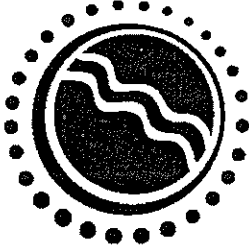


**FAXED**  
DEC 17/02



Mackenzie Valley Environmental Impact Review Board  
Box 938, 5102-50th Avenue, Yellowknife, NT X1A 2N7

**Date:** Tuesday, December 17, 2002  
**From:** Louie Azzolini, Environmental Assessment Officer  
**Pages:** 8 including these 2 cover pages  
**File:** EA01-004 De Beers Snap Lake Diamond Project  
**Subject:** summary notes of pre-technical sessions conference....

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Jane McMullen, GNWT	873-0114 and 873-0293 - 012	

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**Please find attached**

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**De Beers Pre-Technical Session Conference –  
Snap Lake Diamond Project  
Nov. 8, 2002**

**PARTICIPANTS LIST**

<b><u>NAME</u></b>	<b><u>ORGANIZATION</u></b>	<b><u>FAX #</u></b>
Graham Veale	RWED: Environment Protection Services	873-0221
Jane Howe	BHP Billiton	669-9293
Fraser Fairman	DIAND – Environment and Conservation	669-2301
Sevn Bohnet	DIAND – Water Resources Division	669-2696
Buddy Williams	DIAND – Land Administration	669-2713
Joe Acorn	Member of Public	766-2455
Sherry Lovely	GNWT – Health & Social Services	920-8965
Deborah Archibald	RWED – Industrial Initiatives	920-3343
Clay Buchanan	RWED – Industrial Initiatives	873-7315
Colleen English	De Beers	766-7347
Denny Thomas	Fraser Milner Casgrain LLP for De Beers	780-423-7300
Timm Rochon	IER for De Beers	905-660-1060
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Pat Tones	Golder Associates Ltd.	403-299-5606
Stephen Habicht	Environment Canada – EPB	669-4733
Leslie Green	Golder Associates Ltd.	873-6319
Steve Matthews	RWED	873-0293
Glenda Fratton	Gartner Lee Ltd.	403-250-5330
Michael Thoms	North Slave Metis Alliance	873-9176
Dave Belint	Fisheries and Oceans Canada	669-4940
Julie Dahl	Fisheries and Oceans Canada	669-4940
Francis Jackson	INAC – Water Resources	669-2666
Yvonne MacNeil	Department of Justice	873-0625
Kevin O'Reilly	Canadian Arctic Resources Committee	920-2685
Tim Buyers	Yellowknives Dene First Nation	204-886-6462
Tamara Hamilton	INAC	669-2701
Mark Dahl	Environment Canada	669-4734
Marc Lange	Fisheries and Oceans Canada	669-4912
Scott Clausen	Natural Resources Canada	613-992-8263

<b><u>NAME</u></b>	<b><u>ORGANIZATION</u></b>	<b><u>FAX #</u></b>
Robin Johnstone	De Beers Canada Mining Inc.	
Gavin More	RWED	920-6092
Florence Catholique	Lutsel K'e Dene First Nation	867-370-3010
Bob Turner	North Slave Metis Alliance	669-7442
Janet Hutchison	Chamberlain Hutchison, counsel to NSMA	780-423-3661

**Not in Attendance:**

Dene Nation  
World Wildlife Fund  
Rae Edzo Metis Local #64  
NWT and Nunavut Chamber of Mines

**De Beers Pre-technical Session Conference –  
Snap Lake Diamond Project  
Nov. 8, 2002**

**MEETING NOTES**

**Opening Remarks** – Vern Christensen, Executive Director, Mackenzie Valley Environmental Impact Review Board (MVEIRB)

Mr. Christensen informs the group that no Board members are present. Purpose of meeting is to plan for the technical workshops tentatively proposed for Nov. 25 to December 6, 2002. All information may be advanced without prejudice. Requests parties to forward topics for discussion at the technical sessions.

**Louie Azzolini, Environmental Assessment Officer, MVEIRB –**

Outlines EA process: received project description from De Beers; MVEIRB defined Terms of Reference (ToR) for EA; De Beers submits an EA Report; Conformity and Information Request phase; planning for technical sessions; submission of technical reports with key technical findings; planning for public hearing process; Public Hearing; MVEIRB's Report of EA to Minister of INAC.

**De Beers –**

Requests an opportunity to discuss the merits of issues and sub-topics raised; group topics together.

**MVEIRB -**

Clarifies that purpose of meeting is not to specifically discuss issues, but to determine if technical list is complete. Do not want to preclude any issues.

**GENERAL CONCERNS**

**NSMA –**

Adequate time was not provided to review and assess *Rationale* document. Will MVEIRB determine final issues for technical sessions; what will decisions be based on; will all parties have access to the information used to make decisions? **MVEIRB confirms that process will be open, information will be public as much as possible within tight timelines.**

**CARC –**

Expressed concern that De Beers simply wanted to take Gartner Lee (GL) issues 'off the table'. Wants to know the range of expertise used by Gartner Lee and what issues were not included in the *Rationale* document. **Requests a copy of the Nov. 1/02 letter from Gartner Lee to MVEIRB re expertise.**

**GNWT –**

There are key issues missing from the GL *Rationale* document.

**Lutsel K'e Dene First Nation -**

Requests that Technical Sessions be translated. Concerned that Traditional Knowledge (TK) not given enough merit in proceedings: wants this as an issue for discussion during sessions. Identified lack of time as a constraint in effectively participating in the sessions: information must be assessed at community level.

**NSMA –**

Expressed support for significant amount of community consultation undertaken in the DIAVIK process. Does not see this level of consultation in De Beers EA. Request to move technical sessions (TS's) out to communities. Agrees that TK has to be properly interpreted to be of value: feel strongly that a dispute resolution mechanism needs to be in place at TS to satisfy TK/technical relationship. Requests that scientists meet with TK providers in advance. Further, NSMA wants MVEIRB to receive full transcripts of TS's.

**MVEIRB –**

Dispute Resolution not required in a workshop format. Product is most important and all parties may put forth positions.

**De Beers –**

Agrees that current paradigm lacks TK input but too late in process to change now. However, they welcome TK issues at TS.

**NSMA –**

MVEIRB's ToR requires TK to be included *now*, not in next EA.

**Yellowknives Dene FN –**

Need to have translators prepped regarding scientific terminology to be effective.

**Lutsel K'e Dene FN –**

Agrees that translators need to understand the terminology that will be used in the TS's, and that facilitators need to be sensitive to translation needs.

**MVEIRB –**

After TS's, participants will submit Technical Reports: a *draft* summary of these technical agreements will be circulated. Will ensure facilitators of TS's are knowledgeable of subject matter.

**DFO -**

Suggests that each party provide a list of technical terms in common language that will assist translators.

**De Beers –**

Requests that participants submit brief Issue Statements with key issues only for use as a framework for TS's.

**NSMA –**

Strongly requests ruling by MVEIRB on RB staff reports, and release of MVEIRB's reasons for refusing IR's *prior to* TS's.

**CARC –**

Requests that agenda for TS's list experts/parties that wish to make presentations, preferably with summaries circulated prior to TS's.

**NSMA -**

Strong concerns with lack of community consultation in this EA process.

**Lutsel K'e Dene FN –**

Concerns with lack of resources to meet timelines. Feels that the MVEIRB has failed in its duty to ensure that the proponent has done its duty by adequately informing communities in advance to allow for preparation and full understanding of issues.

**Meeting re-convened at 1:30 pm.**

**Louie Azzolini, EAO, MVEIRB - summarizes** morning session.

**De Beers –**

Put forth a framework for the Technical Sessions: distributed to all present.

**Gartner Lee Ltd. (GLL) –**

An overview was given re *Issue Rationale* document. The MVEIRB asked for assistance in identifying key issues from Information Request responses. These were reviewed by appropriate Gartner Lee team members and summarized during an October workshop.

*General concerns were raised at this point: was North Lakes report considered in Gartner Lee deliberations?; IR's that weren't passed through by the MVEIRB to Gartner Lee; were IR's compared to ToR?; when will justifications for declined IR's be made public?; and what of issues that were not identified in Issue Rationale document; geo-technical, TK and air quality. Have these issues been reviewed by experts?*

**Yellowknives Dene FN –**

Concern expressed re overlapping issues at TS's - e.g. culvert affecting fish harvesting also impacting caribou migration.

**De Beers –**

Commits to handling cross-over issues and those not identified in the *Issue Rationale* document with additional follow-up sessions *after* TS's if required.

**3:00 – 3:15 pm      Coffee Break**

**Concerns are expressed by several participants re the lack of time to define specific issues prior to the start of TS's.**

**De Beers –**

Requests that concise *Issue Statements* be submitted as soon as possible to De Beers, including those issues that may not have been defined in the *Issue Rationale* document.

**CARC –**

Requested an opportunity to comment on O/S issues going before the Board prior to TS's.

**NSMA –**

Suggests setting up joint workshops *after* the TS's, with aboriginal communities.

## **WATER QUALITY ISSUES**

**1.1.1/1.1.2:** concerns/issues raised by DFO, EC, NSMA, CARC, and INAC/Water Resources Div.

**De Beers –**

Water issues should be delayed as they are part of the water licensing phase. De Beers will comply as per regulatory issues.

**1.1.3:** concerns/issues raised by Steve Wilbur, NSMA, NRC and DFO.

**De Beers –**

Issues under 1.1.3 do not warrant discussion at the TS's: they were already addressed in the North Lakes technical report. Requests succinct Issue Statements re phosphorous.

**1.1.4:** concerns/issues raised by Steve Wilbur, NSMA, INAC, NRC and DFO.

**De Beers –**

Again feels this item will be dealt with in water licensing phase.

**1.1.5:** concerns/issues raised by INAC, NSMA, CARC, MVLWB, Steve Wilbur, and DFO.

**De Beers –**

TDS maximum levels are below legal limits: no need for TS on this issue.

**1.1.6:** concern raised by CARC

**De Beers –**

Agrees that treatment of drinking water is an issue. Filtration and chlorination will treat water to NWT Drinking standards. De Beers will put this in writing as requested by CARC.

**1.1.7:** concerns/issues raised by EC, INAC, CARC, and NSMA.

**De Beers –**

Strongly disagrees that De Beers model is inaccurate in its predictions, but willing to discuss further at TS's pending receipt of Issue Statements.

**1.1.8:** concerns/issues raised by NRC, Yellowknives Dene FN, and Steve Wilbur.

**De Beers –**

Requests specific Issue Statements. Most points dealt with in North Lakes report.

### **Additional Water Quality Issues not in *Issue Rationale* document**

**Yellowknives Dene FN –**

Have baseline sample sites been affected by winter access road? (Cadmium levels in Snap Lake are higher near access road.)

**De Beers –**

Will respond directly to Tim Buyers.

**INAC –**

Six additional concerns raised. Refer to hand out distributed by INAC at meeting.

**Environment Canada –**

Concerns with treatment options selected re metals and ammonia.



**NRC –**

Concerns with acid precipitation in the watershed.

**NSMA –**

Concerns with monitoring programs.

**DFO –**

Four additional issues: discharge of effluents into Snap Lake exceeds guidelines; metals in the water and food chain; groundwater contamination; and biomass nutrients.

**De Beers -**

Will submit comments re *Rationale* document to MVEIRB by November 12, 2002.

**AQUATIC HABITAT**

**1.2:** concerns/issues raised by INAC, DFO, NSMA, and Steve Wilbur.

**WILDLIFE AND WILDLIFE HABITAT**

**1.3:** concerns/issues raised by GNWT, Steve Wilbur, Yellowknives Dene FN, CARC, and NSMA.

**De Beers –**

Requests specific detail re concerns. Will provide Steve Wilbur with information concerning raptors.

**1.3.4:** request by GNWT to include this category with contaminants/pollution control at TS's.

**GEOTECHNICAL**

**2.0:** concerns/issues raised by NRC, INAC, and Steve Wilbur.

**De Beers –**

The issues raised are sub-issues under the 'North Pile'.

**SOCIAL, ECONOMIC AND CULTURAL**

**3.0:** strong concerns raised by NSMA: increase in cumulative effects which will be evident beyond the 31 km radius of the development; adequacy of base-line data re social impacts on communities; lack of consultation and aboriginal input; lack of TK into project process; Metis left out of heritage assessments; infrastructure; wage vs. traditional economy; sustainability of development.

**De Beers –**

Willing to discuss these concerns but do not feel warrant TS's.

**3.0:** CARC does not feel GLL adequately assessed socio-economic issues. GNWT feels many issues have been missed.

**3.3:** concern raised by CARC re the revenue generated by this development.

**3.4:** concerns raised by CARC and GNWT re 'fly in, fly out' policy: opening of Rae-Edzo airport and catchment community not included in De Beers mitigation plan.

**De Beers –**

Gartner Lee's summary of this issue is incorrect. De Beers is committed: mitigation has been adopted.

**ABANDONMENT AND RESTORATION**

**5.0:** concerns/issues raised by Yellowknives Dene FN, NSMA, CARC, GNWT and Steve Wilbur regarding re-vegetation: how will De Beers measure the success of re-vegetation; would like to review an example of a successful mine reclamation re-vegetation program.

**CUMULATIVE IMPACTS**

**6.0:** concerns/issues raised by NSMA, INAC, EC, CARC, and Steve Wilbur.

**BIODIVERSITY**

**7.0:** concerns/issues raised by NSMA, CARC and Steve Wilbur.

**De Beers –**

There was no requirement under the Terms of Reference for De Beers to consider this category. "We stand by what information we did provide in good faith."