



# **North Slave Métis Alliance**

Mackenzie Valley Review Board  
De Beers Snap Lake Project EA1314-02

June 5-6, 2014

# Presentation Outline



*Today's presentation will discuss the following in respect to the review and consideration of De Beers' proposed amendments to the Class A Water License for Snap Lake diamond mine.*

- ▶ Background related to NSMA and Snap Lake
- ▶ Amendment process concerns
- ▶ Inspection and monitoring
- ▶ Additional study
- ▶ Recommendations summary
- ▶ Conclusion

# Background



The NSMA represents the Aboriginal rights-bearing Métis of the North Slave area.

The NSMA's mandate includes:

- ▶ Ensuring that public and private sector organizations respect its members' section 35 Aboriginal rights when developments are contemplated and/or operating on their traditional lands.

The NSMA is vitally concerned with the protection, preservation, and sustainable use of its traditional lands and resources, to the benefit of its members and their children for generations to come.

# Snap Lake Location



The NSMA has been involved with the Project since initial Water License approval and subsequent renewal in 2012/2013.

This Water License and current Environmental Assessment (“EA”) process is of significant interest to NSMA members due to the ongoing challenge protecting the health of the aquatic environment in the area of Snap Lake Mine.

# Snap Lake Location



The water in the project area and downstream is being continually impacted as the Proponent is unable to meet their agreed upon water quality objectives and effluent quality criteria.

The NSMA members wish for tangible steps to be taken that mitigated against negative impacts the mine may have on this area of their traditional land.

# Snap Lake Location



NSMA's members have provided De Beers with a social license to operate. This license was the result of cooperation and trust built during negotiation processes and ongoing environmental assessment and monitoring work.

This amendment, in its current form, is harmful to this social license.

# Snap Lake Location



- ▶ Recommendation 1: Develop endpoints for future water discharge that are mutually agreed upon and will not cause harm to the fish and wildlife of Snap Lake and downstream, ensure these endpoints are verified through multiple peer reviewed scientific studies.

# Amendment Process



The timelines set for the review, submission, response, and Public Hearing for this amendment have been extremely challenging.

The NSMA expended valuable internal resources during the original EA, recent renewal, and once again during this process.



# Amendment Process



The NSMA has relied on trustworthy technical experts such as the Snap Lake Environmental Advisory Board during past reviews. These resources were limited during this review due to capacity constraints with external reviewers and the short EA timelines.

# Amendment Process



This review is unique in that it is highly technical with a large amount of material requiring in-depth technical review.

Technical review considering the potential for significant adverse impacts should incorporate ongoing dialogue that listens to the concerns and viewpoints of Aboriginal people on whose land the impacts are occurring.

# Amendment Process



Consultation and clear communication specific to these changes has been limited to date with the NSMA until following the technical submission.

\*De Beers visited the NSMA on May 24<sup>th</sup> (following technical submission) to speak to community members. This issue was raised, however, questions remain.

# Amendment Process



Additional concerns related to this review:

Snap Lake Working Group moved, at De Beers' request, from April 2014 to May 28<sup>th</sup>, 2014.

De Beers' short notice community visits, requested May 1, 2014 which occurred May 24, 2014.

Neither of these engagements informed the technical review conducted by the NSMA.

# Amendment Process



Consultation that has occurred to date on this matter has been insufficient given the potential for significant adverse effects long term, and not all technological solutions have been considered or presented at this time.

# Amendment Process



Recommendation 2: Require additional consultation and face-to-face meetings to occur with each Aboriginal party to further explain the quantity and quality of proposed mine effluent, how the environment will be protected, and what technology will be installed when.

Recommendation 3: Require additional water treatment technology be installed by De Beers to reduce total dissolved solids in mine effluent to meet effluent quality criteria that is proven to protect the health of the aquatic environment.

# Inspection and Monitoring



Changes have occurred in April 2014 at Snap Lake with Patrick Kramers leaving the position as inspector for the mine.

NSMA members are concerned at this time given reoccurring non-compliance, and increased water availability during spring freshet.

Additionally, DFO is not a party to this EA despite potential for significant impacts to traditional fisheries in Snap Lake and downstream.

# Inspection and Monitoring



De Beers' monitoring program is an area of concern.

The chloride meter, installed in 2013, has not yet been calibrated as of May 28, 2014.

Results of pilot testing of other options to control TDS will not be released until the fall.

De Beers has no standard operating procedure for predicting and managing upward trends prior to effluent quality exceedances, and during the May 28<sup>th</sup> working group was resistant to developing such a management system.



# Inspection and Monitoring



The NSMA is aware that Environment Canada (EC) has stated that there are still uncertainties with respect to De Beers' plan to discharge greater quantities of water at lower quality.

The NSMA believes that De Beers should follow the precautionary principle, as recommended by EC, and that this is necessary to maintain social license.

# Inspection and Monitoring



Recommendation 4: Require a dedicated site inspector to be employed by the Government of the Northwest Territories for the life of the Project and ensure communication with existing independent monitoring body SLEMA be continued as well as with Aboriginal parties.

Recommendation 5: Require that De Beers develop, with stakeholders, an official management strategy which includes a set of precautionary response steps to predict, identify, and manage for increasing trends in TDS.

# Additional Study



The NSMA relied heavily on the Ecometrix report during the technical review of the Snap Lake Water License proposed amendment.

This report suggests that through treatment using reverse osmosis, removal efficiencies are possible that in theory will achieve the effluent quality criteria.

The NSMA feels the Ecometrix report was thorough, but is only one step in the selection of a revised level for total dissolved solids that will protect the environment from harm.

# Additional Study



The NSMA strongly believes that to protect the environment all available data should be considered, and all technological solutions should be considered along with informed Aboriginal input. Due to the constrictive timing of this EA this has not been the case.

# Additional Study



Recommendation 6: Require an additional third-party, unbiased scientific study be conducted prior to amending the water license to review all existing and new data, including De Beers' current TDS pilot testing studies, and communicate the findings of this study to related Aboriginal parties.

# Recommendations Summary



Recommendation 1: Recommendation 1: Develop endpoints for future water discharge that are mutually agreed upon and will not cause harm to the fish and wildlife of Snap Lake and downstream, ensure these endpoints are verified through multiple peer reviewed scientific studies.

Recommendation 2: Require additional consultation and face-to-face meetings to occur with each Aboriginal party to further explain the quantity and quality of proposed mine effluent, how the environment will be protected, and what technology will be installed when.

Recommendation 3: Require additional water treatment technology be installed by De Beers to reduce total dissolved solids in mine effluent to meet effluent quality criteria that is proven to protect the health of the aquatic environment.

# Recommendations Summary



Recommendation 4: Require a dedicated site inspector to be employed by the Government of the Northwest Territories for the life of the Project and ensure communication with existing independent monitoring body SLEMA be continued as well as with Aboriginal parties.

Recommendation 5: De Beers should be required to develop, with stakeholders, a set of precautionary response steps to predict, identify, and manage for increasing trends in TDS prior to release to the environment.

Recommendation 6: Require an additional third-party, unbiased scientific study be conducted prior to amending the water license to review all existing and new data, including De Beer's current TDS pilot testing studies, and communicate the findings of this study to related Aboriginal parties.

# Conclusion



The above recommendations summarize what the NSMA wishes to see the Mackenzie Valley Review Board require of DeBeers respecting the latter's proposed amendments to the Water License for Snap Lake Mine. It is, in addition, NSMA's wish that DeBeers operates the Snap Lake mine in a sustainable manner that achieves a good return on its investment while preserving the health of the land and water and the species that depend on it.

The NSMA would like to thank the Mackenzie Valley Review Board for the opportunity to submit this intervention and for our thoughts and concerns to be heard. We are pleased to have been able to contribute to the Board's goal of incorporating a broad range of input during the Water License and Land Use Permit process.



# Questions?

