

MACKENZIE VALLEY ENVIRONMENTAL

IMPACT AND REVIEW BOARD

TECHNICAL MEETINGS FOR THE NICO GOLD COBALT-BISMUTH-COPPER PROJECT, NT FORTUNE MINERALS LIMITED

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HELD AT:

Yellowknife, NT

February 9, 2012

Day 3 of 3



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

- 3 THE FACILITATOR HUBERT: Good
- 4 morning, everybody. Welcome to the third day of our
- 5 technical meeting. It's good to see everybody out.
- 6 Look forward to a useful discussion here this morning
- 7 and for the rest of the day as well.
- Just a couple notes with -- with me.
- 9 I'm -- my name again is Chuck Hubert with the Review
- 10 Board. I'll be facilitating for most of the day.
- 11 With me is Shannon Hayden, also with the Review
- 12 Board. Stacy Menzies is -- will be roving and can be
- 13 found in the back.
- 14 I'd like to mention once again that we
- 15 had a revision to the agenda that was mentioned on
- 16 Tuesday. We will begin the agenda after some follow-
- 17 up discussion with closure and reclamation, including
- 18 open pit and wetlands. And because of some time
- 19 constraints from some of the parties we'll begin with
- 20 that, and then move into socioeconomic issues once
- 21 the closure and reclamation topic is -- is completed
- 22 to the satisfaction of parties and the people in the
- 23 audience.
- 24 I'd like to begin though with some
- 25 follow-up from yesterday, if I can -- in particular

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

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

- 1 unless there's items that parties would like to raise
- 2 on discussion that happened yesterday?

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

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

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

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

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

19 we -- we assume is in there. 2 3 (BRIEF PAUSE) 5 MR. KEN DE VOS: Ken De Vos, with Golder Associates. You know, wet -- wetlands for removal of metals from -- from either acid mine 7 drainage or arsenic or a number of other types of metals has been ongoing in terms of research for probably fifteen (15) or twenty (20) years now. So 10 11 there's lots of case studies. 12 There -- there's some -- some really good work on Colorado that's been done. Jim Gussack 13 14 (phonetic) is with -- with Golder, and he's done a 15 lot of the pioneering work on this as well. And Dave 16 Blowes, from University of Waterloo has done a lot of work on reactive barriers. 17 18 The -- the main mechanisms that are 19 going to act likely in this case in a -- in an --20 judging by what's happened with other locations, is 21 you're going to have probably sulphide, so you're 22 going to have redu -- reducing conditions at the base of those wes -- wetlands through degradation of 24 organic matter as -- and that happens in all 25 wetlands. You end up with sulphide precipitation.

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

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

19

20 (BRIEF PAUSE)

- 22 MR. RICK SCHRYER: Rick Schryer,
- 23 Fortune Minerals. Yeah, we're aware that that could
- 24 actually be a possibility. The people in Denver tell
- 25 us that there are wetlands that are operating under

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

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

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

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

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THE FACILITATOR HUBERT:
 1
   Hubert, Review Board. Thanks for responding to that
   earlier question. Mr. Brodie, did you have a follow-
 3
   up to that response to the earlier?
 5
                   MR. JOHN BRODIE: It's John Brodie.
   That 109,000 cubic metres, does that include water
 7
   from the pit?
 8
                   MR. KEN BOCKING: Ken Bocking, Golder
   Associates. No, that's just the loadings to wetland
10
   treatment systems 1, 2, and 3.
11
12
                          (BRIEF PAUSE)
13
14
                   MR. JOHN BRODIE: It's John Brodie.
15
   With respect to that volume of -- of flow, a key
16
    factor in -- in determining that is the rate of
   infiltration through the -- the final covered CDF.
17
18
                   And I'm wondering, could you comment
19
   on how you came up with the 15 percent of mean annual
   precipitation as the rate of inflow into the CDF?
21
                   MR. KEN BOCKING: Ken Bocking, Golder
22
   Associates. Yeah, that's a number that we -- we
23
   estimated based on -- on experience and of our team
24
   that does the cover design. It's a figure that we
25
   feel is -- is quite achievable in the long term.
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- 1 MR. KEN DE VOS: Ken -- Ken De Vos
- 2 with Golder Associates. Just to put some perspective
- 3 on the flow number, that's 109,000 metres cubed per
- 4 year. If you look at a mine such as Snap Lake, for
- 5 example, the published information on Snap Lake shows
- 6 that the pumping rate is 25 to 30,000 metres cubed
- 7 per day. So the amount of flow relatively speaking
- 8 is about three (3) days of -- three (3) or four (4)
- 9 days worth of flow from Snap Lake mine. So it's a --
- 10 it's a relatively small amount of flow.
- 11 MR. JOHN BRODIE: It's John Brodie
- 12 again. With respect to that 15 percent infiltration,
- 13 what characterization have you done of -- of borehole
- 14 materials that you might use for building that cover,
- 15 and have you done any tests to look at kinds of
- 16 infiltration or is it just desktop characterization
- 17 at this time?
- 18 MR. KEN BOCKING: Ken Bocking, Golder
- 19 Associates. It is desktop characterization so far.
- 20 We fully anticipate that we will do -- or if you
- 21 would like, our usual characterization of the soil,
- 22 sort of water characteristic curves and all that sort
- 23 of thing, and -- and do all the analytical modelling.
- 24 But that -- that's a process we'll go through later.
- 25 MR. JOHN BRODIE: John Brodie. Is

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

3

4 (BRIEF PAUSE)

- 6 MR. KEN BOCKING: Ken Bocking, Golder
- 7 Associates. We've looked at the materials available
- 8 and have decided that -- that predominant element of
- 9 the cover will be glacial till. We've done some air
- 10 photo interpretation and some ground reconnaissance
- 11 and a limited amount of borehole testing, which gives
- 12 us confidence that we can find glacial till in it's -
- 13 it's about four (4) different locations. It's --
- 14 it's shown on the -- on the footprint plan.
- The idea is to exploit the till
- 16 deposit on the back slope of the bowl zone in -- in
- 17 the first instance, because that's till material that
- 18 would have to be stripped in any case for the open
- 19 pit operation.
- 20 MR. JOHN BRODIE: John Brodie. Did
- 21 you consider geosynthetic type covers as an
- 22 alternative to natural materials in order to reduce
- 23 the volume of water flowing through the CDF?
- 24 MR. KEN BOCKING: Ken Bocking, Golder
- 25 Associates. Just -- just to step back. In -- in

- 1 response to the previous question, the section on
- 2 borehole is 3.10.2.9. Now -- and Figure 3.2-2.
- As to your current question, we -- we
- 4 thought about it, a geomembrane situation. But we --
- 5 we felt that it was more practicable to use a soil
- 6 cover. And also a soil cover should have more
- 7 longevity than a geomembrane. We also are -- are
- 8 quite comfortable with being able to reduce the
- 9 infiltration to 15 percent.
- 10 THE FACILITATOR HUBERT: Chuck
- 11 Hubert, Review Board. If you can elaborate a little
- 12 on what the pros would be for a geosynthetic cover
- 13 design, relatively speaking to the glacial till.

14

15 (BRIEF PAUSE)

- 17 MR. KEN BOCKING: Ken Bocking, Golder
- 18 Associates. We -- we see the advantages of going to
- 19 the soil cover option being that, first of all, it
- 20 provides a surface that can be re-vegetated and --
- 21 and so it's going to support vegetation on -- on the
- 22 entire CDF area. And it's -- being a natural
- 23 material, it has, you know -- obviously it's a
- 24 material that's survived ten thousand (10,000) years
- 25 since the glaciation so it's -- it's got more

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

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

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

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

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

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

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

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

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

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

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

- 1 Thanks.
- 2 MR. RICK SCHRYER: Rick Schryer,
- 3 Fortune Minerals. This had been addressed in one (1)
- 4 of our IR responses. I'll just give a summary.
- 5 We'll be looking at both passive and
- 6 active reclam -- re-vegetation techniques during
- 7 operations. Because we do -- we will have a large
- 8 portion of the CDF available to tar -- start
- 9 experimental test plotting in terms of figuring it
- 10 out.
- 11 There's a lot of lessons learned now
- 12 available from the diamond mines in terms of
- 13 reclamation techniques in the north that work. And
- 14 so we'll be giving careful eye to that in terms of
- 15 their -- their successes and failures and how we can
- 16 adapt that to our site. Keeping in mind that they
- 17 are -- you know, the diamond mines are on the tundra
- 18 and we're in the forest, but.
- And we've also made the commitment to
- 20 the Tlicho government that we would work with them in
- 21 terms of getting their input in terms of what the re-
- 22 vegetation should look like, what their objectives
- 23 are. In terms of -- of re-vegetation for the cover
- 24 of the CDF.
- 25 But the -- the bottom line is that

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

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

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

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

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

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

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

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

- 1 Fortune Minerals. I can -- I can honestly, actu --
- 2 we -- we hadn't thought of that one. If the water
- 3 quality is in -- acceptable in the open pit the ramp
- 4 actually would still be there. You could remove the
- 5 boulders from that part of it, and the ramp would
- 6 actually provide access to the open pit if -- if
- 7 that's what the Tlicho would desire. I mean, that's
- 8 something that we would have to work with the Tlicho
- 9 in terms of whether or not they actually want animals
- 10 to access the open pit if the water quality is
- 11 acceptable. But, I mean, I think that would actually
- 12 be pretty simply done.
- 13 MR. GERD WIATZKA: Gerd Wiatzka. I
- 14 think, Rick, you probably have an option too on your
- 15 benches. On your top bench you could cut back in
- 16 preparation so that if you wanted to remove anything,
- 17 that would be a simple case then.

18

19 (BRIEF PAUSE)

- 21 MR. GERD WIATZKA: Gerd Wiatzka,
- 22 SENES. I have a -- listening to John's questions,
- 23 and -- with regard to infiltration and so on, I'm --
- 24 I just would like to get a bit of clarity.
- When we talk about the 15 percent, is

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

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

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

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

```
meets your needs.
                   DR. GINGER GIBSON: That Golder and
 2
   Fortune would commit to resubmitting the case
   histories, including the closure -- or the covers
   that were used -- utilized in the co-disposal
   facilities, both the -- the materials and the -- the
 7
   depth of the covers and the nature of them. Thanks.
 8
                   THE FACILITATOR HUBERT: Thanks very
 9
   much. And that is, I believe, Undertaking number 6.
10
11
   --- UNDERTAKING NO. 6: Fortune Minerals to
12
                                resubmit the case
13
                                histories, including the
14
                                covers that were utilized
15
                                in the co-disposal
                                facilities, both the
16
17
                                materials and the depth
18
                                of the covers and the
19
                                nature of them
20
21
                   DR. GINGER GIBSON: I -- I just want
22
   to follow that last answer that you gave.
                                               The wat --
23
   the cover is designed to limit infiltration of water
24
   to 15 percent, but it's also designed to stop the up
   -- the access of animals to any plants that are
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- 1 growing. So that -- so that there -- I mean, not
- 2 access to plants, but so that that capillary break is
- 3 there so arsenic can't be taken up. So there's those
- 4 two (2) functions.
- 5 Have you -- is it -- is it deep
- 6 enough? Is it -- would it -- would there be any
- 7 benefit to make it deeper? Is it -- like, in terms
- 8 of how big the co -- how thick the cover is on the
- 9 materials? Why have you chosen the figure that
- 10 you've chosen in terms of how -- how that's going to
- 11 perform?
- MR. KEN BOCKING: Ken Bocking, Golder
- 13 Associates. Yes, we -- we believe it's deep enough.
- 14 We're looking at 1 metre of glacial till, which is,
- 15 you know, somewhat stony. And -- and, primarily,
- 16 herb -- herbaceous vegetation on the top. And then
- 17 underneath that is .25 metres of -- of a clean, well
- 18 draining sand, our capillary break. So, yes, I
- 19 believe that that will perform very well in
- 20 preventing uptake of arsenic into the vegetation.
- 21 MR. RICK SCHRYER: Rick Schryer,
- 22 Fortune Minerals. I just wanted to go back to the
- 23 previous commitment that Ginger had asked for. I
- 24 briefly discussed it with Ken, and he thinks it would
- 25 be more efficient if we did a review of the covers in

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

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

- 1 that. Let's have a break for fifteen (15) minutes
- 2 and come back to discuss closure and reclamation.
- 3 Thanks very much for the hand waving, see you then.

4

- 5 --- Upon recessing at 10:15 a.m.
- 6 --- Upon resuming at 10:37 a.m.

- 8 THE FACILITATOR HUBERT: Welcome
- 9 back, ladies and gentlemen. We -- we are continuing
- 10 with our discussion of closure and rec -- reclamation
- 11 topic here. First though I'd like to clarify a
- 12 little bit, Undertaking number 1. We've -- we've
- 13 talked about it on both days.
- 14 The first day the undertaking
- 15 essentially discussed the summary of the waste stream
- 16 from the reverse osmosis effluent treatment facility.
- 17 The second day, in our transcripts, Undertaking 1 was
- 18 expanded to include the processing of the -- of the
- 19 brine. And this morning we had a bit of a talk about
- 20 the entire suite of parameters for water quality
- 21 being reconfigured from the ion exchange to reverse
- 22 osmosis.
- 23 And I just want to -- I know -- I know
- 24 that was mentioned and I'd like to have that included
- 25 in a way that is of most benefit in -- in particular

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

24

25 (BRIEF PAUSE)

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

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

24

25 (BRIEF PAUSE)

1 MR. TODD SLACK: And I can talk about

- 2 the eventualities a bit here. And that's the ETF.
- 3 That's the long-term monitoring. Okay. Sorry.

4

5 (BRIEF PAUSE)

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

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

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

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

- 1 lease would be separate.
- 2 So in terms of strat -- the -- the
- 3 strategy here is to be able to release parts of the
- 4 property that can be released, but obviously hang
- 5 onto the ones that need to be -- need to have
- 6 financial assurance in the long term are actually
- 7 still there and -- and covered by it.
- 8 So that's our -- our strategy for now,
- 9 but like I said that's in its infancy. We've had one
- 10 (1) meeting.
- 11 I'm just not sure about how -- what
- 12 can and can't be released in terms of financial
- 13 assurance. I'll be honest, I'm not sure what the
- 14 company position is on that, and I'll have to
- 15 actually check on it.

16

17 (BRIEF PAUSE)

- 19 DR. GINGER GIBSON: Ginger Gibson,
- 20 Tlicho Government. It's -- I quess -- in reflecting
- 21 on the possibility that there would be long-term
- 22 treatment, that there would be treatment forever, in
- 23 perpetuity is a -- such a big, long concept for --
- 24 for people who have lived here and been here forever
- 25 to think of their water needing to be treated.

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

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

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

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

- 1 way to treat the water.
- 2 And I feel like there's a lot of
- 3 options available in terms of, you know, going away
- 4 from the ETF, but let's just assume the worst of the
- 5 worse-case scenarios, and you have to run an ETF.
- 6 That decision would be based on the
- 7 fact that the wetland treatment system is not
- 8 operational, right? And it would be based on
- 9 monitoring of the wetland. And -- and then, and only
- 10 then, would you actually have to move to an effluent
- 11 treatment system.
- But like I said, I think if you had to
- 13 set one (1) up for five (5) or ten (10) years while
- 14 you looked at other options, I think you would be
- 15 able to do that. I'm also quite confident that the
- 16 effluent treatment technology a hundred and forty
- 17 (140) years from now is going to improve from what we
- 18 have at present day.
- 19 If we look at where we were at one
- 20 hundred (100) years ago, in terms of effluent
- 21 treatment and where we are today and when looking at,
- 22 you know, ferric sulfide addition versus an RO system
- 23 now, I'm confident that a hundred and forty (140)
- 24 years from now, we'll have much better technology
- 25 that will be able to treat this water effectively.

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

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

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

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

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

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

79 the liability that came with it? Sorry. 2 3 (BRIEF PAUSE) 5 MR. KEN BOCKING: Ken Bocking, Golder Associates. I think all -- all three (3) of those examples, when -- when they started mining, the 7 closure and reclamation laws were not in place. I --I guess as they moved into closure, they were 10 required to put up funding that be -- when it became 11 apparent what that was to do. 12 It -- it wouldn't have done -- they 13 wouldn't have been put in place before the start of the mine, right. I think we've -- we've moved ahead. 14 15 We're in better -- better situations now. 16 fortunately in those instances the -- as they went into closure they put up adequate funding for the 17 18 perpetual, or near perpetual, maintenance. 19 MR. TODD SLACK: Thanks. So is there -- I guess, do you know of an example -- a company 21 with a single property that has left, as this example 22 that we're considering here, has left the liability 23 to the -- either AANDC or some other government? Is there an example where we can look to for guidance on 24 25 how the reclamation was valued against the security

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

- 1 development of our Mount Klappan -- Klappan, can't
- 2 even say the word, Mount Klappan coal mine in
- 3 northern British Columbia. And we're actively
- 4 advancing that property as well. So we're a two (2)
- 5 property company.
- 6 MR. TODD SLACK: Thanks, that -- it
- 7 helps.

8

9 (BRIEF PAUSE)

- 11 MR. KEN BOCKING: Ken Bocking, Golder
- 12 Associates. I can say that the -- the basis of
- 13 financial assurance, certainly in Ontario where I'm
- 14 used to working, is that the closure costs have to be
- 15 fully recognized and fully funded. I believe MNDM
- 16 would -- would say that they are. In terms of
- 17 examples, I -- I'd have to go away and think about it
- 18 and maybe call my friends at MNDM.
- 19 MR. TODD SLACK: If you could make
- 20 that phone call it would be great.
- 21 MR. KEN DE VOS: Ken De Vos, with
- 22 Golder Associates. You know, I -- I think you need
- 23 to recognize that the laws have changed in -- in
- 24 that. What you're describing in terms of, you know,
- 25 a worst case where somebody just walks away, there's

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

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

Territory, and Nunavut.

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

85 1 (BRIEF PAUSE) 2 3 THE FACILITATOR HUBERT: Thanks. Was -- was Fortune prepared to answer that previous 5 question? 6 7 (BRIEF PAUSE) 9 THE FACILITATOR HUBERT: Chuck Hubert, Review Board. While Fortune discusses that 10 amongst themselves, I'd just like to say that these -11 12 - these questions and answers are extremely valuable, 13 and I -- I know parties consider this to be of -- of 14 extreme importance. And -- and I want to make sure that -- that all questions on the topic are -- are 15 16 addressed, keeping in mind that I don't want to 17 compromise the time for socioeconomic, either, later 18 on. 19 The afternoon agenda includes mostly socioeconomic and also air emissions and 21 archeological and heritage resource, if we can get to 22 it. 23 MR. RICK SCHRYER: Rick Schryer, 24 Fortune Minerals. Just a comment on what Mr. Brodie 25 said. And as I mentioned, we had our initial meeting

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

- 1 put in some operational contingencies for things that
- 2 might happen during life of operation that aren't
- 3 part of a -- a closure so unexpected hazards.
- 4 So, for example, you're doing
- 5 progressive reclamation, and during the progressive
- 6 reclamation something comes up that was unforeseen
- 7 and -- and some funding needs -- or you have an upset
- 8 event that causes -- that causes a financial hardship
- 9 of some kind that you have to...
- 10 So has -- has there been any thought
- 11 given to any kind of a -- a funding for those kind of
- 12 unforeseen events?

13

14 (BRIEF PAUSE)

- 16 MR. KEN BOCKING: Mr. Chair, Ken
- 17 Bocking, Golder Associates. While they're having
- 18 discussions, it might be an opportunity for me to
- 19 correct something that I misspoke earlier.
- 20 And -- and also, it's been pointed out
- 21 that in the text of the DAR, there's a place in
- 22 3.14.7.1 where we give incorrect thicknesses of the
- 23 cover. Just to be absolutely clear, the figures that
- 24 show the cross-sections are the ones that are
- 25 correct.

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

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

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

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

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

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

- 1 change.
- 2 So these -- the -- the estimates would
- 3 be revisited as we -- as -- as, you know, information
- 4 is gathered on -- on the closure plan.
- DR. GINGER GIBSON: Ginger Gibson,
- 6 Tlicho government. Thank you, Ryan, for bringing
- 7 that -- those ideas to the table. The future land
- 8 use of the region is something that the Tlicho
- 9 government, through the Kwe Beh Working Group, is
- 10 working on and considering.
- 11 And so for this example, this summer,
- 12 we will be running a -- a program in the Tlicho
- 13 region called Wateh (phonetic) -- I don't know how to
- 14 say that -- Wateh 2012, where we take Elders --
- 15 generally, we've been taking Elders to the diamond
- 16 mines and asking them to look at waste rock piles and
- 17 asking them to tell us how can we reclaim these
- 18 landscapes.
- 19 And it's a very foreign idea to take
- 20 the Elders to an already completely revised landscape
- 21 and -- and all of a sudden tell a bunch of mining
- 22 engineers about how to reform it.
- 23 So this summer we're taking them to an
- 24 -- an existing esker -- some of you will know it as
- 25 Mesa Lake Wateh -- and asking them why it is that

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

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

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

21

22 (BRIEF PAUSE)

- MR. RICK SCHRYER: Rick Schryer,
- 25 Fortune Minerals. I think the first step in that,

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

99 (BRIEF PAUSE) 1 2 3 THE FACILITATOR HUBERT: Anything further from Tlicho Government? AANDC? How about participation from the patient folks sitting in the back seats? 7 (BRIEF PAUSE) 9 10 THE FACILITATOR HUBERT: Would 11 Fortune care to comment any further on the topic of 12 closure and reclamation? 13 14 (BRIEF PAUSE) 15 16 THE FACILITATOR HUBERT: Okay, thanks. I'll -- I'll take that as a no. I just thought I'd 17 18 ask. With that, I think we're at about 1:30, and -or 11:30, sorry, 11:30 -- 11:30, thanks. 19 20 I think it -- the best way forward would be to break for lunch now and come back at 21 22 1:00, and just -- and 1:00 sharp, since we're being 23 let go early, if I can insist upon that and -- and 24 talk about socioeconomic issues, including culture, 25 language, way of life, and -- and later on in the

- 1 afternoon, perhaps 3:30-ish, hear emissions and
- 2 archeological and heritage resources.
- 3 So thanks very much for -- for the
- 4 excellent questions and answers and discussions this
- 5 morning, and see you at 1:00.

6

- 7 --- Upon recessing at 11:30 a.m.
- 8 --- Upon resuming at 1:10 p.m.

- 10 QUESTION PERIOD RE SOCIOECONOMIC ISSUES:
- 11 THE FACILITATOR HUBERT: Good
- 12 afternoon, ladies and gentlemen. Thanks for
- 13 returning back after lunch here. We have on our
- 14 agenda socioeconomic issues. And the way we've
- 15 broken it down in our agenda is between initially
- 16 training/employment/procurement topics and secondly,
- 17 cultural language, way of life.
- 18 Again, there might be crossover
- 19 between those topics, and I'll leave it up to parties
- 20 who want to ask questions of the developer to ask
- 21 whichever -- in whichever order they feel most
- 22 comfortable or see fit.
- 23 I'd like to welcome Paul Mercredi to
- 24 my left. He'll be assisting me and perhaps take over
- 25 facilitation responsibilities somewhere during the

- 1 afternoon here.
- With that, I'd like to open the
- 3 discussion up to -- begin perhaps with the Tlicho
- 4 Government.

5

6 (BRIEF PAUSE)

- 8 CHIEF ALFONZ NITSIZA: Thank you,
- 9 Chuck. My names Alfonz Nitsiza. I'm the chief from
- 10 Whati, the most impacted community if the mine goes
- 11 ahead; with the Tlicho Government, chief executive
- 12 counsel.
- Just in the way of a little about
- 14 myself, it was very interesting to sit behind there
- 15 and listen in to the exchange here, the technical
- 16 review.
- 17 Some of the language that some of us
- 18 cannot understand, but nonetheless, I have sat on
- 19 Mackenzie Valley Land and Water Board, both
- 20 Wek'eezhii and -- and also on the Renewable Resource
- 21 Board. So it reminded me of those days when we had
- 22 to go through all this stuff there.
- So it's -- it's just for
- 24 clarification, and -- and sometimes it's frustrating
- 25 answering questions, I know. But those of you that do

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

- 1 one (1) point, they stopped development in -- in the
- 2 -- in the one (1) of the biggest community, Behchoko.
- 3 And that has really -- they -- they --
- 4 because of the stopped development in hope that they
- 5 moved the community, the whole community, to -- to a
- 6 nearby new site. Edzo, it's called, that has really
- 7 slowed down the housing for the people, and there was
- 8 never a catch up. So -- and also in the surrounding
- 9 communities as well.
- 10 So we have, right now, a very poor
- 11 housing condition, some of them beyond repairs. The
- 12 -- the household, you know, we have somewhere like
- 13 maybe six (6), seven (7), eight (8) people in one (1)
- 14 -- one (1) house. Becomes a very problem when a -- a
- 15 big problem when at school in the morning, as kids
- 16 have to be lined up for washroom.
- 17 And I know in my community, there's a
- 18 few houses that -- or, a few families that are living
- 19 in abandoned houses right now with no power, no
- 20 electricity, no plumbing, running water.
- So, you know, with the -- with the
- 22 mine you're opening up -- or, if -- if it opened up,
- 23 you know, there's going to be a bigger influx of
- 24 people wanting to move in to Whati, because they will
- 25 be closest to the mine site and hoping that they can

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

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

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

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

108 1 (BRIEF PAUSE) 2 3 CHIEF ALFONZ NITSIZA: I want -- I want to sit here and tell you more of this, but I'm sure, you know, if we -- as I always say when I go to meet with other people, that we have to 7 establish a -- a good working relationship. 8 I advise the people that work with me to treat this project, the upcoming -- as it's going 10 to come, because we want to be prepared for everything. You know, because there'll be benefits. 11 We've got to figure out what outweighs the benefits, 13 or the effect. So as long as we have a good 14 understanding, and that's -- that's what I want to 15 see, the good understanding of what this product -project means. Because this may not be the only one, there'll be others. We have a very rich, rich land. 17 18 And so we want to see this go at the pace that we can 19 understand it. With that I would turn it over to 20 Allister if he wants to ask a question or...? Mahsi. 21 22 MR. ALLISTER MACDONALD: Mahsi, Chief. Allister Macdonald for SENES Consultants and 24 the Tlicho Government. Just let me reposition this. 25

109 1 (BRIEF PAUSE) 2 3 MR. ALLISTER MACDONALD: The first thing I want to talk about, Review Board staff may want to close their ears because we've been forbidden to talk on this particular issue but we've had some 7 discussions with the Developer. 8 THE FACILITATOR HUBERT: That was 9 subliminal. 10 MR. ALLISTER MACDONALD: They cut me 11 off already, Alfonz, we've got a real problem here. The developers consistently stated in a variety of 12 13 documents including the DAR and Information Request responses that the NICO Project requires an all-14 15 weather road for operations. 16 The Tlicho Government hasn't made any 17 independent determination on whether they think 18 that's accurate or not at this time. The reason it 19 cannot do so, or one (1) of the reasons is that it has yet to see any information on economic or 21 technical feasibility that was used by the developer to -- to make that determination that an all-season 22 23 road was required. 24 So the Tlicho Government is seeking a 25 commitment from the Developer. In fact, this one

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

	111
1	information used when it
2	made the determination
3	that an all-season road
4	was the only appropriate
5	haul system for this
6	particular mine
7	
8	MR. RICK SCHRYER: That goes without
9	saying.
10	THE FACILITATOR HUBERT: Then I won't
11	say it again. Thanks very much. Please continue,
12	Tlicho Government.
13	MR. ALLISTER MACDONALD: Allister
14	MacDonald for Tlicho Government. I would like to
15	talk a little bit about the rotation schedule for the
16	mine.
17	The Developer has indicated that one
18	(1) of the draws for Tlicho citizens to work at this
19	mine would be its proximity, in particular to Whati,
20	but also to Gameti and Behchoko. And of course
21	they're working under the assumption that an all-
22	season road be in place, and that bus bussing
23	could be the main form of transportation to those
24	three (3) communities.
25	And they have provided evidence that,

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

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

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

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

creating that information sheet with regard to different schedules and the pluses and minuses to it. And also, again, that great opportunity to meet face to face and discuss that. 5 THE FACILITATOR HUBERT: Chuck Hubert, Review Board. And that is Undertaking 7 number 8, and it's to identify the range of shift rotations possible for the -- for the NICO project. 9 10 --- UNDERTAKING NO. 8: Fortune Minerals to 11 identify the range of 12 shift rotations possible 13 for the NICO project, as 14 well as the pros and cons 15 associated with those rotations 16 17 18 THE FACILITATOR HUBERT: You can 19 proceed. 20 MR. ALLISTER MACDONALD: I'm 21 wondering if there's any GNWT representatives here 22 today that are planning to ask questions as well? 23 Feel free to jump in at any point. 24 And I've also just received a note

that my bid for grand chief of the Tlicho government

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

- 1 employment possibilities a little further on.
- 2 But, I guess, in terms of undertakings
- 3 I'll have to sort of look through my notes here for a
- 4 moment. So if you'll just excuse me for one (1)
- 5 second. I guess the first question that I have is
- 6 maybe one (1) for -- for the -- the Fortune team in
- 7 terms of how many people it might expect to move into
- 8 the Whati area to -- from other Tlicho communities,
- 9 to take advantage of the opportunities created by
- 10 this mine? And how it would have come to that
- 11 determination?

12

13 (BRIEF PAUSE)

- MR. ROSS MITCHELL: Ross Mitchell,
- 16 Golder Associates. Allister, if you don't mind,
- 17 could you please repeat that question so I'm clear on
- 18 what you're asking?
- MR. ALLISTER MACDONALD: Okay. When
- 20 a -- an estimation of significance of effects of in-
- 21 migration on a series of value components were made
- 22 in the Developer's assessment report. Was -- what
- 23 number of potential in-migrants was that based on, or
- 24 was it purely a qualitative assessment that some
- 25 people might move in?

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

- 1 studies that were used to -- to make a determination
- 2 of what that in-migration level might be?
- 3 MR. ROSS MITCHELL: Yes, that would
- 4 be possible.
- 5 MR. ALLISTER MACDONALD: I smell an
- 6 undertaking, Chuck.
- 7 THE FACILITATOR HUBERT: I can taste
- 8 it. Thanks. Yes, that will be Undertaking number 9,
- 9 for Fortune to provide a list of the references used
- 10 for determining in-migration, based on case studies.

11

- 12 --- UNDERTAKING NO. 9: Fortune Minerals to
- 13 provide a list of the
- 14 references used for
- determining in-migration,
- 16 based on case studies

- 18 THE FACILITATOR HUBERT: Is that
- 19 roughly -- or would you like to phrase it better than
- 20 that?
- MR. ALLISTER MACDONALD: That sounds
- 22 good to me. Thanks very much. Al MacDonald from
- 23 SENES Consultants here again. And I think equally
- 24 important to looking at existing case studies, there
- 25 is a desire from the developer, I believe, and, as

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

122 think. 2 3 (BRIEF PAUSE) 5 MR. PAT MOLONEY: Pat Moloney, with Just -- I just want to clarify the way that I would see this taking place, because I think 7 there's actually two (2) parts to what we're talking about. The first one (1) is that to be able to make 10 some estimated or educated -- sorry, educated decisions around the -- the in-migration, we would 11 need to de -- get a sense of who our potential 13 candidates are for employment. 14 And -- and the way that I would see 15 this taking place is that there are currently very skilled HR coordinators in each of the Tlicho 16 communities that work in the community offices that I 17 18 can tap into to find information about the -- the 19 available talent that's out there right now, as well as skills and -- and abilities. And we also have individuals that work 21 in the communities that can also do some canvassing 22 23 that would help us determine, first off, what the --24 the work pool looks like right now, and recognizing 25 that the start date of employment is at this point

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

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

- 1 based in reality, and not be based in myth making or
- 2 in best guesses or in -- in proxy studies that really
- 3 can't capture the reality of northern life in a
- 4 remote community.
- 5 And so I'm saying that to ask the
- 6 Developer to consider in every undertaking that
- 7 really relates to Tlicho values, and culture, and way
- 8 of life, to really consider whether and how Tlicho
- 9 research capacity can be built.
- 10 And I raise that not as a specific
- 11 question to you on this at this point, but to both
- 12 educate you about the resources in the Tlicho
- 13 Government, but also to suggest that on -- on these
- 14 key issues and key lines of inquiry that there really
- 15 needs to be a -- a closeness and a depth that can't
- 16 be achieved by researchers coming from away. Thanks.

17

18 (BRIEF PAUSE)

- 20 MR. RICK SCHRYER: Rick Schryer,
- 21 Fortune Minerals. As we move forward -- and we know
- 22 we -- you have a list of questions that you want
- 23 addressed and that there's issues that still need be
- 24 -- to be addressed, if you could provide us a list of
- 25 what available services are and people within the

- 1 Tlicho Government that could actually aid in the
- 2 resolution of these questions, we'd be more than
- 3 willing to work with them in terms of including them
- 4 in the -- in the study so we can get that Tlicho
- 5 perspective into the work that we're doing.
- DR. GINGER GIBSON: Ginger Gibson,
- 7 Tlicho Government. Thank you very much, we'll do
- 8 that.

9

10 (BRIEF PAUSE)

- MR. ALLISTER MACDONALD: Al
- 13 MacDonald, SENES Consultants. Going back to what Pat
- 14 was saying, the first part there you were talking
- 15 about sort of undertaking or completing a labour
- 16 skills survey in the communities with the support of
- 17 -- of Tlicho human resource departments.
- Now, can we take that as -- as a
- 19 commitment moving forward, that that will be
- 20 conducted during the technical phase of this
- 21 environmental assessment, so we can get a better
- 22 sense of some of this -- these likely employment
- 23 numbers and start conducting the effects assessments
- 24 thereby?
- MR. PAT MOLONEY: Yes, you can. Pat

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

- 1 MR. ALLISTER MACDONALD: While we're
- 2 on the subject of -- of Tlicho employment, I thought
- 3 maybe I'd just ask a couple of questions here about
- 4 the hiring targets that were identified in the
- 5 Developer's assessment report.
- 6 First of all, maybe the -- the
- 7 Developer can clarify what those targets are for
- 8 Northern and Aboriginal employment, both direct and
- 9 contracting, if that's possible.

10

11 (BRIEF PAUSE)

- MR. ROSS MITCHELL: Sorry, Ross
- 14 Mitchell, formerly with Golder Associates, now with
- 15 Environmental Resources Management. I've been told
- 16 to make that clarification. So that's ERM. Okay.
- 17 So, yes, Allister, I can answer that.
- 18 The commitment for operational jobs was 50 to 60
- 19 percent of all operational jobs would be targeted to
- 20 Northerners, and 30 to 50 percent of those jobs would
- 21 be taken up by Aboriginal residents.
- There isn't a specific commitment
- 23 within that for Tlicho, but within Aboriginal.
- 24 Obviously, Tlicho would have first priority.
- For contractors, 60 to 80 percent of

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

- 1 question, and secondly would be: There -- there's
- 2 some discussion in the DAR that they -- even those
- 3 targets may not be achievable immediately during the
- 4 start -- discluding construction for now.
- 5 When would the -- when would the
- 6 Developer think those targets might be reachable
- 7 during the course of operations?

8

9 (BRIEF PAUSE)

- 11 MR. ROSS MITCHELL: Ross Mitchell
- 12 with ERM. Those estimates were based on -- they were
- 13 considered estimates, first of all, based on data:
- 14 looking at other mines, for example, and also the
- 15 conditions of the workforce, the -- the proximity of
- 16 the mine to the communities. The available potential
- 17 labour force, that was estimated as well in the
- 18 communities without knowing exact numbers. So we
- 19 chose a more conservative number to come up with
- 20 those percentages.
- 21 MR. RICK SCHRYER: Rick Schryer,
- 22 Fortune Minerals. I'd just like to add to that,
- 23 Allister, for one (1) second. I'd just like re-
- 24 emphasize our commitment in the DAR. First of all,
- 25 our hiring priorities were to hire Tlicho first. And

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

21

22 (BRIEF PAUSE)

- 24 MR. ROSS MITCHELL: Ross Mitchell,
- 25 ERM. Yes, to answer your question, Allister, the

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

22

23 (BRIEF PAUSE)

24

MS. AMY LIZOTTE: This is Amy

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

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

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

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

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

24

25 (BRIEF PAUSE)

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

MS. AMY LIZOTTE: Okay. I can commit

- 1 to the GNWT providing the information that we have to
- 2 the public registry, and -- and we can go from there,
- 3 I guess, whether that meets your needs.
- If you have further questions, then we
- 5 could work directly with each other.
- 6 MR. ALLISTER MACDONALD: If we could
- 7 take that as an undertaking to gather some initial
- 8 information by the GNWT, the Tlicho Government would
- 9 review that and -- and potentially provide some
- 10 comments to GNWT on -- on where there's gaps.

- 12 When crawling through the desert, we
- 13 don't insist on a can of coke when we get to the
- 14 well.
- 15 THE FACILITATOR HUBERT: Thanks very
- 16 much. If the GNWT is in agreement with that, that
- 17 would be Undertaking number 10. And if -- if I can
- 18 get a concise statement of what that undertaking
- 19 could look like, which is agreed upon between the
- 20 Tlicho Government and GNWT, that'd be great.
- 21 MR. ALLISTER MACDONALD: Should I
- 22 take a crack at it, Amy?
- MS. AMY LIZOTTE: Please.
- 24 MR. ALLISTER MACDONALD: GNWT to
- 25 undertake to provide a summary of available survey

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

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

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

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

- 1 MR. PAT MOLONEY: Pat Moloney with
- 2 Fortune. I'm not certain how it was worded in the
- 3 DAR, but we can certainly check it. Just give us a
- 4 moment.
- 5 DR. GINGER GIBSON: If you can get
- 6 back to us when you -- that would be great. Thanks.
- 7 THE FACILITATOR HUBERT: Thanks very
- 8 much for that commitment. And Tlicho Government,
- 9 further questions?

10

11 (BRIEF PAUSE)

- 13 MR. RICK SCHRYER: Rick Schryer,
- 14 Fortune Minerals. We're searching through the DAR
- 15 right now to see if those specific words are in
- 16 there.
- 17 MR. ALLISTER MACDONALD: In -- in the
- 18 interim, it may be useful for the crowd, actually, to
- 19 understand better some of the flexibility that the
- 20 Developer has identified around criminal records as
- 21 well as educational requirements, which I'm familiar
- 22 with, but other people in the crowd may not be
- 23 familiar with.
- 24 MR. PAT MOLONEY: Pat Moloney with
- 25 Fortune. We've been trying to strongly get the

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

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

terms of reference.

147 1 revenues, were not part of the requirements of the

I would refer the -- the Developer to

- 4 the portion of the terms of reference which acts --
- 5 asks for all taxes remitted to federal, territorial,
- 6 or municipal governments and suggests that the Tlicho
- 7 Government must fit in there somewhere.

8

9 (BRIEF PAUSE)

- DR. GINGER GIBSON: Ginger Gibson,
- 12 Tlicho Government. Just to add to this equation, if
- 13 you need copies of the Tlicho agreement we can make
- 14 them available to the analysts that are involved in
- 15 this work. And -- and then we'll re -- specifically
- 16 refer to -- you to the taxation area in the Tlicho
- 17 agreement.
- 18 We also -- I mean, the bottom line in
- 19 this one is that mines operating within and wholly
- 20 within Tlicho lands are going to be -- if people are
- 21 employed in them, will be a significant revenue
- 22 source to the Tlicho Government, which, as a oper --
- 23 as a government, as a self-government, a fledgling
- 24 government, is a very significant form of revenue.
- 25 The more people that are employed in the mine, the

148 more taxation revenue there is. 2 So it's certainly -- for Tlicho Government decision making it's certainly a 3 significant figure that would be valuable to have. So we would request that that modelling be done based on a variety of figures. 7 (BRIEF PAUSE) 9 10 THE FACILITATOR HUBERT: Chuck 11 Hubert, Review Board. Thanks very much for that 12 request. And we'll await Fortune's response. 13 14 (BRIEF PAUSE) 15 16 MR. ROSS MITCHELL: Ross Mitchell, ERM. Just a clarification on the municipal tax 17 18 question. We're certainly willing to think -- or to 19 -- to look at the issue, but we'd also want to know if -- where we'd be ab -- be able to access some of 21 that data because it may not be publicly available. 22 DR. GINGER GIBSON: I think, yeah, we 23 can work with you on that. We can provide you both 24 the Tlicho agreement. And then if you do modelling 25 based on a number of different scenarios I think

- 1 you'd be able to -- we'd be able to work together to
- 2 figure that out fairly easily.

3

4 (BRIEF PAUSE)

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

1 based on increased demand for services in a community

- 2 like Whati.
- 3 Once a better understanding of the
- 4 potential number of employees and in-migration to
- 5 Whati is understood, perhaps we can get a better
- 6 sense of the costs, the taxation being a benefit, the
- 7 service requirements being a cost from this.
- 8 So can we get a similar commitment
- 9 from the Developer to work with the Tlicho Government
- 10 to better understand the total number of services
- 11 that the Tlicho Government provides and how -- and
- 12 then a dialogue on how they may be affected by change
- 13 that occurs from the development?

14

15 (BRIEF PAUSE)

- 17 MR. RICK SCHRYER: Rick Schryer,
- 18 Fortune Minerals. Yes, we -- Fortune Minerals will
- 19 work with the Tlicho Government in order to try to
- 20 drive those costs that would come with, say,
- 21 increased in-migration into Whati. The only caveat
- 22 I'll put on that is -- is as Allister mentioned, that
- 23 we need to finish the in-migration study first,
- 24 otherwise we won't have any idea of how to -- to put
- 25 any quantifiable numbers to it. And we'll need Tlic

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

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

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

154 (BRIEF PAUSE) 1 2 3 MR. BILL SHEPARD: Good afternoon, Bill Shepard from Fortune Minerals. I first wanted to say -- start off by saying -- in recognizing Chief Alfonz's words, and Dr. Gibson's words at the 7 beginning, I want to say mahsi. They're much respected, and they do drive a lot of our actions and our behaviours moving forward and making this very successful. 10 11 I've been asked to speak on this part 12 here because a lot of it rolls into not only the 13 developing of the individual at the mine site, but 14 also developing capacity, and also developing 15 opportunities for Tlicho businesses to support this 16 project as well. 17 We're doing a lot of behaviour-based 18 activity at Fortune Minerals right now as we prep and 19 get ourselves ready for this project to -- to be 20 successful. 21 What we are doing currently right now, 22 we are putting different programs and procedures to 23 mentor and to recognize success opportunity for 24 Tlicho workers at the work site, and also potential 25 Tlicho businesses that can help support the work

- 1 site.
- With that in place, we're -- we're
- 3 listening to the words as far as having on-site
- 4 resources available to mentor and recognize the --
- 5 the individuals that can help us at a -- at a
- 6 grassroots level. But also, hopefully, we can
- 7 encourage entrepreneur relationships with our
- 8 facility as well.
- 9 As I mentioned before, rather than
- 10 just having words, we will focus on behaviour-base
- 11 activities. So Fortune's behaviours is what we've
- 12 done to accent this. We've made key relationships
- 13 with people within the community, such as the Tlicho
- 14 Investment Corporation, at all levels: at a working
- 15 functional level, at a managerial level, and also at
- 16 a leadership level to the Board level, to let them
- 17 know that they can be involved in our planning and
- 18 advanced planning of identifying individuals and/or
- 19 opportunis -- business opportunities.
- 20 With that in mind, we've taken a good
- 21 hard look at where we currently are doing business
- 22 here in the North, identifying the suppliers that we
- 23 have already on -- on the books, I'll say for the
- 24 NICO exploration part of the project, and how we can
- 25 evolve them into 100 percent Tlicho businesses

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

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

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

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

160

1 MS. AMY LIZOTTE: Amy Lizotte, with

2 the GNWT. I'd like to first start by thanking

- 3 Fortune for meeting with us and being flexible. W
- 3 Fortune for meeting with us and being flexible. We
- 4 reviewed our concerns this morning. So I guess I'll
- 5 just take this opportunity to go over our concerns
- 6 and what we discussed, I guess, this morning.
- 7 So our first question has to do with
- 8 the employment information that was provided in the -
- 9 in the DAR. And we're pleased to see Fortune's
- 10 hiring goal of 50 to 60 percent Northern hiring.
- 11 However, we just wanted some further clarification on
- 12 the information presented, because it was difficult
- 13 to differentiate between direct, indirect, and
- 14 induced numbers for each project phase.
- So we were wondering if Fortune could
- 16 provide a table showing the total direct employment
- 17 estimated for each project phase in person-years and
- 18 to further break that down to identify total direct
- 19 employment for NWT Aboriginals, NWT residents, and
- 20 out-of-territory residents in person-years for each
- 21 project phase.

22

23 (BRIEF PAUSE)

24

MR. ROSS MITCHELL: Ross Mitchell,

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

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

- 1 is it might even be simpler if -- if we break off
- 2 because I know that we want to try and get this in
- 3 writing and get it signed off. If we could maybe
- 4 take the break now while we have our conversation and
- 5 maybe close that off.
- 6 THE FACILITATOR HUBERT: Excellent
- 7 idea. I'm just checking the time. Yeah, we can take
- 8 a fifteen (15) minute break and come back in fifteen
- 9 (15) minutes. Thanks, everybody, for your patience.
- 10 And there should be coffee left over there. See you
- 11 in fifteen (15).

12

- 13 --- Upon recessing at 2:36 p.m.
- 14 --- Upon resuming at 3:00 p.m.

- 16 THE FACILITATOR EHRLICH: Okay,
- 17 everyone, thanks for -- for stopping your
- 18 conversations and joining us again. You'll recall,
- 19 I'm Alan Ehrlich with the Review Board. I'm going to
- 20 co-chair this next portion with Shannon Hayden, who
- 21 is to my left. And we're going to pick up where we
- 22 left off, dealing with socioeconomic matters.
- 23 MS. SHANNON HAYDEN: Okay. So during
- 24 the break, Madelaine approached and said she would
- 25 like to speak a few words, so if Madelaine Chocolate

164 Pasquayak -- thanks. 2 3 (BRIEF PAUSE) 5 MS. MADELAINE PASQUAYAK: Mahsi. My name is Madelaine Chocolate Pasquayak, Tlicho 7 Government, but I would like to ask some questions as a Tlicho citizen. 9 I'm a member of the Diavik Communities 10 Advisory Board, and I believe that's the only socioeconomic monitoring agreement that has been made 11 12 with the Tlicho region. We have four (4) members that are on the board from all four (4) Tlicho 13 14 communities, from -- one (1) from Behchoko, Whati, 15 Gameti, and Wekweti. And we also have members from N'Dilo and Dettah, Lutsel K'e, Kugluktuk, and also North Slave Metis Alliance. 17 18 And on this Board, we -- and we 19 understand that there will be impacts made -- made on our communities, these are the four (4) communities that have been -- that have been listed as --21 22 communities that are directly impacted by the -- by 23 the mining activities. And on this Board, one (1) of 24 -- one (1) of our mandate is -- is to -- is to create a framework that would help us to collect data on the

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

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

- 1 would it be possible for -- for the Tlicho
- 2 Government, and -- and Fortune Minerals Limited maybe
- 3 think about forming such an agreement in the future
- 4 at some time?

5

6 (BRIEF PAUSE)

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

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

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

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

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

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

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

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

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

		176
	1	previously been seasonal
	2	access only where new
	3	all-season roads went in,
	4	and the effects on those
	5	communities
	6	
	7	THE FACILITATOR EHRLICH: Allister,
	8	it's Alan Ehrlich. I I first of all want to thank
	9	Fortune for the undertaking. I also want to point
	10	out that when we were doing when the Review Board
	11	was doing its scoping sessions remember, we we
	12	did them in in several communities in in the
	13	Tlicho.
	14	And one (1) of them was in Behchoko.
	15	And Elders and other community members in Behchoko
	16	were speaking about how they remember when Behchoko
	17	was accessible only by seasonal road and then talking
	18	about what changed when it became accessible by all-
	19	weather road.
2	20	I think that if you are looking at
2	21	other examples of how this might affect communities
2	22	and you happen to have a Tlicho community that has
2	23	undergone certain changes, not that that they're
2	24	necessarily comparable, but that's one (1) of the
2	25	things you look at in a case study, is how comparable

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

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

- 1 Natural Resources Canada, where they asked in their
- 2 IR-1-3 whether contingency plans for potential
- 3 changes in metal prices were in place effectively for
- 4 the project.
- 5 And further to this question, I'm just
- 6 wondering if the Developer, maybe not at the table
- 7 right now, but can expand on its answer there to
- 8 identify at what prices -- at what commodity prices -
- 9 and we understand that changes can occur to the
- 10 mine plan, et cetera -- what prices the viability of
- 11 the operation would become in question where a
- 12 potentially a temporary closure might need to be put
- 13 in place for the different -- the different metals
- 14 and -- that are being mined.
- And if the answer isn't currently
- 16 available, we would maybe just ask for an undertaking
- 17 to address that.

18

19 (BRIEF PAUSE)

- 21 MR. RICK SCHRYER: Sorry for the
- 22 pause. Rick Schryer, Fortune Minerals. We used very
- 23 conservative assumptions in metal prices when we
- 24 developed our -- our model for our pit for extraction
- 25 of our resource.

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

Yes.

Ross, from

MR. ROSS MITCHELL:

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

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

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

4

5 (BRIEF PAUSE)

- 7 MR. RICK SCHRYER: Rick Schryer,
- 8 Fortune Minerals. If I could see just a -- sort of a
- 9 write-up, a bit of a write-up of what exactly we're -
- 10 you're proposing. I'm going to defer that
- 11 commitment until we've actually seen an outline.
- 12 In concept, I -- I agree with the
- 13 principle that we need to work on that together. I'd
- 14 just like to see a bit more details in terms of what
- 15 we're looking at. I think we can get the ball
- 16 rolling with our March consultation efforts and see
- 17 where that takes us as a good first step.
- DR. GINGER GIBSON: Ginger Gibson.
- 19 That's great. Thanks.
- 20 THE FACILITATOR HAYDEN: Any other
- 21 questions on socioeconomics? GNWT...?
- 22 MS. AMY LIZOTTE: Amy Lizotte with
- 23 GNWT. I just wanted to state for the record that
- 24 we're going to submit the meeting minutes to the
- 25 Review Board that meets the concerns of the

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

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

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

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

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

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

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

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

- 1 the total mine employment.
- THE FACILITATOR HAYDEN: Thank you.
- 3 Are there any other questions from the people around
- 4 the table or in the crowd for socioeconomic?

5

6 (BRIEF PAUSE)

7

- 8 THE FACILITATOR EHRLICH: That being
- 9 the case, it's Alan Ehrlich here, we're going to move
- 10 on to air emissions, archaeological and heritage
- 11 resources, and other issues. For this, Shannon
- 12 Hayden and Paul Mercredi are going to co-chair. So
- 13 I'm going to trade spots with Paul.

- 15 QUESTION PERIOD RE AIR EMISSIONS, ARCHAEOLOGICAL, AND
- 16 HERITAGE RESOURCES:
- 17 THE FACILITATOR MERCREDI: Good
- 18 afternoon, everyone. Juanita, if -- if I may, can we
- 19 have that submitted to the Review Board for posting
- 20 on the registry? We do have it for the benefit of
- 21 those present. But, also, can we have that as a
- 22 concise document for the registry as well? And I'll
- 23 -- instead of having you walk up to the mic, I'll
- 24 acknowledge your nod here. And -- and thank you.
- 25 And with that we'll transition to the -- the next

193 item on our agenda and I'll open the floor. 2 3 (BRIEF PAUSE) 5 MS. AILEEN STEVENS: Hi, Aileen 6 Stevens, ENR. I'd just like to talk about air 7 quality pertaining to Environment Canada's Information Requests, EC-7 to EC-10. And that'll include contaminant loading during transport, the air 10 quality assessment and monitoring, and the incinerator. And I apologize if any of these have 11 12 already been touched on over the last two (2) days. 13 So looking at the contaminant loading 14 during transport, this isn't necessarily an air 15 quality issue but it is a topic that people relate to air quality. I see that you're going to be using hefty bags, mega bags, super bags, whatever they're 17 18 called, to be transporting the concentrate. 19 In EC 10's IR it was unclear what the response was. So I was just wondering if I could get 21 a little clarification on how the concentrate's going 22 to be transported and what measures are going to be 23 taken to prevent any spillage or just any issues with 24 the concentrate escaping from the bags at any point

25

during the transport.

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

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

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

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

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

- 1 assessment?
- 2 MR. TOM RINALDI: Tom Rinaldi,
- 3 Fortune Minerals. If I may say one (1) thing, please
- 4 grab me offline after this and -- and we can go
- 5 through it in more detail.
- 6 THE FACILITATOR EHRLICH: Aileen,
- 7 it's Alan Ehrlich with the Review Board. Just
- 8 looking at the agenda, you know, we've got
- 9 archeological and heritage resources in with air
- 10 emissions, although obviously there's not a
- 11 particular close logical link to these. But looking
- 12 at the -- the time, this is where we -- we had to --
- 13 to fit other things.
- 14 I think that in the interest of
- 15 prioritizing, I'd like to -- to work through some of
- 16 the archeological and heritage resource issues, and
- 17 then get back to the air emissions as time permits,
- 18 before the end of the -- the day.
- 19 So I'm going to ask you to hold your
- 20 questions for a little bit of time. I believe there
- 21 will be time by the end of the day, but I want to be
- 22 absolutely sure that archeological and heritage
- 23 resources have -- you know, when I -- I look at the -
- 24 the number of people from the Tlicho who are in the
- 25 room ready to respond to this, and considering the

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

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

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

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

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

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

1 We have this history of untrust that -

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

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

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

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

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

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

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

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

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

- 1 together.
- DR. GINGER GIBSON: Thank you.
- 3 Secondly, please identify whether the Developer's
- 4 assessment report, in your traditional knowledge
- 5 study, did you include any questions on the loss of
- 6 use or areas that have been avoided by harvesters in
- 7 the contam -- in the area of the Developer's -- of
- 8 the proposed mine site or talk about what we spoke
- 9 about a couple of times now, any of the psy --
- 10 psychosocial impacts associated with loss of -- with
- 11 -- with perceived contamination?
- MR. RICK SCHRYER: Rick Schryer,
- 13 Fortune Minerals. I don't have our traditional
- 14 knowledge persons here, so I'm going to have to check
- 15 the document before I give a response to that.
- DR. GINGER GIBSON: Ginger Gibson,
- 17 Tlicho Government. That's fine. The -- we'd like to
- 18 seek two (2) commitments from the Developer. We'd
- 19 like to seek a commitment -- and we do already
- 20 acknowledge that there's language in the commitments
- 21 put forward, but we'd like to seek a commitment to
- 22 collaboratively build a traditional knowledge
- 23 monitoring program.
- 24 We -- we -- given -- I think that,
- 25 given that you're beginning to understep -- stand the

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

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

218 1 (BRIEF PAUSE) 2 3 THE FACILITATOR MERCREDI: Thank you, Rick. And, Ginger, do you have a follow-up? 5 DR. GINGER GIBSON: Ginger Gibson, Tlicho Government. Thank you. That's acceptable. -- I just want to close by saying that the Tlicho 7 Government does not have questions on culture, because our cultural study has not been completed. 10 The traditional knowledge study and 11 all of the studies on culture that are relevant to 12 the Tlicho Government have not been started --13 they're -- they're started, but they are not 14 completed. 15 And therefore, we do not have 16 questions of the Developer's work, because the Tlicho 17 Government places value in their own work. 18 Therefore, we believe that the 19 traditional knowledge study will have -- we will -we believe it will have significance for the 21 predictions of significance that have been made. 22 We do not, as mentioned before, 23 believe that the traditional knowledge study can be 24 used in a functional sense just to plan operations 25 and build monitoring programs. We believe that it

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

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

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

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

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

- 1 me, for the -- the gen sets or the non-mobile sources
- 2 or for the diesel trucks?
- 3 MR. CHRIS MADLUND: Chris Madlund,
- 4 Golder Associates. We have not to date, but we can
- 5 go back and -- and have a look and -- and see if
- 6 there's something that can be done in -- in that
- 7 regard, just review the emissions data, in
- 8 particular.
- 9 MS. AILEEN STEVENS: Is that an
- 10 undertak -- sorry, Aileen Stevens, ENR. Will that be
- 11 an undertaking to review NOX treatment methods for
- 12 your emission sources?
- MR. CHRIS MADLUND: Yes, it is.
- 14 Chris Madlund, Golder Associates.
- 15 THE FACILITATOR HAYDEN: So this is
- 16 Undertaking No. 14.

17

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

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

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

1 it's typical that one (1) incinerator is not designed

- 2 to handle both waste streams and still meet the
- 3 Canada-wide standards for dioxins and furans.
- 4 And I'm just wondering if you could
- please go over how you're going to properly select an
- 6 incinerator that will be able to meet both those
- 7 waste streams.
- 8 And, also, I'd be leaning towards the
- 9 development of an incineration management plan that
- 10 will incorporate the items outlined in Environment
- 11 Canada's technical document for batch waste
- 12 incineration.
- 13 MR. CHRIS MADLUND: Chris Madlund,
- 14 Golder Associates. An incinerator has been selected
- 15 that will -- will meet the needs and will be designed
- 16 to -- to meet the CCME criteria for emissions on --
- 17 on dioxins and furans.
- 18 Further to that, an incineration
- 19 management plan will be developed in -- in
- 20 consultation with EC and -- and ENR.
- MS. AILEEN STEVENS: Thank you.
- 22 Aileen Stevens, ENR. And that will include stack
- 23 testing as well? Sorry, that's a question as well.
- 24 MR. CHRIS MADLUND: Yes, an initial
- 25 stack test would certainly be conducted post-

- 1 commissioning.
- MS. AILEEN STEVENS: Aileen Stevens,
- 3 ENR. Thanks very much.
- 4 THE FACILITATOR HAYDEN: Are there
- 5 any other questions on air quality? Culture?
- 6 Archeology?
- 7 THE FACILITATOR EHRLICH: Thank you
- 8 very much, Aileen Stevens. It's -- we're reaching
- 9 the end of the agenda. Before I get to closing
- 10 remarks I'd like to recognize Paul Green, from
- 11 Aboriginal Affairs and Northern Development Canada,
- 12 who has a particular comment regarding the process
- 13 from here.
- 14 MR. PAUL GREEN: Thanks, Alan. It's
- 15 Paul Green, from Aboriginal Affairs, Water Resources
- 16 Division. I'd just first like to say thanks to
- 17 Fortune and their team for, you know, the effort they
- 18 put into their responses over the last few days.
- 19 It's been a great benefit to us.
- 20 But I'll note that we are expecting to
- 21 receive from them some fairly significant and
- 22 fundamental information on -- on one (1) of the key
- 23 lines of wa -- of inquiry, which is the water quality
- 24 and objectives in with some of the undertakings. And
- 25 we would like an opportunity to sort of provide

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

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

- 1 space? What are the implications on vegetation and
- 2 sediment uptake? Will the Developer be able to treat
- 3 water coming off the co-disposal pile through the
- 4 wetlands?
- 5 Boreal caribou are threatened. Will
- 6 they be even more so? Reverse osmosis, we need to
- 7 see detailed plans and designs for the process and
- 8 residue management. Will they bring levels down to
- 9 acceptable levels?
- 10 We wonder still about the water, about
- 11 the plant that will take up metals, and about
- 12 treating water forever. We need to see more detailed
- 13 review of acid rock generation assessment,
- 14 management, water quality predictions, particularly
- 15 after the proponent receives feedback from Natural
- 16 Resource Canada. We need to see the results of
- 17 ongoing seasonal plankton sampling. We need to see
- 18 closure planning evolution, particularly with respect
- 19 to financial assurance. Cumulative social effects of
- 20 mine and roads.
- 21 Tlicho Government supports AANDC in
- 22 seeking to have another round of Information
- 23 Requests. Our knowledge has grown enormously through
- 24 this technical session. As you can see, our people
- 25 are here to learn. Our traditional knowledge

- 1 holders, our chiefs, and our policy advisors. We
- 2 have also benefited from scientific experts, but not
- 3 from our own. Also from the thoughts of AANDC and
- 4 Fortune Minerals.
- 5 We support another technical session
- 6 to dig into some of the critical issues to refine our
- 7 knowledge. We also strongly believe that MVEIRB and
- 8 the Developer will benefit greatly from having a trad
- 9 -- a traditional knowledge study available.

- 11 Mr. Chair, that's our -- Tlicho
- 12 Government closing comments. Mahsi.
- THE FACILITATOR EHRLICH: I'd like to
- 14 thank Henry Zoe for ably summarizing a huge range of
- 15 issues concisely in a -- in a short closing
- 16 statement.
- 17 So my understanding, procedurally
- 18 then, is that this sounds like a request for a second
- 19 round of Information Requests. And Paul from AANDC
- 20 is -- you said that this might be helpful. Is that
- 21 what you're getting at?
- MR. PAUL GREEN: Sorry. Thanks,
- 23 Alan. Yes, I -- I believe the Information Request is
- 24 -- is a known sort of procedure, and it's -- I think
- 25 that would get us the information we're -- we're

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

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

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

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

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

- 1 few days.
- 2 And, again, this is very valuable to
- 3 making sure the decision making focusses on the stuff
- 4 that really should matter about this project. So
- 5 again, kudos to you all for -- for working through
- 6 that stuff. I know it's not easy, especially
- 7 considering some of this is highly technical matter
- 8 and some of the matters that may not be technical in
- 9 the biophysical side are extremely complex on the
- 10 social and cultural side as well. And so it's not --
- 11 it's not fast going at any edge, but from what I've
- 12 seen, you guys have got some kind of serious results
- 13 and this is encouraging.
- 14 I want to remind everyone that the
- 15 transcripts are -- for the last two (2) days are
- 16 already available online. And from today they will
- 17 be available likely tomorrow, maybe sooner, at
- 18 tscript.com. That's tscript, one (1) word, dot com.
- 19 You go to their public -- their document repository I
- 20 think it's called -- transcript repository and then
- 21 look up Review Board and then pick the date and
- 22 you'll find a searchable version of what's here. You
- 23 hit, control-F, enter a keyword, and you can -- you
- 24 can find stuff. This makes it much easier to sort
- 25 through all the discussions you've had.

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

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

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

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