



Canada's Mineral Landscape: Aboriginal Rights and Related Issues

Twenty Toronto St, Toronto, ON
12:30 pm – 6:30 pm
November 19, 2014

[Registration and Event Webpage](#)

Presentation Abstracts and Speaker Bios

Welcome and Introduction

Bill McGuinty, VP Operations, Globex Mining Enterprises Inc.

Bill McGuinty has worked in Canada and internationally for Canadian stock exchange listed junior mineral exploration companies since 1981, holding progressive positions as project geologist, exploration manager and country manager. He is currently VP operations for Globex Mining Enterprises Inc. He previously served as Vice-President Exploration in Canada with Queenston Mining Inc. until its acquisition by Osisko Mining Corporation. His work experience spans all aspects of exploration management through to completion of feasibility studies and completion of Environmental Impact statements in Canada and Latin America. He is fluent in English, French and Spanish and is a registered Professional Geoscientist in the provinces of Ontario and Saskatchewan. Mr. McGuinty served as Co-chair of the Advisory Panel to Canada's Corporate Social Responsibility Counsellor and is currently a member of the Ontario Mines Minister's Mining Act Advisory Committee and the PDAC CSR Committee.

Recent developments in First Nations and Resource Development relationships

Sheriden Barnett, Principal, Boreal Centre for Dispute Resolution

As the founder of the Boreal Centre for Dispute Resolution, Sheriden provides expert advice and dispute resolution services to resource development companies, First Nations and provincial, federal and territorial governments on aboriginal engagement and dispute resolution issues.

In January 2013, Sheriden joined AME BC as the Senior Director, Aboriginal Relations and Land Use in Vancouver, where she was instrumental in the development of the AMEBC's new Aboriginal Engagement Guidebook for Mineral Explorers (2014). Before joining AME BC, Sheriden was with the Prospectors & Developers Association of Canada, as the Program Director for Resource Development and Land Use, where she led many national initiatives on federal, territorial and provincial regulatory and legal issues affecting the mineral exploration industry. Sheriden played a pivotal role in the development of Ontario's Mining Act aboriginal consultation policy in advocating for clarity on the respective roles of the crown and industry with regard to the duty to consult and accommodate during early exploration.

Sheriden has studied extensively in the areas of aboriginal history and law, principled negotiation, multi-party consensus building, mediation and cross cultural peace building, both at the internationally recognized International Conflict Research Institute at the University of Ulster (INCORE), Northern Ireland, and at Osgoode Hall Law School (York University) where she earned a Master of Laws (ADR) degree in 2004.

Since 1988, Sheriden has worked across the country with federal, provincial, territorial and First Nations governments in advancing and resolving historic treaty, land claims, resource development, and human rights disputes, including as the convenor and mediator of the inaugural Treaty Discussion Forum between the Nishnawbe Aski Nation and Canada.

Expectations and challenges with exploration agreements

Mike Fox, Fox High Impact Consulting

Michael Fox is the President of Fox High Impact Consulting, a national firm that specializes in Aboriginal processes, participation, and partnership development in the energy and mineral sectors. He brings a wealth of experience in structuring projects, partnership, and financing from early stage engagement through later stage formal consultation with First Nations. In his previous employment, he assisted northern Ontario First Nations with economic development initiatives within the main natural resource development sectors of Ontario: forestry, energy, and mining. He has facilitated joint ventures and partnership arrangements between First Nations and industry. In addition, he has acted as one of key liaison person between First Nations' project proponents and governmental agencies as well as facilitated capacity building initiatives. He obtained a post-secondary education in business administration and an honours degree in political science, with the latter being primarily focused on natural resource development in Ontario and Aboriginal law. He's originally from Weenusk First Nation and has twin boys and a daughter.

Impact benefit agreements

The IBA - The Holy Grail of Agreements. Adam will discuss some key aspects of these important agreements - which are the ones that Aboriginal communities are most concerned with (and anticipate) and which are the agreements to which companies and all levels and branches of government pay close attention.

Adam will focus on the insights gained about the scope of IBAs and similar agreements, expectations of Aboriginal communities and challenges faced in negotiating these somewhat elusive deals. Adam will also provide thoughts on the nature of IBAs in the changing legal environment related to Aboriginal relationships and whether these agreements really are about "Impacts and Benefits" or whether might be more accurately described as "Opportunity".

Adam Chamberlain, Partner, Borden Ladner Gervais LLB

Adam Chamberlain is a partner with BLG's Toronto office and National Leader of the firm's northern practice group, Team North. Adam is a member of the Nunavut and Ontario Bars and is a Certified Specialist in the area of Environmental Law. Adam is active in BLG's Mining and Aboriginal practices and has worked for many years on matters where the two areas intersect. He has advised mining companies and others in the mining sector in matters ranging from Aboriginal consultation to the negotiation and implementation of Impact and Benefit Agreements. Recently, he assisted the Government of Nunavut with the Environmental Assessment processes for the Mary River Iron Mine as well as Dominion Diamond (formerly Harry Winston) in its purchase of the Ekati diamond mine in the NWT. Adam is especially proud of his work with Camp Awakening, a charity that sends children with physical disabilities to summer camp in a setting that integrates them with able bodied children.

Resource Revenue Transparency: the mandatory disclosure of payments to governments

Over the last few years, legislation requiring the mandatory reporting of payments to governments by the extractive sector has emerged in key international jurisdictions. Recognizing the central role Canadian companies play in the global extractive sector, the PDAC and three partner organizations formed the Resource Revenue Transparency Working Group in 2012 to create a set of recommendations on mandatory reporting that would reflect the needs and goals of both industry and civil society. In June 2013, Prime Minister Stephen Harper acknowledged the importance of revenue transparency in the extractive sector and announced a commitment to develop mandatory reporting requirements for Canadian extractive companies. The Extractive Sector Transparency Measures Act was subsequently tabled in October 2014. The Act also includes mandatory reporting by companies of payments made to Aboriginal groups, to be implemented in two years. This presentation will give an overview of resource revenue transparency and the Transparency Measures Act, the PDAC's involvement in this initiative and potential implications of mandatory disclosure of payments to Aboriginal groups.

Lesley Williams, Manager, Aboriginal Affairs and Resource Development, PDAC

As the Manager of Aboriginal Affairs and Resource Development for the PDAC, Lesley leads the development of research, advocacy and projects to support increasing Aboriginal participation in the mineral industry and improving relationships between companies and communities. In her role, Lesley has focused on collaborating with the mineral sector, Aboriginal communities and leaders, and various levels of government to actively promote greater understanding and co-operation between Aboriginal communities and the mineral industry in Canada. Lesley represents the PDAC at national conferences and events, volunteers on a number of advisory committees throughout the sector. She also manages the Aboriginal Program at the PDAC annual Convention that is now renowned for providing a platform for discussion on fostering mutually cooperative, respectful and successful relationships between Aboriginal communities and the mineral industry.

Since joining the PDAC in 2009, Lesley has held the positions of Program Assistant and Program Manager and has been involved in a number of the PDAC program areas including Aboriginal Affairs, Corporate Social Responsibility, Geoscience, Lands and Regulations and Government Relations.

Lesley holds an M.A. in Communications and Culture with a specialization in politics and policy, and a B.A. in Communications and English.

Government support to consultation in Aboriginal capacity initiatives in Ontario

Capacity to participate in resource development continues to be a key theme, need and requirement for Ontario's Aboriginal peoples. Against a backdrop of a formative and evolving landscape of consultation and Aboriginal relations, the presentation will focus on efforts by the Ministry of Northern Development and Mines (MNDM) to assist and support Ontario's Aboriginal communities gain capacity in Ontario's mineral sector. In particular, the presentation will profile the Ministry's Capacity Initiative as a key tool and approach in enabling participation.

Bernie Hughes, Director Aboriginal Relations Branch, Ontario MNDM

Bernie has been Director of MNDM's Aboriginal relations Branch since July 2008. Prior to assuming his role at MNDM Bernie resided and worked in the Northwest Territories for 22 years. Over that period, he occupied a number of positions including Director of Policy - Indian Affairs, Northern Region; Executive Assistant to the Premier - NWT; Executive Assistant to the Minister - NWT (various); Senior Policy Analyst, Department of Executive, GNWT; and Adult Educator - Arctic College. Bernie has a BA - English and Religious Studies (Wilfrid Laurier); Qualifying year, Applied Linguistics (Victoria); and a Masters In Education (UBC).

PANEL: Operational Perspectives; agreements/relationships

Don Bubar, President and CEO, Avalon Rare Metals

Don Bubar is a geologist with over 35 years' experience in mineral exploration in Canada. Mr. Bubar is a graduate of McGill University (B.Sc., 1977) and Queen's University (M.Sc., 1981). From 1984 to 1994, he worked for Aur Resources Inc. as Exploration Manager and later VP, Exploration. Since 1995, Mr. Bubar has been President and CEO of Avalon Rare Metals Inc. Mr. Bubar served as a Director of the Prospectors and Developers Association of Canada (PDAC) for nine years and Chair of its Aboriginal Affairs Committee from its creation in December, 2004 until retiring from the PDAC Board in March, 2013. He now serves on the Board and the Executive Committee of the NWT and Nunavut Chamber of Mines.

Glenn Nolan, VP Aboriginal Affairs, Noront Resources

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Steve Woolfenden, Mgr, Enviro Assessments & Approvals, IamGold Corp.

Steven Woolfenden is the manager of environmental assessments and approvals for IAMGOLD and is currently focused on advancing the permitting of the Côté Gold Project. Prior to joining IAMGOLD, Steve worked within the public service of Canada. While positioned at the Canadian Environmental Assessment Agency, he managed the Federal EA and Aboriginal consultation for the Detour Lake Gold project. Following the Detour Lake Gold Project decision by the federal Minister of the Environment, Steve assumed the role of lead manager at CEAA for the Cliff's Chromite Project in the Ring of Fire. Steve worked on several other key files during his time with the Agency, and was noted for his contributions in streamlining the regulatory process required to plan and implement the upcoming PanAm Games, to be held in Toronto during the summer of 2015. Steve also spent many years working in the Department of Fisheries and Oceans, during that time, he led reviews and approvals of projects from numerous sectors, such as aggregate extraction, transportation, large scale municipal infrastructure and waterfront revitalization.

Robin Webster, President, Goldeye Explorations Ltd.

Robin Luke Webster is the President of Goldeye Explorations Limited. He has been responsible for Goldeye's community relations program since late 2012 and has led Goldeye in its highly intensive and hands-on consultation efforts with Sandy Lake First Nation. Prior to working at Goldeye, Mr. Webster was Vice-President of Business Development at JvX Ltd. Mr. Webster studied Economics and Politics at Trent University and graduated with a BA in Global Studies. As a part of his degree he attended the Arabic Language Institute at the American University in Cairo.