

2. Joel Fitzpatrick

Joel Fitzpatrick has been a licensed pharmacist and small business owner since 1996, and is a resident of Patten, Maine. Mr. Fitzpatrick owned and operated a pharmacy and store in Patten from 1996 to 2022 as well as other business ventures. As a small business owner he is familiar with not only the challenges of operating a business in a rural area but also the additional challenges of doing so in an area with a falling population and little to no growth. As a resident of the Patten area and through his employment and business ventures, Mr. Fitzpatrick is familiar with population and business changes and conditions in Katahdin Region and the project area since he began work as a pharmacist.

Mr. Fitzpatrick's direct testimony will be on the socioeconomic impacts of zoning and the project including existing and past conditions, changes in population and employment and employment opportunities from 1996 to today in the Katahdin Region and project area.

Haynes, pursuant to Section VII of the Second Procedural Order, reserves the right to supplement its witness list.

Dated: September 11, 2023



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**STATE OF MAINE
LAND USE PLANNING COMMISSION**

IN RE: PICKETT MOUNTAIN MINE REZONING APPLICATION

Applicant: Wolfden Mt. Chase LLC

Location: T6R6 WELS

Commission Application Number: ZP 779A

INTERVENOR 2 WITNESS LIST

Submitted by

**HOULTON BAND OF MALISEET INDIANS, PENOBSCOT NATION, NATURAL
RESOURCES COUNCIL OF MAINE, AND CONSERVATION LAW FOUNDATION**

The Penobscot Nation, Houlton Band of Maliseet Indians, Natural Resources Council of Maine, and Conservation Law Foundation (collectively “Intervenor 2”), in accordance with the Second Procedural Order, submits its list of witnesses for the hearing in this matter along with their qualifications and the topics that they intend to address.

- 1. Catherine B. Johnson**, B.A., College of the Atlantic, J.D., University of Maine School of Law, Retired Forests and Wildlife Project Director at the Natural Resources Council of Maine. Ms. Johnson has 30 years’ experience reviewing, commenting on, and testifying on applications to LUPC (formerly LURC), the Bureau of Parks and Lands, and the Maine Forest Service, and was actively involved in the 1997 and 2010 revisions to the Comprehensive Land Use Plan. Ms. Johnson is also the Chair of the Alna Planning Board.

Ms. Johnson will testify on the topics of wildlife resources and habitats and natural character.

- 2. Daniel H. Kusnierz**, B.S., Wildlife Biology, University of Vermont, Water Resources Program Manager, Department of Natural Resources, Penobscot Nation. Mr. Kusnierz has 30 years of experience managing and developing the water resources program and water chemistry laboratory, including analyzing and monitoring water quality and studying toxic contaminants in the Penobscot River watershed. He has provided oral and written testimony at the Board of Environmental Protection, Land Use Planning Commission, Maine legislature, and other bodies on issues affecting Penobscot Nation resources.

Mr. Kusnierz will testify on the topics of water and fish resources/aquatic habitats, natural character, and historical and cultural resources/relevant tribal impacts.

- 3. Stu Levit**, M.S., Montana State University, Land Reclamation; J.D., Montana State University. Mr. Levit has served as a staff scientist with the Center for Science in Public Participation for 20 years, where he has provided research, analysis, technical reporting,

and advice to non-governmental organizations, regulatory agencies, and Indigenous communities regarding proposed and existing mines, with a focus on the impacts of mining on water and other natural resources, as well as mine reclamation, rehabilitation, and cleanup, and mining best practices. In the past, Stu worked for the Montana Department of State Lands in the Abandoned Mine Reclamation Bureau as a Land Reclamation Specialist. There, he assessed minesite problems and designed reclamation plans at hard rock mines, with a focus on water quality and watershed improvement and acid mine drainage prevention and treatment.

Mr. Levit will testify on the topics of financial practicability, water and fish resources/aquatic habitats, and socioeconomics.

4. **Ann S. Maest**, Ph.D., Princeton University, Geochemistry and Water Resources. Dr. Maest, Vice President of Buka Environmental, is an aqueous geochemist with over 35 years of research and professional experience. She has expertise in the environmental effects of hard rock mining; the fate and transport of natural and anthropogenic contaminants in groundwater, surface water, and sediment; mineralogy and mine waste characterization; sampling and analysis of water, sediment, soil, and wastes; geochemical modeling; and responsible mining initiatives. Dr. Maest worked as a research geochemist with the U.S. Geological Survey, where she conducted research on metal-organic interactions, metal and metalloid speciation, and redox geochemistry in surface water and groundwater. She was also a Senior Scientist at the Environmental Defense Fund where she designed approaches to minimize the release of toxics from mining and manufacturing facilities. The results of her research have been published in peer-reviewed journals including Applied Geochemistry, Minerals, and Chemical Geology. Dr. Maest has served on several National Academy of Sciences committees and a board related to earth resource and mining and minerals research issues and was an invited speaker on technical challenges and solutions for the mining sector at the United Nations. She is a member of the American Chemical Society, the International Mine Water Association, and the Society for Mining, Metallurgy & Exploration (SME).

Dr. Maest will testify on the topics of financial practicability and water and fish resources/aquatic habitats.

5. **Dan McCaw**, B.S. Zoology, University of Maine in Orono. Mr. McCaw has been the Fisheries Program Manager for the Penobscot Nation since 2010. He manages the fisheries resources of the Penobscot Nation and works cooperatively with the state and federal government and non-governmental organizations to execute fisheries management plans and projects within the Penobscot River. Previously, Mr. McCaw worked for nine years as a fish biologist for the Maine Atlantic Salmon Commission and the Maine Department of Marine Resources, focused on endangered Atlantic salmon.

Mr. McCaw will testify on the topics of water and fish resources/aquatic habitats, natural character, and historical and cultural resources/relevant tribal impacts.

6. **Jennifer Neptune**, B.A., University of Maine, Anthropology. Museum Coordinator, Penobscot Nation. Ms. Neptune has worked in the field of cultural preservation for over thirty years and has held her current position of Museum Coordinator for eight years. Ms. Neptune is also a canoe guide working in the Penobscot Nation's Cultural Tourism Program. Ms. Neptune also provides private canoe guiding through the private company, Mahoosuc Guide Service located in Newry, Maine. She provides canoe guiding services throughout Northern Maine in the spring, summer, and fall. Ms. Neptune is also an herbalist and gathers traditional medicine from Northern Maine, which she provides to the Tribal community at no charge. Ms. Neptune is also an accomplished basketmaker.

Ms. Neptune will testify on the topics of historic and cultural resources/relevant tribal impacts and natural character.

7. **Isaac St. John**, B.A. Bates College, Tribal Historic Preservation Officer for the Houlton Band of Maliseet Indians. Mr. St. John has been the Tribal Historic Preservation Officer for three years and has experience as an archeologist.

Mr. St. John will testify on the topics of historic and cultural resources/relevant tribal impacts and natural character.

Dated: September 11, 2023

Respectfully Submitted,



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STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
LAND USE PLANNING COMMISSION

IN THE MATTER OF ZONING)	
PETITION ZP 779A)	
WOLFDEN MT. CHASE, LLC)	APPLICANT’S IDENTIFICATION
APPLICATION FOR ZONE CHANGE,)	OF WITNESSES FOR THE PUBLIC
PICKET MOUNTAIN MINE)	HEARING
T6 R6 WELS,)	
PENOBSCOT COUNTY, MAINE)	

Pursuant to Section VII of the Second Procedural Order, Wolfden Mt. Chase, LLC (“Wolfden”) identifies the following witnesses:

1. Brian Danyliw

Brian Danyliw is the owner and principal of Mine Water Services Inc., a consultancy specializing in water treatment solutions for mining and mineral processing industries. He has more than 40 years of technical and industry expertise in water treatment, mineral processing, and process improvement with specific experience in effluent treatment, mine water clarification, cyanide destruction, heavy metal removal, and pretreatment and functional treatment. Mr. Danyliw prepared the water treatment study for the Project and his direct testimony will include the details of that study and more generally the design and operation of the water treatment facility that will treat surface contact water and underground mine water to a level that meets or exceeds background water quality at the Pickett Mountain site.

2. Don Dudek, P. Geo.

Don Dudek is the Vice President of Exploration at Wolfden. He is a professional geologist licensed in Ontario, Canada with previous professional registrations in Alberta, Saskatchewan, and Manitoba. He has over 40 years of experience in the mining sector and

specializes in geology related to the discovery and definition of economic mineral resources, feasibility study oversight, and technical and environmental impact assessment associated with mine permitting. Mr. Dudek's direct testimony will include the geology of the Pickett Mine Project, preliminary assessments of potential for acid rock drainage at the Pickett Mountain Project and steps the Project will take to mitigate and avoid acid rock drainage.

3. Sean Fieler

Sean Fieler is president and Chief Investment Officer of Equinox Partners LP, a fund which has allocated a substantial portion of its assets to mining and natural resources for the past twenty-five years. In his role as president and Chief Investment Officer, Mr. Fieler manages a team of six investment professionals and bears ultimate responsibility for the investments held by Equinox Partners, LP. Mr. Fieler will testify on the financing of junior mining projects generally and on the Pickett Mountain Project in particular. He will provide his assessment of Pickett Mountain's investment merits from a shareholder perspective.

4. Jim Finley, PhD

Jim Finley is a Principal Geochemist at Stantec with more than 20 years of experience in application of geochemical and hydrological principles to address water quality and water management issues. He holds a doctorate in geology/geochemistry from University of Wyoming. Dr. Finley's expertise is in aqueous geochemical and geochemical modeling, isotope geochemistry and hydrology and has experience providing technical services on influence of hydrology and geochemistry on surface and ground water chemistry in hard rock mining. Dr. Finley's direct testimony will include the potential for acid rock drainage and how acid rock drainage can be safely managed and mitigated during the mining process, and upon reclamation, to avoid environmental impacts.

5. Gemma-Jayne Hudgell, PhD

Gemma-Jayne Hudgell is Vice President and Assistant Director at Northeast Archaeology Research Center, Inc. She holds a doctorate in Paleolithic Archaeology from University of Liverpool and has more than 20 years of archaeological experience in prehistoric and historic archaeology in the United States, including both pre-contact Native American and post-contact historical archaeology in the Northeast. Dr. Hudgell has authored and/or edited more than 150 archaeological reports and assessments and supervised over 80 field projects, including in the states of Maine, New Hampshire, and Vermont. Dr. Hudgell's direct testimony will include the archaeological investigation of the Project site, including the Phase 0 assessment conducted to identify potentially sensitive archaeological areas, and Wolfden's plan to conduct further archaeological investigation and avoid archaeologically sensitive areas in the Project design.

6. Brian LeBlanc, P. Eng.

Brian LeBlanc is President of A-Z Mining Professional's Limited, an independent consulting agency with extensive expertise in auditing mining practices and preparing technical reports in accordance with Canada's strict rules and guidelines for mineral resources. Mr. LeBlanc is also President and CEO of Core Mining Group, which consists of experienced mining professionals with expertise in mining construction and operation. Mr. LeBlanc is a member of the Professional Engineers of Ontario and is a designated Qualified Person under Canada's NI 43-101 guideline. He has more than 45-years of experience in the mining industry in Canada and internationally. Mr. LeBlanc's direct testimony will include the Preliminary Economic Assessment (PEA) conducted on the Pickett Mountain Project in accordance with Canada's strict financial guidelines for mineral resources and the overall financial strength of the Project.

7. Michael LeVert

Michael LeVert is the principal at Stepwise Data Research, an economic firm based in Yarmouth, Maine. Mr. LeVert has more than 20 years of experience providing quantitative and qualitative economic research and data analysis. He has served as the Maine State Economist and Chief of Staff and Policy Director for the Maine State Senate President, worked as an economist for Delhaize, and as a statistician for L.L Bean. Mr. LeVert holds a master's degree in resource economics from the University of Massachusetts, Amherst. Mr. LeVert will testify on the economic assessment prepared for the Project, including an analysis of the current socioeconomic conditions in the region and the estimated economic impact to the regional economy from the Project, including from direct spending, indirect impacts, and jobs.

8. Ron Little, P. Eng.

Ron Little is Wolfden's President, CEO, and Director. He is a licensed professional engineer in Ontario, Canada, geologist and entrepreneur with experience developing mining projects in Canada, South America, and Africa. He has extensive experience in financing and developing mining projects from exploration through to operation and has a deep knowledge of the capital markets and those involved in the mining sector. Mr. Little will testify about project financing in the mining industry, anticipated Project financing upon reaching certain permitting and regulatory milestones, and Wolfden's background as a Canadian exploration and development company with a proven track record of precious metal and polymetallic ore deposit discoveries, mine development, and mine financing experience.

9. Jeremy Ouellette, P. Eng.

Jeremy Ouellette is the Vice President of Project Development for Wolfden. He is a licensed professional engineer registered with the Association of Professional Engineers of Nova

Scotia and has extensive experience in mining operations. Mr. Ouellette has more than 15 years of experience in the mining industry and has expertise in base metal mine permitting, and mining design development, start-up, and operations. He has experience in mining project evaluation, due diligence, project acquisition, financing support, and communications. Mr. Ouellette's testimony will include an overview of the Project, including the location, design, and operation of the Project; Wolfden's work with and feedback from the surrounding communities; and next steps in the mining permitting process under the Maine Department of Environmental Protection's Chapter 200 rules, including further comprehensive baseline studies and assessments.

10. Mark Peters, P.E.

Mark Peters is an Associate Civil Engineer and Team Leader at WSP. He is a licensed professional engineer in Maine, Massachusetts, New Hampshire, and Vermont with extensive experience in site development, watershed hydrologic and hydraulic modeling, stormwater management, floodplain assessment and determination, and erosion and sediment control. His site and civil engineering experience includes site development, design and permitting for heavy and light manufacturing facilities, large industrial sites, groundwater treatment facilities, CRR impoundments and landfills. Mr. Peters was responsible for the design of the water collection system, including the preliminary sizing and design of the pre-treatment storage pond associated with stormwater runoff and melting snow. Mr. Peters will testify about the work done in developing the preliminary design, the specifics of the system and its ability to manage site water, and the additional work that will be done to finalize the system design.

11. Doug Stewart, PWS, LSE

Doug Stewart is a Senior Principal and Regional Leader in the US East at Stantec Consulting Inc. He has more than 30 years of professional natural resource consulting experience in the United States and eastern Canada. He is a certified Professional Wetland Scientist by the Society of Wetland Scientists and a Maine License Site Evaluator. Mr. Stewart specializes in habitat analyses of wetlands, streams, vernal pools, and other terrestrial and aquatic ecological assessments. Mr. Stewart will testify on the natural resources in the proposed rezoned area, studies conducted in the Project area, and the compatibility of the Project with the natural resources in the surrounding area.

12. Paul Thoen, Ph.D.

Paul Thoen is the Chief Technology Officer at Shelton Associates, Inc. and Separation Technologies. Dr. Thoen holds a doctorate in analytic chemistry from the University of Colorado, and has more than 25 years of experience designing, fabricating, and installing industrial water treatment systems for the mining industry, with expertise in water chemistry, industrial water treatment systems, and treatment of mining wastewater. Dr. Thoen worked with Mr. Danyliw on the design of the water treatment system and will testify on the design and operation of that system.

13. Lisa Turner, P.E., L.S.S.

Lisa Turner is a Senior Project Engineer with Sevee & Maher Engineers (SME). She is a Maine-licensed Professional Engineer and Licensed Soil Scientist with extensive experience in hydrogeologic evaluation, water quality review, and site investigations. Ms. Turner was one of the principal people involved in evaluating options for returning treated water to the environment. She will testify on that analysis and follow-up work, including the specific

methods selected for returning treated water to the environment in a manner that will maintain existing site hydrology.

14. Terry Thurston-Hill

Terry Thurston-Hill is co-owner of Shin Pond Village in Mount Chase, Maine, with more than 38 years of experience in regional outdoor recreation economy. She is a member of the Katahdin Tourism Partnership, Katahdin Chamber of Commerce, Houlton Regional Chamber of Commerce, Bowlin Matagamon Snowmobile Club, and Shin Pond Trail Riders ATV Club. Ms. Thurston-Hill currently sits on the Board of Directors for Regional School Unit 89 has been on the Friends of Katahdin Woods and Waters Board of Directors for the last five years. Ms. Thurston-Hill will testify about the outdoor recreation economy in the region, the compatibility of the Project with that economy, and the need for and benefits associated with the economic opportunities that the Project presents for the region.

With leave of the Commission, Wolfden reserves the right to supplement its witness list pursuant to Section VII of the Second Procedural Order issued August 23, 2023.

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