



COMMISSION OF INQUIRY
RESPECTING THE MUSKRAT FALLS PROJECT

Transcript | Phase 2

Volume 6

Commissioner: Honourable Justice Richard LeBlanc

Friday

22 February 2019

CLERK (Mulrooney): This Commission of Inquiry is now open.

The Honourable Justice Richard LeBlanc presiding as Commissioner.

Please be seated.

THE COMMISSIONER: All right, good morning.

Ms. O'Brien.

MS. O'BRIEN: Good morning, Commissioner.

Our witnesses today are Marjorie Flowers and Roberta Benefiel, who are coming to the stage right now. This morning the questioning of these witnesses will be led on behalf of the Commission by one of our associate counsel, Kirsten Morry, so I'm going to turn it over to Kirsten Morry now.

THE COMMISSIONER: All right.

Ms. Morry.

All right, good morning.

Can I ask you, first of all, Ms. Flowers, if you could stand and do you wish to be sworn or affirmed this morning?

MS. FLOWERS: Affirmed.

THE COMMISSIONER: Affirmed.

CLERK: Could you turn on your microphone?

MS. FLOWERS: Is it on?

CLERK: Do you solemnly affirm that the evidence you shall give to this Inquiry shall be the truth, the whole truth and nothing but the truth?

MS. FLOWERS: I do.

CLERK: Please state your name.

MS. FLOWERS: Marjorie Flowers.

CLERK: Thank you.

THE COMMISSIONER: You can be seated, Ma'am.

Ms. Benefiel, do you wish to be sworn or affirmed?

MS. BENEFIEL: Affirmed, please.

CLERK: Do you solemnly affirm that the evidence you shall give to this Inquiry shall be the truth, the whole truth and nothing but the truth?

MS. BENEFIEL: I do.

CLERK: State your name, please.

MS. BENEFIEL: Roberta Benefiel.

CLERK: Thank you.

THE COMMISSIONER: All right.

Ms. Morry, when you're ready.

MS. MORRY: Good morning.

Thank you, Commissioner.

And good morning, Ms. Flowers and Ms. Benefiel.

MS. BENEFIEL: Good morning.

MS. MORRY: Welcome back to the Commission, Ms. Benefiel.

Thank you for your testimony this fall.

MS. BENEFIEL: I'm really hard of hearing and I didn't have time to actually get one of those hearing things so if you could speak up just a little bit louder, please.

MS. MORRY: Sure.

And, Ms. Benefiel, do you think you could move your mic down a little closer to your mouth?

MS. BENEFIEL: I don't usually have a problem projecting.

MS. MORRY: Sure.

MS. BENEFIEL: It's the hearing part.

MS. MORRY: Understood. Thank you.

And, Ms. Flowers, thank you – welcome to the Commission.

Now, Ms. Flowers, just by way of introduction, would you briefly describe your professional background?

MS. FLOWERS: Is the mic on? Yes, it is.

My professional background, I have a Bachelor of Education in the elementary program. I'm a teacher by trade, but my background – my career background is related to mostly education and training, related to federal government money for training Aboriginal people.

MS. MORRY: And you live in Goose Bay?

MS. FLOWERS: Yes, I do.

MS. MORRY: How long have you lived in Goose Bay?

MS. FLOWERS: Since 2003.

MS. MORRY: And you're an Inuit person?

MS. FLOWERS: Yes, I am.

MS. MORRY: Now, Ms. Flowers, is it correct that you're a member of both the Grand Riverkeeper and the Labrador Land Protectors groups?

MS. FLOWERS: Yes, I am.

MS. MORRY: And could you tell me about the Labrador Land Protectors group?

MS. FLOWERS: Well, the Labrador Land Protectors actually didn't officially form until 2016. So, my involvement actually became – I became heavily involved at that time in that spring and summer and leading into the fall – into October when the camp was raided.

The Labrador Land Protectors is an all-encompassing group of people who are concerned about the well-being of Labrador. We're not just Indigenous people, although a lot

of people in our group are, you know, Inuit and some Innu. But they're – also it included the settler population and anybody who lives – resides in Labrador who has a concern for the future and the well-being of Labrador.

MS. MORRY: And Ms. Flowers, is this – is there a corporation or an organization, or is it more of an informal group?

MS. FLOWERS: It's not – no, it's not incorporated.

MS. MORRY: Right.

MS. FLOWERS: It's an informal group.

MS. MORRY: And, now and I understand the number of people involved in the Land Protectors group has sort of changed over time. Can you give me a sense of the size of your group?

MS. FLOWERS: Is – that's really hard to determine.

MS. MORRY: Mm-hmm.

MS. FLOWERS: Based on the number of people – I mean, the changing numbers that showed up to, you know, protection events. And – but there were so many people behind the scenes that couldn't come out so we – I can't name that.

MS. MORRY: Sure.

MS. FLOWERS: There's no way possible. At the height of our protests there was like, 300, maybe 350 people. But you know, behind the scenes I'd say there was a thousand more that probably were even working in on the site – people that couldn't come out, older people, you know, people that were just supporting behind the scenes.

MS. MORRY: Understood; thank you.

Now, Ms. Benefiel –

MS. BENEFIEL: Mm-hmm.

MS. MORRY: The Commissioner is already familiar with your background and your

involvement with the Grand Riverkeeper group. But I wonder if you could tell us a bit about how the Grand Riverkeeper organization is related to the Labrador Land Protectors group?

MS. BENEFIEL: Well, in a small community of 7,800 people, it's very difficult to find, you know, enough members for two groups. And a lot of our members – a lot of our supporters are one and the same.

The Land Protectors, I think, got their name from – I'm not sure who called them the Land Protectors at first, but really it began, I guess, Marjorie, when the Make Muskrat Right issue was there and, you know, we all joined in because it was issues that we had been working on since probably 1998.

MS. MORRY: Sure.

So there's a significant degree of overlap in the groups.

MS. BENEFIEL: Absolutely.

MS. MORRY: And would you, yourself – have you been involved in both groups, would you say?

MS. BENEFIEL: Absolutely.

MS. MORRY: Yeah.

MS. BENEFIEL: I'm on the standing committee with the Labrador Land Protectors, and we – we're all – it's really the same group. There are a few people who just claim to be protectors and there are a few who just claim to be members of Grand Riverkeeper, but, generally, we're all basically the same group.

MS. MORRY: Sure. Thank you.

Madam Clerk, I wonder if you would bring up P-01769 and go to page 61?

So, just as, sort of, a frame of reference for my questions this morning, this is a timeline of protest events that affected the operation of the Muskrat Falls site. And it's a timeline that wasn't prepared by you. It comes from Nalcor.

THE COMMISSIONER: Do you have the tab number for that –

MS. MORRY: Oh –

THE COMMISSIONER: – by the way?

MS. MORRY: – absolutely. It's tab 41 in your binder there, if you want to –

UNIDENTIFIED FEMALE SPEAKER: I can see it –

MS. MORRY: – have a look at it –

UNIDENTIFIED FEMALE SPEAKER: – (inaudible) yes, yeah.

MS. MORRY: – but it's on the screen, too, absolutely.

So, starting at page 61, and it goes on for several pages, there's a list of different events over time. If we go to page 62, actually.

Now, Ms. Flowers, you explained that the name Land Protectors is fairly new, just from 2016 or so. But I understand that some of the events on this page are from 2012 and they did involve some of the same people that are in the Land Protectors group, is that right?

MS. FLOWERS: Yes, yes.

MS. MORRY: So, in October 2012 – that's before sanction of the project – I understand you were involved with this particular protest?

MS. FLOWERS: I was.

MS. MORRY: Could you tell me a bit about what prompted this protest?

MS. FLOWERS: It was actually spearheaded by Todd Russell, the president of NunatuKavut and – but it wasn't specific to NunatuKavut's concerns. He broadened the scope to put an invite out to all concerned people in the area that had, you know, specific concerns related to the Muskrat Falls Project.

So, when we went over to the corner there – on the corner of the, you know, where the road turns down 510 – what was it – was –

MS. BENEFIEL: (Inaudible.)

MS. FLOWERS: – and the road to Cartwright. We – I participated at that time because I was thinking from an economic point of view. I've seen so many times that projects happen in Labrador and Labradorians don't get the jobs. And that's exactly what was happening in here with this Muskrat Falls construction. Or –

MS. MORRY: The early works at that point in 2012?

MS. FLOWERS: Okay, I might be getting a little bit confused about that, but in any case, I was concerned about jobs.

MS. MORRY: Mm-hmm.

MS. FLOWERS: I was concerned about people not getting the jobs. And leading up to that point, there were people coming in, being brought in, and I was – I really wanted to make it known and heard that, you know, Labradorians were not going to stand for this anymore – that if this project was gonna go ahead then we wanted to be – you know, to have first dibs at jobs that we could do – you know, that we were able to do, trained to do.

And at the same time, there were environmentalists there. There – you know, there was a whole broad scope of people that were there at that protest. You know, so it was – it – I entered into it from that point of view, but I – at that time I, sort of, started to – it was a turning point for me I guess, where I started to learn about, you know, all the different aspects that people like the Grand Riverkeepers were concerned about, and so many other things.

MS. MORRY: Now, Ms. Benefiel, were you at this protest as well?

MS. BENEFIEL: Yes, I was.

MS. MORRY: Now, I understand that there were some arrests made at this protest?

MS. BENEFIEL: That's correct.

MS. MORRY: And now, if we look at the – there's another protest listed there from 2012, in

December. I understand that this person would also be described as a land protector?

MS. BENEFIEL: Yes, he does.

MS. MORRY: Yeah.

MS. BENEFIEL: I'm not sure he was describing himself as that at that time, but later on he's supported –

MS. MORRY: Sure.

MS. BENEFIEL: – (inaudible).

MS. MORRY: And just for clarity, that's Dennis Burden?

MS. BENEFIEL: Right.

MS. MORRY: Now, so those two protests are around the time of sanction of the project. And my understanding is that there's several other protest events listed here from 2013, 2014 and 2015, but your group, your community groups were not involved in these ones, is that right?

MS. BENEFIEL: I wasn't.

MS. MORRY: No.

MS. BENEFIEL: Our group was –

MS. MORRY: Mm-hmm.

MS. BENEFIEL: – involved in things like the Labrador version of the Raging Grannies as far back as 2008, 2009.

MS. MORRY: Mm-hmm.

MS. BENEFIEL: You know, just a little background of why, you know, we started here at the protest level, but just a little background on why these protests began –

MS. MORRY: Sure.

MS. BENEFIEL: – in the first place. I mean, you have to go back a bit to the before sanction phase, when Grand Riverkeeper was learning so much about what these environmental issues and social issues were going to be. I mean, we read everything we could get our hands on, we

learned from everybody. And we learned that – when we read the environmental impact statement for that project, we realized that there was more weasel words in there than there were actual truths.

And that – over the years, those protests or protect events happen, because we constantly asked for information from government, past and present, we constantly asked for information from Nalcor, and we were not provided with what we needed. We saw that, you know, the government of the past made sure that Nalcor did not have to give the citizens any information that they felt they could hold back. They made sure that Nalcor was a monopoly.

And those protests arose out of all of that frustration over the years. And – you know, we're really lucky to have other members join us when the fact of the methylmercury issue and the North Spur became, you know, out there.

MS. MORRY: Right.

Now, Ms. Benefiel, you gave a lot of context to the Commission in the fall about the concerns of –

MS. BENEFIEL: Right.

MS. MORRY: – Grand Riverkeeper and the specifics of the concerns, and so –

MS. BENEFIEL: Right.

MS. MORRY: – I understand you are still working on – you were working on those over a long period of time.

MS. BENEFIEL: Right.

MS. MORRY: But from 2013, it was really – it wasn't really until 2016 that the protests, sort of, came to a head with your groups.

Is that –

MS. BENEFIEL: Right.

MS. MORRY: – correct?

MS. BENEFIEL: Exactly.

MS. MORRY: Okay.

And so, Ms. Benefiel, you had mentioned an increased awareness of the issue of methylmercury by 2016.

Did – is it correct that some of that increased awareness came from the results of a study from Nunatsiavut and Harvard University?

MS. BENEFIEL: Absolutely.

And from studies that we did ourselves before that, you know. We looked at the mercury issues that Hydro-Québec had on – had done. We looked at mercury issues around the world, really. We had – we looked at seals and the complications with seal meat and how seals were contaminated. We looked at a lot. We read as much as we could to find out for ourselves, you know, whether or not there was effects beyond the mouth of the river.

MS. MORRY: Now, the – there's a summary of the Nunatsiavut report at tab 9 in your binder, at – it's P-01684.

MS. BENEFIEL: (Inaudible.)

MS. MORRY: Pardon?

So you were – I understand you were aware of this study when it was – when some of the data was being collected. Is that right?

MS. BENEFIEL: I was at two presentations by Dr. Bell and Tom Sheldon, who was the Nunatsiavut environment fellow, and, I think, Darryl Shiwak was there and a few other people from Nunatsiavut. Yes, I attended two presentations, just because I wanted to get as much information out of it as I could.

MS. MORRY: And Dr. Bell, is that Trevor Bell?

MS. BENEFIEL: Yes.

MS. MORRY: Now, Ms. Flowers, I think you had mentioned that you participated in some of the hair sample for the study too.

MS. FLOWERS: I did.

MS. MORRY: Yeah.

And so – so this study talks about how methylmercury production in Lake Melville is fairly significant in – of course, I’m over simplifying – but, Marjorie, I’m wonder if you could just describe briefly what impact an increase in methylmercury levels would have on the Inuit way of life.

MS. FLOWERS: Well, first of all, I have to say that I – like I said, I wasn’t involved in or engaged in those initial meetings when –

MS. MORRY: Sure.

MS. FLOWERS: – Trevor Bell was going around. But having spent time with people like Roberta and people that were, you know, heavy – had exposed themselves to this information, I learned a lot about what was happening. And it was – it was a horrible, horrible thing to discover what was happening with this project and what impacts it would have on people downstream.

And, I mean, the study showed that – and, I mean, I know, anyway, that people from Rigolet was a community that would stand to lose the most, because we depend – the whole community pretty much depends on, you know, marine life and wildlife – well, country foods to sustain ourselves.

So – and it’s not just people from Rigolet. I mean, people live – have moved here from the coast, you know, people from the coast that still want to rely and need to rely on this food, our country foods, to remain healthy and connected to our culture.

So – you know, there was a – there’s a lot of people all around – and Labradorians – in general, there’s lots of people that are not Indigenous that depend on this food. And to know that, you know, that the seals and the salmon, the shellfish, the mussels – everything, everything will be affected. And that’s everything that we eat. I’ve grown up eating that – all that stuff.

My father was a hunter and a fishermen all his life – not all his life, but he did it commercially. He did it – what’s the word? Like, I mean, he’s

always – even though he, you know, took a job with Hydro, he still hunted and fished and supported us that way through the wildlife and the seals.

So, to know that the – our food source is going to be contaminated was horrifying to me, and it’s horrifying to a lot of people. It was – I always stumble over my words, because there are no words to describe how this will affect me as an Inuit person.

MS. MORRY: Sure.

MS. FLOWERS: And the people that are in my community, the people that I hear in Goose Bay that are not here today that can’t speak, children that can’t speak – Inuit children that cannot speak, to say that: Why aren’t we allowed to continue to eat in safety? And that’s all we asked. That’s all we ever asked of this project was to clear that reservoir, clear the vegetation, clear the topsoil.

MS. MORRY: Thank you.

So, Ms. Benefiel, I understand, too, that your organization had concerns about some of the geotechnical aspects of the project. Is that correct?

MS. BENEFIEL: Oh yes.

MS. MORRY: Yes.

MS. BENEFIEL: Very correct.

MS. MORRY: So I’d like to get into some of the specifics of the 2016 protests. And, Ms. Flowers, I understand that you were involved in some of the planning and organization of these protests?

MS. FLOWERS: I was.

MS. MORRY: Can you tell me a bit about what that involved?

MS. FLOWERS: Well, there was some informal meetings, you know. Actually some of them were in people’s houses, some of them were at offices, you know, at NunatuKavut. There was a lot of communication through, you know, email and stuff, like. And there was a lot

of groundwork that had to be done related to, like, mustering the people, to incite the people that there was – we have a huge problem before us, you know.

So we used social media a lot to communicate what we knew to be true and what we knew was going to happen. And, you know, we ended up building a camp over there across from the gate and always every day we, you know, reached out to the people, reached out to anybody that felt that this was important.

And there was a lot of people that ended up being there. You know, there was upwards of 300 people or maybe 350, 400, I don't even know, but there was a lot of people that ended up being there in October.

MS. MORRY: Now, in October 2016 the protests – or the protectors as far as the terminology is preferred – that was – it actually shut the site down for 11 days I understand.

MS. FLOWERS: It was four days.

MS. MORRY: Four days?

MS. FLOWERS: It was four days. Well, that's how long we occupied the camp, from the 22nd to the 26th.

MS. MORRY: Right. Okay.

Now, my information is that the site was actually interrupted for a bit longer than that, but your recollection is that it was shorter?

MS. FLOWERS: Yes, indeed.

MS. MORRY: Okay.

Now, the...

MS. FLOWERS: I'd just like to add to that.

MS. MORRY: Yeah, sure.

MS. FLOWERS: That I know that immediately following us coming out of the camp, we knew there was helicopters flying people in. Actually, there was people – there was helicopters flying back and forth with the workers while we were

there. So I'd have to say that that wasn't true, that it was shut down for 11 days.

MS. MORRY: Okay.

Now, in terms of the actions on the site at that time you – there were individuals in your group who – you breached the gate of the site, I understand, on October 22?

MS. FLOWERS: The gate was broke open.

MS. MORRY: Right and –

MS. FLOWERS: I had no idea, though, that was going to happen.

MS. MORRY: Right.

MS. FLOWERS: I wasn't informed of that.

MS. MORRY: Mm-hmm.

MS. FLOWERS: I wasn't privy to that information.

MS. MORRY: Oh sure. I'm just trying to get a sense of what happened.

MS. FLOWERS: Yeah.

MS. MORRY: Yeah.

Now, the – now, so I understand there were some arrests made in October 2016. And you were among them, Ms. Flowers?

MS. FLOWERS: We weren't arrested when we occupied the camp. There was – there were many threats of arrest and –

MS. MORRY: Mm-hmm.

MS. FLOWERS: – there were many other different threats too, like a SWAT team coming in. There was an intimidation tactic that was being played out by the RCMP, but I didn't get arrested.

MS. MORRY: Okay.

MS. FLOWERS: I was served documents after I got home –

MS. MORRY: Mm-hmm.

MS. FLOWERS: – the very next day –

MS. MORRY: Mm-hmm.

MS. FLOWERS: – to say that I had to appear in court for breaking the injunction.

MS. MORRY: Okay.

So you were – you had to appear in court and what happened next?

MS. FLOWERS: Well, then there was a stream of court appearances between the Supreme Court and the Provincial Court and it's still ongoing. It's still – we've been dragged through our court system for that length of time, for three years, trying to raise money to protect ourselves against a system that worked against us and that we were doomed to fail against from the very beginning.

THE COMMISSIONER: Can I just take you back for a second, Ms. Flowers? You mentioned that there was an injunction at that time?

MS. FLOWERS: Yes.

THE COMMISSIONER: When did that happen?

MS. FLOWERS: That happened –

MS. BENEFIEL: 2012, right after the first –

MS. FLOWERS: That was the first injunction. I wasn't involved in that one though, no. The injunction that I was aware of came about – it was in October of 2016 and it might have been the day before.

I don't recall. I don't recall how it unfolded. There was so many documents being handed to me, so many court appearance requests and I mean I just didn't pay much attention to it after a while.

MS. MORRY: And there were a lot of distinct protest events in October of 2016.

MS. FLOWERS: Yes.

MS. MORRY: Yeah.

MS. FLOWERS: The first time that I got arrested – I actually did get arrested when I was carried away by the RCMP, yes. And I don't remember the date but there was six people or nine people – it was nine people that were – had – we had blocked the gate and then – no, sorry, it's coming back to me now. It was the night before because there was a lot of people there.

And somebody came and handed me this paper. I didn't know what it was; I just threw it on the ground. And then the next day – it was the next morning, early in the morning about 5 o'clock in the morning or something, we had linked hands and stopped the traffic. And then the RCMP came by the dozens and confronted us and told us that we were going to be arrested if we didn't move right now. And we didn't move.

And there were people from Rigolet there at that time. There was a couple of women from Rigolet and it was Emily Wolfrey that got – I mean, that's public knowledge, she was arrested very violently at that – in that morning.

MS. MORRY: Now, Ms. Benefiel, I understand there were also some hunger strikers in October 2016 – some hunger strikers at that time? Sorry, can you hear?

MS. FLOWERS: Hunger strikers.

MS. BENEFIEL: Oh, yes, right.

MS. MORRY: Yeah.

And if we go to tab 43 in your binder and go to page 49 – excuse me, the exhibit number is P-02064.

MS. BENEFIEL: Okay.

MS. MORRY: So I understand these are four demands of the hunger strikers. It's signed by three people –

MS. BENEFIEL: Tab 43?

MS. MORRY: So, yeah, at 43 in your binder and at page 49.

MS. BENEFIEL: Oh, sorry.

MS. MORRY: No worries.

MS. FLOWERS: No 49 here.

MS. BENEFIEL: Uh-uh.

MS. FLOWERS: In fact, the pages are mixed up. It goes from 36 to 20 to 18 to 16.

MS. BENEFIEL: Anyway –

MS. MORRY: Can you see it on the screen?

THE COMMISSIONER: You can take my copy.

MS. BENEFIEL: Okay.

This reminds me of back in the day of the environmental assessment when we had about 100 of these.

MS. MORRY: There's a lot of binders for sure. So –

MS. BENEFIEL: Those are the three.

MS. MORRY: Yes, so there's three signatures on this list of four, I understand, demands –

MS. BENEFIEL: Right.

MS. MORRY: – of the hunger strikers. So just in summary there, there's – they wanted a different approach to the methylmercury concerns, an assessment of the necessity of flooding, the removal of soil –

MS. BENEFIEL: Right.

MS. MORRY: – and a commitment from the federal government. Now, how did the government of – how did people respond to the hunger strikers and their demands, as far as you can recall?

MS. BENEFIEL: How did people respond?

MS. MORRY: Yeah.

MS. BENEFIEL: Well, at that time, I think once the announcement was made after that, what they called the marathon meeting, that people kind of thought okay, now we have a

wait and see because this was our government of the day and our three Aboriginal leaders telling us that all will be well, we will do these things, and the hunger strikers can stop their hunger strike. The – they planned to form an independent review panel or an expert assessment –

MS. FLOWERS: Expert advisory committee.

MS. BENEFIEL: Pardon me?

MS. FLOWERS: The expert advisory committee.

MS. BENEFIEL: Yes, an expert advisory committee to look into all of this. And they committed to doing science – peer reviewed science – and traditional knowledge-based information and then we just waited and we waited, and we waited and we waited.

MS. MORRY: So just –

MS. BENEFIEL: Until I think it was late that year that they finally said they're going to form the group and then it was – and another following year before they even appointed a chair for that group.

MS. MORRY: Now just to backtrack a little bit, you talked about the marathon meeting.

MS. BENEFIEL: Right.

MS. MORRY: So this was a meeting in St. John's?

MS. BENEFIEL: Yes, it was.

MS. MORRY: And who was involved in that?

MS. BENEFIEL: I – the only people that I know of was Todd Russell, Anastasia Qupee and I believe – oh, I know, Johannes Lampe, the three Aboriginal leaders; Jim Learning, my friend, was asked by Mr. Russell to go with him; the ministers – a couple of ministers were there I believe; Premier Dwight Ball; some folks from Nalcor and I don't recall any other names.

MS. MORRY: Sure.

Now, on page 48 – so just on the other side of your binder there, so I don't think you'll have to turn the page.

MS. BENEFIEL: Oh, yes. Okay.

MS. MORRY: So this is a press release from October 26 from the Government of Newfoundland and Labrador.

MS. BENEFIEL: Mm-hmm.

MS. MORRY: And so this is the summary of the agreement that was made between the participants at that meeting, as I understand it.

MS. BENEFIEL: Mm-hmm.

MS. MORRY: So what – at the time of this agreement, did you think that the – did you think this was a satisfactory outcome to some of the things that had led you to protest in October 2016?

MS. BENEFIEL: Well, by October 2016 I had been working, myself and Grand Riverkeeper members – lots of the folks that are actually out in the audience this morning – we'd been working in trying to get information and had gone through a Joint Review Panel assessment and, you know, watched all of the things that happened or didn't happen. And mostly it was things that didn't happen that concerned us.

And so by October 26, 2016, when this was announced we were very skeptical. I have to say that we didn't have a lot of faith in these things happening and happening the way they should.

MS. MORRY: Now, Ms. Flowers, at the time of this agreement, did you think this was a good outcome or a way forward after the protests?

MS. FLOWERS: On paper it looked great but, I mean, like Roberta said, we'd been waiting and waiting and waiting so long before that and after that to the point where I thought that the IEAC was actually dissolved because we hadn't heard anything. So they haven't put any – attached any importance or significance to those asks and nothing has come out of it. There's nothing that gave us any comfort with regards to methylmercury.

MS. MORRY: So –

MS. FLOWERS: In fact, the premier said that they weren't going to clear cut.

MS. MORRY: Now, let's talk about the IEAC and how it progressed, a little more specifically. There's – excuse me.

If we got to Exhibit P-01706, and just a moment to let me find what that is in the binder there.

MS. BENEFIEL: Oh, what tab would that be?

MS. FLOWERS: She's just checking it.

MS. BENEFIEL: Oh, okay.

MS. MORRY: That's at tab 40.

MS. BENEFIEL: Forty-eight?

MS. FLOWERS: Forty.

MS. MORRY: Forty.

MS. BENEFIEL: It's a good job I have my ears over here with me.

Okay, the time – oh, wait now we get tab 40, the Timeline.

MS. FLOWERS: Yeah, that's right.

MS. BENEFIEL: Yes, we have it.

MS. MORRY: Right. So this is a timeline from the IEAC –

MS. BENEFIEL: Mm-hmm.

MS. MORRY: – on their activities. So this was the Independent Expert Advisory Committee that was formed.

MS. BENEFIEL: Okay.

MS. MORRY: So they were formed – they were announced in October 2016. Their Terms of Reference came out in March 2017.

MS. BENEFIEL: Mm-hmm.

MS. MORRY: And the chair of the IEAC was appointed in August 2017.

MS. BENEFIEL: Right.

MS. MORRY: So that's bit of – what do you make of that time delay – or that time frame?

MS. BENEFIEL: As I said a few minutes ago, we didn't have a lot of faith. We hoped for the best, as we always do, but with what we had already been through in the environmental assessment, in the lead up to the environment assessment and, you know, the research we had done on, you know, other – like, mitigation measures that were never ever carried out because departments didn't have the capacity and all of those things. We really were very concerned that this would ever ever take place.

And when it finally did get started, you know, that was a good thing. And I happened to know Miss Marina Biasutti-Brown and I know she's a good scientist.

MS. MORRY: She's the research director?

MS. BENEFIEL: Yes.

MS. MORRY: Right.

MS. BENEFIEL: And I was pleased that she was appointed to help Dr. Reimer.

So, yeah, so it was a good feeling when they finally did get started.

MS. MORRY: Right.

If we go to tab 20 in your binder – I think it might be in the second one. And that's exhibit P-01694.

MS. BENEFIEL: Mm-hmm.

MS. MORRY: So this is the terms of reference for the IEAC. And their mandate is listed there in the middle of the page.

So they were – what made this committee different, I guess, was that they were meant to use – as you mentioned – the peer-reviewed science and Indigenous knowledge in order to assess options for mitigation of methylmercury.

MS. BENEFIEL: Right.

MS. MORRY: And who – in terms of the structure of the committee – who was involved in – who were members of the committee, generally?

MS. BENEFIEL: Wow. I do know that the towns were in – had a representative.

MS. MORRY: Right.

MS. BENEFIEL: I think the (inaudible) –

MS. MORRY: The municipalities, yeah.

MS. BENEFIEL: – North West River –

MS. MORRY: Mm-hmm.

MS. BENEFIEL: – had one representative. Each Aboriginal group was to have one representative.

MS. MORRY: Mm-hmm.

MS. BENEFIEL: The – there was traditional-knowledge holders from each group. Now, I'm not sure if that constituted the one or if there was extra. And then my understanding is that Dr. Reimer and the committee called on various scientists that they – and that was another committee that was informing the –

MS. MORRY: Right.

MS. BENEFIEL: Too many committees.

MS. MORRY: So – if this is correct – so there's the oversight committee, which is the chair of the –

MS. BENEFIEL: Exactly.

MS. MORRY: – IEAC with seven members, as you mentioned, with the Aboriginal groups –

MS. BENEFIEL: Right.

MS. MORRY: – then the municipalities, the Government of Newfoundland, a representative from Nalcor and one from Government of Canada.

MS. BENEFIEL: Right.

MS. MORRY: The –

MS. BENEFIEL: That’s correct, yes.

MS. MORRY: Yeah.

MS. BENEFIEL: I remember the names of a couple of those people. That’s right.

MS. MORRY: And then they were also – there was the independent experts committee as well, which –

MS. BENEFIEL: (Inaudible.)

MS. MORRY: – had a role – those were scientists –

MS. BENEFIEL: Correct.

MS. MORRY: – and traditional knowledge –

MS. BENEFIEL: Correct.

MS. MORRY: – individuals, I think.

Now, the IEAC, I understand, has made some recommendations now.

MS. BENEFIEL: Mm-hmm.

MS. MORRY: In April 2018, at tab 36 in your binder, which is P-01702.

So were you – so in April 2018, these recommendations were made –

MS. BENEFIEL: I’m sorry?

MS. MORRY: In April 2018, is that correct? These were the final recommendation of the IEAC.

MS. BENEFIEL: I’m sorry, I didn’t get that at all.

MS. MORRY: So in April 2018 –

MS. BENEFIEL: Yes – the recommendations came out –

MS. MORRY: – the recommendations came out.

MS. BENEFIEL: – absolutely. Yes.

MS. MORRY: Yeah.

And I believe you mentioned that – or my understanding is that you were – you asked the – one of the ministers of the Government of Newfoundland what their response to these recommendations was.

MS. BENEFIEL: Correct. We – it came out in April 2018, and I’m trying to remember the date of the letter. I meant to find those two letters. One was written – the original was written to the Honourable Eddie Joyce, who was the Municipal Affairs and Environment minister at the time, and Mr. Joyce was – had resigned or had left his post. I can’t remember the details of that. But I received an answer from Andrews Parsons who was the, I believe, Justice Minister, who took on Mr. Joyce’s portfolio. I’m not sure exactly the dates, and I will find those. And if it’s important, I can definitely get copies – all I have was paper copies.

MS. MORRY: I’m just interested, when you got your letter, did they say that they were just considering the recommendations?

MS. BENEFIEL: When – the first letter I got was the Minister Andrew Parsons explaining that Mr. Joyce was gone and that this had been put on his desk and that he was looking at it. And without prompting, several weeks later, I got another letter from Mr. Parsons stating that they had plans to connect with Dr. Reimer and they were looking at – seriously looking at the recommendations and that they would get Dr. Reimer in and they would have a discussion.

At that point I did reach out to some folks on the committee, and Dr. Reimer actually hadn’t even heard from Mr. Parsons, at that point. I believe he has now, but that’s – I’m not sure.

MS. MORRY: And so, as far as I’m aware, there hasn’t yet been a public response to these recommendations from the Government of Newfoundland, and you’re not aware of anything to the contrary?

MS. BENEFIEL: No.

MS. MORRY: Okay.

MS. BENEFIEL: No.

And you know, again, you know, the trust that has been completely eroded over all these years, it just comes back to us in this kind of a situation where, you know, this has gone on and on and on, and finally they introduced, you know, the terms of reference, and then they finally got a committee together. And now they've let the documents, the recommendations sit on the desk since April of 2018. That's almost a year. And still no response from anybody.

And so again, you know, how can citizens ever respect or hope to have information that's up to date from their governments when this kind of thing just continues on and on and on? So you know, the recommendations are not – they're not accepted by the government, as far as we know. We haven't heard anything from Mr. Parsons or any of the other government officials. However, seems like not long ago Premier Dwight Ball mentioned – was that what you meant when you said he said they weren't gonna clear the reservoir? No.

MS. FLOWERS: No. The (inaudible) –

MS. BENEFIEL: I'm sorry, I'm not keeping up. I've been away quite a bit, so I'm not keeping up with the –

MS. MORRY: Sure.

MS. BENEFIEL: – up-to-date media on it.

MS. MORRY: Now, I wonder if we could talk about some of the content of the recommendations from the IEAC? So they made four recommendations there.

MS. BENEFIEL: Mm-hmm.

MS. MORRY: And I understand they didn't reach a consensus on what the right mitigation approach for methylmercury would be. Is that your understanding as well?

MS. BENEFIEL: You will have to repeat that again. I am so sorry, my hearing aid is at home.

MS. MORRY: Understood. So it's my understanding that the right way to mitigate methylmercury – the committee didn't reach consensus on the right way to do that.

MS. BENEFIEL: That's correct.

MS. MORRY: Right.

MS. BENEFIEL: That's my understanding. Now, I haven't read in depth, but I've skimmed the information, and it's my understanding that they worked to get consensus but that one or two members didn't agree that they should take out more soil.

MS. MORRY: Right.

So my understanding is that three of the voting members – and there are four voting members on the IEAC –

MS. BENEFIEL: Mm-hmm.

MS. MORRY: – three of them recommended that removal of soil and capping of wetlands –

MS. BENEFIEL: Mm-hmm.

MS. MORRY: – be executed. But another voting member, the Innu Nation, voted just for capping wetlands only.

MS. BENEFIEL: Mm-hmm.

MS. MORRY: And my understanding is that the non-voting members of the IEAC, they supported moving forward just with the existing mitigation plans, nothing additional.

MS. BENEFIEL: That's my understanding as well.

MS. MORRY: Now, they also made a – they did make some – three consensus recommendations; one of them was on monitoring of methylmercury. The –

MS. BENEFIEL: Right.

MS. MORRY: Yeah, number five there.

MS. BENEFIEL: Yes.

MS. MORRY: And so they say they're – they recognize that there's already a strong monitoring program in place, but that additional community involvement in –

MS. BENEFIEL: Exactly.

MS. MORRY: – monitoring.

MS. BENEFIEL: Exactly.

MS. MORRY: What do you make of that recommendation?

MS. BENEFIEL: Well, you know, to have people trained from the communities and to have community members who actually know what's going on with this monitoring, I think, is extremely important. We all know that there are methylmercury issues from the Upper Churchill still. We know that whitefish still are like, twice the amount of methylmercury that should be – that Health Canada recommends you should eat.

And, yeah, absolutely, if – again, we go back to this trust issue, the trust with, you know, trusting our government, trusting Nalcor to do these monitoring. And no one else from the communities understanding what all of the monitoring is about and what the data is about, that's just not going to work. And, yeah, that's an excellent recommendation.

MS. FLOWERS: May I speak to that?

MS. MORRY: Yes, Ms. Flowers, please.

MS. FLOWERS: I have a real issue with that. Monitoring poisons that are being voluntarily put into our food chain means diddly-squat to me. Why are they put in there in the first place? Why is this happening in the first place? You know, that's my question.

Why are we reduced to monitoring – monitoring the poisons? That doesn't even make sense to me.

MS. MORRY: So it's your position that you would rather see complete mitigation or –

MS. FLOWERS: Of course.

MS. MORRY: – yeah.

MS. FLOWERS: Of course.

MS. MORRY: Understood.

Now, another recommendation was to provide funding to get alternate foods in case of – in case it's necessary in the future. And then the final recommendation was to provide recommendations on nutrition to the public at large about how country foods are healthy and to help people make choices of foods that are low in methylmercury, I understand.

So what do you make of – so those ones – excuse me – so there's a – the recommendation to provide funding for an alternate food source in case it's necessary, how would you react to that one?

MS. BENEFIEL: I would react to it very strongly if I lived in Rigolet and Hopedale and those places. I remember – I run some dog kennels and I watched a dog for a couple that went up on the *Northern Ranger* one summer, and she sent – and I've told this tale all over the Northeastern United States because it was appalling to me.

I have not shopped in Hopedale. I don't go to the government stores and I've only been up that way once myself, but this was a picture of four frozen – little frozen hamburgers that were actually frost burned. And they went on sale half price from \$28.99 to \$14.50, and I couldn't believe – this is from a government store. I could not believe what those people have to pay to go into a grocery store.

You know, they don't get their groceries – they're not fresh, they're not provided on a timely basis, they're old when they get there. I mean, even in Goose Bay, our vegetables and our fruits are, you know, probably two weeks old by the time we get them. You bring them home and if you don't eat them that day they're gone.

Well, fair enough that they should provide –

MS. MORRY: Funding.

MS. BENEFIEL: – funding, but the other fairer part is not to have to provide that kind of funding. And if they were going to be that

concerned about the people who live in the North, why haven't they done something already about the prices of the food that they want to buy? I mean, you can't always have country foods, so why haven't they done something already? Again, we're skeptical.

MS. MORRY: Right.

MS. BENEFIEL: And why wouldn't we be?

MS. MORRY: Sure.

MS. BENEFIEL: You know, who's going to take care of the money? Who's going to dole out the funds to the families? You know, there's always a chance for complete corruption in those kinds of situations and where people's food are concerned. That is not fair.

So, firstly, let's clear the reservoir as much as possible. That's my take on offering funding.

MS. MORRY: Understood.

And the final recommendation from the IEAC is about management of human health and I think it's sort of connected to some of the other recommendations: Encouraging people to eat country foods as – and I think that relates to some of what you were explaining there – and encourage people to choose particular species that are low in methylmercury.

So, like, I think I've – I think you've sort of covered some of your reaction, generally, to these recommendations. Is there anything else you'd like to add on these?

MS. FLOWERS: I would.

MS. MORRY: Yeah.

MS. FLOWERS: Inuit people, my people have been – have survived. We are here because of marine life. You know, to have it suggested that you're going to offer me an alternative food source, you're going to give me funding to buy other things, that's like a slap in my face.

It's – I mean, I can't even begin to express how this is so insulting. The indignation that I suffer, and so many Inuit people and Indigenous people in Labrador suffer as a result of that type of

attitude, is defeatist and I'm not there – I'm not there. This never should be in the first place as far as I'm concerned.

MS. MORRY: Understood.

MS. BENEFIEL: Can I interject just for a minute about the Harvard study?

MS. MORRY: Yes, we can return to that if you like. That's at –

MS. BENEFIEL: Were you going to ask a question about that?

MS. MORRY: So, we can return to tab 9, if you like, the methylmercury study.

MS. BENEFIEL: Tab 9?

MS. MORRY: That's the summary of the Harvard study.

MS. BENEFIEL: Okay.

MS. MORRY: It's P-001684, Madam Clerk.

MS. BENEFIEL: Oh right, yes.

MS. MORRY: You wanted to add something on this?

MS. BENEFIEL: Well, what I wanted to say was that, you know, some people think that Harvard was just hired to do this particular study and that they – you know, they had never done these kinds of things before, but that's not so. Harvard has gone – it has done various studies on methylmercury issues all through the North and have found very similar circumstances to this particular study.

And to question – and, I guess, just the word, question, is enough. To question the scientists who did this work and try to make them – belittle them in some way from a university like Harvard, I mean they presented their information in such a way that I felt that we all understood that anyone who currently eats country food and continued to eat country food, and depending on their age and how much country food they ate, they could have an increase in methylmercury in their bodies as much as 380 per cent. And if it was an older person who had been eating

country food for years and continued that same path, it could go up to 1,500 per cent.

Now, I don't think that Harvard University would consider putting something like that on paper unless they were sure of what they were saying. What reason would they have?

MS. MORRY: So you – if we go to page 19, I believe that's the graph you're – there's a graph of some the information you're referring to there. So they talk about how there's –

MS. BENEFIEL: Mm-hmm.

MS. MORRY: – different possible scenarios –

MS. BENEFIEL: Mm-hmm.

MS. MORRY: – for the amount of methylmercury and discussing the range there. So you – if – is it correct that you're saying that you have a lot of trust in this particular study and – because the authors of it are experts more generally?

MS. BENEFIEL: I believe that they're experts. I also believe that they don't have an ulterior motive to make statements that aren't true.

I actually do believe that Nalcor and the Government of Newfoundland both have ulterior motives to try to discount this study because it's going to cost them money and it's going to prove that there are – or it has proven, in my mind, that there are effects beyond the mouth of the river.

And speaking of beyond the mouth of the river again, I know it goes back to the environmental assessment process –

MS. MORRY: Mm-hmm.

MS. BENEFIEL: – but I have to bring up the LGL report that was submitted to Nalcor. Actually, we were told it was submitted to our current MHA, Perry Trimper, who was vetting the reports and studies at that time. And the – Dr. Ian Goudie who did that report for LGL said – stated very specifically in that very first or second paragraph that there would be effects beyond the mouth of the river. But that report never saw the light of day.

And we wonder how – and we found out about the report much later after the environmental assessment process was done. So it really is in, you know, maybe after sanction even. But the fact is that these are things that make us not trust, and we – I can go on and on and on –

MS. MORRY: Understood.

MS. BENEFIEL: – about issues that make us not trust.

MS. MORRY: A lack of trust.

MS. BENEFIEL: Both our governments and Nalcor.

MS. MORRY: Right.

Now, I wonder – so we've talked a bit about the reasons for and the events of the 2016 protest but that – those weren't the final ones. I wonder if we could talk about spring 2017 and the flood in Mud Lake.

Ms. Flowers, I wonder if you could tell me a bit about the reaction among Labrador Land Protectors to that event.

MS. FLOWERS: Before I comment on that I just wanted to refer back to your previous –

MS. MORRY: You wanted to add something there?

MS. FLOWERS: – what you were talking about there.

MS. MORRY: Yeah.

MS. FLOWERS: I'm really nervous.

With regards to the flooding at Mud Lake, generally, the traditional knowledge of the people in Labrador was ignored. And when you even get back to how that study was implemented – and Lindenschmidt I think was his name that did that study. And the way that he was paid – I mean the way that – he was paid half the money up front and then half was held back until after the study was done. And that was very suspect by, you know, people in Mud Lake and people all over the region.

MS. MORRY: If we could just go back for a second to the flood itself in May 2017, just like the immediate reaction. I understand there were some protest events around that time?

MS. FLOWERS: Yes.

MS. MORRY: Were they related to the Mud Lake event?

MS. FLOWERS: Yes.

MS. MORRY: Yeah.

MS. FLOWERS: People were shocked. I was shocked.

MS. MORRY: Mm-hmm.

MS. FLOWERS: People were horrified that this happened. And it can only – and I, like Roberta, firmly believe that, you know, it was related – Nalcor was at fault because they manipulated the water. Everybody knew they manipulated the water. We could see it. We could see the – up and down the river and up and down of the ice conditions. People knew what was going on. And for them to come back and say that it was because of the large amount of snowfall. I mean, we've had large amounts of snowfall for years and years and decades. Like, that never happened.

So we'd never – I didn't ever believe anything that came out of that report.

MS. MORRY: Okay.

MS. FLOWERS: It was Nalcor at fault for that flood.

MS. MORRY: So just to go to the specific report, it's at tab 42, P-02062, and at page 28 they have the conclusions of the reports which you're referring to there.

Now, this is the report by Dr. Lindenschmidt, as you mentioned, that was conducted – it was an independent review of that flood event in May 2017.

MS. BENEFIEL: What page?

MS. FLOWERS: And what was even – like, not even more but what was additionally as horrifying was the fact that they manipulated the water without warning the people. In spring – in times when the ice conditions were – you know, it's always a time when people are more concerned about ice conditions, in the spring and in the fall.

MS. MORRY: Mm-hmm.

MS. FLOWERS: And those were the times that Nalcor manipulated the water without warning the people. All of a sudden the ice was flooded.

MS. MORRY: Right.

MS. FLOWERS: Like that's not even humane.

MS. MORRY: So change –

MS. FLOWERS: I just wanted to add that.

MS. MORRY: Oh, that's good context, thank you. So the – a change in the water levels, especially in the spring, can have a great impact on the environment of your communities. Is that correct?

MS. FLOWERS: That section of the river is a highway –

MS. MORRY: Mm-hmm.

MS. FLOWERS: – that people depend on to go back and forth to their homes.

MS. BENEFIEL: I think you – my view on that part – not to interrupt Marjorie, but when you have a corporation like Nalcor building a project and they've already filled the reservoir to 24 metres and, you know, they can and do manipulate the water levels to their benefit or whatever.

MS. MORRY: Well, that's how it works, right? Or how they –

MS. BENEFIEL: Were they not paying attention? Okay, so we had extra snow. So, we had extra rain. So what? Were they not paying attention to all of that? What's going to happen when the water level goes to 39 metres or 40 metres and you have extra rain and extra – you

know, how is the community of Mud Lake going to survive this when the water levels are up that high and they are manipulating the water levels because, you know, they don't want frazil ice in their machinery or they need to dump water because Churchill Falls is up there generating so fast that the reservoir can't hold it?

People are really, really scared of how this is going to – and no matter what, Nalcor was on that river and Nalcor was controlling that river. It was behind Nalcor's dams, behind their gates and they should have known what was happening and should have had plans in place to take care of that, no matter how much snow and no matter how much water came through.

MS. MORRY: Thank you.

And so, I take it that you don't put much credence in the conclusion that the flood was caused naturally – which, again, just for clarity, the independent review did come to that conclusion, so – but I think you've explained the view of your organizations on that. So, thank you.

Now – excuse me – and so the – have you been involved in any protest actions since the spring of 2017, Ms. Flowers? Or just – I want – just because we're going up to the present time, I'm just curious.

MS. FLOWERS: I have been involved in protests away from the gate.

MS. MORRY: Absolutely.

And, Ms. Flowers, can you give us a sense of other protest actions that have been happening since 2017 or –?

MS. BENEFIEL: We've gathered over at the protect pad –

MS. MORRY: Mm-hmm.

MS. BENEFIEL: – a few times and –

MS. MORRY: Could you explain the pad? For the benefit –

MS. BENEFIEL: Could I explain it?

MS. MORRY: Yeah, could you describe what that is?

MS. BENEFIEL: Well, during the – I guess when the injunction was issued, part of that injunction was that Nalcor agreed to clear an area for us to protest –

MS. MORRY: Mm-hmm.

MS. BENEFIEL: – and frankly, you know, standing over there waving flags and signs at Nalcor is just not – that just wasn't effective; we knew that.

MS. FLOWERS: And they knew that.

MS. BENEFIEL: And so – I'm sorry, go ahead.

MS. FLOWERS: And they knew that.

MS. BENEFIEL: And they knew that, exactly.

So, you know, a lot of activity took place over there, but people didn't stay on that pad. They moved out and obviously they, you know, in their frustration and a frustration from years of – in our case, from years of knowing that this was all a preconceived project that even the environmental assessment panel couldn't – you know, they couldn't fix it and, knowing all of that, the people just got frustrated and went across and blocked the gates and stopped the vehicles from coming in and whatever.

MS. MORRY: So you're going back to 2016 when you're –

MS. BENEFIEL: I'm talking –

MS. MORRY: – just talking about that.

MS. BENEFIEL: – about anytime.

MS. MORRY: Or just generally.

MS. BENEFIEL: Anytime, anytime.

MS. MORRY: Yeah.

MS. BENEFIEL: We've – you know, we've done it – we've walked on the North Spur. I've been there. I've gone up in the boat –

MS. MORRY: Yeah.

MS. BENEFIEL: – a couple of times and, you know, stood on the rocks below the Muskrat Falls site. So – I haven't been arrested yet, but who knows.

MS. MORRY: Right.

So –

MS. FLOWERS: Yes, and I –

MS. MORRY: Yeah.

MS. FLOWERS: It came back to me when Roberta was speaking. I also went on the North Spur since the 2016 gate raid, so – yes, it's listed there in that timeline that you had up earlier.

MS. MORRY: Right.

And – yes, we can go back to that if you like?
But – it's at tab 41 there.

MS. BENEFIEL: Tab what?

MS. FLOWERS: 41.

MS. MORRY: It's P-01769. And so, I think we've gone through most of the narrative of these events and some of the context for them. Did you have any final notes that you wanted to add before I finish my questions?

MS. BENEFIEL: Are you speaking to me or Marjorie?

MS. MORRY: Ms. Benefiel.

MS. BENEFIEL: Yes, I – there are some final comments I wanna make, actually. We haven't talked much about the North Spur and the fact that we've worked for years trying to get Nalcor and the Government of Newfoundland and the Public Utilities Board and anybody who would listen to pay attention to Dr. Stig Bernander, who's a scientist that we hooked up with through Cabot Martin and the Muskrat Falls – a few people at the Muskrat Falls coalition.

MS. MORRY: Mm-hmm.

MS. BENEFIEL: And, you know, again we go back to this trust thing. You know, we're told over and over again that Nalcor's own scientists have done the proper work and our scientists, who have nothing to gain from saying this – in fact, they've never been paid, not a penny, for the work they've done for us. And they're telling us – the Luleå Technical University, one of their chair professors and a senior professor has signed on to a final report – maybe not the final but a final at this point – from Dr. Bernander and Dr. Lennart Elfgrén that says, Nalcor, you haven't done the proper studies, you haven't done the proper risk assessment and you don't know, based on what you have done so far and what we can find that you have done, and that was another issue with the access to information. We couldn't get the information we needed to ensure, for Dr. Bernander, that these things had been done properly. I'm not even gonna start to explain anything that Dr. Bernander has said; I'm no geotechnical expert. But in the end, we – just recently, in the last few months – we've got another final report that is a response to Nalcor's four, quote –

MS. MORRY: Review.

MS. BENEFIEL: – independent peer reviews.

MS. MORRY: Yeah.

MS. BENEFIEL: And it's damning.

MS. MORRY: And so you still have doubts, then –

MS. BENEFIEL: Yes.

MS. MORRY: – about the North Spur.

MS. BENEFIEL: That's been submitted, actually, to the Commission.

MS. MORRY: Right, so – right. And you did provide some evidence on that this fall, and we've got –

MS. BENEFIEL: Right.

MS. MORRY: Those reports are before the Commission.

MS. BENEFIEL: Right.

MS. MORRY: That series –

MS. BENEFIEL: Exactly.

MS. MORRY: – of reports.

MS. URQUHART: If it would benefit the Commission, that's P-00434, the final report of Dr. Bernander.

MS. MORRY: Understood.

MS. BENEFIEL: Okay. Thank you.

MS. MORRY: Those are all my questions.

Ms. –

MS. FLOWERS: Can I add additional comments?

MS. MORRY: Ms. Flowers, is there anything that you would like to add before we wrap up?

MS. FLOWERS: Yes. I just wanted to speak about the environment. Like, I have focused – and a lot of people have focused – on the marine life and the animals, the fish and – that are in the river, the seals and stuff. But there's so many other animals that depend on the river and the rivers in our – in Labrador that's gonna be affected, you know, the habitat, the ecology all around. Like there's – when I think about the beavers that are in the river, the muskrats that are in the river, the otters that are in the river, the birds of prey that depend on these fish, I mean, it's a whole – like, when you look at it like that, it's not just seals and char and fish that I'm concerned about. It's our whole environment that's being impacted.

You know, the – and it's my opinion that the caribou have changed route because of the transmission lines. You know, that's – I hear older people saying that. And that – I – it's these people that I trust completely. And I – on the other hand, there's absolutely no trust with what I've heard from Nalcor. Absolutely none.

I mean, when I think back on the things I've learned – the way that government and corporations have come into Labrador, just to take the resources, they leave nothing in return for the benefit of Labradorians. Nothing. And

this project is the prime example of how they do that. They come in, they rape the trees, they rape the soil, they knock down a forest – there's tons and tons of wood that's knocked down in that reservoir that's gonna add to the buildup of methylmercury. And we weren't allowed to touch the wood. It was only after how many years and the wood was rotted, that there's some kind of a talk now about being able to go get the wood, which is ridiculous. It's another slap in the face that we can't – the Labrador people were just so suppressed and oppressed with all aspects of this project.

And – I just needed to say that because – there's so much more, like, on a holistic level, that don't get talked about. And we depend on it. This is our home. This is where we've lived for thousands of years, you know.

And I sat in this Inquiry and I listened so long about behind schedule, over budget. I don't give a shit about that, excuse the language. Because more fundamentally – to me, as a human being, as an Indigenous woman, as a person who occupies this land, whose ancestors occupied this land for centuries – we're the ones who will face annihilation as far as I'm concerned. And this is one step in that direction. If you're taking away my food source, what else are you going to take next? You know, that's from where I come. That's from where I stand.

MS. MORRY: Thank you both.

Thank you very much, Ms. Flowers.

Thank you, Ms. Benefiel.

Commissioner, we've been talking about these documents throughout, but I wanted to formally enter exhibits P-01684 to P-01706. As well, P-01769, P-02062, P-02064 and P-02066 for the benefit of the record.

THE COMMISSIONER: All right.

Those exhibits will be marked as numbered.

I think what we'll do is take our break here and then we'll begin cross-examination after that.

So we'll take 10 minutes now.

CLERK: All rise.

Recess

CLERK: All rise.

Please be seated.

THE COMMISSIONER: All right.

The Province of Newfoundland and Labrador.

MR. RALPH: No questions, Commissioner.

THE COMMISSIONER: Nalcor Energy.

MR. SIMMONS: We have no questions.

Thank you, Commissioner.

THE COMMISSIONER: Thank you.

Concerned Citizens Coalition.

MR. BUDDEN: No questions, Mr. Commissioner.

THE COMMISSIONER: Edmund Martin.

MR. CONSTANTINE: No questions, Commissioner.

THE COMMISSIONER: Kathy Dunderdale.

MR. HEWITT: No questions.

THE COMMISSIONER: Former Provincial Government Officials '03-'15.

I don't believe they're here.

Julia Mullaley, Charles Bown.

MR. FITZGERALD: No questions.

Thank you.

THE COMMISSIONER: Robert Thompson is not here.

Consumer Advocate is not here either.

Innu Nation, not here.

Nunatsiavut Government.

MR. GILLETTE: No questions.

Thank you.

THE COMMISSIONER: NunatuKavut Community Council.

MR. RYAN: Good morning, Ms. Benefiel and Ms. Flowers.

My name is Victor Ryan, I'm counsel for NunatuKavut Community Council.

I just have bit of a clarification; if we could go to Exhibit P-01769, [sp. page 61], Madam Clerk.

THE COMMISSIONER: Tab?

MR. RYAN: Forty-one, I believe.

So this is the timeline of protests, and I understand that you two are not the author of this document. But something struck me when Commission counsel was asking you questions on it, and I was hoping that we could just go through it together.

Ms. Flowers, you stated that you remembered, quite clearly, a four-day protest in 2016. That's accurate, correct?

MS. FLOWERS: Yes.

MR. RYAN: Okay.

And so I think that that's reflected in this table, where it says date: June 2016; main gate blockaded; four days. Is that your understanding that's the four-day protest that you remember –

MS. FLOWERS: No.

MR. RYAN: – that took place in June of 2016?

MS. FLOWERS: It wasn't in June, no.

MS. BENEFIEL: It was in October.

MS. FLOWERS: It was in October. It was October 22.

MR. RYAN: Okay.

So is this – the protest that is cited as lasting 11 days here, you remember it as being four days?

MS. FLOWERS: Absolutely.

MR. RYAN: Okay.

I did a little bit of just math on a piece of paper and the protest, I believe, ended in October 26 of 2016. Does that sound accurate to you?

MS. FLOWERS: Yes.

MR. RYAN: Okay.

So counting back 11 days from that is about October 14 or 15 and I can find no documentation of an occupation of the site happening that day, but that is the day that Billy started his hunger strike with a few other members. Does that accord with your recollection of things? Did the hunger strike start about October 14, 15?

MS. FLOWERS: I think so.

MR. RYAN: Okay.

I found, I think – P-01687 is a CBC news article, Madam Clerk, from around the time that the hunger strike was started. It says it's posted October 14 and I believe that this news article was released at the very beginning of the hunger strike. And so, I guess, keeping in mind that you didn't create the time –

UNIDENTIFIED FEMALE SPEAKER: Tab 13.

MS. MORRY: Excuse me, that's tab 13, just for the benefit of the witnesses.

MR. RYAN: Thank you, Commission counsel.

So I'm just mostly interested in the date of this news article which seems to place the beginning of the hunger strike about 11 days before the end of the four-day protest. And keeping in mind you two did not author the document, the list of protests, but it seems to me – I'll put it to you – that the 11 days accounted for in the protest of October 2016 is a combination of the hunger strike, plus the four-day occupation of the Muskrat Falls site.

Does that seem like an accurate – or I suppose it could explain the discrepancy between your recollection of the protests and the 11 days accounted for in the table.

MS. BENEFIEL: Wouldn't that – but they were adding up the dates and making statements – financial statements about these times and dates, but the beginning of the hunger strike there was no stopping of the work that I can remember. So that would be something that should be cleared up for sure.

MR. RYAN: Yes, I agree.

If – as you say, if the 11 days accounted for includes the hunger strike, wouldn't you agree that it's not actually an accurate representation of site disruptions and work stoppage because it accounts for a large amount which was actually a hunger strike that had no implications on the schedule of Muskrat Falls.

MS. BENEFIEL: Absolutely.

MS. FLOWERS: Yes.

MS. BENEFIEL: Absolutely.

MR. RYAN: Okay.

So, again, recognizing that, you know, you two didn't have a hand in creating that – that's something that, I think, we're going to have to clear up with other people.

I was hoping to switch tacks to discussing the impacts of the Muskrat Falls Project. Both of you explained clearly and passionately the impacts of the Muskrat Falls site on country food and on sort of the physical well-being of people downstream. But I was hoping to get your views – one or both – on the impacts the Muskrat Falls Project has had on the psychological well-being of people living downstream – mental health or stress involved in the project.

MS. FLOWERS: Well, I stated earlier, myself – I suffer a lot of indignation. I have a lot of distrust. I don't feel safe in this environment. I don't feel safe with my own government. A friend of mine who also was incarcerated talks about a newly developed post-traumatic stress

disorder. I, myself, have post-traumatic stress disorder that has been, you know, it's been resurfacing as a result of the goings-on related to, you know, the project itself and the way it's unfolded. And no doubt, my involvement in it because, I mean, it's – I don't feel that I'm going to stop because of this PTSD. I mean, I'll continue to do what has to be done.

But, you know, aside from that, the mental health issues in the communities have increased drastically with the amount of illicit drugs that have now come into the community – not just this community – now they are circulating on the coast – on both coasts. Cocaine is here, you know, widespread. It's like the drug of choice now. I mean, we – this was not how it was 10 years ago. It wasn't how it was 20 years ago or 15 years ago.

And families are suffering as a result of new addictions, more alcohol abuse – you know, the list goes on and on. I mean, I know that there are many social ills in Indigenous communities, anyway, but this project – it is my belief – has exacerbated it, you know, it's added to it exponentially, in my mind.

And I just wanted to also comment about my incarceration. And, you know, there are other people that were incarcerated as well.

I feel a lot of indignation around that because I – all I did was stand up to say: You can't do this to us. You can't do this to my food; you can't do this to my people. Right? You – the government and this corporation is actually the people that are committing the crimes. And to be criminalized, because I suddenly had a voice – because that's what happened; I found a voice that said: You know, I have to stand up here. This is wrong. On so many levels, this is wrong.

And to be criminalized like somebody who, you know, robbed or committed some sort of serious crime – and there is no crime in what I did. There was no crime in what Beatrice Hunter did. There is no crime. And to be shackled – because I was shackled, like an animal; I was shackled up at the base surrounded by about 15 cops, who were all laughing and discussing how they were gonna chain me up properly so that I wouldn't escape.

You know, that's the kind of indignation that I suffered. And it wasn't just me; there was two other people – Eldred Davis and Jim Learning, who were also treated the same way and thrown into a damn prison cell because we said: We don't want this – to be poisoned. We – I don't wanna lose my food supply. I don't want my culture to be affected like this, because somebody in the capital city thinks this is a fit thing to do, because of money, and because of contracts and because of all that crap.

It – I'm sorry, but it really, really gets under my skin that I have to defend that. I have to – because I am struggling here; I am struggling. This is not a normal situation for me; this is not a normal setting, to be in front of 25 lawyers and everything being recorded and going out over the media. This is not me, as an Inuit woman. I'm forced to be here. I'm forced to be here, because there's something important to say.

And people are not listening. The right people are the people that are in the power – in positions of power – are not listening, they're not hearing, because – because why? Because I'm unimportant? I'm insignificant as a human being because I'm Indigenous? You know, I – the emotional scarring that has happened, and not just from this project, but this project, like I said, is like – the tip of the iceberg to me.

I mean, it's been going – it's in the context of historical degradation by the province and by corporations coming in to Labrador and taking the resources and not letting our people benefit one iota.

And what comes to mind when this project started, well people saw that it was – you know, they were full steam ahead railroading this through. And we said, well, what about some power, what about some transmission lines to the coast? That didn't happen. That was too much money. We can't spend that kind of money just for a few people on the coast, they're just not important enough.

But at the same time, here we are in the middle of seeing millions of dollars being squandered – squandered. I've heard it – I would say billions squandered as this is coming out during this Inquiry; money that's squandered away, billions of taxpayers' money. And I – we couldn't

benefit from a bit of power, not for the delight of one single light bulb. And that burns me as a person from Labrador, as an Indigenous woman. So when I – when you talk and ask me about the emotional impacts, there you have it.

MR. RYAN: Thank you.

Just to just briefly touch on your arrest, is it true that you were incarcerated for a period of time in St. John's?

MS. FLOWERS: Yes, I was incarcerated for 10 days at the H. M. Penitentiary.

MR. RYAN: And were you incarcerated in a facility for women?

MS. FLOWERS: No.

MR. RYAN: No.

MS. FLOWERS: It was for men.

MR. RYAN: So for 10 days in the men section of a prison in Newfoundland.

MS. FLOWERS: It was – the penitentiary has a small section that they have – they take some overload people from the Corner Brook penitentiary, but I mean it's still housed in the men's penitentiary.

MR. RYAN: Mmm.

I just think it's important for that to be on the record before the Commissioner.

Just – I wanted to ask the two of you about country foods. There's been a lot of talk about the physical advantages of eating country food and the physical impacts on people that may come from increased methylmercury.

But I was hoping that one or both of you could explain for us the emotional and spiritual impacts of eating country food, because I think it's important for the Commission to understand that eating country food is not just healthy for you, although it is, and it's not just something that you've hunted yourself. There are other emotional impacts that come from eating country food and –

UNIDENTIFIED FEMALE SPEAKER:
Traditional.

MR. RYAN: – if you want to just speak to that.

MS. FLOWERS: There was a connection made, and there is a connection made between young people – children and older people and elders – when it comes to hunting and fishing and gathering. There is a spiritual well-being that manifests itself from people out on the land in families, in groups, you know? It's – we have a long history of that, of sustenance and well-being related to eating our own type of food that's sustained us – I'm repeating the words, but there just seems to be no other way to say it.

And I – when I think about my own life – when I think about my own life as a child growing up, to put it very simply, my father said, always said, that it wasn't real food unless it was from the land. And we didn't – we – well, we – I shouldn't say we didn't, but – because we did sometimes eat canned food or processed food from the store. We – my father – my parents avoided that at all costs if they could because they knew – their parents and grandparents knew the importance and significance and the health benefits of, you know, of eating the salmon, eating the seals – the seal – the spring seal hunt. That was critical. That was a critical time where we could get, you know, a lot of seal meat, a lot of liver, a lot of, you know, really potent, healthy food that we depended on and it kept us alive in this harsh environment.

You know, it – I can't understate it, I can't overstate it, I can't say it in the right words to make it come out the way I want it to. But it's critical and it's important and it is spiritual. And we – I mean, I think about the way Nunatsiavut Government operates now and, you know, we have – in each community there's a country, I mean, a freezer – a community freezer where people that can't get the food can go into the freezer and get that. They can get a salmon or a char or a partridge or whatever so they can still maintain some level of normalcy in their, you know, Indigenous lives.

And you know, that speaks volumes with – and we use the food, also, for ceremonial purposes. It becomes very ceremonial in different situations with our government and with our

communities, you know? It becomes – like, if there is a feed of caribou on or a feed of partridges or geese, you know, that speaks volumes to the people. This is important, this is a really – going to be a memorable event. The food is like gold to us, it's like something that we – well, I'll leave it at that because I'm kind of running out of words, but I – it's critical and it's crucial for spiritual, you know.

MR. RYAN: Thank you very much.

Commissioner, those are my questions.

(Inaudible) for your questions and your answers.

MS. FLOWERS: Thank you.

THE COMMISSIONER: Former Nalcor Board Members? Not present.

Dwight Ball and Siobhan Coady?

MR. O'FLAHERTY: Good morning, Ms. Flowers and Ms. Benefiel.

My name is Peter O'Flaherty and I'm representing Mr. Ball and Ms. Coady in Phases 2 and 3 of the Inquiry.

MS. FLOWERS: Good morning.

MS. BENEFIEL: Good Morning.

MR. O'FLAHERTY: I understand from reviewing your materials before your testimony that the groups you represent were initially very pleased that this Inquiry was called by the government to provide greater transparency regarding the decision-making about the Muskrat Falls Project. Is that correct?

MS. BENEFIEL: We actually had, we believe, a really strong part in getting this Inquiry called with a thousand signatures from this small community.

MR. O'FLAHERTY: Okay.

And then in follow-up to that, the groups that you represent sought standing and were granted standing to participate and contribute to the Inquiry, correct?

MS. BENEFIEL: Correct.

MR. O'FLAHERTY: So I take it you would both agree then that it's important for the Commissioner to understand and to be able to report on the specific commitments that were made in respect of the concerns and issues raised by your groups, correct?

MS. BENEFIEL: Of course.

MR. O'FLAHERTY: Okay.

So in that context, I want to ask some questions regarding those specific commitments that were made regarding the issues of concern to your groups. And we were brought in your evidence, as you may recall, to an exhibit which is P-02064 at page 49, Madam Clerk.

THE COMMISSIONER: Tab 49?

MR. O'FLAHERTY: Page 49. I'm sorry, I don't know the tab number, Mr. Commissioner, sorry.

THE COMMISSIONER: 02064, can we get that tab number?

MS. O'BRIEN: Yes, that would be tab 43.

THE COMMISSIONER: Forty-three?

MR. O'FLAHERTY: And in particular, this is the page where you were referred to the four demands of the hunger strikers to discontinue the hunger strike, as you recall.

MS. BENEFIEL: Right.

MR. O'FLAHERTY: Thank you, Madam Clerk.

MS. BENEFIEL: On page 49?

MR. O'FLAHERTY: Page 49, Ms. Benefiel.

MS. BENEFIEL: Okay.

MR. O'FLAHERTY: So, just to clarify – were these four demands made by the hunger strikers on their own behalf, personally? Or were these specifically demands that were made on behalf of your groups?

MS. BENEFIEL: We were communicated with, when the three were in Ottawa and while we were in there occupying the site.

MR. O'FLAHERTY: Okay.

And in terms then of the commitments that were made in response to these demands, we were then shown page 48 of the same tab, which is the previous one – the previous page, which is a document which outlines the agreement reached by the leaders of the Indigenous groups and Premier Ball and the other persons who you testified to, Ms. Benefiel, who were at the meeting you called the marathon meeting. Correct?

MS. BENEFIEL: Correct.

MR. O'FLAHERTY: Okay.

And that dark document – I don't want to go through that – that largely speaks for itself, doesn't it?

MS. BENEFIEL: I haven't totally read it, but it appears – yes.

MR. O'FLAHERTY: Okay.

So, in your evidence, Ms. Benefiel, you testified as to the persons that you understood were present at the meeting that led to this agreement, which, I believe, is on October 25 and going over into the morning of October 26, 2016. Correct?

MS. BENEFIEL: Right.

MR. O'FLAHERTY: So, just to clarify – were you or Ms. Flowers present at that meeting?

MS. BENEFIEL: No.

MR. O'FLAHERTY: Okay.

So, I understand from the list of witnesses who were going to testify before the Commissioner, that the leaders of at least two of the Indigenous groups and Mr. Ball will testify – who were there. Okay?

MS. BENEFIEL: Okay.

MR. O'FLAHERTY: So, wouldn't you agree that they would be in the best position to tell the Commissioner as to specifically what commitments were made at that meeting?

MS. BENEFIEL: I believe that the commitments made at that meeting should have been relayed to the public exactly as they were committed to.

MR. O'FLAHERTY: Right. But wouldn't –

MS. BENEFIEL: And so, I would say that, yes, they could. They're – and the Aboriginal leaders that were there could also speak to the Commission on that. I agree. Yes.

MR. O'FLAHERTY: Okay. Thank you.

And they would be the individuals who could also speak to what actions were taken or decided not to be taken from the government perspective. Correct?

MS. BENEFIEL: Certainly.

MR. O'FLAHERTY: Okay.

I don't have any further questions, Mr. Commissioner.

Thank you very much for your patience and your evidence today.

THE COMMISSIONER: All right.

Grand Riverkeeper Labrador, Labrador Land Protectors.

MS. URQUHART: Good morning.

So, I just have a few items arising from your earlier testimony.

THE COMMISSIONER: Just speak up, just a bit, if you would, –

MS. URQUHART: Yeah –

THE COMMISSIONER: – Ms. Urquhart, please?

MS. URQUHART: – I'll try – get a little space there.

So – and I apologize; I’m not used to referring to you as Ms. Benefiel, so I’ll try my best to keep that formality up for today.

You mentioned in your earlier testimony, beyond the mouth of the river. And I wonder if you could – you were discussing a bit about some of the reasons why there may be mistrust between folks in your group and Nalcor, the government. And I wonder if you can please elaborate on that term and why that – what the significance of that is.

MS. BENEFIEL: Well, I have to digress a little bit and go back past even the sanctioning period when Grand Riverkeeper formed – when we became – well, we were at first Friends of Grand River, of course, and then, you know, we wrote a proposal and ended up going to New York and being accepted as a Waterkeeper group with the Waterkeeper Alliance of the US.

And – okay, train of thought – so, because we originally felt there was – you know, this is the seventh-largest river in Canada; it’s in our backyard. If it’s gonna be dammed – we did not want it to be dammed. We had ideas even, you know, as a – in the beginning, we had ideas that there were problems. I mean, I had some biology classes at university; I had some, you know, different classes in geology and earth science and I – and my degree is in environmental studies. So, I knew the basics of the ecosystem and how an ecosystem should work.

While at university, I also purchased a copy of the World Commission on Dams’ report called *Dams and Development*. And from that document, which is about 400 pages with, like, 1,400 scientists that contributed to that document, I was able to learn and our group learned, through this document and other research, what the effects of this kind of a project were – would be – on a river of this size.

So, as I mentioned in Phase 1, we presented to the Energy Minister – we told him to stop calling it a run of the river project, because we felt it was not that. We learned about fish habitat and riverine habitat and how all of that is affected at some point through – later on, we learned about methylmercury. We researched about that and so – can I get you to ask that question one more time?

MS. URQUHART: I’m just trying to get at the significance of beyond the mouth of the river.

MS. BENEFIEL: Okay.

So, then we got to the information on the project, okay. So, throughout all these years, we are learning, and we’re helping each other learn and we’re trying to get the community involved. And then we get the environmental impact statement. And in reviewing that environmental impact statement, it was like, nothing Nalcor could do could have any significant and adverse effects.

I think, the only thing they even mentioned that could be significant and adverse was the Red Wine Caribou Herd – the possibility. And I thought, this doesn’t make sense to me. This doesn’t make sense based on what we’ve learned so far, that all of this – these dams, Gull Island and Muskrat Falls, is the original plan – that those dams, holding the water back behind them, having the sediment drop out, the nutrients drop out – there is no way that there would be no effects beyond the mouth of the river.

And so, we started to look. We looked at fish habitat compensation. Nalcor is supposed to – was supposed to provide – you know, we were told, in plain English, at a meeting, that they were going to provide a letter of credit that would cover what the Department of Fisheries and Oceans of Canada decided was going to be the cost of reproducing this lost habitat if their plans didn’t work. We have gone through ATIPP at last three different times. We have never found and – in fact, I believe, at some point during Phase 1, we were told that they actually did not have to even give a letter of credit.

So, again – you know, we’re told this is going to happen, and then we find out it doesn’t happen. We’re told there’s no effects beyond the mouth of the river, and we know better. I mean, anybody can read. Anybody can read studies by – you know, peer-reviewed studies, and we knew better.

And then, we find that this – that Nalcor actually requested – because we asked so many questions about beyond the mouth of the river and we disagreed – in fact, I think, I told Gilbert Bennett

one day in the hearings like: What do you plan on doing, Mr. Bennett? Putting signs at the mouth of the river to stop the fish? You think they can read? I mean, I'm being frivolous, but to me, that was just how simple their idea of no effects beyond the mouth of the river was.

So, you know, we were told that – so many things about this old joint panel report and joint panel process, we were told that Nalcor hired a company called LGL –

MS. URQUHART: And if I may, actually, Madam Clerk, can you please call up P-00352, which is actually the report – or the paper that Grand Riverkeeper prepared for the first phase of the Inquiry and if we can get that exhibit at page 25, please?

And there's some further information relating – at the bottom of this page – to the report. Oh sorry, it will be page 28 perhaps? With the pagination for the Inquiry. One more – one page further – sorry. So page 29 – so that's perfect there, thank you.

MS. BENEFIEL: Okay.

MS. URQUHART: So this is the LGL report, I believe, that you're discussing.

MS. BENEFIEL: Yes, it is. And that's an excerpt from the report. In the executive summary, I believe.

MS. URQUHART: And that report came to light from a post that was post-sanction, right? That didn't –?

MS. BENEFIEL: Right, that's correct.

MS. URQUHART: If – actually, Madam Clerk, if you don't mind scrolling to the top of the following page. I think it gives a little bit of – yeah, so it's some context there.

So perhaps if you can just give the Commission some information about how – Madam Clerk, can you scroll a little bit further down, please? Just about how that report came to the attention of Grand Riverkeeper.

MS. BENEFIEL: Yes. Dr. Ian Goudie published that report called *On the Failure of*

Environmental Assessment. And he published that report and we were made aware of it. And he told us that that report never saw the light of day. And it was submitted – it was paid for by Nalcor, it was submitted to Nalcor. And in the executive summary, it states that Nalcor should consider – definitely, there would be effects beyond the mouth of the river. And in fact, there would be also, most likely, effects into Lake Melville.

And obviously we now know, through Harvard, that that is true. And at the time, apparently, our now MHA, Mr. Perry Trimper, was vetting documents for Nalcor and that document never – it just disappeared.

MS. URQUHART: (Inaudible.)

MS. BENEFIEL: According to Dr. Goudie.

MS. URQUHART: It wasn't – from the records that you've reviewed, and I know you have the JRP – the CD of all of the documents –

MS. BENEFIEL: I do.

MS. URQUHART: – relating to JRP –

MS. BENEFIEL: I do.

MS. URQUHART: – and you've not –

MS. BENEFIEL: I've never seen it.

MS. URQUHART: – seen this in that –

MS. BENEFIEL: No.

MS. URQUHART: – record.

MS. BENEFIEL: No.

MS. URQUHART: And you had mentioned when Dr. Bell came from the Harvard study and that you attended two of his presentations, and I just wanted to get a sense – you'd indicated that he did a really good job, or that the panel did a really good job in explaining the science so that everybody could understand it.

And I wonder if you could sort of compare that to your experience with presentations that were provided by Nalcor.

MS. BENEFIEL: Yes. I suppose, I could.

I guess, by the time Nalcor got ready to make presentations to us, which is – it wasn't consultation, as far as we were concerned; it was presentations. And they had their scientists there and it didn't – it wasn't in layperson terms that we could really understand. And they would stand in front of these documents and – or pictures and posters and, you know, tell us that we were welcome to ask questions while we didn't really even know what questions to ask, in a multitude of those things.

So, to sit down and go over, you know, each one of those presentations with descriptions in the way that Nunatsiavut did with the Harvard study and Dr. Bell and so on – that would have been a much better process, in our view.

And, you know, at that point, we may have had some questions, we may have learned enough to be able to question. For instance, we did have one good meeting with Nalcor, and that was on the insertion in the sea down by North West River of some sea electrodes. That was going to be a place where they could dump the electricity from the lines – from the DC lines – if they needed to do repairs on the lines.

We went to that meeting. We actually had time ahead of that meeting to do some research on a line in Sweden and Poland called the SwePol Line. There was a group there that did not want that line to have sea electrodes because they said it's gonna affect migration patterns for fish; it's gonna affect the fish if it ever has to be used. And so they fought hard enough to get a third line instead of those poles.

So we presented that at the meeting, and I believe it was – I'm trying to think of the man's name who was – he was – he worked with the IEAC as well. He was a fish specialist. Anyway, he was there and we explained our position and people in North West River explained that they didn't want power lines going across the narrows. And so I think we were strong enough in that meeting that they said, okay well, we can do something about that.

So no power lines going across the narrows, which is the view, scape that you see from the North West River – what are they called –

building – can't think of the name right now. And no sea electrodes out from North West River. But they put the sea electrodes somewhere else. They didn't do a third line like the folks with the SwePol line did. They dumped the electrodes somewhere else where there wasn't a group that wanted to, you know, get involved and fight about how this was going to affect the fish.

MS. URQUHART: Thank you. And if we can actually – and Marjorie, you had – or sorry, Ms. Flowers, you had also touched on this, and I just wonder if you can explain a little bit more. You called the part of the river between Mud Lake and the other side – you called it a highway.

So if you can just explain a little bit – or either of you, really – can explain how that river is used for travel, or that section of the river is used for travel for folks from Mud Lake?

MS. FLOWERS: Well, Mud Lake is an isolated community. It doesn't have road access, so in the summer they come across and go back and forth to get groceries and go to work and whatever – do daily living, coming across in a speedboat or whatever. And in the winter they depend on the ice to be safe, so they can come across by snowmobile to do their, you know, do their daily living.

So, yes it is a highway. It's important. It's critical that that place be safe.

MS. URQUHART: Absolutely. And just for the Islanders and folks on the mainland. They may not be used to isolated communities without road access. So, it's important to just explain how that's used.

I want to just go back. So, we've discussed a fair bit about the protests that have taken place – so the direct actions, and I simply wanted to – I want to talk a little bit more about those. So, firstly, in 2015 – and I know that you both were somewhat involved, or at least had understood some information from the Nunatsiavut and the Harvard program about methylmercury. And at that point concerns in the community were mounting.

And I want to know a little bit more, to the best of your knowledge and information, about what

types of steps – what was happening before those, sort of, critical direct actions in 2016. Can you walk me through a little bit more of the, sort of, buildup? How did we get to that point?

MS. FLOWERS: Well, although I'm from Rigolet I was living in Goose Bay – I was, like I said, since 2003. And I wasn't keeping really abreast of the campaign that, you know, that came about. But I'm – I mean, I heard bits and pieces – they were – they formed a committee in Rigolet – the Muskrat Falls – Muskrat – Make Muskrat Right committee.

They, you know, started a poster campaign. They did this commercial that, you know, went province-wide. They talk about the effects of methylmercury and how we want to be safe. There was a letter-writing campaign. There was quite a bit done from that committee and from the people of Rigolet that, you know, that spurred the action against the methylmercury – the threat of methylmercury on our food.

MS. URQUHART: So, when you say it spurred the action – I take that to mean that folks weren't satisfied with whatever response, if any, they received.

MS. FLOWERS: No, absolutely not.

MS. URQUHART: Okay.

MS. FLOWERS: More action needed to be taken and people got more involved and, you know, tensions were rising and people were starting to panic.

MS. URQUHART: And so the chart that you were presented with – that represents only the site interruptions – so, the instances where Nalcor had to – or the Muskrat Falls Project had to, in some way, vary their practices at the time, while direct actions were going on.

But I also understand that there were other direct actions outside of the project site that also took place. And I wonder if you can tell us a little bit more about some of the other actions that took place.

MS. BENEFIEL: I do recall several motorcades that we organized and flags flying – Labrador flags. I mean, one of the – I guess what really

cuts a person's heart in this territory is to see a building without a Labrador flag. In fact, I know of two people who went on both borders and stuck up a pole. In fact, one of them got stained in my driveway. I didn't do it, but later the flags were taken down and the government put up two proper Labrador flags.

The Labrador flag is very meaningful to us because it separates us, and we are separate from the Island of Newfoundland. And it gives us a distinct identity, which I think is the way it should be. And so, on these motorcades, there would be flags flying out of the backs of trucks and kids in the backs of the trucks and horns blowing. And I think I wore mine out on the Ford Windstar on one of those trips.

And not only that, we had walks through the community. When one of the RCMP officers died, we all got together and went over to the RCMP building and we laid a wreath. You know, we – what Nalcor has listed in their documents is nothing compared to what we did over time and over – and the raging-grannies thing, I mean, this was, you know, years ago. I believe it was the premier at the time; I can't remember his name.

But anyway, he was coming for a meeting and one of the ministers was coming and they weren't talking to us and the grannies dressed up and sang songs that they put words to from Christmas carols and I missed it. I was out in New Brunswick at the time. But we've done those things over the years hundreds of times I would say. So, Nalcor, I think, has put their list together to show how – maybe even to try to show that we disrupted them enough, that that might be one of the risks that they want compensated for or one the risks that they claim slowed them down. Well, you know, we don't – we certainly don't believe that we slowed them down that much. So –

MS. FLOWERS: I think another significant action that we took was blockading the Labrador and Aboriginal Affairs building.

MS. BENEFIEL: Right.

MS. FLOWERS: Three weeks in May we had that building shut down, and there was no work. They had – of course, the workers moved to

another building and went into hiding, but we did make a very powerful statement at that time because we could not get the answers or responses from government that we were wanting. And what we were saying, of course, is what, you know, what we've said here today: that we wanted an independent review of the North Spur. That's not too much to ask. If everything is all in the up and up, tell us. Take away our anxiety.

MS. BENEFIEL: Yeah.

MS. FLOWERS: You know, that's all we were asking. And to clear the reservoir so that we don't add to the existing methylmercury. Why would we, you know, why would we create a whole lot more. Why would the government do that, to create a whole lot more methylmercury? That's all we were asking during that period when we had that government office shut down, and not once did we get a response from the Premier. He completely ignored all our emails, our letters, our phone calls, messages; we were completely ignored.

MS. URQUHART: And at the time he was also the minister of –

MS. FLOWERS: He was the minister for Labrador and Aboriginal Affairs.

MS. BENEFIEL: Mm-hmm.

MS. FLOWERS: And I'm glad you said that because I wanted to make a comment about that. That position is there for the purposes of advocating for and speaking on behalf of – keeping Labrador people safe and satisfied with government goings on. And here was the government – the Premier, who held this role as the minister of Aboriginal Affairs, who completely ignored the Aboriginals, you know, amongst other Labradorians. So it was just another total breach of trust, and I knew that right from the beginning when he put himself there as the minister of our land and our people. It was just another slap in the face. It was colonialism at its finest.

MS. BENEFIEL: We've also never heard from Premier Ball or anyone else in government on the thousand signatures they received. Not a word.

MS. URQUHART: So let's talk about that quickly. What is the thousand-signature petition? Can you just give me a little bit of –

MS. BENEFIEL: I believe I have provided you with a copy of the petition. I have a full copy of every single signature at home. I think there's about 60 or 70 pages, something like that. I wanted to make sure they didn't fall in a hole like these other reports do so I made sure I kept copies. And I'd be happy to provide them if the Commission would like to see them. But the only thing the petition asked was: Do you want to see – and I'm paraphrasing now – do you want to see an independent review of the North Spur issue? And a thousand people signed it in a matter of – you know, we –

Marjorie and I stood up at the Co-op for, like, an hour or so on a Saturday, or a couple of hours and other people stood down at the NorthMart where the people were grocery shopping. And we didn't get anyone – I do not recall anyone walking away and saying, you know, no, we're not signing that.

MS. URQUHART: And just to be clear, these are folks who were in the community who physically signed the pages. This isn't an online petition, just –

MS. BENEFIEL: Right, no, no, no.

MS. URQUHART: Yeah.

MS. BENEFIEL: No, they physically signed.

MS. URQUHART: Okay.

And so your asks were – and one of the questions I wanted to flesh out a little bit was you did – Ms. Flowers had indicated that you were talking to folks on social media and that was part of how you were getting people engaged in these direct actions. And I wanted to know a bit about what it was. What was the content? What were you saying? What were the concerns that you understand or recall that people were concerned about?

MS. FLOWERS: People were afraid. Very simply, people were afraid and anxiety-ridden because they feared that – I mean, we had the information from a world-renowned expert, Stig

Bernander, who told us – who made it very clear to the people in Labrador that that dam – they’re using the natural part of that land formation as a dam to hold back 25 metres of water or 41 square kilometres of water.

You know, and the concerns were running deep. Like, people were terrified. I used to get – I used to go to NorthMart, and people, like, older ladies that live in the Lower Valley, like, long-time residents coming up to me saying: I’m scared, Marjorie; I’m scared. I can’t sleep at night. I get up in the night; I look out my window terrified. You know, like, people’s lives were disrupted – profoundly disrupted by the threat of that – and it still is. It still is because we still don’t have an independent review; we still haven’t been told by the government that this is safe.

There hasn’t been any proof that we – and that’s a simple thing to ask. And why they’re not doing it only tells me that it’s not safe.

MS. URQUHART: And – actually, I’ll put this one – Madam Clerk, if you can pull up P-02065, please.

And I’m not sure if this one was entered, but it was a document which Ms. Benefiel had requested to be put before the Commission. And I wonder, Ms. Benefiel, if you could please just explain the significance of this. I believe that the pertinent section is –

MS. BENEFIEL: Page 2.

MS. URQUHART: Madam, if you can –

THE COMMISSIONER: It is actually –

MS. URQUHART: Yeah, page 2, please.

THE COMMISSIONER: It is actually in the exhibits.

MS. URQUHART: Oh, it is. Okay.

THE COMMISSIONER: It’s one of the ones added this morning.

MS. BENEFIEL: Okay.

MS. URQUHART: (Inaudible.)

THE COMMISSIONER: But I don’t have the tab number, I’m sorry. So if you could look at the screen.

MS. BENEFIEL: Okay, the –

MS. URQUHART: (Inaudible.)

MS. BENEFIEL: The significance of this is that the gentleman who wrote this –

MS. MORRY: Excuse me there.

MS. BENEFIEL: I’m sorry.

MS. MORRY: Sorry, just as you requested, it’s at tab 44.

MS. URQUHART: Madam Clerk, if you could please scroll down a little bit. I think the relevant section is there.

That’s great, thank you.

MS. BENEFIEL: So the top letter is Nalcor Energy’s letter talking about a letter they received from Dr. – I guess it’s Leroueil, on the North Spur stabilization. The second letter is from Mr. Régis Bouchard, who is one of the experts that Nalcor used on the North Spur stabilization works and to look at the dynamic analysis study.

And, you know, the very first paragraph he says: “As you know however, if I think I well know ...” – and I think this was probably translated from French, so it’s a little bit of a confusing way to say it – if you “... think I well know the behaviour of clays, sensitive clays in particular” – and I’m sure he does. But then he says: “... my knowledge on the dynamic behaviour of soils and its analysis is rather limited.”

And he even mentions down in, like – one, two, three, four, five – sixth paragraph down – I have not found – “... on dynamic analysis, I have not found anything unsatisfactory but, as indicated earlier, I am not an expert in this domain. The conclusions however look very interesting.”

Well, they could look interesting to just about anyone. But the conclusions, you know – again, I’d like to press the point that Dr. Bernander has never said that this project, this North Spur, is

going to fail. What he has said is that they have not done the proper work, the proper studies to determine whether or not there was a risk.

So, in our minds, we cannot figure out why – and Dr. Elfgrén has worked with Dr. Bernander on this. Dr. Bernander is 92 years old, and he has a hard time with English and so Dr. Elfgrén has worked with him. And now we have the two other professors from the Luleå technical university who have reviewed those documents and made the same statements, or corroborated what Drs. Elfgrén and Bernander have said.

And they actually – the peer-review committee actually said that if they were to do the tests that Dr. Bernander recommended, that it's possible the North Spur could fail. And the answer to that – the response, which is a document I sent in, I think, yesterday and I believe it was already on the Commission records. But what Dr. Bernander said is if they are afraid that doing that test the way I suggested might make the North Spur fail then, you know, maybe it will. And maybe that's what has to be done before the water goes to 40 metres high and before Mud Lake and the lower valley are in some kind of danger or – we think.

So here we are again, we're asking again. Like, I know, you know, that Judge LeBlanc and the Commission has no authority to ask Nalcor to do these studies and do these tests, but – and we're not going to accept Nalcor's scientists doing it, I can promise you that. We need Dr. Elfgrén, Dr. Bernander and their cohorts who have nothing to gain from this, except that they're concerned that the right tests have not been done.

And Dr. Bernander actually produced these types of tests. This was what he did his Ph.D. on at 83 years old. He is the go-to man in the entire country of Sweden and across the globe on this particular way to test layers of quick clay.

So, again, if anyone is listening, we would like to see that done before they raise the water level. And we don't understand why it isn't. I mean, it went from \$6.2 billion up to \$12.7 billion and we had nothing to do with the \$60 an hour that people were being paid to Windex the bus windows. You know, and that's the truth. That's what people told us – \$40 for washing dishes, et cetera, et cetera.

So if that can be done, why can't we have a study that produces – nobody can guarantee that something is not gonna fail. An earthquake happens and anything might fail. But why can't we have some reassurance from someone who has nothing to gain from this process? Why can't we have that reassurance for the people who live downstream?

MS. URQUHART: Thank you, Ms. Benefiel.

So I'm gonna actually – I just wanna go back, actually. I believe you both were at a protest, or a direct action, in 2012. And you were discussing this with Commission counsel earlier and I just wanted to clarify.

So we were talking about in 2012, just prior to sanction, and I believe, Ms. Flowers, you'd indicated there were nine people arrested at the time. Can you just elaborate on that a little bit further?

MS. FLOWERS: Well, I don't know if it was eight or nine. It was roughly that number.

MS. URQUHART: Mm-hmm.

MS. FLOWERS: I had – like I said earlier – I had become involved at that time because I had concerns about jobs and people not getting the jobs, as has gone down in history so often here. That's why I got involved. And, you know, like, Mr. Russell was there; he was there for – because they were left out of consultation completely, and ignored. So, there was a whole bunch of different reasons why people were there protesting on that – on the road and blocking traffic that day.

And – well, yeah, I just, you know, thought that this was the only way that – to get our point across because we were already in a place where we were being ignored and completely left out. And it seems like the only way to get some attention was to take drastic measures. And the drastic measures that we took was the lying down in the middle of the highway, and, you know, and then we were carted off by the RCMP.

MS. URQUHART: And can you explain – I think, also, you were imprisoned for a period after that. You were put in lock-up.

MS. FLOWERS: Well, yeah, we were taken to the lock-up here in Goose Bay, and we were kept there for – it was in the morning, about 5 o'clock – very early – 6 maybe? And we were kept there the whole day. By the time we got back and delivered back to the protest site, you know, there was – (inaudible) not thousands, hundreds of people, then, had come up from the South Coast and, you know, the day of protesting was pretty much over.

So, you know, we made our point but I really don't know yet if that made any difference, but that's what happened.

MS. URQUHART: And if we can also go, I guess, further forward in time. So one of the – obviously, the protest there in October 2016, I think we've established the date that that ended was the 26th of October. At that time and in the press release that we looked at earlier, it indicated that – or a part of what spurred that, as I understand it and I'd like to hear your thoughts on – was that they had indicated that at that point they were going to be raising the water level in the reservoir and this was, obviously, prior to further clearing that was being requested by Nunatsiavut.

So I wanted to hear a bit more about how that – what sort of triggered that particular protest in October 2016, either of you.

MS. BENEFIEL: I can speak to that because I was there.

The plan was – or the reasoning was by Nalcor that they had to raise the water levels – was because they had to watch for – stop frazil ice from forming. And frazil ice would've damaged their – frazil ice is just crusty ice that forms and breaks up as the water pours through and then it would be damaging to their equipment that they'd – their infrastructure. So that was their reasoning for raising the water level.

But the concern that people had was, well, if you raise the water level, you know, 25 metres, then whatever mercury is in the soil and in the trees – because you haven't really cut this area yet and it was a lot of bog on that south side. There was lots of bog which is, you know, a heavy mercury depository. And so they were concerned, people were concerned that, you know, this was being

done without any clearing of this area and that methylmercury would increase anyway.

Now, we were told that this was an area that flooded often in the summertime or in the spring, anyway. I'm not sure that that was true. I'm not sure of a lot of things that we were told. But even if it was, there was still the idea that this project was more important than, you know, how much mercury ended up in the water and was turned into methylmercury and would end up in the fish and seals for people to eat.

MS. URQUHART: Thank you.

And so when these protests concluded, October 26 of 2016, and I – we've reviewed the press release there earlier – one of the things that was promised or that was committed on the part of Nalcor was that this water that had been – obviously the reservoir had been increased and the water would then be released in the spring of 2017. And I'd like to just put it to you to speak a little bit more about that, either of you.

MS. FLOWERS: Well, from what I recall at that time, they did the exact opposite. They didn't release the water, they raised the water. Is that what you understood?

MS. BENEFIEL: I'm not sure about that, Marjorie, but I know that when they tried to release the – well, first of all, let me put it this way: They did not release the water in the spring, they actually released the water on June the 21 and everybody knows that's the first day of summer. So the point is that they – I don't think they would have released the water had we not screamed and written letters. And I think I've even provided, you know, some documentation on that.

So, finally, they decided to release the water on the 21st of June and shortly after – I don't know if it was two days, three days or whatever – they had to stop releasing the water. And maybe they did, I'm not aware of that, but Marjorie seems to remember that they did increase the water level. Well, they said because the river banks were eroding.

And so that August, what, three months later, a few of us put our canoes in up at Gull Island and we paddled down to Lower Brook. Once we left

Edwards Island – which was a disgraceful mess of wood piled up; a beautiful island that we always stopped on to camp at night – and we couldn't stop there so we went on a little further.

But from that point down, any sandbanks along the riverbank on the north side were huge, cathedral-shaped masses of sand and clay that had fallen into the river. And you could see the little holes where the water level had been because, you know, the water on the river is quite lippy when there's wind blowing and there's little holes along the side of the riverbank. You could see where the water had been. You could see the difference in the colour of sand and clay. You could see clay everywhere.

We actually took some pictures, but one of the members of our group who was on that trip is away in Norman Bay and she couldn't get the pictures to us. And we would like the Commission to have those pictures because this is – you know, we've said all along, it's not just the North Spur that has quick clay or very sensitive clay, as Mr. Gilbert Bennett corrected me in saying: No, there's no quick clay on the North Spur. No, no, there's no Leda clay. Oh, well, yes, there's some very sensitive clay. Well, it's all in the terminology, right?

MS. URQUHART: Mm-hmm.

MS. BENEFIEL: But along this riverbank you can see and – you know, there was one right after the other, all the way from Edwards Island, right down to where the willows started at just before Lower Brook and a lot of material had fallen into the river. So we understood, then, why they decided they couldn't let any more water out because it was going to fill up their reservoir. But we also understood that this is exactly what we expected to happen and what we really expect to happen if there's seepage into the North Spur.

MS. URQUHART: So those were all my questions, but before I take my leave is there anything else that you'd like to say for the benefit of the Commission and the public watching?

MS. FLOWERS: Oh, you first.

MS. BENEFIEL: I – again, I have to compliment the Commission and all of you folks who are here on all the work you've done and how many documents you've been through. And, you know, I keep piling them up, too, so part of it's my fault.

But I think my – I want the Commission to understand that there is a system in this country and in this province that does not allow for public participation in a real and meaningful way. Environmental assessments are a farce. With the new prime minister we're working with C-69 and the public participation part is still a farce, and the reason why is because of ministerial discretion.

Ministers are politicians. We have to have something in place that allows for proper financing for small groups to get involved who are concerned about issues like this in their area or in their community. We recommended – I recommended – and I'm a member of the environmental assessment caucus [sp. Environmental Planning & Assessment Caucus] that – the RCEN caucus on environmental assessment. And I recommended that in the new act that they put in place an ombudsman-type situation at the Canadian Environmental Assessment Agency that allows people like us to understand these – you know, these impact statements more thoroughly to give us direction.

I don't think we're going to get it because, again, they're politicians and politicians, in our view – in my view and many other people's view – are working towards election. When they get elected, thank you the next day and from that day forward they're working towards the next election. And the money that helps them get elected doesn't come from communities like ours, doesn't come from small people. I think that was Barack Obama's deal and I don't think it'll ever happen again with social media.

The money comes from industries and industry talks. And if we don't have a system put in place where public participation – I mean, why do we have environmental assessments? Because we care about people, because we care about future generations. If we don't have a system in place that allows the public to be meaningfully engaged in this kind of a process – and I have to tell you that the documents from Nalcor Energy

– and I’m sure you all know – they were piled up that high in my shed. It was impossible for us to go through them. We had six or seven people reviewing; there was no way we could have ever caught everything. We just caught a few things.

So at the end of this Inquiry if there’s a recommendation that can come out of it, I would love to see something about environmental assessments and how they’re conducted and how ministers and politicians have to deal with them, because this one failed us.

MS. FLOWERS: I’d like to add to that, too. Probably the biggest lie that has been told and is being told to us as Labradorians is that this is clean and green and safe. It is neither one of those things and I think the demonstrations that we’ve engaged in as Indigenous people that live here, that have occupied the land, have shown that we have real concerns.

It’s real. We’ve done a lot of work – we have done a lot of work. Roberta has spent her – the last how many years –

MS. BENEFIEL: Like 20 years.

MS. FLOWERS: – researching and, you know, I don’t do that kind of research, but I do have a genuine, deep concern for the longevity of my people and my food. You know, that’s inherently from where I stand.

This project is not clean, it is not green, it is not safe and Nalcor has done nothing to prove that. With all the money that they’ve been spending, they have done nothing to prove none of those three things because, simply, it’s not. It can’t be proven and that’s all I have to say.

MS. URQUHART: Thank you both.

(Inaudible.)

MS. BENEFIEL: (Inaudible.)

THE COMMISSIONER: All right, redirect.

MS. MORRY: Thank you, Commissioner.

This will be extremely brief, Ms. Flowers and Ms. Benefiel. But just – if we could go to tab 15 of your binder. This is P-01689.

So I just wanted to discuss that question of the length of the protests in October 2016. And if we could scroll down to page 8, Madam Clerk.

So I think that, just for clarity, the – there were kind of two phases of this protest. There were four days. There was – on October 22 the – was when the protestors entered the site and began camping there, and that did last four days: October 22 to 26. But before October 22, it’s my understanding that there were protestors and members of your group who were blocking the gate. Is that correct?

MS. FLOWERS: Yes. Yes, that is right.

MS. MORRY: Yeah.

So I think with that context, the 11-day period that’s listed in that timetable – that, of course, you didn’t have input in preparing. I think that the 11-day interruption that’s listed there makes sense in that there were protests at the gate before October 22, and then the four-day protest on the site from October 22 to 26. Is that correct?

MS. BENEFIEL: I don’t think that – blocking the gate sounds like nobody could go in. I don’t think –

MS. MORRY: Yeah.

MS. BENEFIEL: – that actually happened.

MS. MORRY: Okay.

MS. BENEFIEL: So there was no stoppage of work at that point. I think that what we did was slowed traffic.

MS. MORRY: Sure.

MS. BENEFIEL: Yeah, I think that was ...

MS. FLOWERS: The morning where nine people got arrested the first time –

MS. MORRY: Yeah.

MS. FLOWERS: – we did, we chained hands and stopped traffic.

MS. BENEFIEL: Yeah.

MS. MORRY: Right, so that was on October 17.

This Commission of Inquiry is now concluded for the day.

MS. FLOWERS: Yes.

MS. BENEFIEL: Yeah.

MS. MORRY: That's what's in this article here. So I think that – I just wanted to make that note in terms of the timeline in that period.

Now, there was one other thing. You had mentioned that Dr. Trevor Bell was one of the scientists that you found really trustworthy, I believe. And I just wanted to make a note that he was a member of the Independent Expert Committee with the IEAC, correct?

MS. BENEFIEL: Mm-hmm.

I believe so.

MS. MORRY: Okay. Thank you.

Those are all my questions.

THE COMMISSIONER: All right.

Thank you very much, Ms. Benefiel. Thank you, Ms. Flowers.

MS. FLOWERS: Thank you.

THE COMMISSIONER: Thank you very much.

All right, so I think that's all the evidence that we have scheduled for today.

So we'll start on Monday, Ms. O'Brien?

MS. O'BRIEN: That's correct. We'll start on Monday.

I believe our first witness on Monday morning will be Keith Dodson from Westney. He'll be appearing by Skype.

THE COMMISSIONER: Okay.

All right, so we're adjourned until Monday morning at 9:30.

CLERK: All rise.