



Wildlife, Lands and Environment Department

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Chuck Hubert
Senior Environmental Assessment Officer
Mackenzie Valley Environmental Impact Review Board
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Mr. Hubert,

Thank you for the opportunity to provide comments on behalf of the Lutsel K'e Dene First Nation (LKDFN) on the Dominion Diamond Ekati Corporation (DDEC) Terms of Reference (ToR) for the Jay and Cardinal Project.

At the community scoping session, LKDFN community members identified socio-economic analysis and mitigations as one of the primary concerns with this new development. Other concerns raised were in regards to water quality and quantity, caribou and wildlife, fish and fish habitat, and alternatives assessments which we were pleased to see as identified Key Lines of Inquiry. We will provide some comments to help clarify these sections and hopefully contribute to an acceptable Developer's Assessment Report (DAR) from DDEC.

Again, thank you for the opportunity and if there is any clarification that is required, please contact me at the information below.

Sincerely,

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Socio-Economic Impacts

During the scoping session held in Lutsel K'e, socio-economic impacts were brought up several times, but in a way that focused less on the economic side of the discussion and more on the social side. Government surveys as well as community observations have seen rises in crime rates, violent crime rates, rises in alcohol and drug abuse, suicide, and domestic violence associated with similar timelines to mining developments. In Lutsel K'e specifically, the "benefits" of employment and disposable income that the mining operations enthusiastically promote are often hindrances to community social prosperity, wellness, and family cohesion. These are the observations and documentations of the community of Lutsel K'e in dealing with mining projects for almost two decades. We are looking for support in bringing these discussions to a forum and having corporations, who are partly responsible for the impacts, work with the communities to try and correct the issues. LKDFN does not believe it is unreasonable to request that DDEC go beyond simply reporting on the existing social environment in the community (as described in Section 5 – Description of existing environment), and be required to properly analyze and provide plans to mitigate the adverse impacts of developments on the lives of community members.

Section 5.1.2 of the Draft ToR requires DDEC to report on:

"Current socio-economic conditions and relevant trends in the potentially-affected communities and in the region, taking into account socio-economic conditions prior to the Ekati mine, of potentially affected communities as a whole, using appropriate indicators of well-being and quality of life;"

as well as:

"Description of current community well-being including information about the capacity, availability, and affordability, where relevant, of local services and infrastructure (i.e., housing, training, education, day care services, health care, etc.)."

This is an excellent start, though we would add that DDEC be required to work with the community on these descriptions, not simply regurgitate information from previous assessment or draw information from Government of the Northwest Territories (GNWT) reports. However, with the identification of these situations and no analysis or mitigation efforts, the resulting document (DAR) would be of little use and benefit to the adverse social impacts that will continue in the community. Section 8 in the Draft ToR refers to impacts on the human environment and states:

"Mitigation may not be entirely the responsibility of the developer, as governments and communities have social, economic, and cultural protection mandates. However, it is primarily the responsibility of the proponent of the project to initially document these issues in its *Developer's Assessment Report*."

In terms of general social problems in the community, we may agree with this statement, however, it is our belief that some of these issues only come about through mining developments, so in terms of mitigating impacts from the development, it is entirely the developer's responsibility to mitigate social impacts. We're not requesting that industry take the role of governments, or cross the boundary of government responsibility, but if the developer can assist the community in addressing these problems as collaborators, human health and wellness in the community would be greatly improved.

LKDFN requests that socio-economic analysis and mitigation plans be given more value in the ToR, and added as Key Lines of Inquiry so that we can adequately address the concerns raised in the community scoping session.

As a subject of note, the Review Board again focuses the socio-economic analysis on impacts to employment and business opportunities (Section 8.2.2). It has been acknowledged already that "...it is likely that no additional personnel will be needed and no new business or contract opportunities will be created" (Section 8.1 Key Lines of Inquiry), so by focusing on the community wellness aspects of socio-economics, we will be able to contribute to the best practices for social responsibility of mining operations in the north for the future.

Caribou and other Wildlife

LKDFN believes the Review Board has done well to identify caribou and wildlife concerns, so we only have a couple of slight alterations to suggest.

One, though we hope by now it is implied, that Traditional Knowledge be valued and utilized when DDEC provides information on the bullet points in Section 7.3.3, specifically the historic movements and migration patterns through the proposed project area. The project represents the extension of an already very large east-west footprint in the middle of the migration route, and DDEC has already identified two important caribou crossings that are subject to significant impacts with the dewatering of Lac du Sauvage.

Two, DDEC is required to investigate impacts of caribou crossing the dewatered lakebed (7.3.3), and LKDFN would suggest investigating the potential impacts of all wildlife having access to the exposed lakebed.

Conclusion

LKDFN is satisfied with the ToR other than the absence of social impact assessment as part of the Key Lines of Inquiry. This was the main message that came from the scoping sessions, that after almost 20 years of mining development, the social situation in Lutsel K'e is continually degrading. It's clear to LKDFN that we are not taking advantage of employment and business opportunities for various reasons, but what is more

important to LKDFN members is that we are living happy and healthy lives. We request that the Board accommodate our request to include social impact analysis in greater detail in the ToR and require DDEC to work closely with the communities to create mitigation plans for these mining related impacts.