

The Claim Post

Fall 2011

The Claim Post is the official newsletter of the Northwestern Ontario Prospectors Association.

The purpose of the Claim Post is to provide a forum for our members to discuss current events and exchange information.

The views and opinions expressed in this newsletter are not necessarily those of the Northwestern Ontario Prospectors Association including all of its members and Directors. The writers accept full ownership of their contributions.



Lakehead University Geology students mapping the Rita Bolduc dike south of Thunder Bay. Photo courtesy of Dr. Peter Hollings. 2011



NORTHWESTERN ONTARIO
PROSPECTORS ASSOCIATION

[< back to main page <](#)

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[Claim Post](#)
[OPA](#)

[Meetings](#)
[By-Laws](#)

[Events](#)
[Board of Directors](#)

[Membership](#)
[Land Use Issues](#)

[Symposiums](#)
[Links](#)

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The Claim Post Fall 2011

President's Address

The leaves have started to fall, the geese are heading south and the election is over.

Some things never change and only time will tell if this applies to Ontario's Mining Act. Now into the third year of the "Modernization" and without a clear directive for dealing with Aboriginal mining issues from Ontario, we will plug along and hope that the mineral industry continues optimistically participating in exploration in Northern Ontario.

Success has come to many this past season and the future holds great potential for us.

NWOPA, its board and membership will continue to actively engage all interested parties in building capacity and understanding of the much maligned Prospector and the mineral industry. The next few field seasons will see change to the way explorationists do business from getting a license to how to proceed from that point on. And change is always difficult to adjust to. But adjust we will. Prospectors have always been good at adapting to the circumstances that they are presented with and hopefully this new breed of Prospector will inherit the skill of self-preservation and perseverance.

NWOPA is working diligently to keep you active with social, political and educational opportunities for the membership to participate in. This edition of "The Claim Post" contains many exciting articles and notices of past and future events for you to enjoy.

Remember, people will judge you by your actions, not your intentions.

You may have a heart of gold - but so does a hard-boiled egg. Anonymous.

Best regards,

Barbara D'Silva

President NWOPA

Northwestern Ontario Prospectors Association

www.nwopa.net

NW ONTARIO

**MINES & MINERALS
SYMPOSIUM**

**VALHALLA INN
THUNDER BAY, ONT.**

APRIL 2-4, 2012

NWOPA OBJECTIVES

To represent and further the interests, serve the needs, and support the aspirations of the individual prospectors in Northwestern Ontario.

Welcome our 2011 NWOPA Board of Directors

At our Annual General Meeting on April 5, 2011, members elected ten Directors to the NWOPA Board, including five for a 2-year term and five for a 1-year term according to our by-laws (as amended by the membership on November 11, 2010).

Elected for a 2-year term: Barb D'Silva, Suzanne Halet, Cyndee Komar, Paul Nielsen, Allen Raoul.

Elected for a 1-year term: Bob Chataway, Mary Louise Hill, David Hunt, Ben Kuzmich, Ryan Weston.

Officers were elected at the first meeting of the new Board on April 14, 2011. Officers serve for 1 year.

- 2011-12 NWOPA Officers:**
- President:** Barb D'Silva
 - Vice-President:** David Hunt
 - Treasurer:** Paul Nielsen
 - Secretary:** Cyndee Komar



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NWOPA is now on Facebook!

Tuesday, September 20, 2011

THE CHRONICLE-JOURNAL

LETTERS TO
THE EDITOR

Not so modern

NO WONDER Dalton McGuinty doesn't want to show up at the northern leadership debate.

His modernized forest tenure process, designed by southerners, has selected winners and losers in an opaque process that has cost jobs and left former mill towns twisting in the wind without a future.

His modernized Mining Act, designed by southerners, is almost guaranteed to drive significant amounts of mineral exploration out of this province.

And his Far North Act, designed by southerners, is so terribly flawed that two of three parties have vowed to scrap it, if elected.

MNR is trying to restrict our access to Crown land in order to protect remote tourism outfitters who have more or less been given their own private lakes.

And to top it all off, we get to pay gasoline prices that are much higher than those in the south, while being saddled with exorbitant southern power rates which are much higher than it costs us to produce our own electricity.

I'm thinking McGuinty would like us all to leave so he can turn our North into one big off-limits carbon sink park.

Dave Hunt
THUNDER BAY

Gold runs in their veins

MODERN PROSPECTORS



Kagan Meleod, National Post

Joe O'Connor, National Post, Aug. 13, 2011 3:03 AM ET

It is an awkward moment, and it happens all the time. Jessica Bjorkman will meet a stranger, a new face in town, and if they start talking, and if the conversation winds around to the inevitable career question - "So, what do you do for a living?" - she will sigh, just a little. See, it is complicated.

Ms. Bjorkman is not a wild-eyed old man with a grizzled beard yodelling around the great north woods on the back of a donkey. And she does not live in the Yukon. And she has not memorized all the words to Robert Service's poem, *The Cremation of Sam McGee*. So when she tells someone, "I am a prospector," that someone will invariably shoot her a curious look. "Most everybody is surprised," Ms. Bjorkman says. "I say we go out looking for rocks that have potential. We are the step before a mine. Basically, we are the ones out there, on the ground, looking for something promising." She is looking for the same thing that the old guy on the donkey was looking for in the Klondike, circa 1898: gold.

The 31-year-old is not alone in her passion for pursuing a lucky strike. She inherited the gold bug from her father, Karl, as did her five younger siblings, all of whom, save for the baby, Karla, who is still in high school, are prospectors and employees of Bjorkman Prospecting, an all-in-the-family northwestern Ontario enterprise that is as rare as the precious metal they seek. Jessica's mother, Nikki, keeps the books.

They are a family that moils for gold. What keeps them all going, in part, is an elusive, glittering dream that their fortune could be just up ahead, around the next corner or through the next thicket of trees, waiting to be discovered.

"You always have that chance," says Jessica Bjorkman, the de-facto family spokeswoman for this story. "Most people who prospect for their career have the gold fever.." "Having curiosity is very important to finding good rock and definitely the lure of that rare chance of finding beautiful visible gold keeps you checking every outcrop."

There have been dreamers for a long time in these parts. The province's gold mining history predates the Klondike Gold Rush of 1896-99. Even more surprising, perhaps, is that the first significant strike was only about a two-hour drive from Canada's largest city. John Richardson was an Irishman, a dirt farmer with a rocky, miserable tract of land near Madoc, Ont. In 1866, in an act of desperation, he hired a part-time prospector, Marcus Powell, to poke around. Mr. Powell, or so the legend goes, fell into a cavern. The walls were covered with a shiny metal. They were covered in gold. Word got out. Fortune hunters of every stripe poured into the area from as far away as Europe. Eldorado City sprang up from nothing. Hotels, bars and a post office bloomed. The population swelled to 3,000 and a police force ballooned to 25, to keep the peace. Alas, the would-be boom was a bust. The so-called Richardson Mine, with its golden walls and untold riches, proved too difficult to mine profitably and closed in 1869. Eldorado City is now a ghost town.

"John Richardson died a pauper," says Isabella Shaw, a local historian. "But the story is that each of his four sons inherited \$1,000 and a team of four horses, which was a lot of loot back then." There were other dreamers. A prospector named Harry Preston slipped on a mosscovered rock near Porcupine Lake, a few kilometres east of modern-day Timmins. Beneath the moss was a quartz ledge, covered in gold. Porcupine Lake's Hollinger mine opened in 1910 and yielded 19.3 million ounces of gold over the next 60 years. Major finds followed in Kirkland Lake and Red Lake.

"By 1930, Canada became the world's second-largest producer of gold, with Ontario responsible for most of that output," Stan Sudol writes in a recent Canadian Mining Journal article. Today, the province has 13 gold mines, and ranks 14th in the world in terms of gold production. And it all starts with the humble prospector, as it did for the Bjorkmans. Karl, the family patriarch, is a former Ontario Hydro worker. In 1984, he moved the clan from Windsor to Whiskyjack Lake, a picturesque slice of water near Atikokan, Ont. He cleared the land, built a cabin and supported his growing brood by working construction jobs. But rocks, more than mortar and concrete, were his true fascination, a gnawing itch that saw him bury his head in geology textbooks and, eventually, after about a decade, emerge to try his luck at prospecting.

He cleared the land, built a cabin and supported his growing brood by working construction jobs. But rocks, more than mortar and concrete, were his true fascination, a gnawing itch that saw him bury his head in geology textbooks and, eventually, after about a decade, emerge to try his luck at prospecting. As each of his children finished high school, they joined what became an expanding family franchise: first Jessica, then Katarina, then Bjorn, Ruth and Veronique. Karla, the baby, is last in line. Katarina now has a geology degree. Ruth is working toward one. "My dad let each of us decide what we wanted to do," Ms. Bjorkman says. "He didn't force us to choose prospecting."

Getting started is the easy part. All you need is a prospecting licence and \$25 to pay for it. Finding a mine is the hard part. Prospecting is a lottery and winning tickets are rare.

(According to the Ontario Ministry of Northern Development, Mines and Forestry, the odds of a mining claim becoming a productive mine are 1 in 10,000, and the odds of that mine actually being a gold mine are, well...) The Bjorkmans' livelihood depends on staking claims. A "claim" can range in size from 16 to 256 hectares. If the rock samples taken from the claim show promise, the next step is to option the land to a mining company. The company can then develop it or, more likely, take a closer look and decide to abandon it after a year, or maybe two.

For the average prospector, the dollars earned optioning properties to mining companies or staking claims and taking rock samples on a company's behalf for a day wage, adds up to a nickel-and-dime existence. The Bjorkmans are still looking for their mine, but have managed to option a few properties over the years, and make a decent living. You can pay the bills. Just forget about that weekend golf getaway to Palm Springs or owning a fleet of luxury cars. "We own a fleet of Dodges," Jessica Bjorkman says, with a laugh. "If you find a mine, you are going to be rich, but if you don't, you are basically working a hard job for a mediocre living."

A special night out for the Bjorkmans involves gathering around the campfire for a hot dog roast, while a great day off means waking at sunrise to hunt moose and deer and partridge - a particularly tasty delight - and then watching a sunset while catching bass or pickerel for a fish fry. If money is not the immediate motivation, and quite possibly a pipe dream, then why moil for gold? "It is the adventure," Ms. Bjorkman says. "You get addicted to it. To do this job, you have to love the bush, and Northern Ontario bush is not your beautiful red pine parkland forest. "It is blowdowns and thick brush. Some days it is just so horrible that you feel like crying." If that does not sound enticing enough, try hot and unbearably buggy summers, slogging through swamps and winter days where every tree is coated with dripping wet snow and the only way to keep warm is to keep moving.

There is all that, plus bears. "Most people just can't hack it," Ms. Bjorkman says. "We have hired people, and for every 50 we hire you might find one good one." There are perks. A prospecting trip to Norway in 2007; flying into remote access jobs by a helicopter or a float plane; seeing a moose with a newborn calf; stumbling across an old, abandoned cabin or mine; crisp snowy mornings; fall leaves and fiery sunsets..

"It is a back-to-nature life, in many ways," Ms. Bjorkman says.

And the Bjorkmans are apparently built for it. They are a different breed, at once in touch with their natural world and a throwback to another world, to an earlier time, where Miner '49ers went in search of unimaginable riches "I can't imagine doing anything else," Ms. Bjorkman says. "I don't think any of us could ever live in the city."

joconnor@nationalpost.com

NWOPA proudly presents...

Introduction to Prospecting

Saturday, November 12th at The Airline-Travelodge Hotel
8:30 a.m. to 5 p.m., lunch and course materials included

\$ 30



COURSE TOPICS:

WHAT IS PROSPECTING? Gary Clark

An overview to a profession rarely understood by industry outsiders.

ORE DEPOSITS 101 Ryan Weston

Gain a deeper understanding of what valuable ore deposits look like, and how to identify them in the field.

PROSPECTING TECHNIQUES Karl Bjorkman

Learn the tricks of the trade from seasoned, professional local prospectors.

MINING THE GOVERNMENT DATABASE Dorothy Campbell and Mark Smyk

Find out how to take advantage of a wealth of available government information

PRESENTING YOUR PROSPECT TBA

Taking your prospect to the next level requires an understanding of how to present your findings.

DEAL MAKING John Halet

How to negotiate a rock-solid deal for your prospect

PROSPECTING SUCCESS STORIES Steven Stares

Listen to some of the industry's greatest prospecting success stories from one of Northwestern Ontario's most successful prospectors.

THIS IS YOUR CHANCE TO LEARN MORE ABOUT PROSPECTING FROM SOME OF NORTHWESTERN ONTARIO MINING INDUSTRY'S BEST RESOURCES

In this one day introductory course, you will learn from some of the most well known people in the local mineral exploration industry what it takes to get into prospecting. We aim to open your mind to a trade that is exciting, challenging and rewarding. By taking a look at all the major aspects of prospecting, we hope to point you in the right direction to get you started in a booming industry. There will be plenty of time to speak with industry specialists.

Registration Deadline is October 31st

Contact Suzanne Halet at introprospecting@gmail.com

or call 807-345-8066

or drop by 1004 Alloy Drive, Thunder Bay, ON

Payment by cash or cheque only (payable to NWOPA)

WWW.NWOPA.NET



If it can't be grown, it's gotta be mined!

Fall 2011 Seminars

Department of Geology, Lakehead University

Unless otherwise noted, all seminars are held from 3:00 to 4:30 p.m. in CB3031

Friday, Nov. 11: Dr. Glen Masterman, Society of Economic Geologists Thayer Lindsley Visiting Lecturer, "Porphyry-epithermal transition in the Collahuasi district, Chile: Structural superposition of high-sulfidation epithermal mineralization into the porphyry environment".

Friday, Nov. 18: Dr. Mahrez Ben Belfadhel, Nuclear Waste Management Organization, "Siting of the Canadian Used Nuclear Fuel Deep Geological Repository" (11:30 a.m.)
Dr. Scott Jobin-Bevans, President, Prospectors and Developers Association of Canada (PDAC), "The search for mineral wealth brings Canadian values to international projects" (3 p.m.).



Fourth year Lakehead University Geology field school students enjoying their mapping project! Photo courtesy of Dr. Peter Hollings. 2011

Tickets now available for the



2011



NWOPA

CHRISTMAS PARTY

Da Vinci Centre, Thunder Bay

Friday, December 2, 6:30 p.m.

Buffet/Dance/Prizes/Cash Bar

**Music will be supplied by
Maverick Entertainment (local DJ)
“Dancing & Karaoke”**

\$25/person

For Tickets, please contact:

**Rosey Pelaia/Cyndee Komar, Geology Office,
435 James St. S., Thunder Bay (Tel. 807-475-1331)**

Grassy Narrows: A sea change in provincial control of natural resources?

Kenning Marchant, D.Jur.
The Marchant Practice *Legal Update*
www.themarchantpractice.ca

An Ontario Superior Court decision, *Keewatin v. Ontario*, has cast doubt on the validity of forestry licenses in the Treaty 3 area of northwestern Ontario. Mining permits and leases, and land use allocations for hydro development, transportation corridors, tourism, cottages or provincial parks, could be at risk of future litigation in the same or similar treaty areas.

The decision has been appealed. The Ontario Court of Appeal could uphold, reverse or modify the Superior Court ruling. A decision is expected in 2012. The Superior Court held that Ontario cannot take up lands under Treaty No. 3 "for settlement, mining, lumbering or other purposes" that would interfere with First Nation hunting and fishing rights – without the approval of the federal government that negotiated the treaty.

The decision was hailed as a major victory for First Nations treaty rights. It also changes Ontario's understanding of its jurisdiction over provincial Crown land and natural resources. First Nation trappers went to court on behalf of all members of the Grassy Narrows First Nation against clear-cutting forestry licenses in favour of Abitibi Consolidated Inc., now Abitibi-Bowater Inc. In 2008 the company suspended forestry operations in the Whiskey Jack Forest in Grassy Narrows' traditional territory.

The Court's decision focused on 2 points.

First, Treaty 3 says that lands may only "be required or taken up for settlement, mining, lumbering or other purposes by Her said Government of the Dominion of Canada" – not the Government of Ontario. The Treaty was concluded in 1873. The territory in question was transferred to the province by the federal Ontario Boundary Extension Act of 1912.

Second, under the Constitution Act, 1867, the federal Parliament has exclusive jurisdiction with respect to "Indians, and lands reserved for the Indians". Provincial control over natural resources is subject to an exception – "any Interest other than that of the Province" – which is held to include First Nation treaty interests. There is now a substantial framework of Supreme Court of Canada decisions on First Nation rights. Section 35 of the Constitution Act, 1982 recognizes and affirms existing aboriginal and treaty rights.

In a dozen leading cases, the Supreme Court of Canada has stressed that "what s. 35(1) does is provide the constitutional framework through which the fact that aboriginals lived on the land in distinctive societies, with their own practices, traditions and cultures, is acknowledged and reconciled with the sovereignty of the Crown."

In our federal system, Crown sovereignty is shared between 2 jurisdictions, federal and provincial. Ontario, Canada and Abitibi Consolidated are appealing the Ontario Superior Court decision in *Keewatin v. Ontario Minister of Natural Resources*.

Ontario asks that the decision be set aside to properly recognize Ontario's constitutional capacity to authorize forestry, mining and other operations on lands subject to Treaty 3. It undertakes the obligation to discharge the honour of the Crown in relation to treaty rights.

Canada objects to the decision creating what would amount to a federal land use regime over the Keewatin Lands, which should be provincial jurisdiction. Abitibi is concerned that all Crown patents, licences, permits and leases granted by Ontario in the Keewatin Lands since 1912 have been put into question by the Superior Court decision.

Counsel for the First Nation is expected to ask the Court of Appeal to confirm the original Superior Court of Justice decision that prior federal approval is required for Keewatin land uses that could affect Treaty 3 harvesting rights.

Apart from an appeal, the federal and Ontario governments could also pursue legislative approaches. For example, inter-delegation legislation in 1924 and again in 1986 resolved federal-provincial issues arising from court decisions on Indian reserve mineral royalties in Ontario.

One other Ontario Treaty, No. 5, contains the reference to the "Dominion Government" in connection with taking lands for mining, lumbering or other purposes. Both Treaty No. 3 and Treaty No. 5 territories cross the Manitoba-Ontario border. However, in Manitoba, as in Alberta and Saskatchewan, Natural Resource Transfer Agreements, enacted in 1930, address First Nation hunting and fishing rights in those provinces.

In contrast, Treaty No. 9, covering most of northern Ontario, does not contain the specific reference to the Dominion Government. The treaty text itself, however, would likely be supplemented by other historical evidence in the event of litigation. It is important that uncertainties surrounding the Keewatin decision be clarified. Authoritative guidance is needed by a wide range of stakeholders.

It is not only resource development proponents that may be affected. More than 100 aboriginal-industry agreements have been concluded in Ontario to provide development benefits to aboriginal communities, particularly in the mining sector. Grassy Narrows itself concluded a 2006 Kenora quarries agreement with Nelson Granite.

There is also the 2010 agreement for the Mitoog Limited Partnership to manage forestry operations in another Treaty 3 area, the Kenora Forest. Treaty 3 Wabaseemoong (Whitedog), Dalles and Whitefish Bay First Nations are partners in Mitoog LP with forestry companies.

In addition, Grassy Narrows First Nation has been engaged in discussions with the Ontario Ministry of Natural Resources. Two memoranda of understanding have been signed, one in 2008, and a second in April, 2011, before the court decision was released on August 16, 2011. The court hearings had concluded on May 3, 2010.

***Kenning Marchant, LL.B., LL.M., D.Jur., provides strategic legal support to Canadian mining, energy, forestry, and transportation sectors relating to Aboriginal issues
For more details, please visit www.themarchantpractice.ca.***

NORTHWESTERN ONTARIO PROSPECTORS ASSOCIATION
A N N U A L A W A R D S

Nominations are requested for the following awards to be presented at the Awards Dinner in April 2012 at the Northwestern Ontario Mines & Minerals Symposium in Thunder Bay:

1. The **Lifetime Achievement Award** is presented to someone based on their cumulative work, discoveries, options and contributions to the prospecting, exploration and mining community of Northwestern Ontario.
2. The **"Bernie Schnieders" Discovery of the Year Award** recognizes an exceptional discovery in Northwestern Ontario during the previous calendar year, may involve more than one individual or company.
3. The **Developer of the Year Award** recognizes an outstanding Northwestern Ontario developer or development during the previous calendar year.
4. The **"Dan Calvert" Distinguished Service Award** recognizes an individual who has provided exceptional service to NWOPA and/or the prospecting, exploration and mining community of Northwestern Ontario.

Please contact one of the following by Wednesday, February 1, 2012 with your nominations:

**Mark O'Brien
Tel. 807-475-1106**

OR

**John Halet
Tel. 807-475-4142**