



June 13, 2012

File: S110

Chuck Hubert  
Senior Environmental Assessment Officer  
Mackenzie Valley Environmental Impact Review Board  
P.O. Box 938  
Yellowknife NT X1A 2N7

Dear Mr. Hubert:

**Community Engagement Update Report (May 2012)**

The Environmental Impact Statement (EIS) for the Project was submitted to the Mackenzie Valley Environmental Review Board (MVEIRB) on December 23, 2010 for environmental review. Since submission of the 2010 EIS, De Beers achieved conformity with the MVEIRB's Terms of Reference (July 26, 2011), participated in MVEIRB's EIS Analysis Session (November 28-December 2, 2011), completed one round of Information Requests responses (April 6, 2012); and responded to questions in Technical Sessions (May 22-25, 2012).

De Beers has also conducted additional community and public engagement activities since the 2010 EIS submission including:

- Interpreter/ Translator Workshop, May 2011;
- Gahcho Kué EIS Overview Workshop, October 2011;
- Distribution of Gahcho Kué Now Newsletter, February 2012;
- Community Public Meetings and Workshops in potentially affected communities, February & March 2012;
- Distribution of an Updated Project DVD in May 2012; and
- Maintained general communications with all interested parties.

De Beers has prepared this Community Engagement Update Report (May 2012) as a follow-up to Section 4, Community, Regulatory, and Public Engagement of the 2010 EIS. This Community Engagement Update Report (May 2012) summarizes activities from December 23, 2010 to May 15, 2012.

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A copy of this report is also being provided directly to the Lutsel K'e Dene First Nation, Yellowknives Dene First Nation, Deninu Kué First Nation, Tlicho Government, Northwest Territory Métis Nation and the North Slave Métis Alliance.

This report does not include Impact Benefit Agreement meetings and discussions. De Beers confirms that Impact Benefit Agreements for the Gahcho Kué Project are being undertaken and will release announcements once agreements are completed and signed.

Sincerely,

A handwritten signature in black ink, appearing to read "Veronica Chisholm". The signature is fluid and cursive, with a long horizontal stroke at the end.

Veronica Chisholm  
Permitting Manager

Attachment



# **Gahcho Kué Project Community Engagement Update**

December 24, 2010 to May 15, 2012

**Gahcho Kué Project**  
**Community Engagement Update**  
**December 24, 2010 to May 15, 2012**

**Prepared by:**

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**Dated May 18, 2012**

## EXECUTIVE SUMMARY

De Beers' proposed Gahcho Kué Project (the Project) will be the Northwest Territories' (NWT) fourth diamond mine, and De Beers' second diamond mine in the NWT. The Project is located approximately 280 kilometers (km) northeast of Yellowknife, NWT, at Kennady Lake which flows into the Lockhart River drainage system. The site is remote, and typically accessible by air, except in winter when it can be accessed by a 120 km winter road which connects to the main Tibbitt Contwoyto winter road.

The Environmental Impact Statement (EIS) for the Project was submitted to the Mackenzie Valley Environmental Review Board (MVEIRB) on December 23, 2010 for environmental review. Since submission of the EIS, De Beers has achieved conformity of its EIS with the MVEIRB's Terms of Reference, participated in MVEIRB's EIS analysis session and has completed one round of Information Requests responses. De Beers has prepared this Community Engagement Update Report as a follow-up to Section 4, Community, Regulatory, and Public Engagement of the EIS.

Since submission of the Project EIS, De Beers has conducted various community and public engagement activities including the following:

- Interpreter/ Translator Workshop, May 2011;
- Gahcho Kué EIS Overview Workshop, October 2011;
- Distribution of Gahcho Kué Now Newsletter, February 2012;
- Community Public Meetings and Workshops in potentially affected communities; February & March 2012;
- Distribution of an Updated Project DVD in May 2012; and
- Maintained general communications with all interested parties.

The Community Public Meetings and Workshops, held in February and March 2012, provided another opportunity for potentially affected aboriginal groups to receive information directly from De Beers about the Project and to provide direct input to the Project team regarding the Project's development. De Beers provided capacity funding for Aboriginal groups to enable them to contribute / offer Traditional Knowledge (TK) or retain scientific experts for these workshops.

## EXECUTIVE SUMMARY

A table outlining when and where these meetings took place is noted below.

Date(s)	Aboriginal Group	Locations Involved
February 7, 2012	NWT Métis Nation	Hay River (with participants from Ft. Resolution & Ft. Smith)
February 9, 2012	Yellowknives Dene First Nation	Dettah (with participants from Ndilo)
February 13, 2012 February 14, 2012 February 16, 2012 February 17, 2012	Tlicho Government	Wekweeti Whati Behchoko Gameti
February 15, 2012	Lutsel K'e Dene First Nation	Lutsel K'e
February 28, 2012	North Slave Métis Alliance	Yellowknife
March 28, 2012	Deninu Kué First Nation	Ft. Resolution

In the case of the Deninu Kué First Nation, the company held a meeting with Chief and Council at the request of Chief and Council. De Beers has offered to conduct a similar workshop in the summer, once confirmation of a date that is acceptable is received from the Deninu Kué First Nation.

Participants of these meetings and workshops discussed the following major Project themes:

- Overall effect of mining on traditional way of life including hunting, fishing, and trapping as well as the protection of sacred sites;
- Job opportunities, particularly environmental monitoring jobs;
- Site visits and the importance of elders seeing the site before, during and after operations;
- Water management including water quality and flow;
- Waste rock and tailings management;
- Winter road activity;
- Spill protection;
- Closure and reclamation plans;
- Drinking water quality;
- Fish and the Fish out program;
- Caribou; and
- Handling of archaeological artifacts.

## **EXECUTIVE SUMMARY**

Throughout all of these more recent engagement activities, De Beers has observed that the concerns expressed by Aboriginal communities continued to reflect the concerns expressed in 2007 during the MVEIRB Scoping Sessions and that no new issues have emerged. Throughout engagement, De Beers has focused on explaining how Project design is addressing these concerns with supporting references to the EIS and supplementary information. This Report provides a log of De Beers' efforts to engage communities and a summary of the discussions held with communities.

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# 1 INTRODUCTION

De Beers Canada Inc. (De Beers) has prepared this Community Engagement Update Report for submission to the Mackenzie Valley Environmental Impact Review Board (MVEIRB) and Leaders of potentially affected Aboriginal groups. The potentially affected Aboriginal Groups include the Deninu Kué First Nation (DKFN); the Lutsel K'e Dene First Nation (LKDFN); the North Slave Métis Alliance (NSMA); Northwest Territories Métis Nation (NWTMN); Tłı̨chǫ Government (Tłı̨chǫ); and the Yellowknives Dene First Nations (YKDFN).

This report is a follow-up to De Beers' Gahcho Kué Project (Project) Environmental Impact Statement (EIS) Section 4, Community, Regulatory, and Public Engagement dated December 2010. It describes De Beers' community engagement activities that have occurred since submission of the EIS on December 23, 2010 up until May 15, 2012 and it is formatted to describe specific activities with each community in chronological order for ease of review by multiple interested parties. Regulatory engagement activity is excluded from this update as De Beers has filed regular updates including minutes and action items with the MVEIRB following meetings with regulatory agencies.

Following submission of the Project EIS, during the first half of 2011 De Beers focussed its efforts on achieving conformity with MVEIRB's EIS Terms of Reference. Upon receiving a positive conformity determination from MVEIRB on July 26, 2011, De Beers continued its ongoing engagement activity through coordination of various meetings and workshops described in this update report.

## 2 GENERAL ENGAGEMENT ACTIVITIES

### 2.1 Interpreter Terminology Workshop, May 12-13, 2011

In follow-up to the first Interpreter Terminology Workshop held July 25-27, 2007, De Beers held another workshop on May 12-13, 2011 in Yellowknife. The workshop was coordinated by the Yamoza Kue Society on behalf of De Beers. The goal of the follow-up workshop was to build on the terminology list created in 2007, adding new terminology identified by De Beers with a focus on the Gahcho Kué Project as well as to review the terminology developed in 2007 so that Interpreter/Translators understanding and use of the terms was refreshed in preparation for upcoming community consultations.

The workshop involved two groups: one for Dene ~~Simé~~ and one for Tłı̨chǫ. There were four to five practicing Interpreter/Translators for each group. In addition there were two to three Elders for each group. A writer was selected from each language group as well. De Beers' Permitting Manager for the Gahcho Kué Project and the Superintendent of Community Relations worked with the instructors and the participants throughout the workshop.

Each language group provided the following:

- Translations for words on the terminology list that were not translated at the previous workshop;
- Translations for words on De Beers' new terminology list;

- Identified any other relevant terms that may not be on the list and provided translations; and
- Back translated and confirmed the new terminology.

## 2.2 Gahcho Kué Project Environmental Impact Statement Overview Workshop, October 25-27, 2011

Upon receiving a positive EIS conformity determination from the MVEIRB, De Beers coordinated a three day workshop in advance of the MVEIRB's analysis sessions for Aboriginal communities and regulators. The purpose of the workshop was as follows:

- Review the Project description;
- Present the assessment approach;
- Provide an overview of the environmental setting; and
- Review the key assessment findings.

The workshop provided an opportunity for De Beers to present an update and for participants to gain an understanding of the Project and the contents of the EIS.

The first day was set aside specifically for community representatives to prepare for the following two days of the workshop and included the following agenda items:

- Welcome
- Introductions to the De Beers Permitting team;
- Purpose of the EIS Overview Workshop;
- Proposed Gahcho Kué Project;
- Overview of the EIR Process;
- De Beers' Planned Public and Community Engagement for 2012;
- Review of Agenda for Days 2 and 3;
- Question and Answer; and
- Path Forward

Approximately 25 people attended the first day of the workshop including 13 Aboriginal representatives from DKFN, LKDFN, NWTMN, NSMA, Tlicho, and YKDFN; one representative from the Northern Project Management Office (NPMO); six De Beers representatives; three De Beers consultants; and two observers from Mountain Province Diamonds.

The second and third day of the workshop included Aboriginal representatives from the first day as well as regulatory agencies involved in the review of the Project. These days were designed for staff members directly participating in reading, reviewing and decision-making associated with the Environmental Impact Review (EIR) for the Project.

The second day agenda focussed on the EIS Structure, closure and reclamation, the assessment approach, and terrestrial issues. The third day agenda focussed on aquatics; air quality and noise; and socio-economics.

Approximately 24 people attended the second day of the workshop including 10 Aboriginal representatives from DKFN, LKDFN, NWTMN, NSMA, TKBWG, and YKDFN; 14 federal government representatives.

Approximately 27 people attended the third day of the workshop including seven Aboriginal representatives from DKFN, LKDFN, NWTMN, NSMA, TKBWG, and YDFN; ten federal government representatives; nine territorial government representatives; and one Review Panel representative.

The presentations given at these meetings are included in Appendix C of this report.

### **2.3 Gahcho Kué Now Newsletter**

On February 6, 2012 De Beers distributed *Gahcho Kué Now*, a quarterly publication, containing information and updates about the Project. The publication provides information about Project plans, the regulatory process, archaeological studies, and other important issues. The publication was mailed to households in communities close to the Project as well as to those who have registered with De Beers to be on a distribution list for the Project. It was also inserted into the NWT News/North in Yellowknife, Hay River and Fort Smith. A copy of this publication is included in Appendix D of this report.

### **2.4 Community Meetings and Workshops**

De Beers conducted community meetings and workshops in each of the potentially affected communities by first contacting the community leaders with a request for approval to meet. Upon receipt of approval, De Beers coordinated the details and logistics of the meetings with the respective community representatives.

The purpose of the meetings was to ensure that communities could receive information directly from De Beers about the Project and to give the community an opportunity to provide direct input into its development. While the meetings and workshops were advertised as open to all community members, De Beers provided capacity funding to Aboriginal groups to make available an avenue for Elders, land and environment representatives, as well as other experts with important knowledge to be included.

The agenda for each meeting required one full day with the exception of the NSMA, which was conducted in one evening session. Each meeting agenda included the following:

- Meet and greet;
- Opening prayer;
- Introductions;
- Opening remarks about the regulatory process and community engagement schedule;
- Workshop stations including:
  - A Project video showing the Project construction, operation, and closure phases;
  - Water and fish including fish salvage and compensation;
  - Wildlife;
  - Cultural sites including archaeology and site mitigations;

- Questions and answers
- Summary and closing comments; and
- Closing prayer.

Approximately seven (7) representatives of De Beers attended each meeting including its Director of External and Corporate Affairs, Permitting Manager, Superintendent of Community Relations, Permitting Coordinator, Community Liaison Coordinator, Wildlife consultant, Archaeological consultants.

Interpreter translators were present and active at meetings in Tlicho communities, and Lutsel K'e, and as well, a representative of the Canadian Northern Economic Development Agency (CanNor) Northern Projects Management Office (NPMO) attended each meeting.

The concerns raised by communities and the response by De Beers are outlined further in this report in each specific community section.

The presentations given at these meetings are included in Appendix E of this report.

## **2.5 Environmental Impact Review Engagement**

De Beers has maintained its engagement activities with potentially affected communities and regulators through the MVEIRB EIR process which has involved the following stages:

- Submission of EIS to MVEIRB on December 23, 2010;
- Submission of additional information to supplement the EIS on May 3, 2011 and July 15, 2011;
- Receipt of positive conformity determination for EIS with Terms of Reference from MVEIRB on July 26, 2011;
- Submission of update to regulatory engagement activities from December 23, 2010 to November 28, 2011 on November 29, 2011;
- Participation in MVEIRB EIS Analysis session November 28, 2011 to December 2, 2011;
- 2012 EIS Supplement; and
- Response to parties' Information Requests (IRs) on April 5, 2012.

Throughout the MVEIRB EIR process, De Beers has engaged with the following regulatory agencies:

- Aboriginal Affairs and Northern Development Canada (AANDC);
- Canadian Northern Economic Development Agency (CanNor);
- Department of Fisheries and Oceans Canada (DFO);
- Environment Canada (EC);
- Government of Northwest Territories (GNWT) various departments including Environment and Natural Resources (ENR); Health and Social Services (HSS), Industry Tourism and Investment (ITI); Education, Culture and Employment; and Prince of Wales Northern Heritage Centre (PWNHC);
- Health Canada (HC);
- Natural Resources Canada (NRCan);
- Mackenzie Valley Land and Water Board (MVLWB);

- Parks Canada (PC); and
- Transport Canada (TC).

## **2.6 Public Communications**

In addition to maintaining engagement with communities and regulatory agencies, De Beers has been open to communicating with other interested parties including businesses, industry, newspapers, educational institutions, as well as private citizens through mail distribution of Project information and direct inquiries with De Beers' staff. In November 2011, De Beers updated its DVD for the Project in English and undertook Aboriginal language versioning of the DVD in Chipewyan, Tłıcẖ and the Weledeh dialect. The DVD, with all four language versions, was distributed to Aboriginal communities, and to those who have registered with De Beers to be on a distribution list for the Project.

## **2.7 Communication Logs**

A record of De Beers' communications with Aboriginal groups is contained in logs located in Appendix B.

# **3 COMMUNITY SPECIFIC ENGAGEMENT ACTIVITIES**

## **3.1 Deninu Kué First Nation**

### **3.1.1 Gahcho Kué Project EIS Overview Workshop October 25-27, 2011**

On September 9, 2011 De Beers invited two (2) staff members from DKFN Lands and Environment Department to attend and participate in the Gahcho Kué EIS Overview Workshop on October 25 – 27, 2011 in Yellowknife (Workshop). To assist DKFN in its participation De Beers offered to coordinate and cover particular travel expenses including transportation, accommodation, meals and incidentals.

On September 29, 2011 DKFN confirmed its attendance at the Workshop including DKFN IMA Manager and DKFN Consultant. During the Workshop, DKFN raised questions and comments regarding the current drilling program; cumulative impacts to Kennady Lake; changes to the flow of water and water quality; waste rock; and treaty rights.

Following the Workshop, on November 8, 2011 De Beers sent the DKFN copies of the Workshop presentations.

### **3.1.2 Meeting December 16, 2011**

In response to concerns expressed by the DKFN regarding their consultation, De Beers and the DKFN coordinated a meeting that took place on December 16, 2011. At that meeting, De Beers and DKFN discussed the following: (1) community engagement responsibilities and opportunities; (2) the history of Gahcho Kué consultation activities and the regulatory review; (3) TK and traditional use studies; (4) DKFN documented territory; and (5) the appropriateness of and potential for agreement negotiations.

De Beers encouraged the DKFN to participate in the regulatory review of the Project and committed to engaging with the DKFN on the Project. De Beers outlined some of the specific engagement opportunities where DeBeers provides capacity funding to enable participation of experts or TK holders,

noting that the proposed workshops in February 2012 were the next opportunity and that the company had outlined that opportunity in a letter dated December 12, 2011.

In addition, De Beers and the DKFN discussed the possibility of a TK/Land Use Study specific to the Project Area and the potential content in such a study. De Beers agreed to provide DKFN with terms and conditions for funding a TK Study and upon receipt the DKFN agreed to provide De Beers with a proposed scope of work, budgets and timelines to carry out the Study.

Lastly, De Beers committed to review its information regarding the DKFN that had been used in the company's impact assessment and subject to any privileged or confidentiality issues, provide this information to the DKFN.

### **3.1.3 Meeting March 28, 2012**

In follow-up to the EIS Overview Workshop in October 2011, on December 12, 2011 De Beers had requested approval from DKFN to proceed with a public meeting and focussed workshop in Fort Resolution in February 2012 for members of the DKFN regarding the Gahcho Kué Project.

Due to a request by the Chief that De Beers first meet with the Chief and his negotiating team, the public community meeting in Fort Resolution was deferred. Items on the agenda for this meeting included a brief Gahcho Kué Project presentation; an update on the regulatory review process for the EIS; a discussion of De Beers' 2012 community engagement activities; and a discussion on moving forward on the TK / Land Use Study.

Concerns expressed during this meeting related to the Project included opportunities for further engagement, and the way that archaeological research applications filed by De Beers were being processed by the Prince of Wales Northern Heritage Center.

During the meeting, De Beers committed to: (1) providing DKFN with a copy of the updated DVD regarding the Project when it is ready for distribution; (2) confirm expenses paid for DKFN's Consultant to attend October 2011 Workshop; (3) provide capacity funding to DKFN to cover the costs of the meeting; (4) contact the Prince of Wales Northern Heritage Centre (PWNHC) to clarify the process of consulting on its archaeological applications for the Gahcho Kué Project; (4) consider opportunities to reschedule the February 2012 Workshop; and (5) report back to the DKFN on its December 16 commitment to provide the DKFN with its information regarding the DKFN.

In addition, during the meeting De Beers and the DKFN signed a TK Study Agreement to support the DKFN in gathering and sharing unique TK and traditional land use information in the Project area.

### **3.1.4 Follow up to Meeting March 28, 2012**

On May 3, 2012, De Beers followed up with DKFN on a number of its commitments including re-scheduling of the February 2012 Workshop. De Beers proposed a Workshop in Fort Resolution between June 22 and 24, 2012 including a visit to the Gahcho Kué site. Otherwise, if the June dates were not workable, De Beers proposed a site visit in August 2012. De Beers requested comments from DKFN on its proposals.



In addition, De Beers followed up on DKFN's concern regarding the processing of archaeological applications filed with the PWNHC, noting that representatives of the PWNHC already met with the DKFN in April 2012. At that time the PWNHC advised the DKFN that archaeological applications for activities in the North Slave region are not sent for comment to DKFN; however, applications in the South Slave region are. PWNHC further advised the DKFN to pursue their concern in writing. De Beers committed to follow the law with respect to submission of applications and reports and requested that DKFN copy De Beers on any correspondence with the PWNHC.

### **3.1.5 Environmental Impact Review Engagement**

On April 6, 2011 De Beers sent a CD copy of the Gahcho Kué EIS to DKFN by mail. On June 7, 2011, at the request of DKFN, De Beers also sent a complete hard copy of the EIS including additional information to address three (3) of the five (5) conformity deficiencies identified by the Mackenzie Valley Environmental Impact Review Board (MVEIRB) Panel.

On January 18, 2012 DKFN submitted Information Requests (IRs) to the MVEIRB and on April 5, 2012 De Beers submitted its responses to DKFN's IRs to the MVEIRB and to DKFN. On April 25, 2012 contacted DKFN offering an opportunity to discuss any questions they may have on the IR responses from De Beers.

In November 2011, the MVEIRB held the EIS Analysis Sessions. The DKFN was represented at the sessions by Mr. Stephen Ellis of the Akaitcho Treaty 8 Tribal Corporation.

## **3.2 Lutsel K'e Dene First Nation**

### **3.2.1 Gahcho Kué Project EIS Overview Workshop October 25-27, 2011**

On September 9, 2011 De Beers invited two (2) staff members from LKDFN Lands and Environment departments to attend and participate in the Gahcho Kué EIS Overview Workshop on October 25 – 27, 2011 in Yellowknife (Workshop). To assist the LKDFN in its participation De Beers offered to coordinate and cover particular travel expenses including transportation, accommodation, meals and incidentals.

On October 20, 2011 the LKDFN confirmed its attendance at the Workshop including two (2) Council members. During the Workshop LKDFN raised questions and comments regarding water use and wastewater from drilling; seasonal melt; protection of Lockhart River; parks negotiations; allowable phosphorous levels; impacts to caribou; water quality and the effect of water quality on fish and wildlife following closure; dike construction; pit naming; potential effects to Great Slave Lake; climate change; and water management.

Following the Workshop, on November 8, 2011 De Beers sent the LKDFN copies of the Workshop presentations.

### **3.2.1 Community Public Meeting & Workshop February 15, 2012**

On December 12, 2011 De Beers sought approval from the LKDFN to proceed with a public meeting and focussed workshop in February 2012. De Beers' request included an offer to cover the major costs of the meetings as well as an offer of capacity funding to assist the LKDFN in ensuring the inclusion of

Elders, lands and environment committee members and other experts with important knowledge to share on behalf of the LKDFN.

On January 11, 2012 the LKDFN confirmed the date of February 15, 2012 for the public meeting and workshop.

The LKDFN Chief opened the community meeting and workshop on February 15, 2012 with a prayer and initial comments about LKDFN's values including a request to monitor the Project with De Beers throughout all phases of development and visit the site before the mine opens.

De Beers continued with introductions; a review of the regulatory process; De Beers' community engagement schedule; and background on the TK Study planned in cooperation with LKDFN. De Beers set up a number of workshop stations including a Project video showing how the Project construction, operation and closure phases will be carried out; a presentation on water and fish including fish salvage and compensation; a presentation on the wildlife study; and a presentation about cultural sites including archaeological site mitigation.

Following the Project video and PowerPoint presentations about lake dewatering as well as water and fish, community participants briefly discussed the fish out program. Concern for the names of environmental features was noted as well as concern that changes in water quality might impact the *"Lady of the Falls"* and *"Reliance"* sacred areas. In response to the naming issue, De Beers explained that traditional names would be obtained from the TK Study once it was finalized and approved and that De Beers looked forward to receiving this study. De Beers discussed water quality and confirmed the company's understanding of the importance of Lady of the Falls and Reliance to the LKDFN.

It was further noted that the community uses the land for hunting caribou and trapping and that the community believes it deserves compensation based on its experience of effects from other mines on caribou migration. The community commented that compensation should also be provided by De Beers to the community in exchange for its thoughts and experience. Questions were asked about oil spills and sources of power. De Beers explained its spill response procedures and clarified that the mine would be powered by a diesel generator. Participants expressed the importance of plants in the area which are considered Dene medicine and expressed concern for exhaust, and dust emissions. Employment was also noted as an important issue.

Participants explained the effect of mining on their traditional lifestyle noting the effect of increased noise on caribou and the importance of community employment, first aid and WHMIS training as well as reclamation. The community inquired about potential impacts to Artillery Lake including mercury levels; and the source of clean rock for covering the waste rock piles. De Beers explained its EIS with respect to water quality.

Participants explained their holistic approach to life and dealing with land, animals and the environment. In doing so, concerns regarding the increased costs of maintaining a traditional lifestyle of living off the land were raised along with concerns for caribou and clean water. Questions about the option of mining

underground were asked and De Beers explained that open pit mining was the safest and most appropriate option, given the nature of the kimberlite deposits.

Following the wildlife presentation questions were asked regarding who De Beers talks to about the mine. De Beers stated that it talks to all interested parties. Participants questioned why De Beers consults with communities located much farther away from the Project site than Lutsel K'e (noting that Lutsel K'e is the closest community to the Project) and De Beers responded that it must abide by legislation and regulatory requirements which govern who De Beers consults and De Beers explained it would be drawing employment from a number of communities close by and a good relationship with communities is important to the company.

Comments were re-iterated from the community about the need for Elders and youth to visit the site and become involved in monitoring. Further comments regarding previous TK studies and the need to update the studies were also discussed. De Beer explained that a TK Study specific to Gahcho Kué had been undertaken with the community in 2006 and that completion of that study was still pending, but the company looked forward to hearing from the community when it was ready to present the final report.

Following the presentation on archaeological sites, the Chief asked what De Beers does with the artifacts, expressing preference that artefacts should be left where they are found. De Beers explained legislation regarding artefacts and noted that it is only if the artefact will be disturbed by the Project that removal is contemplated.

Approximately 39 people signed into the meeting.

De Beers' handouts and presentations were sent to LKDFN on April 24, 2012.

### **3.2.2 Site Visit Invitation**

In response to comments made by the community during the February 15, 2012 public meeting and workshop in Lutsel K'e, De Beers wrote to the LKDFN on April 23, 2012 with an invitation to consider sending a delegation to visit De Beers' advanced exploration camp at Kennady Lake this summer to show proposed plans first hand on the land where the relative size of the Project, the direction and size of the flows of water and the impact of the proposed mine on the landscape can be more fully appreciated.

### **3.2.3 Environmental Impact Review Engagement**

On April 6, 2011 De Beers sent a CD copy of the Gahcho Kué EIS to the LKDFN by mail. On May 11, 2011 De Beers sent another CD of the report to LKDFN at LKDFN's request. On October 13, 2011 De Beers sent an updated Project EIS DVD dated July, 2011, to the LKDFN.

In November 2011, the MVEIRB held the EIS Analysis Sessions. The LKDFN were represented at the sessions by Mr. Stephen Ellis of the Akaitcho Treaty 8 Tribal Corporation.

On January 18, 2011 LKDFN submitted Information Requests (IRs) to the Mackenzie Valley Environmental Impact Review Board (MVEIRB) with a copy to De Beers. On April 4, 2012 De Beers submitted its responses to the LKDFN IRs to the MVEIRB and to the LKDFN.

On April 26, 2012 De Beers contacted LKDFN offering an opportunity to discuss any questions they may have on the IR responses from De Beers.

### **3.3 North Slave Métis Alliance**

#### **3.3.1 Site Visit July 23, 2011**

Seven representatives of the NSMA visited the Gahcho Kué advanced exploration site on July 23, 2011. The purpose of the site visit was to show the NSMA De Beers proposed plans first hand on the land where the relative size of the Project, the direction, volume and flows of waters and the impact of the proposed mine on the landscape could be more appreciated.

The itinerary for the visit included the following:

- Check in at Air Tindi Float Base in Yellowknife Old Town;
- Welcome, Breakfast, Safety Orientation, Issuance of Personal Protective Equipment (PPE);
- Project Update Presentation;
- Site Walk Around and Helicopter Orientation;
- Lunch;
- Project Familiarization Flights;
- Break
- Questions and Answers, Return PPE; and
- Return flight back to Yellowknife.

Following De Beers' Project update presentation the following Questions (Q) were asked and Answers (A) provided:

(Q) What is the possibility of acid being generated from rocks on the site and how will that issue be managed? (A) Potentially Acid Generating (PAG) rock will either be buried deep inside a waste rock pile or submerged in water, thereby limiting the exposure of rock to oxygen, sunlight, and water (if buried). Due to climate change the assessment takes a conservative approach by assuming no permafrost.

(Q) How many dikes are planned for the site? (A) 16 dikes or berms.

(Q) How will Kennady Lake be dewatered? (A) Plans require pumping of water out of the south and north basins.

The site tour covered Kennady Lake and the mine site following the routes where water will flow during the dewatering of Kennady Lake and operations.

### **3.3.2 Gahcho Kué Project EIS Overview Workshop October 25-27, 2011**

On September 9, 2011 De Beers invited two (2) staff members from NSMA Lands and Environment departments to attend and participate in the Gahcho Kué EIS Overview Workshop on October 25 – 27, 2011 in Yellowknife (Workshop).

On September 30, 2011 the NSMA confirmed its attendance at the Workshop including its Vice President for the Board of Directors and its Environment Manager. During the Workshop NSMA mentioned a concern that the NSMA may not have been paid in 2007 for the community survey work done by the NSMA on contract to Gartner Lee Limited, who was working on behalf of De Beers. De Beers asked NSMA to providing a copy of any unpaid invoices to the Permitting Manager for De Beers to follow up on.

Following the Workshop, on November 8, 2011 De Beers sent the NSMA copies of the Workshop presentations, and requested that the NSMA to provide copies of any unpaid invoices. To date, none have been provided.

### **3.3.3 Community Public Meeting & Workshop February 28, 2012**

On December 12, 2011 De Beers sought approval from the NSMA to proceed with a public meeting and focussed workshop in February 2012. De Beers' request included an offer to cover the major costs of the meetings as well as an offer of capacity funding to assist the NSMA in ensuring the inclusion of Elders, lands and environment committee members and other experts with important knowledge to share on behalf of the NSMA.

On January 10, 2012 the NSMA confirmed its availability for the public meeting and workshop, and a mutually suitable date for the meeting and workshop was agreed upon on February 9, 2012.

The meeting and workshop agenda included a meet and greet followed by a supper which began with an opening prayer. Supper was followed by introductions, an explanation of the purpose of the meeting, a Project video, a presentation on water and fish including fish salvage and compensation, and a presentation on land and wildlife. The agenda also included time at the end of the meeting for discussion about health and well-being, socio-economic issues as well as heritage, culture and TK.

Following the Project video, community participants asked questions about the Tibbitt to Contwoyto Road; on-site processing; the mine life; method of fish removal; the effect of crushed rock on the lake; water flow and related monitoring; the depth of the lakes; waste rock pile cover material noting concern for its effect on caribou; ammonia nitrate from the waste rock; the depth of the lake noting concern for the volume of water to be removed; and options for waste rock disposal including replacement in pits.

Following the presentation on fish and water, community participants asked questions about the winter road following by more discussion on the fish-out program. Further questions were asked about micro-organism populations in Kennady Lake; monitoring of water and fish; measure to deal with water level increases; impacts on fish spawning; monitoring the development of healthy fish habitat and adaptive management; baseline fish health; and baseline permafrost conditions around Kennady Lake.

Following the presentation on land and wildlife, community participants asked questions about caribou including behaviour, baseline populations and monitoring; noise levels up to three kilometers away from the site; and blasting protocols with respect to birds.

Following the presentation on health, socio-economic and cultural issues, community participants asked questions about monitoring NSMA membership; job opportunities for persons with criminal records; job promotion potential; and addiction programs.

Approximately 15 people signed into the meeting.

### **3.3.4 Environmental Impact Review Engagement**

On April 6, 2011 De Beers sent a CD copy of the Gahcho Kué EIS to the NSMA by mail. On October 13, 2011 De Beers sent an updated Project EIS DVD dated July, 2011, to the NSMA. At NSMA's request De Beers also sent a CD copy of the EIS to its Victoria, B.C. office on November 25, 2011.

On January 19, 2011 NSMA submitted Information Requests (IRs) to the Mackenzie Valley Environmental Impact Review Board (MVEIRB) with a copy to De Beers. On April 2, 2012 De Beers submitted its responses to the NSMA IRs to the MVEIRB and to the NSMA.

May 5, 2012 De Beers contacted NSMA offering an opportunity to discuss any questions they may have on the IR responses from De Beers.

## **3.4 Northwest Territory Métis Nation**

### **3.4.1 Gahcho Kué Project EIS Overview Workshop October 25-27, 2011**

On September 9, 2011 De Beers invited two (2) staff members from NWTMN Lands and Environment departments to attend and participate in the Gahcho Kué EIS Overview Workshop on October 25 – 27, 2011 in Yellowknife (Workshop). To assist the NWTMN in its participation, De Beers offered to coordinate and cover particular travel expenses including transportation, accommodation, meals and incidentals.

On October 5, 2011 the NWTMN confirmed its attendance at the Workshop including its IMA coordinator and President of the Ft. Resolution Métis Council. During the Workshop NWTMN raised questions and comments regarding water licence monitoring requirements; dewatering Kennady Lake; water quality monitoring post closure; time to refill the pits; effects to fish; waste rock and its potential to generate acid; the amount of tailings; pit stability; changes to the flow of water; socio-economic impacts; and role of the federal government in the public process.

Following the Workshop, on November 8, 2011 De Beers sent the NWTMN copies of the Workshop presentations.

### **3.4.2 Community Public Meeting & Workshop February 7, 2012**

On December 12, 2011 De Beers sought approval from NWTMN to proceed with a public meeting and focussed workshop in February 2012 in either Hay River or Fort Resolution. De Beers' request included an offer to cover the major costs of the meeting as well as an offer of capacity funding to assist the NWTMN in ensuring the inclusion of Elders, lands and environment committee members and other experts with important knowledge to share on behalf of the NWTMN.

On January 11, 2012 the NWTMN granted approval for the public meeting and workshop and confirmed the location in Hay River on the date of February 7, 2012.

The meeting opened with a prayer. Then De Beers continued with introductions. De Beers set up a number of workshop stations including a Project video showing how the Project construction, operation and closure phases will be carried out; a presentation on water and fish including fish salvage and compensation; a presentation on the wildlife study; and a presentation about cultural sites including archaeological site mitigation.

Following the Project video community participants asked questions about dewatering including the time to dewater; the fish-out program; chemical reactivity of flocculents with mercury as well as the type of flocculent; pit water quality and pit seepage; process plant dust and its effect on plants; fuel storage tank containment; time to refill the pits; water flow; post closure monitoring; and closure and reclamation of the water management pond.

De Beers provided clarification and information to answer all questions based on information contained in the Project EIS. In response to a question about the water level table in the pits, De Beers committed to provide the specific information at a later date. De Beers also committed to confirm the fuel storage tank containment size relative to the amount of fuel stored.

Participants expressed concern for diesel fuel and its effect on caribou, questioning what type of exhaust/emissions filtration systems will be in place. De Beers provided information about its air quality model, types of emissions, and current levels noting that monitoring will be conducted to determine effects to caribou, and the company will adapt its management strategies as necessary.

Further concerns were expressed about community member employment as well as northern employment, particularly monitoring jobs.

Following the presentation on fish and water, community participants raised concerns about the Department of Fisheries and Ocean Canada's (DFO) involvement noting that they would like to speak to a representative of DFO. De Beers responded with an explanation of the regulatory process. Further concerns were expressed about fish spawning areas noting experience from other mines and questioning fish tagging programs. Long term water quality and lake bottom sediment quality were also raised as concerns. Questions were asked about fish compensation and the fish-out program followed by a discussion on these issues. Participants also requested an opportunity to visit the site.

The NWTMN caucused mid-way through the meeting to discuss how they would like to move forward given their concerns. When the meeting reconvened the NWTMN had decided to allow De Beers to proceed with its workshop presentations, but the NWTMN indicated it would no longer provide comment in the workshop and that it would follow up by way of written questions and comments at a later date. De Beers committed to provide a response to any written questions or concerns.

Following the presentation on cultural sites, community participants commented on the location of archaeological and burial sites and questioned what happens when a site is discovered. De Beers explained its responsibility to provide all artefacts to the PWNHC.

Following the presentation on land and wildlife, community participants commented on the absence of lemmings from the presentation and the effect of the Project on caribou migration. Questions were asked about public access to the winter road; ground truthing of the caribou maps; lichen sampling; dust suppression measures; and ptarmigans. A question was asked about whether there is monitoring for contamination 70 km away from the site.

Approximately 19 people signed into the meeting.

De Beers' handouts and presentations were sent to NWTMN on February 21, 2012, along with contact information for the DFO Project representative as requested during the public meeting.

On April 2, 2012 the NWTMN sent a letter to De Beers expressing its concern about the impact of the Project on fish and wildlife and requesting capacity funding to provide input into the issues. In response to this correspondence a meeting was scheduled on April 23, 2012 between De Beers and NWTMN; however, due to a scheduling complication, the NWTMN did not attend. De Beers followed up with NWTMN via written correspondence acknowledging the NWTMN's funding concerns and directing them to AANDC for funding for participation in the regulatory review process. In addition De Beers committed to continue to make Project-related information available to the NWTMN through its community engagement activities and to cover the cost of those activities where appropriate.

On May 4, 2012 De Beers followed-up through written correspondence with its commitments to provide specific information regarding flocculents, fuel storage area berm size, and water table levels of the pits to the NWTMN.

### **3.4.3 Site Visit Invitation**

In follow-up to the community public meetings and workshops, on February 21, 2012, De Beers offered the NWTMN an opportunity to participate in a summer site visit to De Beers advanced exploration camp at Kennady Lake to show its proposed plans first hand on the land where the relative size of the Project, the direction, volume and flows of waters and the impact of the proposed mine on the landscape could be more appreciated. De Beers requested that the NWTMN provide confirmation of its interest in participating in the site visit no later than May 31, 2012.



#### **3.4.4 Environmental Impact Review Engagement**

On April 6, 2011 De Beers sent a CD copy of the Gahcho Kué EIS to the NWTMN by mail. On October 13, 2011 De Beers sent an updated Project EIS DVD dated July, 2011, to the NWTMN.

### **3.5 Tłı̨ch̨ Government**

#### **3.5.1 Meeting March 16, 2011**

On February 22, 2011 the Tłı̨ch̨ Government informed De Beers that it had established the Tłı̨ch̨ Kwe Beh Working Group (TKBWG) to manage its relationships with mining companies in Mowhi Gogha De Niitl'ee. The group includes staff members, two (2) Chiefs, a Tłı̨ch̨ Assembly representative, and it reports directly to the Chiefs Executive Council (CEC).

At the TKBWG's request, De Beers met with the TKBWG on March 16, 2011 in Yellowknife to discuss the Project Environmental Impact Review (EIR) Process. De Beers provided a presentation about the Project and outlined De Beers' community engagement activities, noting that De Beers wants to engage the communities. The TKBWG inquired about funding to participate in the EIR process as they would like to review issues related to caribou and water. De Beers offered to provide a letter of support to the TKBWG to access funding once their proposal for funding was completed.

Parties discussed De Beers' upcoming Interpreter Workshop as well as the opportunity to work together to advance a TK study specific to the Project.

#### **3.5.2 Traditional Knowledge Study- Meeting July 20, 2011**

On February 8, 2011 De Beers received a TK study outline and budget to complete TK research for the Project from the Tłı̨ch̨ Government. On March 4, 2011 De Beers responded seeking an opportunity to meet with the TKBWG to discuss the TK Study Outline with a view to moving forward.

In the March 16, 2011 meeting with the TKBWG, De Beers discussed the draft TK study outline provided by the Tłı̨ch̨ Government on February 8, 2011. The parties agreed De Beers would provide a draft Study Plan agreement regarding the undertaking of a TK study for the TKBWG's review and consideration.

On May 31, 2011 De Beers provided a Study Plan Agreement to the Tłı̨ch̨ Government for review. De Beers noted that it contained several activities that would need to occur before funding for the TK Study could be initiated including the preparation of a detailed study plan, a study schedule, budget and schedule for payments. De Beers offered to work with the Tłı̨ch̨ Government to develop the required items.

Subsequently, there were a number of conversations between the Permitting Manager and representatives of TKBWG regarding the draft Study Plan Agreement and related documents.

On July 20, 2011 the Tłı̨ch̨ Government and De Beers met to go through a final draft of the Detailed Study Plan document, and all appendices to finalize the details. Both parties agreed on final changes to the document and De Beers undertook to prepare documentation for signatures.

Both parties had signed the agreement by August 4, 2011.

The TlįchQ Knowledge Report was delivered to De Beers for review on December 16, 2011. A meeting was held between TKBWG and De Beers on February 10, 2012 to discuss the report. As a result of that meeting, both parties agreed additional verification work needed to be completed.

The final report was subsequently delivered to De Beers on April 30, 2012. On May 17, 2012 De Beers wrote to the TlįchQ Government encouraging submission of the final report to the Mackenzie Valley Environmental Impact Review Board so that it can become part of the evidence in the EIR for the Project.

### **3.5.3 Gahcho Kué Project EIS Overview Workshop October 25-27, 2011**

On September 9, 2011 De Beers invited two (2) staff members from TlįchQ Government Lands and Environment departments to attend and participate in the EIS Overview Workshop on October 25 – 27, 2011 in Yellowknife (Workshop). To assist the TlįchQ Government in its participation De Beers offered to coordinate and cover particular travel expenses including transportation, accommodation, meals and incidentals.

On October 13, 2011 the TlįchQ Government confirmed its attendance at the Workshop including the chair and a member of the TKBWG. During the Workshop TKBWG raised questions and comments regarding community involvement in monitoring, caribou, water quality and flow, cumulative effects of mining on the Lockhart system, acid generation from waste rock, and post closure land use.

Following the Workshop, on November 8, 2011 De Beers sent the TlįchQ Government copies of the Workshop presentations.

### **3.5.4 Meeting November 24, 2011**

On November 24, 2011 De Beers introduced its new Chief Operating Officer (COO) to the TlįchQ Government. The De Beers COO presented his background and his role, and the TlįchQ Grand Chief explained his government's laws, structure, and communities. The COO provided a brief update on the Gahcho Kué Project. The Chief noted concerns about caribou, particularly the impact of collaring programs on caribou. The COO expressed an interest in understanding the impacts of De Beers' activities and noted the upcoming engagement opportunities in 2012.

### **3.5.5 Meeting January 17, 2012**

On December 12, 2011, De Beers wrote to the Grand Chief seeking approval to proceed with public meetings and focussed workshops in February 2012 for each of the four TlįchQ communities. De Beers' request included an offer to cover the major costs of the meeting as well as an offer of capacity funding to assist the TlįchQ Government in ensuring the inclusion of Elders, lands and environment committee members and other experts with important knowledge to share on behalf of the TlįchQ Government.

In response to De Beers' letter, the TKBWG requested a meeting with De Beers to be briefed on the request and to understand more fully what De Beers intended on doing in the communities.

On January 17, 2012 De Beers met with the TKBWG at the TlįchQ Government office in Yellowknife to brief them on the upcoming Gahcho Kué Community Workshops.

De Beers presented information about the Project, the MVEIRB review process, its 2012 community engagement plans, discussed the TlįchQ TK Study Report , forthcoming Project description video revision and translation, and the format for the upcoming community workshops scheduled for February 2012. De Beers noted that it was pleased that the TlįchQ Government had recently registered as participants in the Gahcho Kué EIR with the MVEIRB.

Parties discussed the use of capacity funding, as well as the approval process for the TK Study Report, which had been provided to De Beers on December 16, 2011. The TKBWG clarified that the report required approval by the TKBWG before submission to the TlįchQ Chiefs and that such approval would be scheduled after TKBWG met with De Beers to discuss the Study Report. The TKBWG inquired about the method used to study caribou, the naming of pits and lakes in the Project area, the post closure timeline, fish removal, and the impact of flooding on wildlife.

De Beers committed to clarify how the caribou monitoring program will be conducted; provide transcripts of the MVEIRB technical session that dealt with the impact of flooding on wildlife; and to meet with the TlįchQ Government's Senior Community Director to review details of the community workshop.

Also discussed was the opportunity for De Beers and the TKBWG to meet after receipt of the TlįchQ Government's IR's as another opportunity to discuss the Project with a focus on the TlįchQ Government IR's specifically and the parties agreed to find an opportunity that was mutually convenient.

### **3.5.6 Traditional Knowledge Study Meeting February 10, 2012**

On August 4, 2011, the *Detailed Study Plan TlįchQ Knowledge Research Study for the Gahcho Kué Project* was finalized and signed by both De Beers and the TlįchQ Government. On December 16, 2011 De Beers received the final report entitled *TlįchQ Knowledge for De Beers Canada Proposed Gahcho Kué Diamond Project*, dated December 15, 2011.

At De Beers' request, the TlįchQ Government met with De Beers on February 10, 2012 at the De Beers office in Yellowknife to discuss the final TK Study and the process for approving the report. Both parties agreed additional verification work needed to be completed.

### **3.5.7 Community Public Meetings & Workshops February 2012**

On December 12, 2011 De Beers sought approval from the TlįchQ Government to proceed with a series of public meetings and focussed workshops in February 2012. De Beers' request included an offer to cover the major costs of the meetings as well as an offer of capacity funding to assist the TlįchQ Government in ensuring the inclusion of Elders, lands and environment committee members and other experts with important knowledge to share on behalf of the TlįchQ Government.

On January 5, 2012 the TlįchQ Government granted approval for the public meetings and workshops, confirmed the dates of February 13 -17, 2012 and directed De Beers to meet with staff (TKBWG) in advance to discuss the detailed arrangements.

#### **3.5.7.1 Community of Wekweeti Public Meeting & Workshop February 13, 2012**

At the community meeting and workshop in Wekweeti on February 13, 2012, De Beers opened the session with introductions as well as a review of the regulatory process and De Beers' community engagement schedule. De Beers set up a number of workshop stations including a Project video showing how the Project construction, operation and closure phases will be carried out; a presentation on water and fish including fish salvage and compensation; a presentation on the wildlife study; and a presentation about cultural sites including archaeological site mitigation. De Beers also spoke about community monitoring.

Community participant concerns noted during the meeting included: job opportunities, particularly specialized jobs; fish; water flow; land; youth; noise; air quality due to dust; the effect of the winter road on caribou hunting; the effect of water on wildlife; and the importance of consulting with the community of Lutsel K'e.

Community participants expressed concerns that their community leadership was not present at a public meeting and requested a site tour. De Beers explained the role of the TKBWG and how the dates of the meeting in their community had been selected. De Beers spoke about work being done with Elders on a TK Study. De Beers committed to discussing the community participants interest in a site visit and their concerns about lack of leadership presence at the next meeting with the TKBWG.

Approximately 10 people signed into the meeting.

#### **3.5.7.2 Community of Whati Public Meeting & Workshop February 14, 2012**

At the community meeting and workshop in Whati on February 14, 2012, De Beers opened the session with introductions as well as a review of the regulatory process and De Beers' community engagement schedule. De Beers set up a number of workshop stations including a Project video showing how the Project construction, operation and closure phases will be carried out; a presentation on the dewatering plan; a presentation on water and fish including fish salvage and compensation; a presentation on the wildlife study; and a presentation about cultural sites including archaeological site mitigation.

During the water and fish session community participants discussed the fish-out program, providing anecdotal experience from working at other mine sites in the region about net sizes, species of fish removed; people involved in the program; and the use of the fish following removal. One participant noted preference for transferring the fish instead of killing them and expressed concern for fish post closure. Concern regarding the potential for overflow of Kennady Lake was noted as well as the need for community members to visit the site. Participants commented that there are lots of people in the community who have experience with fish-out programs and that water should only be drained once all the fish have been removed.

A youth participant questioned how De Beers will ensure that the water drained from the lake will not affect the surrounding land and waters. De Beers responded by clarifying that water quality standards must be met before release; De Beers has collected water quality data for comparison and De Beers will continue to monitor water quality after closure.

During the wildlife session, community participants shared their experiences and observations on mining, caribou, and caribou migration. The community expressed concern for caribou health as they depend on caribou for food and they believe that the quality of their food is declining. The community noted the importance of water and air quality for caribou health, the effect of collaring on caribou, and the effect of blasting on wildlife in general. The importance of a site visit was re-iterated emphasizing the inclusion of youth.

Community participants discussed caribou migration and monitoring, expressing interest in environmental monitoring job opportunities.

De Beers explained the role of the TKBWG and committed to forwarding particular community member's interests' in a site visit to the TKBWG.

During the archaeology site session, community participants noted the importance of identifying burial sites.

Approximately 35 people signed into the meeting.

#### ***3.5.7.3 Community of Behchoko Public Meeting & Workshop February 16, 2012***

At the community meeting and workshop in Behchoko on February 16, 2012, De Beers opened the session with introductions as well as a review of the regulatory process and De Beers' community engagement schedule. De Beers set up a number of workshop stations including a Project video showing how the Project construction, operation and closure phases will be carried out; a presentation on water and fish including fish salvage and compensation; a presentation on the wildlife study; and a presentation about cultural sites including archaeological site mitigation.

During the water and fish session community participants expressed concern for dust from the mine site including the airport; fish; fuel spills; and inquired about what happens when the resources are depleted.

During the wildlife session community participants commented on community participation in De Beers monitoring program; winter road activities; help from the mine with the fall community caribou hunt; and waste rock disposal options. De Beers clarified that the winter roads are monitored and reported to the Government of Northwest Territories Environment and Natural Resources department, and that it does not want to interfere with the hunt; however, it would be willing to discuss the matter further. De Beers also clarified its waste rock disposal plan.

Community participants also inquired about the following: (1) the location of the laboratories where samples will be sent noting concern for the maintenance of sample integrity; (2) handling of biodegradable waste; (3) landfill erosion; (4) the tailings pond noting concern about the deposition of

waste other than tailings in the pond and the approach for dealing with permafrost; and (5) baseline studies on parasites in fish. In response to the above inquiries De Beers provided the following clarifications: one lab is located in Yellowknife and the others are located in Alberta and Ontario; depending on the waste it will either be incinerated or landfilled; there is only one tailings pond; and De Beers is completing an ecological risk assessment, which will be submitted to the MVEIRB in 2012.

Concern was expressed about the health of fish and wildlife that the community consumes with emphasis on the effect of blasting on fish and dust on wildlife.

A further inquiry about the potential for increased water levels (overflow) behind the dikes was noted. De Beers responded by noting that monitoring will be conducted to ensure that water does not overflow.

Concern for aboriginal hiring, job training, and advancement into management positions as well as training to deal with racism was raised. De Beers noted that it anticipated the closure of Ekati and Diavik will coincide with the Gahcho Kué Project and that this will provide skilled workers to De Beers. In response to concern about the possibility of racism at the Project De Beers explained its workplace harassment policy and mandatory Cross Cultural Course. In addition, De Beers explained the role of the Joint Consultative Committee; Community Liaison Coordinators; and the Kwe Beh Working Group to deal with cultural issues. De Beers also reviewed the five job categories (unskilled, semi-skilled, skilled, professional and management) and how it reports on northern and Aboriginal participation in each of those categories.

During the archaeology/cultural session community participants inquired about job opportunities in this area. De Beers noted that it usually hires aboriginal field workers, but that the number of workers needed for these short term projects is limited.

In closing, final comments from the community were raised about community involvement in the fish out program to which De Beers responded that the communities would be involved. In response to a discussion about site visits and concerns about how people are picked for participation, De Beers explained that De Beers extends the invitation for site visits to the Tłı̨ch̨ Government, however it is the Tłı̨ch̨ Government that makes the selection regarding who will attend. De Beers committed to advising TKBWG of the interest by attendees to be selected for future site visits. In response to comments about potential long term adverse effects to land and wildlife, De Beers outlined the findings in the EIS and noted that monitoring during all phases of the Project would be conducted.

Approximately 13 people signed into the meeting.

#### ***3.5.7.4 Community of Gameti Public Meeting & Workshop February 17, 2012***

At the community meeting and workshop in Gameti on February 17, 2012, De Beers opened the session with introductions as well as a review of the regulatory process and De Beers' community engagement schedule. De Beers set up a number of workshop stations including a Project video showing how the Project construction, operation and closure phases will be carried out; a presentation on water and fish

including fish salvage and compensation; a presentation on the wildlife study; and a presentation about cultural sites including archaeological site mitigation.

Following the Project video community participants discussed the importance of caribou health to community health versus the need for employment. Health concerns were connected to the dependence of animal and bird health on clean air and water. Participants expressed concern for employment opportunities for grade 12 graduates and expressed interest in visiting the site. In response to an inquiry about waste rock, De Beers clarified that waste rock piles would be progressively reclaimed based on experience from other mines and community input to protect caribou. Participants emphasized the need for a good working relationship with De Beers.

Following De Beers' presentation on fish and water, community participants provided recommendations for removing fish. The community was interested in learning the exact footprint of the mine and noted that animals would be exposed to diesel fumes. The importance of employment and safe drinking water was emphasized with recommendations to ensure that waste does not leach into clean water and monitoring is conducted to ensure that salt placed on roads does not affect water quality. De Beers clarified that it would be using local crushed rock, not salt on its roads.

Participants also inquired about the effect of mining on cancer. De Beers noted that it is completing a health risk assessment to ensure human and ecological health. In addition, De Beers noted that it will be conducting monitoring and adapt its management measures accordingly.

In response to a question about groundwater flow, De Beers clarified that the water from Kennady Lake does not flow into Snare Lake.

Following the wildlife and cultural presentations, community participants discussed their heritage. In addition, participants expressed concern about whether other people from the community who were not present at the meeting would agree with their comments. Participants re-iterated that they are concerned about the quality of their drinking water which they obtain from fresh snow, and inquired about whether fresh snow would be contaminated with blasting debris.

Participants expressed appreciation for De Beers' research; noted the importance of eskers to wildlife; and inquired about the use of chemicals in diamond processing. De Beers responded that diamond processing only required water and crushing.

Interest in seeing archaeological artifacts was expressed by the community. De Beers noted that artifacts discovered in its programs were provided to the PWNHC; however, it may be possible to borrow the artifacts from the museum to show to the community.

In closing, De Beers described the TK Study being undertaken by the TljchQ Government and committed to following up with the TKBWG about a summer site visit for interested community members.

Approximately 13 people signed into the meeting.

### **3.5.8 Meeting March 15, 2012**

During a meeting with TKBWG on January 17, 2012 members of the TKBWG noted that they would like an opportunity to meet with De Beers to discuss De Beers' wildlife assessment, specifically the caribou cumulative effects assessment, presented in the EIS. On January 31, 2012, De Beers followed up and offered to meet with TKBWG to discuss their IR's and De Beers' wildlife assessment. The date of March 15, 2012 was agreed to. The meeting took place in Edmonton, Alberta and was attended by representatives from De Beers and the TKBWG. At the meeting, there were discussions around regional monitoring studies and the need to identify the response variables (quantitative and qualitative) and the data required to effectively measure the variables. For example, analysis of caribou response to winter roads would require different number of collared caribou and frequency of locations than estimates of adult survival rate. There were comments about the need to be able to convey this type of information regarding objectives, response variables (measurement endpoints), study designs, and sampling methods to the communities. There was also discussion about the need to incorporate local knowledge into monitoring studies and engage communities in the design of studies.

### **3.5.9 Site Visit Invitation**

On April 17, 2012, in follow-up to the community public meetings and workshops, De Beers offered the Tłı̄ch̄ Government an opportunity to participate in a summer site visit to De Beers advanced exploration camp at Kennady Lake to show its proposed plans first hand on the land where the relative size of the Project, the direction, volume and flows of waters and the impact of the proposed mine on the landscape could be more appreciated. De Beers requested that the Tłı̄ch̄ Government provide confirmation of its interest in participating in the site visit no later than May 31, 2012.

### **3.5.10 Environmental Impact Review Engagement**

On April 6, 2011 De Beers sent a CD copy of the Gahcho Kué EIS to the TKBWG by mail. On June 7, 2011, at the request of TKBWG, De Beers also sent a complete hard copy of the EIS including additional information to address three of the five conformity deficiencies identified by the MVEIRB Panel. Also enclosed were two CD copies of the EIS and two copies of the Plain Language Summary. EIS CD's and Plain Language Summaries were also sent to the Chiefs of Behchoko, Whati, Gameti and Wekweeti on June 7, 2011.

On October 13, 2011, a hard copy of all conformity responses was sent to the TKBWG. A DVD copy of the Project EIS, updated in July 2011, was sent to the TKBWG.

Representatives of the Tłı̄ch̄ Government were in attendance at the MVEIRB EIS Analysis Session held in Yellowknife November 28 – December 2, 2011,

On January 18, 2012 the Tłı̄ch̄ Government submitted Information Requests (IRs) to the MVEIRB, and on April 6, 2012 De Beers submitted its responses to the Tłı̄ch̄ Government IRs to the MVEIRB and to the Tłı̄ch̄ Government.

A meeting was confirmed for March 15, 2012 with TKBWG and is noted above.



## **3.6 Yellowknives Dene First Nation**

### **3.6.1 Gahcho Kué Project EIS Overview Workshop October 25-27, 2011**

On September 9, 2011 De Beers invited two (2) staff members from YKDFN Lands and Environment departments to attend and participate in the Gahcho Kué EIS Overview Workshop on October 25 – 27, 2011 in Yellowknife (Workshop).

On September 29, 2011 the YKDFN confirmed its attendance at the Workshop including the Director of Lands Management and Lands and Environment staff. During the Workshop YKDFN raised questions and comments regarding site inspections and water quality within the refilled pits.

Following the Workshop, on November 8, 2011 De Beers sent the YKDFN copies of the Workshop presentations. On November 18, 2011 De Beers requested a meeting with YKDFN to discuss their questions raised during the Workshop; however no meeting was scheduled. On November 30, 2011 De Beers sent YKDFN a formal written response to its questions.

### **3.6.2 Meeting January 12, 2012**

On January 12, 2012 De Beers introduced its new COO to the YKDFN. The De Beers COO noted he commenced with De Beers in his current role November 1<sup>st</sup> and briefly explained his background. The Dettah Chief provided background on the YKDFN and some information regarding the status of the land claim for the Akaitcho in the Northwest Territories. The Chief explained that the Project lies in Chief Drygeese Territory.

De Beers' request of December 12, 2012 requesting approval to proceed with a public meeting and focussed workshops was discussed. The Chief verbally granted approval to proceed and confirmed the public meeting and workshop should take place on February 9, 2012. De Beers also confirmed the provision of capacity funding for the meeting.

In addition, De Beers raised the issue of the TK Study noting that the YKDFN had accepted an offer by De Beers, but needed to provide a work plan and budget to move forward with the TK Study.

### **3.6.3 Community Public Meeting & Workshop February 9, 2012**

On December 12, 2011 De Beers sought approval from the YKDFN to proceed with a public meeting and focussed workshop in either Dettah or N'dilo in February 2012. De Beers' request included an offer to cover the major costs of the meetings as well as an offer of capacity funding to assist the YKDFN in ensuring the inclusion of Elders, lands and environment committee members and other experts with important knowledge to share on behalf of the YKDFN.

On January 18, 2012 the YKDFN followed up on a meeting that had taken place January 12, 2012 and formally granted approval for the public meeting and workshop, confirming the date of February 9, 2012.

At the community meeting and workshop in Dettah on February 9, 2012, De Beers opened the session with introductions as well as a review of the regulatory process and De Beers' community engagement schedule. De Beers set up a number of workshop stations including a Project video showing how the Project construction, operation and closure phases will be carried out; a presentation on water and fish including fish salvage and compensation; a presentation on the wildlife study; and a presentation about cultural sites including archaeological site mitigation.

Following the Project description video and a description by De Beers of the dewatering process, community participants inquired about wastewater at closure; water treatment; the effect of blasted rock on fish; and chemical use. In response to these questions, De Beers provided information contained in the EIS. Community participants also expressed concerns regarding the risks that mines will leave without reclaiming the land as previous mines have done. De Beers explained how the mine's design incorporates progressive reclamation and how the deposit of securities address these risks. Elders expressed a concern that they would like to see De Beers incorporate more TK. De Beers explained that it is currently working with the YKDFN leaders to address this concern and that the company had offered to support a TK Study. Regarding a question about water flow and evaporation, De Beers offered to respond later with more details about the water balance described in the EIS. In response to a comment about the need for De Beers to offer the same presentation to Ndilo, De Beers replied that arrangements were made to shuttle people from Ndilo to and from this meeting based on recommendations from YKDFN staff. Questions about wildlife and burial sites were deferred to later in the meeting.

Following the PowerPoint presentation about water and fish community participants discussed their experiences with other mines noting interest in visiting the site as well as expressing concern that De Beers COO should be present. In response De Beers noted that it works with the YKDFN leaders to arrange site visits, that one was conducted in September 2010, and another is planned for this year and that the COO had recently met with their Chiefs. Participants inquired about fish over-wintering habitat; drinking water quality; fish studies; and the fish-out program. In response to these questions, De Beers provided information contained in the EIS.

Following the PowerPoint presentation about wildlife, community participants inquired about measures to deter caribou from the mine and tailings expressing preference for fencing and tailings cover. De Beers noted that feasibility and case studies need to be conducted on this issue. In response to a question about trapping, De Beers clarified that people will still be able to trap in the area, but not at the mine site. Participants provided further recommendations for De Beers' fish out program and expressed need for provision of compensation to local hunters and trappers who must avoid the Project area. De Beers noted that the TK Study proposal that would be coming forward from the YKDFN would be a good opportunity to include information regarding the impact of the Project on hunters and trappers. Other concerns about environmental monitoring including caribou monitoring and monitoring jobs; TK jobs; meetings in N'dilo; and caribou mortality were noted. Information about caribou migration routes was also provided by participants.

Following the PowerPoint presentation on cultural sites, no further questions or comments were provided.

In closing, the Chief requested that De Beers' archaeologist consult with the YKDFN.

De Beers' handouts and presentations were sent to YKDFN on February 28, 2012.

#### **3.6.4 Site Visit Invitation**

In response to comments made by the community during the February 9, 2012 public meeting and workshop in Dettah, De Beers wrote to the YKDFN on February 28, 2012 with a request to host a delegation of YKDFN to the Gahcho Kué Project site in summer 2012, comprised of Elders, Lands and Environment staff, youth, and leadership representatives. De Beers requested a response before the end of May 2012. De Beers also followed up on the TK Study proposal that De Beers had been anticipating since 2010.

#### **3.6.5 Meeting April 25, 2012**

On April 25, 2012 a meeting was held between De Beers and YKDFN. During this meeting the YKDFN agreed to provide De Beers with a TK Study proposal within two weeks for funding consideration with input from De Beers regarding the scope of work and the terms of reference for the TK Study. In addition, the YKDFN agreed to confirm dates in August for a delegation of YKDFN to visit the Gahcho Kué Project site by May 31, 2012.

#### **3.6.6 Environmental Impact Review Engagement**

On February 23, 2011 De Beers sent two CD copies of the Gahcho Kué EIS Volumes 1 to 7 to the YKDFN by mail. On March 25, 2011 De Beers sent an amended CD of EIS Volumes 1 to 7 to the YKDFN with apology for the omission of the Appendices from Section 8 in the original CD. On June 7, 2011, at the request of YKDFN, De Beers also sent a complete hard copy of the EIS including additional information to address three of the five conformity deficiencies identified by the Mackenzie Valley Environmental Impact Review Board (MVEIRB) Panel. On October 13, 2011 De Beers hand delivered a hard copy of its EIS conformity responses to the YKDFN and sent updated Project EIS DVD's dated July, 2011, to the YKDFN Chiefs and legal counsel.

Fred Sangris, Shirley Tsetta and YKDFN Research and Regulatory Specialist Todd Slack attended the EIS analysis session on November 29 - December 2, 2011.

On January 18, 2011 YKDFN submitted Information Requests (IRs) to the MVEIRB with a copy to De Beers. On April 6, 2012 De Beers submitted its responses to the YKDFN IRs to the MVEIRB and to the YKDFN. On April 20, 2012 De Beers requested a meeting with YKDFN to review the IR responses. At the request of the YKDFN, on April 24, 2012 De Beers provided YKDFN with references cited in its IR response.

#### **3.6.7 Meeting May 7, 2012**

De Beers met via teleconference with representatives of the YKDFN to discuss responses to IRs on Wildlife and Water Quality/Fish. De Beers provided clarification on responses to information requests from YKDFN. YKDFN indicated that they would require additional detail on wildlife monitoring

programs, uncertainties with respect to the caribou assessment, water quality objectives and the AEMP, and dioxin and furans baseline monitoring. YKDFN indicated that at the Technical Sessions they would have focused questions on those topics as well they indicated that they raised other questions based on our responses in those sessions. Additional GIS shape files as well as commitments with respect to dust monitoring were sent to YKDFN following the meeting.

## 4 FUTURE ENGAGEMENT PLANS

A schedule of De Beers future engagement plans is detailed in De Beers *Community Engagement – Looking Ahead* chart contained in Appendix F of this report. Planned activities include the following:

- MVEIRB EIR Sessions;
- MVEIRB EIR Information Requests Round #2;
- Quarterly editions to Gahcho Kué Now Newsletter;
- Site Visits and/or Second Community Meetings;
- MVEIRB Public Hearings;
- Community Meetings / Open Houses;
- MVEIRB Panel Decision regarding EIR; and
- TK Studies.

## 5 IMPACT BENEFIT AGREEMENTS

Impact Benefit Agreements (IBA's) are one tool that De Beers may consider using to address issues not addressed by other regulatory instruments, including permits and licence conditions or other agreements the company may enter into with governments regarding the development of the Project.

De Beers considers a number of factors in determining whether to enter into an IBA with a given community. Such factors include: information presented by the community during the course of the community engagement activities; the specific information presented by the community in the regulatory process; and the potential environmental and socio-economic effects of the proposed project on a given community.

De Beers has been in discussion with communities regarding Impact Benefit Agreements. This community engagement update does not include any of the discussions De Beers has had regarding Impact Benefit Agreements. As the company concludes IBA's for the Project, notice of such agreements being concluded will be provided to the Panel.