



NORTHWEST TERRITORY MÉTIS NATION

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August 1, 2019

**Mackenzie Valley Environmental Impact Review Board**

Box 938,  
#200 Scotia Centre  
5102 – 50<sup>th</sup> Ave  
Yellowknife, NT X1A 2N7

Attention: Kate Mansfield

email: [kmansfield@reviewboard.ca](mailto:kmansfield@reviewboard.ca)

Dear Ms. Mansfield

**Re: EA1819-01. Depositing Processed Kimberlite into Pits and Underground  
- Intervention**

The Northwest Territory Métis Nation is providing the following intervention regarding the proposal by Diavik Diamond Mine Inc. to deposit and store processed kimberlite in pits and underground mine workings and its potential adverse impact on the people and the environment.

For further information please contact:

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Interim Measures Agreement Coordinator

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Sincerely,

Garry Bailey, President

## **Summary**

Diavik Diamond Mine Inc. (“DDMI”) is proposing to store processed kimberlite in open pits and underground areas of the Diavik Diamond Mine as part of the mine closure and reclamation. Freshwater from Lac de Gras will be added over top of the processed kimberlite in the pits to create a deep pit lake that will cause stable layers of water to form naturally, isolating the processed kimberlite.

The proposed project is within the traditional territory of the NWTMN and north of Great Slave Lake which is home to wildlife, fish, migratory birds and plants. Indigenous Métis of the NWTMN have been harvesting these resources for generations. The NWTMN is concerned about the potential significant adverse effects of depositing and storing processed kimberlite in mined out pit lake(s) and possibly reconnect pit lake(s) containing processed kimberlite to the greater ecosystem.

Although the proposed project will take place within an area that has traditionally been used by the Northwest Territory Métis Nation, DDMI has not consulted nor accommodated the NWTMN. DDMI has not entered into a Participation Agreement with the NWTMN.

The NWTMN does not have the financial capacity to effectively assess nor comprehensively participate in the review of the Project. The financial resources that have been provided simply are inadequate for us to participate to the extent necessary. The NWTMN is proposing that the NWTMN and DDMI enter into a protocol agreement in respect to capacity funding and how we continue to engage each other.

## **Northwest Territory Métis Nation**

The Northwest Territory Métis Nation is comprised of Indigenous Métis, being those with mixed Aboriginal and non-Aboriginal descent whose history is traceable to the South Slave Region, primarily from the NWT communities of Fort

Resolution, Fort Smith and Hay River. The NWTMN represents over 4,000 Indigenous Métis of the NWT.

Thus this submission also supports that of the Fort Resolution Métis Council, as a member of the NWTMN.

### **Traditional Territory of the NWTMN**

The traditional territory of the NWTMN generally extends westward encompassing Big Island<sup>1</sup>, the “Fort of the Forks” (at the junction of the Liard and Mackenzie Rivers), and around Fort Liard<sup>2</sup>; northwest encompassing the Horn Mountains, Lac la Martre and Great Bear Lake including eastward; northward and eastward including the area around and down the Coppermine River<sup>3</sup>; extensive use around Fort Resolution, Salt River and southward to Fort Chipewyan; and eastward and north eastward into the barren lands<sup>4</sup> to the arctic coast to harvest caribou.

### **NWTMN Cultural Use of the Area**

The area where the Project takes place is located within an area of shared historical and cultural use amongst a number of aboriginal peoples including the NWTMN. NWTMN Traditional Use Studies and other work has confirmed that the Lac de Gras area around Diavik has long been used by Indigenous Métis for

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<sup>1</sup> Including references from *Missions de la Congregation des Oblats de Marie Immaculee*, No. 96, December 1886, page 412-413.

<sup>2</sup> References as to “*Beaulieu, engage, North West Company*”, 1806-8 as a hunter at the Forks, Biskaga Fort on the Liard, as well as elsewhere. *North of Athabasca, Slave Lake and Mackenzie River Documents of the North West Company, 1800-1821*, Lloyd Keith (ed), 2001.

<sup>3</sup> On March 26, 1820, while in Fort Chipewyan, Franklin records that he received from “*Beaulieu, a half-breed...some satisfactory information which we afterwards found tolerably correct regarding the mode of reaching the Coppermine River, which he had descended a considerable way*”. Franklin also later states (July 24, 1820) that “*Boileau (sic) informed me, there is a communication [between Great Bear Lake] with the Coppermine River by four small lakes and portages*”. *Journey to the Polar Sea in the years 1819-20-21-22*, John Franklin, Delgado edition, 2000.

<sup>4</sup> As one just one example, upon meeting him at Salt River (August 1833), Captain George Back commends “*le camarade de Mandeville*” on his “*his extensive knowledge of the country to the northward and eastward of Great Slave Lake*”. *Narrative of the Arctic Land Expedition to the Mouth of the Great Fish River, and Along the Shores of the Arctic Ocean in the years 1833, 1834 and 1835*, Captain George Back, Tuttle edition, 1970.

a wide range of traditional activities including harvesting, and travel. The name Lac de Gras has a Métis origin.

The DDMI Report refers to DDMI Traditional Knowledge Panel Session. The DDMI Report indicates that the traditional knowledge was obtained from the following indigenous groups: Dogrib Treaty 11 Council (Tłıchǫ Government), Łutsël K'é Dene First Nation, Yellowknives Dene First Nation, North Slave Métis Alliance and Kitikmeot Inuit Association.

Of primary concern is the accuracy of research used to identify archeological sites and the potential for an inaccurate or incomplete traditional land use study. The traditional knowledge of the NWTMN of the area that will be impacted by the Project has not been considered by DDMI.

DDMI, in its July 4, 2019 Proponent Response to the comments provided by the NWTMN, stated they wish further information on our cultural use of the area. The following provides documentation of both our historic and current uses in the project area, and such traditional land use provides the basis for our concerns:

“The geographic area over which mixed-ancestry [sic] people conducted their activities was extensive” (Jones 2008, 129). The earliest indication of the extent of Métis use and knowledge of the northern landscape comes from the early traders and explorers. As noted earlier, Peter Pond and other traders from the late 1700s encountered Métis already living around Great Slave Lake (Devine 1998, 23). By 1789, when Alexander Mackenzie began his exploration of the Mackenzie River, “Francois Beaulieu Senior [I] had already probed the lower reaches of the Mackenzie” (Bellman and Hanks 1998, 38) and “his skills as a canoeist and interpreter made him a valuable member of Mackenzie’s expedition” (ibid).

According to Freeman:

*By the early 1800s, Francois Beaulieu [II] was one of the three most powerful trading chiefs controlling the fur trade around Great Slave Lake. Beaulieu ruled the area from Big Island north along the west shore of Great Slave Lake to Great Bear Lake. Camarade de Mandeville had the East Arm of Great Slave Lake and northeast to the Thelon and Lockhart rivers while Akaitcho was firmly established between the two along the Yellowknife River and out onto the Barrens (Freeman 2010, 155).*

Knowledge and use of these respective areas were not exclusive, however. In 1820, John Franklin wrote:

*Our first object was to obtain some certain information respecting our future route [from Great Slave Lake to the Arctic Ocean]; and, accordingly we received one of the North-West Company's interpreters, named Beaulieu [Francois Beaulieu II], a half breed [sic], who had been brought up amongst the Dog-ribbed and Copper Indians, some satisfactory information which we afterwards found tolerably correct, respecting the mode of reaching the Copper-Mine River, which he had descended a considerable way, as well as the course of that river to its mouth (Franklin 1819-1822, 105).*

In further correspondence, Franklin wrote:

*The route which I should prefer taking would be nearly North from Great Slave Lake, and, from the information Beaulieu [II] has given, I am inclined to hope passage may be made up the river which falls into the Slave Lake near Mountain Island [the Yellowknife River]; from thence, by crossing lakes and portages, into the Coppermine River which communicates directly with the sea (Bellman and Hanks 1998, 47).*

Having established the route, Franklin appears to have taken Pierre St. Germain with him on this expedition as an interpreter (Jones 2008, 34).

Le Camarade de Mandeville's knowledge of the land surrounding the East Arm of Great Slave Lake appears to be significant. His land use area extended to the Thelon River, where he and his family had a cabin in the early 1800s (George Mandeville, 2012 interview). In 1833, at the Salt River settlement along the Slave River, George Back, who had previously traveled with Franklin and was now seeking an alternate route to the 'Great Fish River' (the Back River), discussed the route from Great Slave Lake to the barrens with a group of 'Slave Lake Indians'. He writes:

*Their chief [sic] was an intelligent looking old man, called by the traders, 'le camarade de Mandeville,' and from his extensive knowledge of the country to the northward and eastward of Great Slave Lake, there was every reason to expect considerable information, if only it could be wormed out of him (Back 1836, 78).*

An aide of Back's, Mr. McLeod, met with the 'Indians' and, according to Back, "The information thus collected was made intelligible to me by means of an outline of the north-eastern country, drawn by the Camarade" (ibid, 80). Based on the historical record, Mandeville must have been in his late 70's or early 80s at that time.

As Back continued his journey north, he retained the services of a Métis guide in Fort Resolution called La Prise "whom [Back] had seen on a previous occasion, and who had now become a kind of leader of a small party accustomed to hunt to the eastward" (ibid, 84). La Prise was asked to describe the northeast shore of Great Slave Lake. Using a compass as reference, La Prise "pointed his hand in the direction of the places required, while [Back] carefully noted their magnetic bearings" (ibid). According to Back, this information "was subsequently found to be remarkably correct" (ibid).

La Prise did not journey northward with Back up the Hoarfrost River through Walmsley Lake and Aylmer Lake to the barrens in August of 1833, but was instead delegated to proceed to the east end of Great Slave Lake to meet up with Back's colleague, Mr. McLeod, to build an 'establishment', which was subsequently called Fort Reliance (ibid, 115). In September of that year, when Back returned from the headwaters of the Great Fish River through the Lockhart River and Artillery Lake, he "soon came to a bay, where, in agreeable relief against the dark foliage, stood the newly-erected framework of a house... [where] Mr. McLeod was walking under the shade of the trees with La Prise" (ibid, 181).

James Anderson, a Hudson Bay Company Factor asked by the British in 1855 to search for traces of the lost Franklin expedition, traveled north from Great Slave Lake through Barnston Lake, Margaret Lake, Back Lake, and Aylmer Lake before heading to the Arctic Coast. He took at least one Northern Métis steersman with him to Aylmer Lake, Alfred Laferte, to help navigate the northern waters. While paddling and portaging the chain of lakes between Great Slave Lake and Aylmer Lake in late June / early July, Anderson comments that "The whole country is

clothed in Reindeer Moss and is evidently much frequented by these animals” (Anderson 1940, 107). Although it is not clear from Anderson’s journal which individuals were involved in hunting and fishing for the party, Laferte was likely a participant, and would have harvested caribou, ptarmigan, geese, lake trout, and pike along the route.

Significantly, in March of 1855, while preparing for that northern expedition, Anderson wrote to the HBC Factor in Fort Resolution to arrange for hunters to be posted at Fond du Lac (a traditional Métis camp and trading post near Taltheilei Narrows on the north shore of Great Slave Lake<sup>5</sup>) to support the party on their return. He stated:

*On the arrival of the Fond du Lac Hunters, six at least should be engaged for the purpose of hunting for the expedition, the most skilful should of course be chosen, and if their conduct be good, they shall be most liberally remunerated. You will also hire King Beaulieu [Joseph King Beaulieu I] at the rate of £40 per annum while employed in the service, as interpreter and hunter, and to look after the party of Indian hunter who I intend shall meet us on our way back. I consider this man as indispensable and he must not refuse (ibid, 41-42).*

The most thorough account of historic Métis use and knowledge of the area between Great Slave Lake and the Coppermine River is from the 1889 journals of Warburton Pike, a hunter-adventurer who initially engaged Joseph ‘King Beaulieu’ [I] and three of his sons (Francois, José<sup>6</sup>, and Paul) and his son-in-law Michel Mandeville<sup>7</sup>, along with their families<sup>8</sup> and a number of Yellowknives’ Dene, to guide him from the north shore of Great Slave Lake to the barren lands to see, document, and hunt musk-ox. There were three components to this particular expedition north of Great Slave Lake:

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<sup>5</sup> Henderson and Asfeld, p. 69 and p. 268, footnote 18.

<sup>6</sup> José would be Joseph King Beaulieu (II) who was later referred to as Sousi.

<sup>7</sup> In Henderson and Asfeld, Michel is referred to as a Beaulieu (p. 71), but Pike refers to Michel as King Beaulieu’s son-in-law (Pike, p. 33) and the genealogical record shows Louise Beaulieu, one of King Beaulieu’s daughters, married to Michel Mandeville, grandson of Francois Baptiste Mandeville (Menez).

<sup>8</sup> Pike also makes reference to a fourth King Beaulieu son, Baptiste, a boy of twelve (p. 33), but Baptiste does not show up in the genealogical record and may have been another young relative.

- An initial foray from Great Slave Lake and back between August and early October 1889 via McKinlay River, Lac Du Mort, Lac du Rocher, Camsell Lake, King Lake, MacKay Lake, and Lac de Gras to the Coppermine River;
- A foray between November and December 1889 via the same route by dog-team and snowshoes; and
- A foray in the early summer of 1890 between Great Slave Lake and the Great Fish River (now called Back River) following Anderson's route, northward through the Barnston River system and back via the Lockhart River and Artillery Lake (Henderson and Asfeld 2010, 68).

During the September to October trip, upon reaching the Lac du Rocher, Pike notes:

*Camp was made on the south side of the lake, and we set our nets and lines baited with carefully preserved pieces of whitefish, while others explored the surrounding hills for caribou tracks, but without success. The half-breeds [sic] were all much put out by this failure, as they have always found the Lac du Rocher a certainty for caribou at this time of year, and were unable to account for it, except by the theory that the animals had altered the usual course of their autumn migration and were passing to the east of us (Pike 1917, 39).*

While most of the party moved the camp to the north shore of the lake, Paul and Francois Beaulieu went ahead to scout for caribou. After approximately two days: "Paul and Francois came [back to camp], each carrying a small load of meat... They had fallen in with the caribou about thirty miles on [northwards] and reported them to be moving south in great numbers" (ibid, 43). The expedition party immediately traveled northward to Camsell Lake, where a large number of caribou were harvested and where a permanent camp was established on the north end of the lake (ibid, 46).

Once camp was established, Pike, King Beaulieu, Paul Beaulieu, and Francois Beaulieu traveled northward through King Lake (named by Pike, likely after King Beaulieu<sup>9</sup>), MacKay Lake, and Lac de Gras (named by Blanchet after the Métis name used by Pike<sup>10</sup>), where they crossed the Coppermine River and shot two

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<sup>9</sup> Prince of Wales Northern Heritage Center.

<sup>10</sup> Prince of Wales Northern Heritage Centre, p. 82.

musk-ox (while hunting and caching caribou along the way). Michel Mandeville and José Beaulieu accompanied them for a short way but were then sent back to Fond du Lac “to get ready the dog-sleighs, snow-shoes, and everything ready for winter travel” (ibid, 61).

Previous Métis presence in the MacKay Lake area is confirmed by Pike’s comment that, “The point at which we fell on Lake Mackay is about the edge of the woods, and here we camped for the last time with pine timber, finding a small hunting-canoe which some of the Beaulieus had left during the previous autumn” (ibid, 64). The rationale for ongoing Métis use of this area (and the surrounding barren lands north of the east arm of Great Slave Lake) is obvious, given Pike’s comment regarding the abundance of caribou in the area in the fall time, “We were continually in sight of large bands of caribou” (ibid, 64).

On returning to the main camp at Camsell Lake, most of the men were sent back to Fond du Lac to prepare for the winter journey, but Pike and King Beaulieu remained behind in the Camsell Lake and Lake of the Enemy area with the women to hunt, process, and cache meat, as well as prepare hides, clothing, and snowshoes (ibid, 80-82). The Métis women worked hard, carrying meat back to the camp, drying and smoking meat, pounding and boiling bones for grease, scraping and tanning hides, making moccasins and hair coats, and cutting babiche for lacing snowshoes. There were plenty of caribou to harvest once the herds began to arrive from the north in mid-October:

*From the ridge we had a splendid view of the migration; all the south side of MacKay Lake was alive with moving beasts, while the ice seemed to be dotted all over with black islands, and still away on the north shore, with the aid of the glasses, we could see them coming like regiments on the march. In every direction we could hear the grunting noise that the caribou always make when travelling; the snow was broken into broad roads, and I found it useless to try to estimate the number that passed within a few miles of our encampment (ibid, 89).*

Pike noted that the Métis hunters were extremely knowledgeable about the caribou:

*The rutting season was just over, and as the bulls had lost all their fat and their meat was too strong to eat, only the does were killed. A good deal of experience is necessary to tell*

*the fat ones, but the half-breeds [sic] can tell age and sex pretty well by the growth of the horns; often King told me which to shoot at, and it was seldom that he made a mistake in his choice (ibid, 90).*

Eventually, a group of Métis and Yellowknives returned to Camsell Lake with dog sleighs and other winter gear, and on November 11th, Pike, Paul Beaulieu, Michel Mandeville, and five Yellowknives proceeded north past MacKay Lake for musk-ox, harvesting many animals before returning southward. King and his family remained in the area to the north of Great Slave Lake, hunting caribou and living off the land. He left a number of meat caches for Pike's party on their return.

Pike returned to Fort Resolution for the winter and then traveled back toward the barren lands in the spring, leaving Fort Resolution on May 7th, 1890. On May 13th, he arrived at Fond du Lac on the north shore of McLeod Bay "and found nearly the whole tribe of Yellow Knives awaiting us with King Beaulieu and his family at their head..." (ibid, 166), having over-wintered in that area. Pike continued northward on May 21st, with a small group of Yellowknives and their families along with an unidentified number of Métis guides<sup>11</sup>, one of whom was Moise (Moyse) Mandeville.

This trip, which lasted from late May until late August, apparently following Anderson's route northward through McKinlay River, Aylmer Lake, and MacKay Lake to the Great Fish River (Back River), returning via Aylmer Lake, the Lockhart River, and Artillery Lake. The Dene and Métis guides harvested considerable caribou and musk-ox during this journey. After the journey, Pike commented on the bounty of the land:

*...all through the summer till we again reached the Great Slave Lake late in August, we had no difficulty about provisions... and we were never a single day without eating during the whole journey. I really believe it is a mistake to try to carry enough food for a summer's work in the Barren Ground, as the difficulty of transport is so great, and after the caribou are once found, there is no danger of starvation (ibid, 174).*

In 1923, one of the sons of Joseph 'King Beaulieu', Joseph King Beaulieu II, referred to as 'Sousi', guided Guy Blanchet to Coppermine River as Blanchet

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<sup>11</sup> Pike also make reference to a José, but it is not clear if this is Joseph King Beaulieu II.

mapped the area north of Great Slave Lake for the Canadian government. They were accompanied by a Yellowknives Dene, Black Basile. Although Sousi was not a young man anymore -- according to the genealogical record he would have been around 64 years old – he told Blanchet, “Me I would like to see the Barren Grounds again before I die and fill my belly with the meat of caribou” (Blanchet 1964, 34).

They traveled during the summer and followed the route from Fort Reliance over Pike’s Portage to Artillery Lake and then up the Lockhart River through Aylmer Lake northward to the headwaters of the Coppermine River. Sousi’s knowledge of the area was obvious. In the passage between Artillery Lake and Clinton-Colden Lake is a site known as ‘place where the caribou swim among the ice’. According to Blanchet, Sousi and Black Basile “showed me stone ambushades from which the hunters made their slaughter while women and children drove the caribou into the pass” (ibid, 37). Further into the journey, at Aylmer Lake, Blanchet notes that:

*There is a large river discharging into it [Aylmer Lake] which was named Outram River when Stewart and Anderson of the Hudson Bay Company traveled it on their Franklin search. Their sketch map and description offered little assistance. Sousi had more information. It took its rise in a great lake to the southwest, The Lake of the Big Canoe, named by his father (now Lake MacKay). We were in the country of the musk-ox hunters (ibid, 38).*

Blanchet adds that, “Sousi knew this country from former musk-ox hunts but these had been made in winter with dogs, not canoes” (ibid, 39).

When they arrived at ‘the Lake of the White Stone’, Blanchet referenced the origins of the current name of the lake: “Now it is called Lac de Gras, the name given by Sousi’s father to Warburton Pike when he was there in 1889” (ibid, 41). Once the journey had ended, one of Blanchet’s final comments regarding Sousi is that “He would have new stories to tell of his journey across the old forgotten hunting grounds of his people where the tent stones of the encampments were almost buried in moss” (ibid, 41).

This final reference by Blanchet characterizes and summarizes the relationship the Northern Métis had with the landscape to the north of Great Slave Lake, or, more specifically, to the north of McLeod Bay. Based to a great extent out of the historic and traditional Beaulieu camp at Fond du Lac, which is in the vicinity of Taltheilei Narrows, Métis and their families, often in the companionship of Yellowknives Dene, would venture northward into the barren lands to hunt caribou and musk-ox during the winter months, overwintering in camps scattered throughout the region. Many related harvesting activities (fishing, trapping, and gathering) would have occurred at the same time. Throughout the 1800s and into the early 1900s, the knowledge gained through these activities was utilized by explorers and adventurers as they engaged Métis as interpreters and guides on their own voyages northward to the Coppermine and Back Rivers, as far as the Arctic Ocean.

In summary, one can reasonably conclude that one of the main areas for Métis caribou harvesting and, to a lesser degree, musk-ox harvesting, along with trapping and other harvesting activities, was the entire area north of the East Arm of Great Slave Lake. When we consider that this period of heavy reliance on the caribou extended from the late 1700s to the early 1900s, it is highly likely that every lake, esker, and stretch of lichen-covered ground was utilized at some time, although the remnants of that use are now, as Blanchet points out, buried in the moss (Blanchet 1964, 41).

Some record of that usage remains in the form of toponyms, or place names:

*Use of the name Fond du Lac suggests an origin within the Beaulieu family, as many of the French names for geographical features north of the East Arm of Great Slave Lake can be traced back to the Beaulieus. Lac du Mort, Lac du Rocher, Lac au Sauvage, Lac Tete d'Ours, Lac Capot Blanc, Lac de Gras, and many others read like a road map of the traditional hunting routes used by the Beaulieus... (Freeman 2010, 156).*

Further to the previously-cited historic usage, Métis continued as best they could with traditional harvesting in the area. Although the pattern of over-winter harvesting north of Great Slave Lake appears to have changed slightly during the 1900s, due to shifts in the caribou population, Métis who began to reside more permanently at Fort Resolution and other emerging communities, such as Fort

Smith, continued to make journeys northward and eastward across Great Slave Lake in the winter to harvest caribou. Previous NWTMN studies have provided the following:

Angus Beaulieu remembers that his grandfather (Pierre Beaulieu) used Fond du Lac as a base for trapping and hunting further north:

*I've been in that area [Fond du Lac], travelled through there, but it was during the summer...But I didn't trap or anything. But my grandfather trapped white fox going out to the barrens from there... Trapped many times, not only him, with quite a few other people from Fort Resolution... That's the story, and then he said also from Reliance... east, towards the Thelon (Angus Beaulieu, 2012 interview, Fort Resolution, NT).*

In the mid 1940s, Victor Mandeville “travelled to the barrens to hunt caribou for the RC [Roman Catholic] Mission and his family, by dog team” (Fort Resolution Métis Council 2000, 3). According to his son, George Mandeville, Victor also traveled to Aylmer Lake and the surrounding areas: “Aylmer Lake. He talked about Aylmer [and]... Artillery... that's where his grandparents, you know, his dad and his grandfather, came from. They used to live up on that that... you know, the Thelon-Hanbury area...They had a house there. He talked about that...” (George Mandeville, 2012 interview, Yellowknife).

Another Métis elder, Archie Larocque, hunted and trapped in the barren lands east of Great Slave Lake in the early 1930s. Archie “spent most of his time on the move, all over the country of the Upper Thelon. He ran his trap lines out from the base camp in different directions, his longest line took his three and a half days to complete one way at an average of 20 miles per day... [he] trapped out there for four winters” (Jones-Bohnet, “Archie Larocque: The best barren lands traveler in the north country,” Honouring Our Elders) while spending his summers in Snowdrift.

During group and individual interviews with Métis elders and harvesters carried out in November 2012, more recent contemporary use of the area was documented, along with patterns of Métis harvesting that shed light on the shifts in land use that have taken place over time, particularly in relation to barren ground caribou.

Four contemporary Métis harvesters that have hunted caribou in the barren lands north and northeast of Great Slave Lake include George Mandeville of Yellowknife, Danny Beck of Hay River, Earl Evans of Fort Smith, and Arthur Beck of Fort Resolution, who was accompanied on his recent trips by Métis youth.

George Mandeville, originally from Fort Resolution, has spent much of his adult life in Yellowknife. Beginning in the early 1970s, George has traveled north and northeast from Yellowknife each winter for caribou -- first by snowmobile only, and later by truck and snowmobile. His eastwardly route took him through Prelude, Hidden, Harding, Hearne, and Campbell Lakes, and from there either to Desperation and Francois Lakes or through Watta Lake to Buckham Lake. His northeasterly route took him as far as Drybones, Beniah, and Lockhart Lakes, through three different routes: one through Quytta, Johnson, Thistlethwaite, Smokey, and Brown Lakes; another through Duncan and Thistlethwaite Lakes; and the third through Gordon Lake.

Importantly, whether traveling northeast or east, George would only travel as far as he needed in order to harvest caribou. As long as the caribou herds were overwintering in any of these areas in large enough numbers, he was able to harvest the many dozens of caribou he took each year for his immediate and extended families. This pattern of harvesting within the most reasonable and accessible location from home is embedded among Northern Métis, which makes harvesters very dependent on caribou migration routes. During the period of the late 1900s and into the early 2000s, George and other Métis hunters in the Yellowknife area did not have to travel too far north or east to access plentiful supplies of caribou meat.

Danny Beck has hunted many caribou within the past three decades throughout the East Arm of Great Slave Lake as well as along the Contwoyto winter road from Yellowknife northeast as far as MacKay Lake, particularly during the period of time he lived in Yellowknife. Hunting on Great Slave Lake was done with snowmobile,

while hunting along the winter road was done primarily with truck and snowmobile, offloading the snowmobile to hunt away from the winter road in accessible caribou over-wintering areas. Consistent with Métis tradition, Danny hunted for his own family and for other members of the community:

*I used to hunt for the elders in Yellowknife on my own. At my own cost. I killed hundreds of caribou for them. Gave it to the needy... I did that for years over there [Yellowknife]... Boy it was good, you know; if you ever wanted a pair of moccasins or mitts you didn't ask for it. They'd just look at your feet and see if you'd need one, and next thing you know you've got moccasins. Really nice those old people (Danny Beck, 2012 interview).*

Earl Evans and other Métis from Fort Smith have followed a similar pattern, either driving to Fort Resolution and snowmobiling into the East Arm of Great Slave Lake from there, or driving through Yellowknife to the Contwoyto winter road and using snowmobiles to access large areas of land around the winter road, again as far as MacKay Lake:

*We would go off the mine road and a lot of times off the road looking for caribou mostly [along with wolves and wolverine] to the east... But our farthest extent to the north of MacKay Lake... We would hunt Gordon Lake to the west to Smokey Lake... but we went further to the east because it was easy going above Drybones Lake. There are no trees and we can see for miles. [We went] off the winter road, probably no more than 30 miles... We would get on this little river systems and sometimes go for 70 to 80 miles, snaking through looking for caribou... just the way the rivers run going east (Earl Evans, 2012 interview).*

From Fort Smith, these trips would be approximately 1600 kms round trip, by a combination of truck and snowmobile, but primarily snowmobile. Over the past few years, Earl has noticed a significant shift in caribou over-wintering patterns:

*What's been happening in the last few years is that caribou have been wintering above the tree line and that's an abnormality. Usually mid-August they start coming down through the trees and then they'll go back and once the rut is on in mid October/ November they start moving back down again into the trees. But they are finding out now that there's more and more of them wintering above the tree line. They're not coming into the tree line like they used to and that's been going on for the past 7 to 8 years. And it kind of coincides with them not crossing the winter road too. In the winter time, even people in Lutselk'e in the last three years, they had to go up to Artillery Lake in the winter to get caribou and that's above tree line and that's really unusual that they have to do that. Usually they look out their window and they can. But that's not the case. They used to come down to Simpson Island as far as Thubun River and the mouth of the Taltson River in 1991 (ibid).*

This shifting migration pattern has forced Métis harvesters to travel further to harvest caribou, including heading into the barrens to the east of Artillery Lake,

where the larger herds now gather. One of these harvesters is Arthur Beck of Fort Resolution.

Arthur Beck was raised at Rat River and has also lived at Rocher River. He now resides in Fort Resolution. During the late 1900s and early 2000s, he and many other Métis harvesters traveled by snowmobile along the south shore of Great Slave Lake as far as Fort Reliance and Artillery Lake, but primarily to places such as the Simpson Islands, Basile Bay, McDonald Lake, and Stark Lake. For the past few decades, caribou have generally migrated and overwintered in these areas along the south shore of Great Slave Lake, making harvesting accessible and reasonably predictable. Consistent with what Earl Evans described, this pattern has been changing, and the caribou are now over-wintering much further to the northeast, as far as the boundaries of the Thelon Game Sanctuary.

This harvesting pattern follows the obvious and natural tendency to hunt where caribou are most accessible. Rather than giving up caribou meat, Métis hunters will travel where needed to access them. Arthur's experiences demonstrate that Métis hunters will travel great distances in order to get caribou, including snowmobiling over 1000 kms round trip into the barrens now that caribou are not coming as far south as they did in the past.

In 1993, Arthur guided two Japanese photographers on a late summer/early fall trip following Ernest Seton's route from Artillery Lake along the Lockhart River through Clinton-Colden Lake to the north tip of Aylmer Lake and back. This guiding trip is significant as it was consistent with a Métis guiding tradition north of Great Slave Lake going back to the early 1800s and illustrates the ongoing appreciation by the Métis for the landscape north of Great Slave Lake:

*Carried on up the Lockhart River to Ptarmigan Lake to Clinton-Colden Lake and stayed overnight to take pictures... Rolling meadows with moss and lichens and blueberries. It was autumn so beautiful colors –red and oranges with the sun on it. Nice and peaceful. All kinds of birds, geese, ducks, chickens, ptarmigan, moose, caribou, musk ox, arctic hare the same size as white fox (Arthur Beck 2012 Interview).*

There is further evidence that Métis use of this and other barren-land areas for hunting and trapping purposes extended throughout the 1900s and continues to this day, with shifts in use occurring relative to caribou populations fluctuations and over-wintering patterns. During the early to mid-1900s, Métis harvesters continued to travel by dog team, and later by snowmobile, to the barren land east of Artillery Lake and north of McLeod Bay for caribou and/or white fox. Within the past few decades, Métis harvesters have traveled from Yellowknife, Fort Resolution and Fort Smith by truck and/or snowmobile north along the current Contwoyto Lake winter access corridor as well as east and northeast along Great Slave Lake as far as the borders of the Thelon Game Sanctuary, mainly for caribou, but also hunting wolves and trapping some furbearers. Subsistence fishing has occurred continually in the East Arm of Great Slave Lake and in smaller lakes and rivers along trapping and hunting corridors.

There have been some shifts in historic land use patterns, particularly in relation to caribou harvesting, but these have been based primarily on two factors: location of the caribou herds, which change over time, and ease of access to herds for hunting purposes. There appears to be less caribou over-wintering in the area north of McLeod Bay today than there was in the 1800s and early 1900s. Furthermore, for a large part of the 1900s, caribou regularly came into the East Arm of Great Slave Lake, often as close to Fort Resolution as the Simpson Islands, so harvesters did not have to travel far to get meat and hides. Caribou were also plentiful in and around Gordon Lake and McKay Lake, north of Yellowknife, up until a few years ago, and were readily accessible by dog team, snowmobile and later by truck/snowmobile from Yellowknife. Today, harvesters have to travel beyond the eastern end of Great Slave Lake to locate the larger caribou herds, including making trips into the barrens where caribou are increasingly tending to over-winter instead of over-wintering below the tree line.

These shifts in the movement of caribou herds, and therefore of harvesters, are considered by harvesters to be the result of the cumulative impacts of the diamond mines north of Great Slave Lake. Harvesters are not certain whether these

impacts will be long-lasting but hope that they remain temporary. There is also the hope that the entire area maintains as much useable and potential caribou habitat as possible, particularly in historic caribou over-wintering areas, such that these animals can adjust in the future to environmental and climate changes and continue to provide food for Métis families.

### **Potential Impact on Aboriginal Rights**

Indigenous Métis of the NWTMN have a right to hunt, fish, trap and gather throughout the traditional territory of the NWTMN which includes the Lac de Gras area. As noted above, Indigenous Métis have been harvesting in the NWTMN traditional territory for generations.

The resources that are harvested within the traditional territory of the NWTMN are shared with the entire community.

The proposed project may have adverse affects on the exercise of aboriginal rights through the specific and cumulative impacts of the proposed project that will negatively impact the ability of Indigenous Métis members to harvest caribou. DDMI has a duty to mitigate the potential negative impacts that the proposed project may have on the NWTMN traditional territory, cultural and traditional use sites and aboriginal rights and title.

The NWTMN seek to ensure the proposed project does not compromise the ability of the land to support those who rely on it. The NWTMN request to be provided with funding to conduct on-site environmental monitoring, desk-top technical reviews and traditional knowledge monitoring.

### **Wildlife**

The NWTMN has an aboriginal right to harvest caribou within the area that will be impacted by the Project. Access to healthy caribou herds is a prime concern for the NWTMN.

DDMI has noted our concerns regarding potential impacts to wildlife and the potential for impacts related to the safety, quality and health of Lac de Gras. The NWTMN notes that DDMI proposes to establish a hydrological connection between the pit lake(s) and Lac de Gras – however, DDMI has not yet completed the long-term water quality monitoring results that will describe the predicted changes to water quality in Lac de Gras.

The potential change in water quality in Lac could result in a change in health of wildlife, specifically caribou through the ingestion of drinking water and increased exposure to contaminants. The NWTMN relies on the caribou that travel within the vicinity of the Project. Caribou are of particular concern as caribou herds throughout the circumpolar north are experiencing a radical population decline and other development activities including roads have adversely affected caribou.

### **Recommended Mitigation and Accommodations**

We echo many of the recommendations and accommodations cited by other Indigenous groups, including our member Fort Resolution Métis Council.

We recommend that DDMI fully engage with the NWTMN as previously noted.

To prevent significant adverse impact on the wildlife, we recommend DDMI create a physical barrier around the pit lake(s) containing processed kimberlite so that the wildlife cannot access the pit lake during infilling and dike breaching.

We also recommend DDMI test any animal carcasses found in the area surrounding the Lac De Gras to determine the cause of death and the health of the

animal. The outcome of the testing should be shared with the Indigenous governments and organizations.

Following closure, Métis traditional harvesters are concerned with the long-term potential impact of any associated changes in hydrology and water quality. Thus, harvesters favour a scenario that allows Lac de Gras water quality to be safe for aquatic life, fish and fish habitat in as short a period of time as possible. They are concerned that putting processed kimberlite into the pits prior to reconnecting to Lac de Gras (scenario b) will prolong the time (if at all) until Lac de Gras can be safe for aquatic life, fish and fish habitat.

Métis traditional harvesters are concerned regarding the length of time it will take until Lac de Gras – and the entire watershed – can be safe for aquatic life, fish and fish habitat. This is a criteria that should be considered, including ensuring that Lac de Gras can, in the future, once again be safe for aquatic life, fish and fish habitat.

DDMI must undertake studies and monitoring to ensure traditional users feel safe hunting, trapping, fishing and gathering in the area. The NWTMN must be involved in the studies and monitoring. We recommend water quality and fish and fish habitat should be monitored for at least a 100-year period post closure.

DDMI negotiate an accommodation agreement with the NWTMN to address the concerns of the NWTMN.

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