the remaining forty-five (45) years -- estimated  
18 forty-five (45) year life of the mine. It is  
19 significant. In total, it represents \$500 million at  
20 current day purchasing prices.

21 I'll skip over this, it's a lot of detail,  
22 other than it explains that the value added may well be  
23 in the Pine Point South Slave area, which is a separate  
24 power requirement and outside these hearings.

25 In 2008, we entered into some initial

1 discussions with the power corp. This is a plan, or a  
 2 slide that we obtained from them about the four (4)  
 3 possible routings. The route under discussion today is  
 4 the one (1) through the East Arm, the one (1) through --  
 5 there's a second route, there's one (1) across the  
 6 Simpson Islands, there's a third marine route, and a  
 7 fourth route that was examined that went around the west  
 8 side. I'm speaking today to the Simpson Islands route.

9                   Why does Avalon believe this makes sense?  
 10 The costs and risks to the power company are less, the  
 11 costs and risks to the government are less. It enhances  
 12 a long-term operation and, therefore, the social impact  
 13 benefits arising from the project.

14                   It hances -- enhances infrastructure  
 15 protection to the NWT, it has less environmental and less  
 16 cumulative impact, and it benefits for power dis -- and  
 17 improves the benefits for power distribution and options  
 18 in the Northwest Territories.

19                   We borrowed this slide from the power  
 20 corporation. The NWT Government draft power study  
 21 indicates that many of the main potential future power  
 22 customers are all on the North side -- sorry -- the North  
 23 side of the lake, whereas there are very few potential  
 24 power users on the east side of the lake. Hence, we  
 25 believe it makes sense to run across the Simpson Islands

1 to be able to service those customers, rather than run  
2 along the east side. In this case the power corporation  
3 has then said, Run back several kilometres to catch up  
4 these. As I said, this slide and the potential uses were  
5 identified by the power corporation.

6               The island route will involve the least  
7 risk to the government. It will have an industrial load  
8 much closer than any other industrial load, lower line  
9 losses. It will lower the cost of links to Yellowknife  
10 and other industrial loads on the North Great Slave and  
11 west of the diamond mines. It adds potential for  
12 additional power input from the wind farm currently being  
13 studied between the Yellowknives, Avalon, and the GNWT on  
14 the Hearne Channel. It's only about a hundred kilometres  
15 from the island route to Yellowknife, less to the  
16 community of Dettah and Ingraham Trail, and much closer  
17 than running a route back from the diamond mines to  
18 Yellowknife.

19               Some diamond mines may close in the next  
20 fifteen (15) years. These are the pre-today  
21 announcements which would have suggested a life of about  
22 fifty (50) years. The resource was officially doubled  
23 today. It's clearly a long life project and, therefore,  
24 a long-term consumer of power and a risk reducer, and a  
25 matcher to the traditional financial structure, longer

1 term financial -- financing structures associated with  
2 power developments.

3                   Mentioned before that the area has wind  
4 potential. This information is from the Government of  
5 Canada. It has been further enhanced by a study done by  
6 the Aurora Research Institute in ENR, and there's  
7 currently a monitoring into -- monitoring tower deployed  
8 by Aurora Research Institute and the Yellowknives First  
9 Nation to confirm these findings.

10                   What this means is if there were a Simpson  
11 line, additional wind towers would be put in place to  
12 provide loads in Yellowknife, and if and when the mine  
13 ever shut down, there would be a wind farm also to -- to  
14 put into the Yellowknife/North Slave/South Slave grid.

15                   The routing of the powerline north of  
16 Great Slave Lake opens up the possibility of routing in  
17 along a three (3) season or all season road from  
18 Yellowknife and the Ingraham Trail to the diamond mines.  
19 That will result in lower maintenance costs; increased  
20 availability; possibility of low sharing between the  
21 Taltson and the Snare, which have different hydrological  
22 models and timing; potentially opens up additional  
23 deposits; allows for commuting of employees, encouraging  
24 residency in the North -- in the NWT if there were a road  
25 resulting from it; defers or avoids the environmental

1 financial cost of Snare Dam as the power load from yellow  
2 -- or power load from Yellowknife grows; may provide road  
3 access to the East Arm and alternative supply routes.

4                   It enhances the viability of the mine. It  
5 gives a reasonable power cost. It's been quoted that the  
6 extra cost of the Simpson route is, together with three  
7 (3) redundancies, triple redundancy, would be an extra  
8 approximately \$53 million.

9                   Some sources think this cost would be  
10 less. Thus, the cost of the Island route plus triple  
11 redundancy is equivalent of between four (4) to six (6)  
12 years of power sales out of a fifty (50) plus year life.

13                   In summary, the power corporation concerns  
14 of the Island route can all be addressed and overcome, in  
15 our view, without difficulty. Additional costs, as  
16 noted, are compensated by having industrial load near the  
17 -- near the start of the line, matching timing and  
18 reducing line lost.

19                   Reliability risks. Redundancy is easily  
20 taken care of technically and covered in -- and is  
21 covered -- the -- the reliability risks can be addressed  
22 by recent developments in technology in the triple  
23 redundancy in the fact that all mines being considered,  
24 both Avalon and the diamond mines, have standby diesel  
25 for a hundred percent of their power.



1                   Regulatory risk. There should be less  
2 regulatory risk on the Island route.

3                   Delay. The Island route may very well  
4 encounter less construction delay, especially if the  
5 route is combined with other infrastructure.

6                   And this quote is from Dr. Bill Mercer  
7 with regard to this project. And he said:

8                               "It is better to be a year late on the  
9                               right route than a year early on the  
10                              wrong route."

11                  This just points out that the timing of  
12 the development of the Thor Lake electrical load is very  
13 closely matched to the proposed timing of the Taltson dam  
14 project.

15                  We think we -- this could be a win/win  
16 opportunity to improve the project. There are  
17 significant social, environmental, cultural, and economic  
18 reasons for favouring the Simpson Islands route, which  
19 were not fully considered, in our opinion, in the  
20 alternative study as referred to by the Yellowknives Dene  
21 First Nation.

22                  There have been changes in technologies,  
23 cost, economic opportunities, and the increased certainty  
24 of Thor Lake and other economic developments that could  
25 provide a win/win/win solution for all parties and

1 address many of the concerns raised by Lutsel K'e here  
2 today.

3 In closing, we would recommend an  
4 independent and a robust alternative study consistent  
5 with the recommendation by the Yellowknives Dene. Thank  
6 you.

7 THE CHAIRPERSON: Thank you, Mr. David  
8 Connelly. Thank you very much for your presentation. If  
9 you don't mind, we're missing some slides, so if you can,  
10 leave a copy of your presentation with our staff there,  
11 and then we'll circulate that to the people here tonight.

12 And we could also post it on the public  
13 registry, so thank you very much for your presentation.  
14 Mahsi.

15 MR. DAVID CONNELLY: With your  
16 indulgence, Mr. Chair, if I can provide them tomorrow? I  
17 had to rewrite the presentation based on the  
18 presentations today. I apologize that those slides which  
19 were rewritten were not in your package, and I will give  
20 you new packages. Thank you.

21 THE CHAIRPERSON: Thank you very much,  
22 and we'll look forward to your slide presentation  
23 tomorrow.

24 And our final presenter for the evening is  
25 that we have the Honourable Gordon Van Tighem, Mayor of

1 the City of Yellowknife. Welcome, and come up and do  
2 your presentation. Mahsi.

3

4 (BRIEF PAUSE)

5

6 PUBLIC STATEMENT BY MAYOR GORDON VAN TIGHEN:

7 MAYOR GORDON VAN TIGHEN: Thank you very  
8 much, Mr. Chair. First of all, just to clarify, as my  
9 views were clearly presented in December of 2008 in the  
10 Slave River Journal, I'm appearing here as an individual  
11 because I haven't cleared it through my council. And I  
12 see I have a witness here. And it's not the official  
13 position of the City, so you've got me.

14 As many of you will know, my background is  
15 in banking. I was a participant in the financing of the  
16 Dogrib Power Corp., the last hydro project up on the  
17 Snare. So I'd like to address initially the  
18 socioeconomic environment.

19 One (1) of the things that was made very  
20 clear in the financing of the Dogrib Power Corporation  
21 was the economic success of the project. We came into  
22 that project with a sixty (60) year sales agreement, so  
23 there was shown demonstrated income.

24 I trust that there's been a demonstration  
25 of a long stream of income here even though the mines

1 that its aiming for have about a thirty (30) year  
2 lifespan identified. If it fails in the economic sense  
3 what are the biophysical impacts, as well?

4 When we put our branch into Fort Smith one  
5 (1) of the first things that became very obvious is that  
6 there was no automated banking machinery there, and we  
7 were told that there was none there because there was no  
8 phone lines coming in there. And we were told there were  
9 no phone lines coming in there because there's a world's  
10 last population of whooping cranes in the area, so I  
11 assume we've clarified that there are no whooping cranes  
12 in the area of a -- a high transmission line.

13 Also, since this was first discussed times  
14 changed dramatically. We're currently in this region  
15 participating in a recovery strategy for a group of  
16 caribou that are normally called the Bathurst herd now,  
17 and I noticed in the ENR presentation to the Board that  
18 this is part of the range of that herd.

19 So what are the stressors that we're  
20 introducing to a group that we're trying to promote  
21 recovery? And recovery is extremely important to  
22 Behchoko and Yellowknife. It's a \$7 million a year  
23 industry through the commercial hunting. It's a huge  
24 recruitment and retention item for any of us that are  
25 trying to have people move here to live and quality of

1 life question.

2                   So if the economic environment isn't  
3 healthy -- and I think there was a quote in here --  
4 basically what -- here we go:

5                   "Yellowknife Mayor Gordon Van Tighem  
6 observes that if Taltson expansion goes  
7 ahead to serve the diamond mines and  
8 those predictions don't pan out the  
9 resource will sit unused with  
10 powerlines dead-ended in the middle of  
11 a vast wilderness, a wasted  
12 undertaking. He suggests the plan may  
13 be too risky and fears a situation  
14 similar to the current one where  
15 Taltson Power has sat unused for two  
16 (2) decades after the shutdown of the  
17 Pine Point Mine."

18                  Anyway, with those two (2) or three (3)  
19 small considerations, I would like to strongly encourage  
20 that if the project is deemed healthy in the  
21 environmental -- in the economic environment,  
22 alternatives should be very much more seriously  
23 considered.

24                  There's two (2) across or one (1) across  
25 and one (1) under the lake. We have a submarine water

1 access here that's 6 kilometres long. Nobody knows it's  
2 there; that would seem to minimize impact.

3 Also, further to the west there are  
4 established corridors, and this -- the link between Fort  
5 Providence, once it's connected, and Behchoko would  
6 complete a grid that would allow expansion in the Tlicho  
7 region, potentially allow a shorter transmission line  
8 from Snare to the mines, but it would bring power and  
9 certainty into the largest population and hopefully the  
10 strongest growth area in the Territories.

11 So I encourage you to look at the  
12 alternatives that have been presented. Thank you.

13 THE CHAIRPERSON: Thank you, Gordon Van  
14 Tighem, for your presentation. And again, if you have  
15 some material you can leave with our staff so we can post  
16 it on the public registry, as well, that'd be great.

17 I have no more people that's on my list  
18 here, but, just for the record, is there anybody else in  
19 the room that would like to make a presentation to the --  
20 to the Review Board here tonight? I'd like to see if  
21 anybody -- in case I might have missed somebody.

22 Okay. If not, I'm going to leave that  
23 there. That concludes the public statements for the  
24 evening on our agenda. Tomorrow morning, I'd like to ask  
25 that we start at nine o'clock sharp, so if everybody

1     could make it here early, and so we could get through our  
2     agenda for the day.

3                     With that, I'm going to ask an Elder from  
4     Lutsel K'e, Albert Boucher to do the closing prayer for  
5     the evening.   Albert Boucher?

6

7                     (CLOSING PRAYER)

8

9                     THE CHAIRPERSON:   Thank you very much.  
10    We'll see you tomorrow morning.

11

12    --- Upon adjourning at 7:30 p.m.

13

14

15

16    Certified correct,

17

18

19

20

21    \_\_\_\_\_  
22    Wendy Warnock, Ms.

22

23

24

25