

Chuck Hubert

To: Brett Wheler
Subject: RE: Traditional Knowledge Report

From: Alex Power [<mailto:apower@ykdene.com>]
Sent: August 17, 2015 9:31 AM
To: Brett Wheler
Subject: Traditional Knowledge Report

Good Morning,

YKDFN would like to request that we be able to submit a traditional knowledge (TK) report as part of our Technical Report for the Jay Project hearing. We are aware that the submission deadline has passed; and request that consideration be given to our limited financial and person-hour capacity.

We respectfully accept that the late submission of this document may obviate its inclusion in the public record. However, we hope that it is possible for this submission to be included as it gives context to the technical report that cannot be achieved through other sources. We look forward to your reply.

Best Regards,

Alex Power M.Sc.
Regulatory and Research Specialist
Yellowknives Dene First Nation
phone: 867-766-3496
fax: 867-766-3497



“Lands that are Wide and Open”

Traditional Knowledge Report

For the Proposed Dominion Diamond Ekati Corporation’s Jay Project

Prepared by:
Trailmark Systems, Inc.

for:
Traditional Knowledge Program, Land and Environment
Yellowknives Dene First Nation
PO Box 2514
Yellowknife, NWT
X1A 2P8

August 2015

© Copyright Yellowknives Dene First Nation, 2015.

Traditional knowledge of Indigenous peoples is intellectual property. All traditional knowledge of Yellowknives Dene First Nation is intellectual property of Yellowknives Dene First Nation, and is protected by international intellectual property rights on indigenous peoples. As such, Yellowknives Dene reserve the right to use and make public parts of their traditional knowledge as they deem appropriate from time to time. Use of the Yellowknives Dene traditional knowledge by any other party other than Yellowknives Dene First Nation does not infer comprehensive understanding of the knowledge, nor does it infer implicit support for activities or projects in which this knowledge is used in print, visual, electronic, or other media.

Note:

Traditional knowledge of Yellowknives Dene First Nation in this report is not to be split up, placed in databases, or taken out of context, neither is it to be combined with the traditional knowledge of other indigenous peoples.

Citation or reference to this report:

Yellowknives Dene First Nation (2015). *Lands that are Wide and Open: Traditional Knowledge Report*. For the Proposed Dominion Diamond Ekati Corporation's Jay Project. Prepared by Trailmark Systems Inc., Victoria, BC. For Yellowknives Dene First Nation, Dettah, NWT, August 2015.

Cover photo:

Kyle Sangris at "Nàk'oozáa (the Narrows)" between Ek'ati (Lac de Gras) and Nàk'oozáatì (Lac du Sauvage), summer, 1997. Note the large amount of caribou hair piled up along the shores shed from the numerous caribou using this crossing located a few kilometres south of the proposed Jay Project.



TrailMark Systems Inc.

Primary Office - TLU / TEK Consulting

Suite 412 - 645 Fort St.

Victoria BC, Canada, V8W 1G2

P: 250.383.7979

E: info@trailmarksys.com

Acknowledgements

Remember what the elders have said from this community because they know what has happened before the white people came...We grew up here and what our grandparents told us about these areas around the lake...We know these places because we have been there ourselves. - Judy Charlo, Jay Project Workshop, 2015

With tremendous gratitude, we acknowledge the exceptional individuals who gave their time, positivity, and trust to this traditional knowledge study. We wish to thank the Elders and interviewers of the past who documented key traditional knowledge in the 1990s, well before the first diamond operations ever began on our territory. Elders who shared important understandings related to the Ek'ati (Lac de Gras) area and whose transcripts were reviewed for this current work include:

Isadore Sangris	Fred Sangris
Elise Liske	Rachel Crapeau
Therese Sangris	Judy Charlo
Noel Crookedhand	Noel Crapeau
Alexi MacKenzie	Michel Paper
Eddie Sikyea	Ben Noel
Rose Betsina	Isadore Tsetta
Philip Crapeau	Paul MacKenzie
Edward Doctor	James Sangris
Frank Drygeese	Joseph Charlo
Joe Drybone	Archie Sangris
Alfred Baillargeon	

Our deep gratitude also goes to the current Elders and participants of this study, namely Alfred Baillargeon, Judy Charlo, Jonas Sangris, James Sangris, Peter D. Sangris, Jonas Noel, Eddie Sikyea, George Tatsiechele and Lena Drygeese (interpreter) for their dedication and support throughout the 2015 site tour, workshop and study. Special thanks go to Fred Sangris for his commitment to documenting traditional knowledge efforts for the YKDFN for over thirty years.

Finally, to the respondents and participants on this study—to all of the individuals who contributed their time and knowledge—your honesty and willingness to share has brought to light the insight, resilience, strength, and challenges facing the YKDFN today.

Table of Contents

1.0	Project Understanding.....	1
2.0	Introduction	3
3.0	Methods.....	6
4.0	Historical Overview: Ancestral Evidence of the Yellowknives Dene First Nation.....	8
4.1	Treaty 8.....	12
5.0	Traditional Knowledge	14
5.1	<i>Ndeh</i> or “The Land”	15
5.1.1	Concerns	16
5.1.2	Recommendations.....	17
5.2	Animals	18
5.2.1	Concerns	22
5.2.2	Recommendations.....	22
5.3	Fish.....	25
5.3.1	Concerns	28
5.3.2	Recommendations.....	29
5.4	Water	30
5.4.1	Concerns	33
5.4.2	Recommendations.....	35
5.5	Eskers.....	36
5.6	Winter Roads	37
6.0	Discussion	40
6.1	Next Steps.....	40
6.2	Work on Building Trust	41
6.3	Work Together.....	44
6.4	See with our Own Eyes	46
7.0	Closing.....	47
8.0	References	48
8.1	Works Cited	48
8.2	Interviews Cited.....	48

List of Figures

Figure 1.....	1
Figure 2.....	2
Figure 3.....	4

List of Appendices

Appendix A:	Recommendations from the 1997 TK Study of Ek’ati
Appendix B:	Recommendations from the 1997 TK Study of Ek’ati Re-considered in March 2015
Appendix C:	March 2015 Jay Project Workshop Notes
Appendix D:	English and Talts’ot’iné Place Names in Chief Drygeese Territory

1.0 Project Understanding

Dominion Diamond Ekati¹ Corporation (DDEC) is proposing to extend the life of the Ekati Mine, located about 300 kilometres northeast of Yellowknife, NWT, by 10 or more years by developing the Jay kimberlite pipe under Nàk’oozaatì (Lac du Sauvage). The proposed development of Jay pipe and related infrastructure is understood as the Jay Project.

In October 2013, DDEC submitted a Project Description of the Jay Project to the Mackenzie Land and Water Board to initiate the regulatory process. The Developer’s Assessment Report (DAR) in October 2014 was then submitted as part of the environmental assessment process. The location of the Jay Project (adjacent to the Ekati Mine) is shown in Figure 1 in relation to other diamond mining developments in Chief Drygeese Territory. Detail of the proposed Jay Project footprint is illustrated in Figure 2.

The Jay Pipe is located in the southeastern part of the Ekati claim block, which is publicly owned land that DDEC has leased from the Government of the Northwest Territories. Before a mine can be developed on a claim block, the company that holds the claim block must obtain a mining lease.

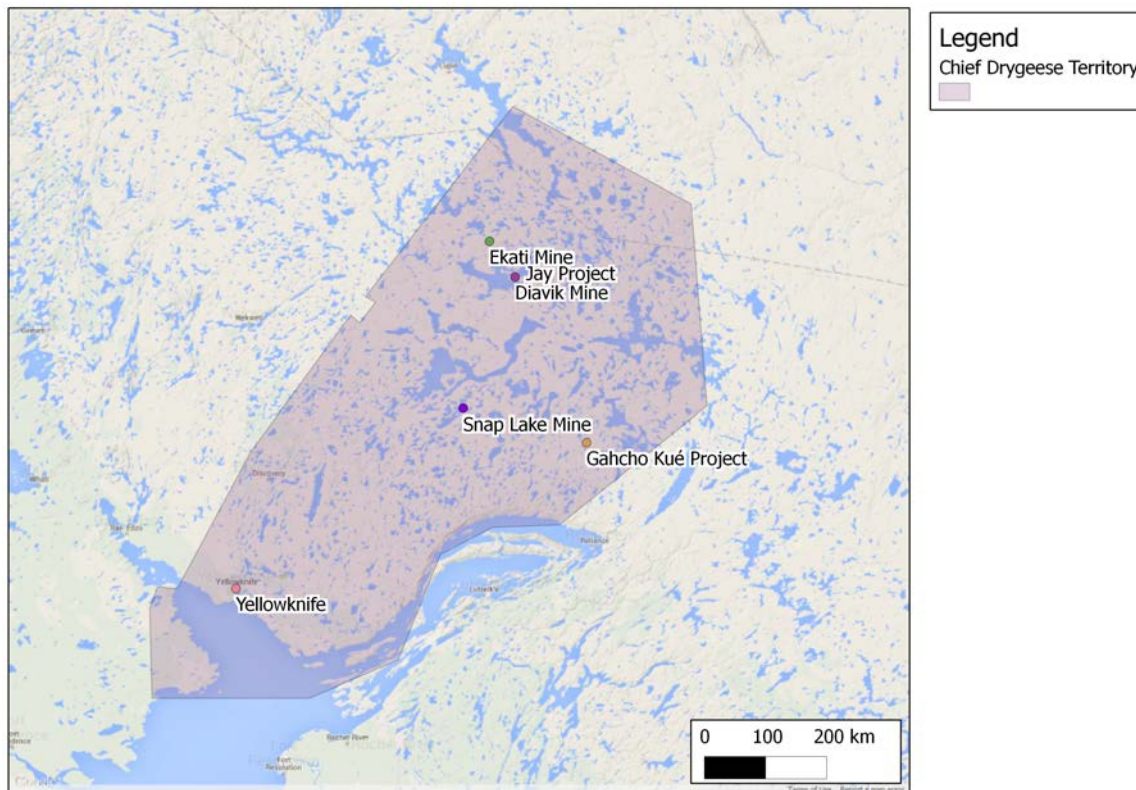


Figure 1 Current Diamond Mining Activities on Chief Drygeese Territory

¹ The term Ekati comes from the Dene name Ek’ati meaning “fat lake” which is known officially as Lac de Gras. The YKDFN understand that gras (French for “fat”) related to the strong smell of caribou fat that was processed during fall hunts (YKDFN 1997:8). Note that the YKDFN prefer the spelling Ek’ati and have used it throughout this report unless referring specifically to the Ekati Diamond Mine. Alternative spellings in this report are limited to references within quotes and include: Egati and Ekati.

The Jay pipe is about 25 kilometres southeast of the Ekati Mine's main facilities, and about 7 kilometres to the northeast of the Misery Mine. The Jay pipe is located about 1.2 kilometres from the western shoreline of Nàk'oo2aati (Lac du Sauvage) in about 35 metres of water at its deepest spot (Figure 2).

DDEC is proposing to mine the Jay pipe by separating the area of Nàk'oo2aati (Lac du Sauvage) that overlies the Jay pipe from the rest of the lake with a horseshoe-shaped dike that will hold the lake water back. The water in this isolated area, with a surface area of about 4 square kilometres, will then be pumped out so that an open-pit mine can be used to access the diamonds in the kimberlite pipe. The resulting open pit would be about 370 metres deep.

The Jay Project timeline currently envisions that dike construction would commence in the summer of 2016 with dewatering and pre-stripping in 2019 followed by conventional open-pit mining. Production is currently expected to begin in 2020.

Diamond-bearing kimberlite would be trucked to the existing Ekati Mine process plant using the existing Misery haul road (Figure 2). Processed kimberlite tailings would be deposited into mined-out open pits at the Ek'ati site such that environmental disturbances related to expanding or constructing new deposition areas are avoided.

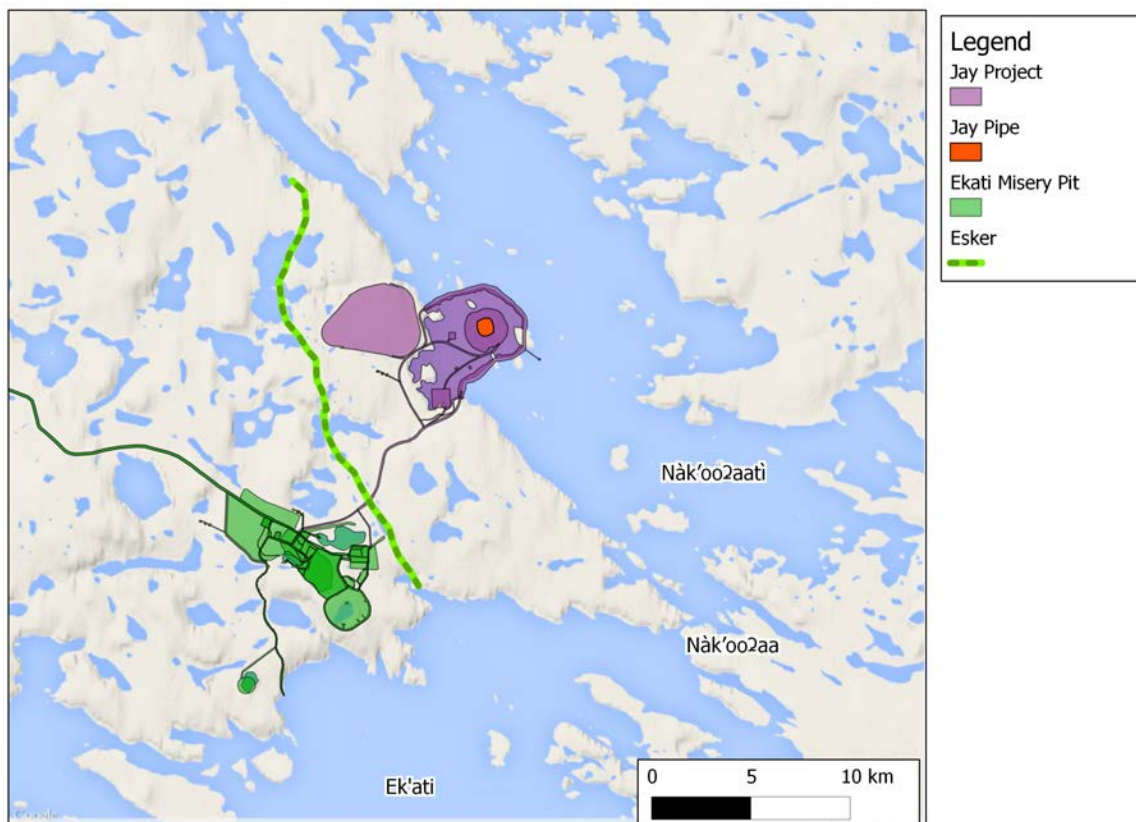


Figure 2 Proposed Jay Project Footprint

2.0 Introduction

In the past and until very recently, Weledeh Yellowknives Dene spent the majority of each year in the open spaces of the barrens north of the treeline. The traditional territory of these people and their T'satsqot'inę relatives extended from what is now called Great Slave Lake to the Coppermine River and, on rare occasions as far as the Arctic coast. The lake identified on official maps as Contwoyto [Kòk'e Tì] is called by Weledeh Yellowknives Dene, "lake with many camps", referring to the winter hunting settlements of their forefathers (YKDFN 1997: iv-v).

Yellowknives Dene have long used an extensive system of trails that connect their Wiłłidehcheh² (Weledeh-cheh / Yellowknife Bay) and Wiłłideh (Weledeh / Yellowknife River) villages with their trapping areas north of the Great Slave Lake and through to the traditional fall caribou hunting grounds, and winter white fox trapping areas, around Ewàdehtì (Courageous Lake), MacKay Lake (Nòndika Tì), Ek'ati (Lac de Gras) and Nàk'oozaatì (Lac du Sauvage) in the barrens. Many stories tell of the 1920s and 1930s when the Yellowknives Dene lived in the barrens year-round for four or five years for fear of the flu epidemics (YKDFN 1997a; 1997b). A major trail, used in all seasons, crosses Ek'ati (Lac de Gras) and onto Nàk'oozaatì (Lac du Sauvage) then continues north towards Kòk'e Tì (Contwoyto Lake) (Figure 3). Graves and markers are found along the route to the tundra:

In the deep past, when Dene used a trail in the barrens, they stopped at intervals to collect large rocks and pile them to mark key places along the route. In the summer of 1997, a Weledeh Yellowknives Elder demonstrated making of a marker by placing a tall angular rock on top of a large boulder pushed inland by ice. Then, he carefully wedged small stones under the top rock, tapping them gently into position, to secure it in place; he expressed confidence that this marker could remain there for hundreds of years if not disturbed by people (YKDFN 1997b: 21).

² Where possible, current spellings for place names provided by the Goyatikò Language Society are used throughout this report.

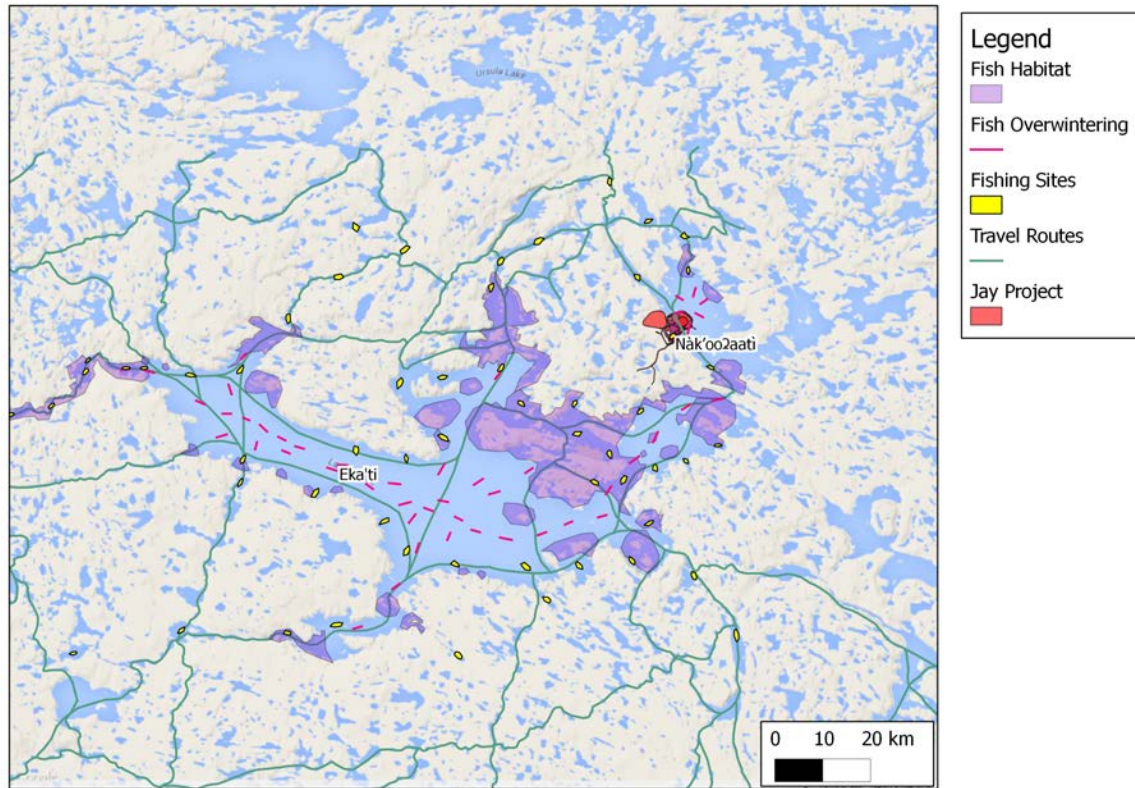


Figure 3 YKDFN Travel Routes and Important Areas for Fish Near Proposed Jay Project

There are many traditional and current use sites in the area around the Ekati and Diavik Diamond Mines that operate adjacent to one another at Ek'ati (Lac de Gras). Presently, these mines are owned and operated by DDEC in joint venture with Rio Tinto (for the Diavik Diamond Mine). Also located within Chief Drygeese Territory is the Snap Lake Diamond Mine (operated by De Beers). In addition, DeBeers and Mountain Province Diamonds are developing the Gahcho Kué Project (Figure 1).

The Federal Environmental Assessment Panel reviewed the NWT Diamonds Project during the early 1990s and submitted their report to the Minister of DIAND and the Minister of the Environment on June 1, 1996. Meanwhile, from 1995 to 1997, the Yellowknives Dene First Nation's Elders Advisory Council gathered and analyzed traditional knowledge data for the region as a result of increased mineral exploration and development on Chief Drygeese Territory. Their report, "A Traditional Knowledge Study of Ek'ati" (herein, 1997 TK Study of Ek'ati), was submitted to the Federal government for review in the environmental assessment of Ek'ati (then called the *NWT Diamonds Project*)

However, at the time, the Federal government's decision to allow these developments on the traditional lands of the Yellowknives Dene did not take into consideration the 54 recommendations documented in the TK Study of Ek'ati, nor did the government consider

the baseline environmental data for the Ek’ati area gathered during numerous interviews with YKDFN knowledge holders. Appendix A contains these original recommendations.³

Now today, with plans to continue expanding diamond mining, DDEC provided funding to the YKDFN to carry out an updated TK Study with a focus on the proposed Jay Project. Seventeen years after the 1997 TK Study of Ek’ati, the questions considered in the current study by the YKDFN are as follows:

- Are the recommendations of the TK Study of Ek’ati still valid?
- Do the “dire predictions” contained in the Report still reflect the attitudes and beliefs of YKDFN Elders?
- Is the baseline environmental data contained in the audio and video tape recordings used in the production of the TK Study of Ek’ati valid for the Jay Project?
- Are there gaps in the data that can be addressed by further analysis, further knowledge holder interviews and renewed discussions?

As DDEC intends to proceed with the development of the Jay Project, it is critical that the 1997 TK Study of Ek’ati is revisited and integrated into current and future discussions. In addition, results of the TK Study carried out in 2015 for the area of the proposed Jay Project, on Nàk’oozaatì (Lac du Sauvage) and near Ek’ati (Lac de Gras) must also be meaningfully considered. Together, results from these two seminal events will provide important guidance to DDEC such that both TK and western science can be considered equally in the EA process.

³ The numbering of the recommendations in YKDFN 1997 contains an error whereby two different recommendations are given the designation of “Recommendation #2-D-4” (YKDFN 1997: xiv). In the current report, the second “Recommendation #2-D-4” is corrected to “Recommendation #2-D-5” and edits to all following recommendations are made accordingly (i.e. Recommendation #2-D-5 to #2-D-16).

3.0 Methods

The Yellowknives Dene First Nation, with the assistance of Trailmark, began work on the 2015 TK Study with a site visit to the area of the proposed Jay Project to enable Elders/knowledge holders to see firsthand the impacts of diamond mining in the area and to consider possible impacts of the Jay Project. The site visit was carried out on August 11, 2014, and photographs and notes taken during the visit were entered into the YKDFN internal Database Management System (developed by Trailmark Systems). During the site visit, four Elders/knowledge holders and YKDFN's Traditional Knowledge Specialist visited previously documented archaeological sites and discussed the traditional and current use of the area.

YKDFN and Trailmark researchers reviewed materials related to the 1995-97 TK Study of Ek'ati and produced English language summaries for key parts of these records, including references to the area where the Jay Project is proposed. In addition, the following questions guided the review:

- Is the baseline environmental data contained in the audio and video tape recordings used in the production of the TK Study of Ek'ati valid for the Jay Project?
- Are there gaps in the data that can be addressed by further analysis, further knowledge holder interviews and renewed discussions?

Materials reviewed for relevance to the Jay Project include notes, transcripts and reports are detailed in the Interviews Cited section at the end of this report and include more than thirty documents.

It was not possible to listen to audio material or video material from the 1990s, and they had not been transcribed; however, photographs of the Nàk'oozaatì (Lac du Sauvage) and Ek'ati (Lac de Gras) area taken during site visits in the 1990s were examined and scanned.

Following the site visit on August 11, 2014 and review of materials from the TK Study of Ek'ati, a day-long workshop was held at the Council chambers in Dettah on March 24, 2015, with participation from Elders familiar with the Ek'ati (Lac de Gras) area including: Alfred Baillargeon, Judy Charlo, Eddie Sikyea and George Tatsiechele. Fred Sangris facilitated the meeting with assistance from Randy Freeman and Natasha Thorpe. Lena Drygeese interpreted. The purpose of the workshop was to provide a high-level overview of the Jay Project, present findings from the site tour, document TK and TLU related to the Ek'ati (Lac de Gras) area, and review and update the recommendations of the TK Study of Ek'ati. Notes taken at the workshop are contained in Appendix A. The following questions guided the workshop participants:

- Are the recommendations of the TK Study of Ek'ati still valid?
- Do the "dire predictions" contained in the Report still reflect the attitudes and beliefs of YKDFN Elders?

Results from the review of the 54 recommendations, proposed edits, outstanding questions and supporting quotes were documented (Appendix B). Notes from the workshop were reviewed and entered into Trailmark for future reference, an abbreviated version of which is included in this report (Appendix C). Appendix D contains a key of English and Talt's'ot'iné names for places in Chief Drygeese Territory used throughout this report. Maps were marked during the workshop but the data were not included in the current report due to cultural sensitivities.

The structure of this report mirrors the 1995-1997 TK Study of Ek'ati, the recommendations of which are categorized as follows:

- General (Recommendation #1)
 - A – Ancestral Evidence of Weledah Yellowknives (Recommendations #2, #2-A-1 to #2-A-11)
 - B – *Ndeh* (i.e. the environment: land, animals, fish birds, plants) and the peoples' continues use of their traditional lands
- General (Recommendations #2-B-1 to #2-B-3)
- Animals (Recommendations #2-B-4 to #2-B-7)
- Caribou (Recommendations #2-B-8 to #2-B-12)
- Fish (Recommendations #2-B-13 to #2-B-16)
- Protection of Aboriginal and Treaty Rights (Recommendations #2-B-17 to #2-B-19)
- Water (i.e. Ek'ati, streams flowing into and out of the lake, and groundwater (Recommendations #2-C-1 to #2-C-6)
- Water of land as a result of construction (Recommendations #2-D-1 to #2-D-4)
- Eskers (Recommendations #2-D-5 to #2-D-6)
- Misery Site (Recommendations #2-D-7 to #2-D-10)
- Winter Roads (Recommendations #2-D-11 to #2-D-16)

4.0 Historical Overview: Ancestral Evidence of the Yellowknives Dene First Nation

Weledeh Yellowknives' occupation of the barrens is ancient. In their language, the people refer to the place, not as a 'barren' or lifeless land – for they know that is not true – but simply as lands that are wide and open (YKDFN 1997a: 35).

A key focus of the interviews carried out between 1995 and 1997 was the ongoing relationship between the Yellowknives Dene and their land. This relationship with and to land ultimately led to eleven specific recommendations regarding ancestral evidence in the 1997 TK Study of Ek'ati (Appendix A, Recommendations #2-A-1 to #2-A-11). Each of these recommendations remains relevant today, even where there are enforcement challenges or the specifics of the proposed mining development are different.

The interviews of the 1990s succinctly address the historic activity of the Yellowknife Dene in the Ek'ati area:

In the past and until very recently, Weledeh Yellowknives Dene spent the majority of each year in the open spaces of the barrens north of the treeline. The traditional territory of these people and their T'satsqot'inę relatives extended from what is now called Great Slave Lake to the Coppermine River and, on rare occasions as far as the Arctic coast. The lake identified on official maps as Contwoyto [Kòk'e Tì] is called by Weledeh Yellowknives Dene "Lake with many camps", referring to the winter hunting settlements of their forefathers (YKDFN 1997a: iv-v).

Somewhere on Egati [Ek'ati] is another camp that is like a small village; people returned to this camp every year to melt [caribou] fat; there are burials at this camp too; but the Elders are not sure where this camp is located (Crapeau et al. Interview, Aug. 12, 1997).

Leaving caches of meat for the families who could stay in summer camps, the hunters headed farther north to caribou migrating south through the lakes— [Ewàdehti] Courageous, [Nòndika Tì] Macka , [Ek'ati] Lac de Gras, [Nàk'oozaatì] Lac du Sauvage, and the Coppermine River (YKDFN 1997a: 8).

The 1997 report addresses the inadequacy of archaeological finds as a sole means of establishing the full extent of the Yellowknives Dene presence and use of the land:

Very little evidence of the Dene can be found because the peoples cared for their lands so carefully, to ensure that their childrens' children could continue to live and survive on them. The Dene have always taken care not to damage the land, to use only what they needed, carrying their goods with them. Therefore, little evidence - particularly evidence in the form of damage—exists of the peoples indigenous to lands in the barrens before industrial developers and governments began to take an interest in them (YKDFN 1997a: 13-14).

For the Yellowknives, the land, and travel through the land, are experienced together as a source of sustenance. These experiences and ways of being have long shaped life, travel, practical skills, intellectual paradigms and spiritual beliefs within the context of changing seasons, the growth of plants and the hunting of animals. “Since time immemorial”⁴ is a phrase used frequently to express the depth and longevity of this bond:

Where the people have been, how they have used their lands, and what changes the people have observed are remembered by the people: that is the essence of the traditional knowledge of peoples (born) to their lands. This knowledge is passed from an experienced generation to the next, so that the peoples learn accumulated patterns of change. They use this knowledge to plan the paths they need to take to ensure their survival (YKDFN 1997a: 14).

Seasonal activities of Weledeh Yellowknives families between their winter camps in the barrens and their summer fish camps around Great Slave Lake have been the peoples' way of life for thousands of generations (YKDFN 1997a: 14).

Every member of Weledeh Yellowknives families who could walk in the barrens harvested wood, water, food, feathers, and wind-blown musk-ox hair. Women, children, and old people who could no longer travel on winter trails collected berries, medicine plants, moss, lichen, seeds, fish eggs, and bird eggs. They set willow and babiche nets in lakes to catch fish and in shrubs to catch ptarmigan. They set snares and nets for water fowl, and snares for rabbit and other small animals. Youth and adult hunters who did not have to stay with young children harvested large animals for meat and trapped larger fur-bearers for pelts and sometimes meat. Dene men snared, trapped, and hunted large animals (YKDFN 1997a: 46).

⁴ As this report is written in English and based on English transcripts, some of the richness of this phrase may be lost in translation.

This repetitive harsh life of work against the backdrop of the land also provided a forum for social interaction, entertainment and a space for ceremony and religious practice:

Summer...was time for visiting, celebrating and sharing information...There were hand-games after a day's work was finished. Women made sinew for sewing and boiled fresh berries and plants for dyes; they collected seeds, quills, fish scales, ochre, and feathers for decorating clothing, bags and cases for hunting tools. Around the fires in the long evenings, the women sewed and Elders retold the people's stories, passing them on to the younger generations (YKDFN 1997a: 82-83).

It is apparent from the interviews conducted in 1997, and their associated maps, that Ek'ati (Lac de Gras), Nàk'oozaatì (Lac du Sauvage) and surrounding areas have been frequently inhabited, hunted and fished because of the abundance of animals and fish. Of particular note is the caribou crossing, camp, fishing site, and open ice at an important traditional site where Ek'ati (Lac de Gras) and Nàk'oozaatì (Lac du Sauvage) meet known as "Nàk'oozaa (the Narrows)" (Figure 2). Good camp sites generally are identified as having good water, fish, game, fuel and berries. As shown in Figure 3, these places are likely to be near the larger lakes—Ewàdehtì (Courageous Lake), Nᓃndika Tì (MacKay Lake) Ek'ati (Lac de Gras), and Nàk'oozaatì (Lac du Sauvage) —where travel across the ice was easy and swift currents meant good fishing.

The Ek'ati area is mentioned many times in the 1990s interviews. Maps produced at the time, record use of the Ek'ati (Lac de Gras) and Nàk'oozaatì (Lac du Sauvage) areas for hunting, fishing, trapping and the day-to-day activities that accompanied this work. The density of trails passing across Nàk'oozaa (the Narrows) is a visual indication of this use of the geographic feature by animals and people (Figure 3). At the time of the interviews, elders noted that only one third of the people who used this area were present to give input when the map was created—the other two thirds were on the land.

Many of the 1990s interviews underscore the importance of Nàk'oozaa (the Narrows) as a land passage and site where people gathered. More about Nàk'oozaa (the Narrows) is considered in Section 5.0 through 7.0.

At Nàk'oozaa (the Narrows), there, there is a grave...We saw it. It was all tied up in roots, a cross. Jonas and Isadore, we all went on a trip and walked all along there. I'm sure there is more than one little burial site around those areas [near the proposed Jay Project], but we do not know how they came to be buried there. I'm sure there are a lot more burial sites (Alfred Baillargeon, Jay Project Workshop, March 2015).

Interdependence with the animals is so important to the Yellowknives Dene that animals are sacred and people have animal spirits to guide the interaction necessary to maintain human life:

Every person or family gets guidance from a different animal; they cannot harm, destroy, or harvest this animal; if they tried to harm the animal, they would not be able to defend themselves from it. For example, if a person receives guidance from the bear and tries to kill the bear, the bear would harm or kill them instead. (Crapeau et al. Interview, Aug. 12, 1997).

On a pragmatic level, the reciprocity between people and animals is expressed as a deep concern and responsibility for the animals' well-being:

The animals have depended on the land for thousands of years and it is up to us to maintain this land for them, to protect them. We must also protect animals because we (the Weledeh) depend on them for survival (Crapeau et al. Interview, Aug. 8, 1997).

We survive by the animals: all our ancestors lived by the animals on the land, and the animals were healthy. If we don't take care of the animals, if the mining starts up and the animals get contaminated, the people will also (Weledeh Yellowknives Elder Joseph Charlo, Ndilo [Ndilo]: CARC 1995 in YKDFN 1997a: 20).

Workshop participants in March 2015 echoed the assertions made in the mid-1990s, that the YKDFN have long been in relationship with their territory and continue to care deeply:

All these people that used to live there, at the camp, they would keep it very clean. All this area, our ancestors had lived in the area, and it looks clean when we are out there because they took care of the land. Today, it is not like that. Things they didn't want to use anymore, used to be disposed of properly, burned or buried. Now it is just thrown away, in the water. I was young at the time but I remember what it was like (Judy Charlo, Jay Project Workshop, March 2015).

I used to go out on the land trapping with my family. We knew where the wildlife was, we followed the animals for survival. We had a good time, clean air, everything. The old timers are not with us anymore and we have to pay for everything that we need. We have to pay for our water and it is used by everybody (Judy Charlo, Jay Project Workshop, March 2015).

When I think back about traveling with dog teams, everything was pristine. Water, land, trees...everything. I remember how I used to look when I travelled (Alfred Baillargeon, Jay Project Workshop, March 2015).

Indeed, it is the sense of responsibility and deep caring that first brought the Yellowknives Dene to negotiate with Canada in signing Treaty 8.

4.1 Treaty 8

The traditional ways in which the Yellowknives Dene (*Taltsqot'iné*⁵) were in relation with their lands fundamentally changed in the summer of 1900, when the terms of Treaty 8 were agreed to with the Canadian government. It is the mutual understanding of the terms of this agreement that provide a framework for co-operative and amicable use of the land today. The interviews conducted with Elders from 1995–1997 document their detailed knowledge and understanding of the Treaty terms pertaining to shared land use. Material from these interviews also characterizes differing understandings relating to verbal and written agreements between the Yellowknives and the Crown.

Early in 1900, officials from the Government of Canada came to the Weledeh fishing camps to ask the people to meet mid-summer in Denínu Kúé. Representatives...gathered there in July...For two days, the peoples spoke among themselves before agreeing to have a peace and friendship agreement with the Crown . . . T'satsqot'iné recall the terms of Treaty 8 differently from the written versions Canada uses. The terms in the written version make reference to things that held no meaning for the peoples, such as extinguishment and expropriation. Akaitcho's peoples understand the Treaty to mean that they could go on living their lives on their own land in their own way as long as the sun shines, the river flows, and the grass grows (YKDFN 1997a: 11).

Elders indicated a shared sentiment that in more than the 100 years since it's signing, the Treaty has not lived up to the people's expectations. In the early 1900s, as prospectors began to move into the Great Slave Lake area, Elders reported that the terms of the Treaty were not enforced. Now, almost one hundred years since the making of Treaty 8, the peoples' lands in the barrens are experiencing development on an unprecedented scale:

The rights of Weledeh Yellowknives Dene are being ignored: indigenous people have been chased off their own lands (YKDFN 1997a: 22).

There are other, similar stories of uneven sharing between the indigenous people and the incomers. While Akaitcho's peoples agreed at Treaty in 1900...to share their lands, the incomers have rarely shared with the people their profits earned from the people's land (YKDFN 1997a: 24).

⁵ Other spellings include *T'satsqot'iné* and *T'satsaotine* although *Taltsqot'iné* is the accepted form by the Goyatikò Language Society as of August, 2015.

When Treaty 8 signed by our former Chief Sizeh Drygeese of the Yellowknives with the Crown in Right of Great Britain, the Queen requested the right to live in our territory in a spirit of coexistence. The Weledeh Yellowknives continue to maintain the Treaty relationship that is binding on the state of Canada and any party who enters into our territory. Therefore, it is recommended that a percentage of profits, jobs and compensation for loss of land use go to the Weledeh Yellowknives Dene First Nation (YKDFN 1997a: vii).

The Elders expressed frustration and mistrust today about diamond mines which is partly grounded in their expectations not being met through Treaty 8. This legacy carries over into current discussions about mineral exploration and development on Chief Drygeese Territory:

Now in the barrens today, they are making money out of our area. They send us just a little money. How can we help our own people if the government doesn't help us? They think we are stray dogs all over this land. They make as much money as they can from our land and then just leave. Then they go buy the fancy stuff down south. What do we end up with? Hardly anything! . . . Today we are being taken advantage of, just like the first time the white people came and built houses everywhere. In the past and today, the white people are still taking advantage of us and our land (Alfred Baillargeon, Jay Project Workshop, March 2015).

The implications of such mistrust are further elaborated in Section 6.0.

5.0 Traditional Knowledge

This section elaborates on the observations, concerns and recommendations documented in the 1997 TK Study of Ek’ati with Elders of the Yellowknives Dene, combined with guidance provided by participants of the March 2015 workshop in Dettah to consider the following:

- Are the recommendations of the TK Study of Ek’ati still valid?
- Do the “dire predictions” contained in the Report still reflect the attitudes and beliefs of YKDFN Elders?
- Is the baseline environmental data contained in the audio and video tape recordings used in the production of the TK Study of Ek’ati valid for the Jay Project?
- Are there gaps in the data that can be addressed by further analysis, further knowledge holder interviews and renewed discussions?

Appendix B provides the original 54 recommendations and highlights their relevance today along with suggested changes and supporting quotations.

Oral histories recorded in the 1990s draw on the knowledge, narratives, and perspectives of Yellowknives Dene who grew up in the barrens in the first half of the twentieth century, before the coming of diamond mines. These interviews provided a starting point from which to assess the cumulative and residual effects of mining on the land and culture of the original inhabitants. The Elders expressed their fears and predictions about possible impacts as well as provided precise and practical recommendations for co-operative activity and mitigation initiatives. These efforts demonstrated both a willingness and capacity to provide meaningful contributions to environmental management in Chief Drygeese Territory:

When we talk about the mines on our land, we have concerns. I remember when the elders used to be on our land. We never used to see anybody around the [Ek’ati] (Lac de Gras) area...Today I am still talking about water. I am upset I am paying for water delivery. I did not ruin the land or all those areas around the mine! All the chemicals they used! I was really concerned. We did not do this! The leaders here, they did not like what the white people were doing. . . They used our land as a dumping ground (Judy Charlo, Jay Project Workshop, March 2015).

This report pays particular attention to information gleaned from past traditional knowledge initiatives and new workshop results relating directly to the Ekati and Diavik Mines, Nàk’ooṛaati [Lac du Sauvage] and Ek’ati [Lac de Gras] areas.

The spatial scope of the research focused on Ek’ati (Lac de Gras) and Nàk’ooṛaati [Lac du Sauvage] and surrounding areas. The review of information for inclusion in this report highlights Nàk’ooṛaa (the Narrows) between Ek’ati (Lac de Gras) and Nàk’ooṛaati [Lac du Sauvage] as a hub of economic, biological and cultural importance. Nàk’ooṛaa (the Narrows)

are located approximately 6 km from the proposed Jay Project (Figure 2). An important esker, a vital animal passageway and site of burials, meat caches and animals burrows, is situated between the established Misery Mine and the proposed Jay pipe excavation (Figure 2). The esker corridor is within 400 m of both mines at certain points and understood to be critical habitat for several wildlife species, particularly barren-ground caribou.

5.1 *Ndeh* or “The Land”

The YKDFN use the word *nde* meaning “the land” as a comprehensive term roughly equivalent to the word “environment.” *Nde* includes the soil, plants and trees, the air, water and weather, and the animals, fish, birds and people who use these resources as well as the spiritual connections between all of these living elements. Dene peoples are born to their lands and in that sense are a part of their lands. From generation to generation, the Dene are taught to respect the land because it has always been the source of their survival. Respect is paid in many ways: by using without damaging; by not wasting any parts of animals, birds and fish; by offering to pay the land; and by learning to live with the land and its changes without bringing change.

Appreciation for *nde* has long been understood to have a strong spiritual foundation:

The rare earth metals at Thor Lake are very powerful. We used to avoid that area, the Elders used to say, we avoided that area because they know there was something over there. Now today, they think that we don't know anything. (Alfred Baillargeon, Jay Project Workshop, 2015).

This repetitive, hard, even harsh life of work against the backdrop of the land also provided a forum for social interaction, entertainment and a location for ceremony and religious practice. Excerpts from the 1997 Elders interviews demonstrate the reverence and care with which the people regarded the *nde*:

There are as many as fifty portages on most of the routes between Weledeh-Cheh and the barrens. Portage trails used for hundreds of generations of Weledeh Yellowknives Dene are winding trails: if a tree is in the peoples path, they go around it. If families travel when there is snow on the ground, the people usually walk the portage on snowshoes, guiding the dogs that are in their traditional, narrow harnesses. Some branches and small bush were broken by toboggans pulled by dogs: they would be picked up by families following the trail and used for firewood (YKDFN 1997a: 8).

Knowledge of *nde* has created highly specialized knowledge of eskers, long narrow gravel ridges, as a central landscape feature in the barrens. People understand that eskers provide easy, unhindered travel for people and animals. Eskers are known to provide shelter from the wind on the leeward side, vantages over the land, and safety from predators. The ground is soft and is used for meat and fish caches, or for burials. Eskers are also good terrain for animals such as foxes and rabbits to build burrows. A large esker is situated to

the west of the proposed Jay Project. This same esker and the importance of its many logistical, biological, cultural functions was discussed at length in the interviews and discussions in the 1990s, as the Misery Mine was being considered for construction to the west of the esker.

Since the Ek'ati (Lac de Gras) area was a main camping area for people to harvest caribou for thousands of years, people understand that there will be many burials in the eskers. The YKDFN cannot identify all burial sites although efforts are being made to identify as many as possible through stories, memories and investigations of the land:

Typical locations for Weledeh Yellowknives camp sites are at open channels in winter, along shoreline, especially on islands and points from which a wide expanse of land can be seen, and where eskers meet shores. Travellers would walk along eskers, following them just as migrating animals do. Many graves are located in eskers, and Elders discourage the people from camping in these areas. Families try to camp behind high places that could act as a natural windscreen. Caches storing food are located near such sites so that travellers could share the harvesting done by people who had moved through the area (YKDFN 1997a: 42).

5.1.1 Concerns

Under the terms of Treaty 8, the YKDFN understood that the land was not a resource for exploitation by one party, but a source of life to be accepted in trust to ensure basic survival of *ndeh*. Deep concern over the long term detrimental consequences of mining were voiced many times by the Elders during the 1990s interviews and again in March 2015:

Weledeh Yellowknives Dene know the barrens are unspoiled, mostly untouched by industrial development and the pollutants associated with them, as Weledeh-Cheh [Yellowknife Bay] was before the 1930s. Perhaps the biggest differences between the southern and northern parts of the people's territory is the scale of the mining planned. No mine in Weledeh-Cheh is as large as each of the vast open-pit diamond mines will be. Large scale mining developments around Ek'ati are already changing the land and waters on which many Dene families have and continue to rely for meat, fish, hides, and fur. . . Weledeh Yellowknives Elders indicate that mining is not a good idea for the barrenlands (YKDFN 1997a: 25).

To express the magnitude of their sense of insignificance in the face of mining development, Elders voiced traditional spiritual beliefs:

The wisest of [our] Elders have always taught their peoples not to dig deep under their lands, as digging could release the evils captured and imprisoned there in the time of Yamoria (YKDFN 1997: 17).

In the 20 years prior to the 1997 interviews, imbalance in exercise and authority over use of the land brought profound and disturbing change in every aspect of people's relationships to the *ndeh*:

The people's occupation and full use of the area stopped only when non-indigenous development occurred and damaged the people's land to such a degree that they no longer felt comfortable in their traditional places along the river banks (YKDFN 1997a: 7).

As in the past, the Yellowknives Dene continue to be concerned about the *ndeh* and insist that the *ndeh* continues to be respected, cared for, monitored and healed.

5.1.2 Recommendations

Concerns for *ndeh* led to recommendations in the 1990s that continue to be relevant today, specifically, that Yellowknives monitor their lands, mining companies take responsibility for damage through regeneration and remediation, and provide compensation for damages where necessary (Appendix A, Recommendations #2-B-1 to #2-B-3).

The YKDFN has long insisted on monitoring lands in Chief Drygeese Territory. For example, the monitoring authority for the Dene people was highlighted:

Mining companies must use Weledeh Yellowknives Dene land owners to monitor impacts from mining operations on the water quality, plants, fish, and animals (including fish, birds, wildlife) and all roads, airstrips, barges, snow machines and other mechanical impacts to be used by mine companies (YKDFN 1997a, #2-B-1: ix).

As a result of previous development in the Ek'ati (Lac de Gras) area, Elders predicted that Nàk'ooṛaa (the Narrows) between Ek'ati (Lac de Gras) and Nàk'ooṛaati (Lac du Sauvage) would become more important as a crossing for caribou:

Since the caribou that have traditionally crossed Egati Dea and swam to the opposite mainland can no longer cross the island because of the mine site, more caribou are forced to cross the channel between [Ek'ati] Lac de Gras and Nàk'ooṛaati [Lac du Sauvage]. This crossing is dangerous for caribou; there are many crags in the rocks where caribou break their legs or get trapped and die (YKDFN 1997a: 46).

Weledeh suggested in their recommendations that they not only monitor, but also remediate the problem at the crossing for the caribou:

Mining companies will have to pay Weledeh Yellowknives Dene to improve the [N]arrows [Nàk'ooṛaa] between Ek'ati and [Nàk'ooṛaati] Lac du Sauvage, since increasing numbers of caribou will use Nàk'ooṛaa (the Narrows) to avoid the mining operations (YKDFN 1997a:xi).

It is apparent that the intent of the Elders in participating in the 1990s interviews was to document “baseline” information so that this vital area would not be further developed:

Nàk’ooṛaa (the Narrows) between Ek’ati and [Nàk’ooṛaati] Lac du Sauvage near here is considered to be an important area for the wildlife. We have to document that so that mines will not be developed near there. And along that area where there is a long stretch of sand (Misery Point), where there are grave sites, is the long stretch of esker that the wildlife use during migration season. Those are the areas that the mining companies want us to research and document so that those areas will not be used. They said, they don’t want to use all the land, but they want this kind of information documented for future mine development (Betsina et al. Interview, Aug. 11, 1997).

5.2 Animals

Hunting and trapping animals has always been central to the people’s survival and quality of life. This is reiterated in the 1990s interviews with Elders and continues to be a central discussion today. As in the past, hunting is vitally important to a life that is dictated by the seasonal availability of animals:

Joseph told Isadore that his father worked hard trapping and hunting to support his family and to gain wealth; he travelled all over the land, he travelled to the Egati area, to Fort Ridley [Wrigley], to the east arm of GSL, Fort Resolution, to Fort Smith, and up the Slave River and Rocher River; he loved life (Isadore Sangris Interview Aug. 11, 1997).

Trapping and selling furs to white people became important in the 1820s and resulted in more widespread use of the barrens by various peoples:

Following the peace of 1823 and encouraged by Akeh-Cho, the Tłı̨ Chò began to travel in winter into the barrens traditionally used solely by T’satsqot’ine, in order to trap, mostly white fox. Trapping in the barrens for the fur trade changed the land-use patterns of T’satsqot’ine, including Weledeh Yellowknives Dene, who began to share their traditional territory with many peoples (YKDFN 1997b: 19).

Elders emphasized the importance of respecting all animal migration routes:

Elders discouraged families from living where animals, especially moose, would come because the animals would stop coming there. Otter and mink, for instance, leave a river where people camp or settle on the banks; moose eventually leave an area where people stay. Thus, Weledeh Yellowknives families did not stay or build log homes in such places as the present day Giant mine site, the townsite of Yellowknife, or recreation areas along the Ingraham Trail. In the past at these places, the people could find plentiful caribou

(October to December, March and April), fur-bearing animals all winter, and moose, fish, berries, plants, and trees vital to survival year-round (YKDFN 1997a: 5).

Hunting caribou was a key discussion topic both during the 1990s interviews and the March 2015 workshop. Several interviews confirm that Ek'ati (Lac de Gras) and Nàk'oozaa (the Narrows) have long been important locations for hunting, trapping and the sustenance and social activities that were part of this seasonal round:

Caribou migration in the fall, summer, summer and fall hunts takes place here by ambush, using wind direction to ambush. Bows and arrows, spears, snares are used, the Weledeh hunters hide themselves behind rocks, boulders, the jagged rocks...taking caribou down one by one, they also have their canoes nearby. They spear caribou while they swim crossing the Narrows [Nàk'oozaa] (Isadore Sangris Interview, Aug. 10, 1997).

When you travel on the land, you can see the natural eskers caribou follow to migrate. And where the caribou cross all the lakes and rivers...there's clumps of caribou hair all along the shores,⁶ I know for fact that the hairs were not cut (Drygeese et al. Interview, Aug. 21, 1997).

This is Whatì the caribou also migrate this way in March. And around Ek'ati and Nodeati [Nòndika Tì / Mackay Lake] there are a lot of fox dens in that area. These animals are in the caribou migration route and in the spring around March the caribou migrate through that area, there are a lot of dens around that area. These animals are there because during the migration there are a lot of caribou and their calves which they live off. So the area is black marker (on the map), Nodeati [Nòndika Tì / MacKay Lake], Whatìcho [Whatìcho / Beniah Lake], Whatia, [Whatia / Drybone Lake], Naeti, Kodeti [Kòk'e Tì/Contwoyto Lake] and Ek'ati are all important places (Fishbone et al. Interview Aug. 12, 1997).

In winter many people went to Egati [Ek'ati] to trap furs (Elise Liske Interview, June 19, 1997).

In the summer time when people went to the barrens, they portaged all the way to Ek'ati, because they wanted caribou meat. On the way, they would stop at lakes that they knew had good fishing spots. Most of the people had their children with them so sometimes they stayed in one area for a long time—even for one year. Back then only tents were used, if they had built cabins then, there would a lot of old log houses all over the place up to the barrens (Therese Sangris Interview, June 20, 1997).

⁶ Note the report cover photo that shows caribou fur on the shoreline.

We used to go hunting at Ekati for caribou with our dog teams (Noel Crookedhand Interview, June 25, 1997).

There are a lot of portage trails all the way to Ekati—we had to be very careful with the birch canoes as they were fragile. Some women would stay behind along the portage routes to wait for us. They would set fish nets and gather fish for dogs and to make dry fish. Some women even hunted for moose or whatever they could kill (Therese Sangris Interview, June 20, 1997).

Caribou remain the main concern related to mining. As explained by Dettah Chief Edward Sangris during technical sessions for the Jay pipe environmental assessment held in Yellowknife in April 2015:

The caribou don't have a navigational aid like the humans do; we cannot direct them to go here and there. No matter how many precautions they put into the traffic management consideration, it will always have an effect on caribou. In my view the footprint for development is getting bigger and the footprint for caribou is getting smaller (CBC News North 2015).

It was mentioned in some 1997 interviews that muskox were no longer hunted. Bear were hunted but are seldom mentioned in the 1997 interviews. White fox and wolves, migrating with the caribou herds were trapped for fur:

Some families stayed near the Weledeh [Wiilideh / Yellowknife River] year-round. Before mining and town development, some Bathurst caribou used to pass through the area between October and December on their way to wintering grounds to the south of Ni-shi (the North Arm of Great Slave Lake). (YKDFN 1997a: 73).

These caribou could provide Weledeh Yellowknives families with the products necessary for their winter survival (YKDFN 1997a: 73).

Once the people started trapping for the fur trade, Weledeh Yellowknives hunters could make a good living from beaver, marten, muskrat, fox, and other fur-bearers from the lakes along what is now the Ingraham Trail (YKDFN 1997a: 73).

Weledeh-Cheh [Wiilidehcheh / Yellowknife River] was important habitat for moose, caribou, bear, wolf, wolverine, lynx, fox, coyote, fisher, porcupine, otter, muskrat, beaver, mink, marten, and rabbit (YKDFN 1997a: 74)

Until recently, moose were common along the Weledeh [Wiilideh / Yellowknife River] from its mouth to Weleh Ti [Prosperous Lake] (YKDFN 1997a: 74).

One of the most important animals, which the people treat with great respect, is bear, which is hunted and eaten by only certain families (YKDFN 1997a: 74).

Fox were abundant near marshes, where their food supply, especially mice, can be found. In the Weledeh area, six kinds of fox were known to the people: one, the blue fox, is now extinct and the silver fox is rare, owing partly to the fur trade (especially through poison used by non-Dene trappers) and partly to the wolf reduction program of the 1940s (YKDFN 1997: 73-74).

Even before the fur trade Weledeh Yellowknives Dene made good use of these animals for their fur, meat, sinew, bones—nothing is wasted. Bones, for instance, became tools . . . Moose bones, struck around a tree trunk repeatedly, could cut through to produce logs. Shorter pieces could be obtained by burning a log over a small fire . . . Unused bones . . . were returned to the land, buried to pay respect to the land. (YKDFN 1997: 74).

One Elder tells an amusing story of being too small to go hunting with the men, but trapping a mink with the help of his mother:

Isadore stayed at the camp and helped his mother fish, they had one dog with them at camp; sometimes they caught 80 fish in a net in a day, they mainly caught trout, whitefish, loche, and pike; Isadore also hauled wood, but at this age he had not yet set traps; one day when he checked the net and took the fish, he accidentally forget to take one fish out of the net and this fish attracted a mink to the fishing hole, so Isadore set the one trap that his dad had left behind and tried to catch the mink, he caught it, but he did not know how to kill it so he asked his mom and she showed him the method to kill it (Drygeese et al. Interview, August 15, 1997).

Muskrat trapping was also a good source of income after the 1820s, furs were traded to white people for other goods and money:

Isadore and his family stayed at Duck Lake in 1937 and here he learned to trap and hunt muskrats, he harvested 70 muskrats that spring; during muskrat season they hunted and harvested all day without stopping because the season is short, they cannot let a day go by without harvesting and all members of the family (women and children included) got involved in muskrat trapping and hunting, the people survived this way and it was good because people hunted all winter the caribou and ducks and fish so there was plenty of food; after muskrat hunting season, they paddled around the shorelines with a long stick with a hook at the end to catch pike (they tried to hook/stab? the fish) (Drygeese et al. Interview, August 15, 1997).

Smaller animals, birds and fish were often hunted by the women and were a ‘back-up’ if larger animals were not available. Indeed, birds found in the barrens, including ptarmigan, were sometimes as significant as big game animals as a source of food. Since small game could feed a family when caches were dwindling, harvesting small animals and birds became increasingly important. Often, women would provide small game, feeding the family while the men were hunting larger animals.

They also killed ptarmigans and rabbits in the barrens; they may have ate squirrels but she is not sure (Elise Liske Interview, Aug. 11, 1997).

5.2.1 Concerns

In the 1990s, Elders predicted that human habitation and activity would disturb animal habits and patterns. Simply put, the Elders predicted that mining development and impacts to animals would have a negative outcome:

Weledeh Yellowknives Elders indicate that mining is not a good idea for the barrenlands...[T]he home of the animals (YKDFN 1997: 25).

The fear of chemical contamination surfaces in all interviews that discuss caribou and other animals:

The caribou herds migrate every season back and forth through all the mining camps. Some will wander into these mining camps. The mines cannot work without the chemicals. These chemicals are so poisonous that trees are dying. Even if we said we don't want a mine to be developed, they will go ahead and open a mine. The caribou is an important part of our food chain, so if the mines are to be developed I want to make sure the chemicals used are monitored. What about the caribou that wander into mining camps and feed off the vegetation? Eventually these chemicals are going to be found in the caribou. And in the future, how are the people going to be affect by eating contaminated meat? We are very concerned about how the mining companies will affect the most important part of our food chain (YKDFN 1997a: 47).

Elders today express the same core belief as Elders did in the 1990s—that animals should be respected and protected. Concerns for the animals from the effects of development, contaminants, noise, vehicles, and other human activities continue to be heard, much as they were nearly 20 years ago. Key habitats such as calving grounds, eskers and crossings remain areas of concern.

5.2.2 Recommendations

Concerns for *ndeh* led to recommendations that continue to be relevant, specifically, that animals should be trapped and removed, deflected by fencing or noise, protected from human activities, and key habitats should be avoided or protected (Appendix A,

Recommendations 2-B-4 through 2-B-16). As previously discussed, the Yellowknives Dene must continue to be involved in monitoring animal populations, especially caribou.

In 1997, the Elders gave practical recommendations for avoiding harm to the animals by preventing them from wandering into the mining areas:

I think the mining camps should be fenced off and there should be a cement casing where chemicals can be stored. I think that's the only solution to protect the caribou. I want the caribou to be well taken care of first. The caribou are not the only animals that roam this land, there are many fur bearing animals that have dens in that area and they also migrate seasonally just as caribou do. As long as the mining companies are careful with the chemicals and protect the caribou, we will be happy. We are not the only people that use caribou anymore, there are a lot of white people who hunt and use caribou. If we eat any contaminated meat and get sick, the mining companies are going to be at fault. If that happens they will hear from us, they will have to compensate the people in some way. But before that happens, they should fence the camp and cement casing should be put in place as soon as they can. Those are my concerns (Fishbone et al. Interview, Aug. 12, 1997).

The island where mining operations are planned should be entirely fenced, leaving a wide corridor (at least 100 metres) around the shore so that wildlife can continue to use the island to rest while crossing the lake (YKDFN 1997a: x).

The concept of fencing to protect animals continues to be important today:

The ribbons used to try to deflect caribou were suggested by the Tlicho, but didn't work and probably attracted caribou instead. We want instead a 15 km radius, fencing around the airport site and the camp. Near Great Bear Lake, caribou got caught up in fencing and died. We are wondering how it would work to use markers to deflect caribou? Is there something different that we can try? Should this still be a recommendation? (Fred Sangris, Jay Project Workshop, March 2015).

Anything, any kinds of fencing, has to be taken down when the mine is closed. In the past some fencing was done, some kind of wiring. One time we went to BHP campsite and close to the airport there were lots of caribou and the plane couldn't land. The workers chased the caribou to another area, but after that there was fencing put up. After the mines close, they have to take the fencing down. Anything they brought to the mine site to put up, they have to take it away (Alfred Baillargeon, Jay Project Workshop, March 2015).

Among the 1997 recommendations was the request that caribou be deflected from the vicinity of the mines by implementing a traditional practice for moving the animals in a certain direction:

To herd caribou into one direction, into their snares, Dene traditionally piled stones to resemble human figures into 2 rows. Diavik should fund a project whereby the indigenous people improve the [N]arrows [Nàk'oozaa] habitat for migrating caribou by filling gaps in the rocks (Drygeese et al. Interview, August 15, 1997).

In order to direct caribou away from the mine sites, the mining companies should fund (work with) the indigenous people to erect such stone markers from Misery Point north to Paul Lake, along both sides of the mining road, and from east of 'T' Lake along the esker to Echo Bay camp. (The markers on the esker will decrease the number of caribou migrating north onto Egati Island where the Diavik site is located.) The mining companies should also fund the indigenous people to monitor the markers for 3 seasons. After 3 seasons, during which the indigenous people stand near the markers and chase the caribou away; the caribou will instinctively avoid the markers (Drygeese et al. Interview, August 15, 1997).

The Yellowknives Dene have long used deflection techniques to guide caribou. This understanding informed the recommendations made in the 1990s and affirmed in 2015:

Dene sometimes deflected caribou from their trails, herding them toward hunters poised in areas enclosed by 'caribou ropes' made from twisted plant roots and hung between rocks or low-growing shrubs. To persuade caribou to change their route, the people trail stone markers along the trail with pieces of hide wedged between rocks to flap noisily in the wind. When caribou came along, some of the people stood beside the markers, waving their arms and shouting. These unusual and unsettling actions deflected some caribou into the spears and arrows of the hunters. Gradually, the people learned that, if they continued their deflection technique at a place along the migration trail for three successive migrations, caribou would adjust their path. For the fourth and subsequent migrations, caribou would follow the trail the people had deflected them onto rather than their previous trail (YKDFN 1997b: 28).

Elders today suggest that deflection is important, but add that the effectiveness of means such as flagging or stone cairns should be discussed with a larger group of YKDFN Elders (Jay Project Workshop, March 2015).

Protection or removal of the animals from the noise and pollution of mine sites during sensitive life-stages was also advised:

Weledeh Yellowknives Elders strongly recommend that all caribou calving grounds become Protected Areas (YKDFN 1997a, #2-B-11: 88).

There should be no vehicle movement or blasting or other dust—and noise producing activities during bird and animal migrations and birthing periods (YKDFN 1997a, #2-B-5: 85).

Before there is any more disturbance of Ek’ati Ndi...all animals—including fox and ground squirrel—must be live trapped and moved to a suitable habitat away from Diavik and BHP mine sites (YKDFN 1997a, #2-B-4: 85).

The Elders had a final suggestion with regard to regulation of the harvesting done by mine employees:

Mining Employees come to Egati to work and earn income. If employees wish to hunt and fish, they should go to hunting and fishing lodges that are nearby (Drygeese et al. Interview, August 21, 1997).

The Yellowknives Dene understand that this recommendation has been adopted at all of the mine sites in the Ek’ati (Lac de Gras) Area.

5.3 Fish

Fish are a relatively reliable source of food in the barrens. During certain seasons, fishing and the preparation of fish was a task generally completed by women, while men were further afield, trapping and hunting. The importance of Ek’ati (Lac de Gras), Nàk’oozaatì (Lac du Sauvage) and Nàk’oozaa (the Narrows) were highlighted as very productive, but sensitive, fishing locations:

...the point of land at this channel is called Na ko ah (means ‘standing willow’), Lac du Sauvage is called Na ko ah ti [Nàk’oozaatì]—‘standing willow lake,’ (Crookedhand et al. Interview, July 19, 1997).

Fish camps and hunting camps are located everywhere on Egati; hunting and fishing is done on the whole lake, it is not possible to point to specific camps; camps were generally placed on islands, at mouths of rivers, and at channels (narrows) (Crookedhand et al. Interview, July 19, 1997).

In the past, there were lots of fish in these lakes...there used to be a fish camp, they used to take the guts and throw them in the water just like that; that is how it used to be. (Judy Charlo, Jay Project Workshop, March 2015)

In 1997, important spawning and fishing areas were identified and discussed (Figure 3):

The shallow, rocky shore along Misery Point is important fish spawning habitat (Drygeese et al. Interview, Aug. 21, 1997).

The other food harvested in large amounts by the people in the barrens is fish. The people know that the large lakes have good fishing with lots of old and very large fish. Shallows in these lakes, including Ek'ati, had important fall spawning areas, which the people respect. In fall, fish were thin and not good for harvesting. In winter, to add to summer dryfish for their dogs, the people harvested fish at holes in the ice, often at channels where a swift current kept the water open, visiting their nets up to four times a day. Many of the people's traditional names for places in the barrens refer to such open channels, which provide the only access to drinking water in the frozen landscape. Two of the most important channels are at Mackay Lake [Nṇdika Tì] (the traditional name of the lake is the name of this channel) and Nàk'ooṛaa (the Narrows) between [Nàk'ooṛaati] Lac du Sauvage and [E'kati] Lac de Gras (YKDFN 1997a: 46-47).

In Ek'ati, favourite fishing areas stretched from Ekècho Ndla (Egati Island) to the east until Nàk'ooṛaati (Lac du Sauvage); people fished around the islands and in the bays.

Perhaps most significant to consider today is that the shallow shoreline area in the bay included in the proposed development of Jay Project was identified as key spawning habitat in the 1990s (Figure 3). Further discussion during the March 2015 workshop confirmed that this area has long been important for fish and harvesters.

The Elders described the synchronicity of their seasonal activities and travels with the seasonal life-cycle migrations and fish habitat. Some fresh fish was cooked, dried, cached, fed to dogs, or used as bait:

Weledeh Yellowknives land users have observed fish migrating up the Weledeh as far as the barrens in one season, feeding on shoreline grasses (YKDFN 1997a: 75).

Spring was a time for making and repairing nets in ways developed and used for thousands of years by Weledeh Yellowknives women (YKDFN 1997a: 75).

All fish found in Weledeh (Wiilideh / Yellowknife River) and Weleh-Cheh [Wiilidehcheh / Yellowknife Bay] were very important to Weledeh Yellowknives Dene and all parts of fish caught were used (YKDFN 1997a: 79).

There would be at least two fish caches for each tipi in the settlements (YKDFN 1997a: 79).

Women would clean and gut some fish, cut them in half lengthways ensuring that the two halves remained attached at the tail. The fish was placed upside down over a pole in a tipi to dry (YKDFN 1997a: 79).

From mid-August, when fish are thin from their efforts to migrate and spawn, Weledeh Yellowknives families began to leave for the barrens (YKDFN 1997a: 59).

Yet fish were continually needed to feed the dogs (YKDFN 1997a: 67).

When people travel in the barrens they travel to where there is fish; if they stop at a site for just one night, they set fish hooks; if they live at a site for week or more they set a net; they fish for themselves and for dog food; they set nets on big lakes wherever they know there is fish; they set fish-lines in rivers for trout (Drygeese et al. Interview, Aug. 21, 1997)

Fish spawn in fall, they come to the rivers to spawn (for e.g. they come to the rivers at Lac du Sauvage), they spawn in channels and where there is current (YKDFN 1997a; 63).

By the time the shores are frozen in Nov., the fish have migrated from the shallow areas where they spawned to the deeper areas in the lake (YKDFN 1997a; 67).

Families continued fishing throughout the winter. They make holes in ice softened by the swift current of rivers or in channels between islands (YKDFN 1997a: 73).

As previously mentioned, Nàk'ooṛaa (the Narrows) between Ek'ati (Lac de Gras) and Nàk'ooṛaati (Lac du Sauvage) remains open year-round and the fishing is known to be excellent.

During an interview dedicated to fish, Elders described various fishing techniques and noted that willow traps would be the gear of preference at Nàk'ooṛaa (the Narrows). Methods of catching fish included the following:

Willow nets

Jigging

Klue gee (fish hook), hooks were made from various animal parts (e.g., bones, muskrat teeth), the hooks were, and still are, baited. The best bait to use is loon's throat (the Weledeh eat the rest of the loon). The hook was attached to babiche (caribou hide string). Today the same method of fishing is used but twine is used instead of caribou hide.

A spear with a single point

Fish weir: a trap in the water made out of rocks.

Fish trap: during fish migration in both the spring and late fall, fish sometimes have to jump over rocks in the rivers and streams. The Weledeh look for these areas where fish must jump and they place green boughs (spruce) across the rocks so when the fish jump, they land in the bows; this technique may have been used in Egati with willow boughs. (Crookedhand et al. Interview, July 19, 1997).

5.3.1 Concerns

Today, as in the 1990s, Elders are concerned about key fish habitat such as spawning areas. As with animals, fish must be respected. One way to respect fish is not to handle them too much, and to provide for their harvest and distribution wherever water is going to be disturbed (e.g. before de-watering). Provision to keep them safe for eating is important.

In the past, the fish were distributed to different communities, even to Yellowknife. The mining companies were not prepared to collect fish when they first had work on the other open pits. Those lakes on top of the pipes took the fish out and water out; they were not prepared to store fish onsite (i.e. no freezers or equipment ready). So some of the fish was getting rotten and so the fish were brought to somewhere else. We don't know where it was brought. Maybe to Kugluktuk where they still have dogs. So if they had told us on what days they were going to send the fish on the plane, somebody could have been waiting at the airport to get them. . . fish were spoiled. The ones still good were sent to this community. This time, we recommend that freezers are available to store fish before sending to community so they are not spoiled. They should freeze it and package it and send it to different communities. It should be talked about. That way too much fish won't get spoiled (Fred Sangris, Jay Project Workshop, March 2015).

During the recent workshop, Elders also expressed concern about the fate of the fish in Nàk'oozaatì (Lac du Sauvage):

What about if they find another kimberlite pipe, drain the water, what are they going to do with the fish? Are they going to put the water back in the Nàk'oozaatì [Lac du Sauvage] after it is built? (George Tatsiechele, Jay Project Workshop, March 2015).

5.3.2 Recommendations

The four recommendations provided in the 1990s specific to fish remain relevant to proposed operations today (Appendix A, Recommendations #2-B-13 to #2-B-16). However, these recommendations should not be considered in isolation from those put forth around water.

The Yellowknives have strong directives with regard to good fishing and handling practice:

Weledeh Yellowknives Elders warn against the catch and release of fish. It is not a good practice because fish can die from wounds inflicted by large hooks or from starvation when hook wounds in the mouth prevent them from feeding (YKDFN 1997a: 89).

When you touch fish from the lakes up there with your bare hands, because there is something in your hands that is not good for the skin/scales of the fish (Fred Sangris, Jay Project Workshop, March 2015).

The recommendations from 1990s state that mining companies must protect fish in Nàk'oozaati (Lac du Sauvage) and Ek'ati (Lac de Gras):

Mining companies must protect fish in Ek'ati...There are some very old, large fish in this lake, which have never experienced disturbance on this scale. They could be damaged by boat motors as well as dike construction and, potentially, from any spills resulting from trucks going through the winter road. Many fish also migrate to Ek'ati—particularly to spawn—from the Coppermine River and could suffer from construction activities, spills, and dust contamination (YKDFN 1997a, #2-B-13: 89).

The Elders also offered their expertise as monitors and stewards of the fish population of the area:

...Contract [sic] scientists or fisheries and aquatic specialists researchers will hire Yellowknives Dene land owners for fish monitoring and related work. (YKDFN 1997a, #2-B-16: xii)

We should meet with the mines and DFO to make recommendations on how they should do [harvest fish before de-watering], and how we can work with them. They should hire some of our people (Fred Sangris, Jay Project Workshop, March 2015).

Workshop participants acknowledged that previous recommendations to participate in monitoring fish have been realized through participation in current activities, such as through the Aquatic Effects Monitoring Program held at Diavik (TCS 2013), but advise that much more could be done:

We do the water and fish tasting at [Ek'ati] Lac de Gras. We need to dig deeper to find out if they are following our direction. . . (Fred Sangris, Jay Project Workshop, March 2015).

Elders provided recommendations on the timing of the dike construction at the Ekati site, in order to cause the least harm to fish, which may be relevant to the current proposed development for the Jay Project:

If Diavik has the consent of the Yellowknives Dene to proceed there are a number of things which must be done. To have the least negative impact on fish and fish spawning grounds near Ek'ati Ndi, Diavik should start building dikes in Ek'ati in late October or November, after fish have migrated to deep water. In spring, fish travel to and live in shallow areas along shores, bays, and islands in order to feed. In summer and fall, fish spawn in these shallow areas. Diavik's plans to construct dikes will disturb these shallows...One Elder suggested that, if dike construction begins very cautiously in July (before spawning starts), leaving channels near the shore, the fish would be able to leave the shallows through these channels in late fall. The remainder of the dikes could be then built in late October or November. This process might still cause problems for whitefish because lake sediment will be disturbed and will cover plants that whitefish feed on (YKDFN 1997, #2-D-2: xiii-xiv).

In addition, as previously mentioned, further discussion is required about the shoreline area in the bay included in the proposed development of Jay Project that has been identified as key spawning habitat (Figure 3).

5.4 Water

The Yellowknives Dene have long recognized excellent water quality as crucial for all animals, plants and people:

Water is life. Without life, there is no food. We throw branches in the water to honour it. For the caribou, birds, and medicinal plants, we pay honour and ask the Creator to keep our food and medicine coming (Fred Sangris in TCS 2013: 51).

When caribou migrate they use a lot of the water—they swim in it, drink it, and eat the plants on the shoreline; therefore bad water will have a huge negative impact on the caribou (Crapeau et al. Interview, July 16, 1997).

The Weledeh Elders described the care that must be given to rivers and lakes:

When the Dene travelled on the water they did not pollute it or destroy the water's quality; when Dene people camp(ed) at Egati while harvesting the caribou, they do not throw anything away into the lake; if they harvest a lot caribou, they do all the skinning and cleaning on the mainland away from the water; they do not throw any parts of the caribou into the water; they take all of the caribou they can use and any parts they did not use they put under rocks on land so they would not ruin the water (Crapeau et al. Interview, July 16, 1997).

When the Dene stop to camp at Egati in winter, they chop ice from the lake and melt it to drink and to cook; this ice is a pure quality of water; they do not use the top layer of snow which is very fine, but they dig to the bottom of the snow to where the snow is crystallized and almost like pure ice (Crapeau et al. Interview, July 16, 1997).

As in the 1990s, water was a key topic of discussion during the 2015 workshop. Elders expressed their frustration with not being able to drink water wherever they desired, as in the past, and the desire for clean water for swimming.

This is the land of our ancestors and it is being ruined. Even some of our people get sick on the water. Sitting beside me, Eddie, his older brother was walking around in the water and his feet got infected. All those companies have ruined our land (Judy Charlo, Jay Project Workshop, March 2015).

In the past we never thought anything about getting a pot of water, we have never known the water to be contaminated. That's what this area use to be like (Drygeese et al. Interview, August 21, 1997).

Even our young kids like to swim during the summertime, like to have fun and go swimming in the water. Even our kids, we want our grandchildren to swim in the lake, on the shore (Judy Charlo, Jay Project Workshop, March 2015).

Further, there is resentment about having to pay for water on Chief Drygeese Territory.

We cannot even drink water without paying for it. . . . Now they don't give back to us. We should not pay for water. I don't like that (Judy Charlo, Jay Project Workshop, March 2015).

In addition to being identified as important for caribou and fish, the Elders emphasized the importance of Nàk'oozáa (the Narrows), as a source of drinking water in the winter when other water was frozen:

Many of the people's traditional names for places in the barrens refer to such open channels, which provide the only access to drinking water in the frozen landscape. Two

of the most important channels are at MacKay Lake [Nᓄᓃᓃᓃᓃ ᓂᓂ] (the traditional name of the lake is the name of this channel) and Nàk'ooᓂᓂ (the Narrows) between [Nàk'ooᓂᓂᓂᓂ] Lac du Sauvage and Ek'ati (YKDFN 1997).

They did that before the mine started; they carried out all these tests before the mine started. We walked all over, we went through Nàk'ooᓂᓂ (the Narrows), and we used boats to go through Nàk'ooᓂᓂ (the Narrows). Mike Francois and myself, we were there for two months working with them...We were in a chopper and there is water flow between the rocks. There was a large chunk of ice like an iceberg, and we landed on it in July, just on the north side of, and west of Jay Pipe [IC1]. (Alfred Baillargeon, Jay Project Workshop, March 2015).

According to Elders interviewed in the 1990s, Nàk'ooᓂᓂ (the Narrows) have long been important for the survival of migratory birds during winter:

If the migratory birds arrive when Egati is frozen, they flew to areas of open water such as channels and the [N]arrows [Nàk'ooᓂᓂ] between Egati and [Nàk'ooᓂᓂᓂᓂ] Lac du Sauvage. These channels are given names and locations in the Egati place name work (Drygeese et al. Interview, Aug. 15, 1997).

Elsewhere, YKDFN Elders have reported on the importance of moist muskeg areas as natural filtration in the Ek'ati (Lac de Gras) area. There is a skill in “reading” the vegetation on the land to find good drinking water (TCS 2013).

Before development started, Elders drew attention to the pristine quality of the water in Ek'ati (Lac de Gras) and Nàk'ooᓂᓂᓂᓂ (Lac du Sauvage). In 1997 they noted:

The water quality of Egati is good now; there are no contaminants in it now; there are strong winds at Egati but there are no toxins in the air right now to pollute the water; the Dene people have used the Egati area since time immemorial and there is no known sickness from any water in the Barrenlands, all lakes and streams are good water (Crapeau et al. Interview, July 16, 1997).

Now that development is ongoing, it is important that the Yellowknives continue to monitor water quality.

We get reports of how they are doing their work at Ek'ati. We have to make sure they follow our recommendations. Maybe we can make recommendations they have to put up rocks piled up to deflect caribou. They have used some of the recommendations we made. We do the water and fish tasting at [Ek'ati] Lac de Gras (Fred Sangris, Jay Project Workshop, March 2015).

5.4.1 Concerns

A legacy of water contamination from previous mining operations in the Chief Drygeese Territory has led many Elders to express profound mistrust regarding the intention of the mines to prevent water contamination. Water contamination where the people currently live has heightened sensitivity to water quality issues around mines and their potential for environmental harm.

In the 1990s, the Elders stated that people had observed negative alterations to the environment but without positive recognition of contamination by scientific experts they lacked 'proof' to prevent further harm:

The development of the Giant mine before there were environmental regulations resulted in air-borne arsenic dissolving in the water and settling in sediment of nearby lakes, bays, and rivers, including the Weledeh. Further air-borne arsenic entered these water bodies through runoff of melting snow and ice. To this day, sediment and river banks of the Weledeh contain large amounts of arsenic (YKDFN 1997a: 22).

Before Weledeh Yellowknives Dene understood what arsenic was, they were aware of changes that made them wary of the water, fish, berries, and plants near the mine sites...The people were never warned about the impacts and risks of living near mines...To this day they refuse to use water from the Weledeh for soaking caribou hides or making dryfish (YKDFN 1997a: 22-23).

As a result of the mines in this area, the land has been wasted, destroyed and contaminated; mining has occurred for more than 50 years and a lot of damage has been incurred; the water is contaminated, the fish are contaminated, all the traditional food and medicinal plants have become contaminated; rabbits and grouse are contaminated; the Dene people have become very cautious of eating traditional foods because of the heavy contaminants in the water, land, and air; the contamination even destroys trees, marshes, habitat, and wild berries; all the things that the Dene people want to use but cannot use anymore; the Weledeh cannot use the water or eat any of their traditional foods; the mining companies should compensate the people around the area that has been contaminated for destroying their water, fish, land, and wildlife; the Weledeh don't fish in the bay here anymore, they have to go to Wool Bay, they have to go to communities far from the mines to get their fish and waterfowl. (Isadore Sangris Interview, Aug. 11, 1997).

As the mines in Ekati are near large lakes and have required de-watering and diversion, concern was expressed many times by the Elders with regard to water quality. The Jay pipe is to be constructed in the basin of Nàk'oozaatì (Lac du Sauvage):

Because the mine is on an island, the chemical is going to contaminate the water. If the mine was on land, it wouldn't be so bad. But the mine is on an island right in the middle of the caribou migration route (Crapeau et al. Interview, Aug. 21, 1997).

Several interviews refer to dust from the mines as a major source of contamination:

Elders are very concerned about dust from mine pits and roads that will be carried westward by wind. Dust will settle in streams that flow into Ek'ati and these contaminants will flow into the larger lake. Rain will also wash dust into the lake...Dust from Diavik's planned mines (in the lake itself) and the BHP mine closest to Ek'ati (at La Pointe de Misère) is likely to have the greater impact on water and the plants, fish, and animals that depend on it than pits farther inland from Ek'ati (YKDFN 1997: 95).

During the recent workshop, there was concern expressed about waste rock entering into the water from the Jay Project:

They are piling rock close to the open pit; this is a concern that it is too close to the water. The pile needs to move inland because of dust and how windy it is in that area. We need to recommend that we do more meetings before they do their EA [for Jay Project] (Fred Sangris, Jay Project Workshop, March 2015).

Winter roads that span across lakes and rivers are a threat to water, especially if a truck were to go through the ice. Elders voiced this concern repeatedly.

Spillage from trucks would be more harmful than the sewage from the mine sites (Drygeese et al. Interview, Aug. 21, 1997).

What if a truck goes through the ice? And here on Great Slave Lake there's a winter road that is used by the mining companies. If a truck carrying arsenic falls into the lake, the truck and its contents maybe retrieved but not the arsenic. It will not only contaminate the water but all the vegetation on the land will be affected. This also applies to the oil that is transported on the winter road. If a truck carrying oil falls into the lake, it will also contaminate everything. The mining companies are not going to pollute this area, they will pollute other areas like the one at Ek'ati. All these mining camps are accessible by winter roads from south to the north. And you have to remember that not all lakes and rivers are the same either. Each year ice on the lakes and rivers forms different than other areas, it depends on the weather. If the water table is high, then a lot of overflow is to be expected for that year in that area. If the

water is low, then there will be no overflow. There are a lot of things to be considered. If the mining companies are going to be working in that area that's fine with me but my main concern is the water (Crapeau et al. Interview, Aug. 21, 1997).

Elders expressed pessimism and a sense of helplessness regarding water quality issues based on past experiences with mining operations in the past:

We know that we will never be able to drink from this lake again now or in the future. If a young child is thirsty, who doesn't know the water is not drinkable, he will get sick. This will happen to the mine we are now talking about. Right now we can see through the clean clear water. We can see the rocks at the bottom of the water. It's a beautiful sight. But twenty years from now or ten years, the water will be different (Crapeau et al. Interview, Aug. 21, 1997).

As in the 1990s, concern about the overall health water remains important among Elders in 2015. Water quality is important to the survival of animals, people and plants. Good water is important for swimming, travel and drinking. People are concerned about contaminants entering water through winter roads, tailings, or other human disturbance. Water must be respected and cared for today as it was in the past, long before mines contaminated some water bodies.

5.4.2 Recommendations

Elders in the 1990s put forward 10 recommendations related to water (Appendix A, Recommendations #2-C-1 to #2-C-6, and #2-D-1 to #2-D-4). Many of these were specific to the proposed development and construction at the time, but the same key tenets continue to apply today. For example, recommendations to construct dikes in the fall and to protect spawning habitats remain relevant. Other recommendations are entrenched within current regulatory processes, but they provide a good reminder on the necessary care to be given to water. For example, water must continue to be monitored and contaminants minimized. It is recommended that flow patterns, quality and quantity and other key indicators continue to be monitored by both scientists and Aboriginal peoples, and that the quality and quantity thresholds be informed by YKDFN perspectives and needs.

Recommendations made by the Elders are specific in their demands on the government and mining operations to filter and clean their waste and tailings water from their operations:

Mining companies and government specialists must continue to verify where water flows from Ek'ati. Monitoring of water flow and levels must be continual throughout and after mining operations (YKDFN 1997a, Recommendation #2-C-1: xii).

Mining companies' waste water must be well filtered, and the outflow of waste must be monitored constantly (24h/d, 365 d/yr)...What is the composition of the tailing ponds. There should be strict criteria developed with the

Yellowknives Dene for the construction and maintenance of tailing ponds including their location (YKDFN 1997a, Recommendation #2-C-3: xiii).

People were also firm in their recommendations with regard to the effect of winter roads on water. They offered their expertise to identify safe routes for the ice roads, which should not interfere with their own activities on the land:

Companies will use Weledeh Yellowknives Dene landowners during winter road construction to identify currents and channels in lakes, so that ice over them does not become part of roads. Ice over currents and channels remains thin because of continual water action; thin ice results in trucks crashing into lakes with their loads of supplies, such as diesel fuel (YKDFN 1997a, Recommendation #2-D-11: xv).

To reduce the possibility of more fuel spills into lakes crossed by winter roads to and on Ek'ati, mining companies must have and enforce contracts with trucking companies stating that transport trucks must stay off winter roads when the ice is under two feet thick (YKDFN 1997a, Recommendation #2-D-12: xvi).

In summary, whether recommendations put forward regarding specific construction activities of the past were followed should be communicated to the YKDFN. However, the general principles of each of these recommendations (e.g. monitoring) should be applied to new construction proposed for the Jay Project. Finally, note that this approach also applies to the four recommendations put forth for the Misery Mine (Appendix A, Recommendations #2-D-7 to #2-D-10).

5.5 Eskers

There were two key recommendations regarding eskers that were put forth by the Elders in the 1990s (Appendix A, Recommendation #2-D-5 to 2-D-6), in addition to a list of reasons why development should not occur on or east of the Misery esker or along the shores of Ek'ati (Lac de Gras), in particular (Figure 2). Elders were clear that eskers should not be disturbed, and the same thinking applies today:

Mining companies must avoid Nàk'ooṛaa (the Narrows) between Ekati and [Nàk'ooṛaati] Lac du Sauvage and the esker that passes through La Pointe de Misère and crosses Ek'ati because they are key caribou migration routes (YKDFN 1997, Recommendation #2-B-9: xi).

Mining companies must carry out a strong policy to forbid anyone from the mines disturbing graves, artifacts and especially, to forbid the collection and removal of artifacts, caribou antlers, and bones (YKDFN 1997, Recommendation #2-A-7: viii).

Reasons put forward by Elders in the 1990s to restrict development east of the Misery esker and the shore of Ek'ati include the following:

- There is at least one visible archaeological camp site and there are burials in this area
- The esker is important to animals making dens in the soft gravel
- The shallow, rocky shore is an important fish spawning habitat
- Caribou migration and plans for deflection require the esker to remain in place
- Regardless of deflection, some caribou and other migrating animals will continue to try to use the shore associated with the esker
- Animals denning in the esker should not be disturbed by direct human contact. (YKDFN 1997: xiv).

The same concerns about eskers were again highlighted during the March 2015 workshop:

The Elders didn't want eskers used. It is the same today (Fred Sangris, Jay Project Workshop, March 2015).

Elders provided recommendations for work around the esker near Misery Mine and the Jay pipe development:

Mining companies should leave all eskers in the Akaitcho Territory undisturbed. If the companies believe they have to disturb an esker, they must consult with the Indigenous Peoples to do a comprehensive investigation of the esker, especially for burials and animal habitat, before the esker is disturbed or altered in any way (YKDFN 1997 #2-D-4: xiv).

BHP's camp and mine site at Misery Point should be located west of the esker and should be inland away from the water. The esker should not be used to build a mining road. The road should be built to the west of the esker (Drygeese et al. Interview, August 21, 1997).

Concern for an esker located between two open pit mines was a significant concern in terms of caribou expressed during the March 2015 workshop.

5.6 Winter Roads

There was not time to consider the recommendations around winter roads during the March 2015 workshop (Appendix A, Recommendations 2-D-11 to 2-D-16), however, the guiding principles behind the recommendations, described below, are applicable.

People have long requested that the gravel of the eskers not be used to build winter roads:

Mining companies should use waste rock from pits or granite stockpiles (if they can be proven not to produce contaminants), instead of using materials from eskers for construction of roads (YKDFN 1997a, Recommendation #2-D-5: xiv).

In the 1990s interviews, there was concern regarding possible damage to significant camp sites and travel routes by the building of access routes without discussion with the YKDFN. Elders contrasted the intrusive construction of access roads with the methods of traditional travel, which avoid or integrate natural features without causing harm or alteration:

There are as many as fifty portages on most of the routes between Weledeh-Cheh and the barrens. Portage trails used for hundreds of generations of Weledeh Yellowknives Dene are winding trails: if a tree is in the people's path, they go around it (YKDFN 1997a: 8).

In 1997, people had already experienced problems with the existing winter route to Kòk'e Tì (Contwoyto Lake). They stated their concerns regarding recognized problems and the potential for increased traffic:

...[T]he winter roads follow traditional trails used by Weledeh Yellowknives Dene, particularly from Gordon to Contwoyto Lake [Kòk'e Tì]. The people were not informed about this use of their land and their consent was not sought. Reconstructed each winter, this ice and portage road is used to haul a year's worth of fuel for mine operations as well as the chemicals such as arsenic and cyanide used in the gold extraction process...Weledeh Yellowknives land users are concerned about fuel and chemical spills resulting from truck accidents on the large frozen lakes. This winter road also provides access by many more people to hunting grounds traditionally used by Dene from many communities: increases in waste meat are a further concern of Dene land users. Exploration for diamonds and mine development around E'kati (Lac de Gras) put increased pressure on the Tibbett-Lupin winter road, the Ingraham Trail highway, and the 1962 one-lane bridge (YKDFN 1997: 25).

In the 1990s, people were very firm in their recommendations with regard to winter-roads:

All Weledeh Yellowknives Dene archaeological and ancestral camp sites within the BHP block and surroundings are to be identified by Dene and protected. There will be no activity on identified camp sites, especially for road building (YKDFN 1997 #2-A-6: viii).

The Elders offered their expertise to identify safe routes for the ice roads, which should not interfere with their own activities on the land:

Mining companies and government will get the consent of the Weledeh Yellowknives Dene on a more appropriate route for the winter road constructed every year to bring supplies to an increasing number of mine sites. When the first road was built in the 1970's, it was built without the consent of the Yellowknives Dene. This road uses a traditional trail of our people and, as a result, goes through some of the people's most important trapping and hunting areas. Elders and land owners in this project strongly recommend that the winter road from Tibbett Lake be moved to follow another route – particularly if there are plans to build a permanent, all-weather road (YKDFN 1997 #2-D-10: xv).

6.0 Discussion

*We are very concerned about our future generations, our lands and water.
This is what I wanted to share. (Judy Charlo, Jay Project Workshop, March
2015)*

The Elders Advisory Council and the participating elders in the 1997 TK Study of Ek'ati were disappointed that their recommendations were not considered in the decision to approve the NWT Diamond Project. Further, the key lines in the 1997 TK Study of Ek'ati are "the report is much shorter than the information gathered," (YKDFN 1997a: v) and "Elders participating in this report are profoundly disappointed that their lands are to be destroyed to obtain diamonds, something that has no use or value to the people," (YKDFN 1997a: vi), a belief reflected in the recommendations contained in the current report.

The 1997 TK Study of Ek'ati also contains recommendations specific to the west shore of Nàk'ooṛaati (Lac du Sauvage), to the 'Misery Esker', and to Nàk'ooṛaa (the Narrows) [between Nàk'ooṛaati (Lac du Sauvage) and Ek'ati (Lac de Gras)], areas that will be directly impacted by the Jay Project.

Through this current TK Study, the opportunity to revisit these recommendations, provide edits, pose questions and continue to document expertise relevant to Nàk'ooṛaa (the Narrows) and the Nàk'ooṛaati (Lac du Sauvage) and Ek'ati (Lac de Gras) areas has been provided. The results from this report should be meaningfully integrated into the environmental assessment process in order to avoid the same mistake of two decades past.

6.1 Next Steps

The YKDFN appreciates the chance to prepare this TK Study for the Jay Project and offers the following suggested next steps:

1. A significant amount of time during the site tour and workshop was spent engaging and providing information specific to the proposed Jay Project. Elders were interested in details outlined in the Plain Language Project Description and the researchers were able to show photographs and maps of the area, as well as highlight key elements from documents provided by Dominion to help them understand what is being proposed on their territory. While this was a valuable exercise in consultation, it meant that less time was available to actually discuss recommendations specific to the Jay Project. Indeed, Elders needed time to consider all of the information about the Jay Project that was presented.

Owing to the fact that much time with the Elders was spent providing information about the Jay Project instead of conducting new research, the YKDFN requests additional research time to carry out new TK interviews specific to the n'deh of the Jay Project environs.

2. Much time with the Elders was spent providing information about the Jay Project instead of conducting new research and the past must not be repeated:

The main reason for hesitating over Phase II was that it had not been described in enough detail for the people to understand what they might be involved in (YKDFN 1997a: 27).

It is important that the YKDFN be afforded the time and resources to provide recommendations specific to the construction, development, monitoring and mitigation of the Jay Project.

The YKDFN requires additional research time to work with more Elders to develop new recommendations specific to the Nàk'ooʔaati (Lac du Sauvage) area based on their experience of the last 20 years that can supplement the 1997 recommendations.

3. The proposed Jay Project provides an opportunity for the YKDFN to evaluate how TK has been integrated into the NWT Diamonds Project envisioned in the 1990s and realized today through the operation of the Diavik and Ek'ati Diamond Mines.

The YKDFN would like to work with DDEC to understand how and where their recommendations of the past have been integrated into the proposed Jay Project and how proposed revisions to these recommendations will be addressed.

6.2 Work on Building Trust

The interviews with Elders in the 1990s, and the subsequent TK Report based upon them, were an effort to communicate the knowledge and stipulations of the Yellowknives Dene people. As previously discussed, the information was ignored largely due to an administrative pretext. Consequently, people developed mistrust of the process to meaningfully integrate TK into future assessments. In some cases, this mistrust has extended to current operations.

Elders in the 1990s and today voiced uneasiness and had doubts as to the validity of the process given the *ex post facto* timing of scientific investigation:

During the federal government's environmental assessment process for five of these mines, it became apparent that no true baseline data could be collected for Ek'ati in order to measure cumulative effects from mining impacts. Scientific information describing the pre-development state of the environment was not available because there had been considerable disturbance to the area before any data were collected. Scientists doing fieldwork on behalf of mining companies for brief periods of time in the barrens cannot report environmental patterns on the scale known by indigenous Elders who have used the land all their lives (YKDFN 1997a: v).

The past leaders made suggestions. Why aren't they listening to our suggestions? The government didn't listen to us when we make recommendation. It is not right. We are very concerned about our future generations, our lands and water (Judy Charlo, Jay Project Workshop, 2015).

We recommended this in the past, how do we know they will listen? Elders have died, and this is all we have left: points on paper. What is going to happen? Most of the young people have never been there. We need to make our reports available. If you have to, pass it to each house like a flyer! (Alfred Baillargeon, Jay Project Workshop, 2015).

The Elders expressed doubt in the value of the TK process to overcome differences in the traditional and scientific perspectives; in their own ability, as busy people with lives to lead, to master large volumes of scientific research and jargon; and in the value of communicating their ideas in a format that diminishes the significance of those concepts to “wisps”:

The people who could read the English in the eight volumes of the EIS were deeply concerned that the wisps of traditional knowledge in it were presented without adequate description of what they were or what they signified (YKDFN 1997: 27).

It is recommended that aspects of knowledge of this report not be taken out of context or placed on a database. Elders are aware that their knowledge in English does not have the same clarity, meaning, or significance that it does in their own language or to their own people who are familiar with the language and the history or their territory (YKDFN 1997 #2-D-15: xvi).

The Elders requested transparent information to better their participation in the co-operative process:

As the peoples indigenous to these lands, Weledeh Yellowknives Dene want to be continually and fully informed on any changes to mining projects, including the location of any minerals . . . (YKDFN 1997a: 90).

Elders interviewed in the 1990s made some direct statements regarding “straight talking” on the part of Elders in authority:

Most of us Elders are over 70 and we know what we are talking about. We have been here before the White people and we have seen the changes. We never used to have any kind of sickness. But you researchers just have to look around these two mines here and you can see what those mines have done: that's what you have to do to protect the environment (Weledeh Yellowknives Elder Joseph Charlo, Ndilo [Ndilo]: CARC 1995 in YKDFN 1997: 17).

They (i.e., the mining companies) should be careful as to how they work with the Dene and how they should work to protect the environment (Weledeh Yellowknives Elder Joseph Charlo, Ndilo [Ndilq]: CARC 1995 in YKDFN 1997: 20).

Everyone knows that the land around here is contaminated, no one can do anything about it anymore because the mining has destroyed it. So we are here to help the land in the barrens from not being destroyed (Weledeh Yellowknives Elder Joseph Charlo, Ndilo: CARC 1995 in YKDFN 1997: 20).

And the other mine at Ek'ati, I didn't realize it was a useless thing they were planning to mine. To mine something that has no importance to us, just to destroy the land is difficult to understand, but at the same time we can't say no to them. The mining companies think the only people who issue mining licenses have authority. Those are my concerns for now. I can't talk about it anymore because I am disappointed about the whole issue (Fishbone et al. Interview, August 19 1997).

The Elders currently feel that recommendations they give to the mining companies will not be implemented (YKDFN 1997a: 102).

The Elders and Dene landowners in this project, who believe in coexistence, do not want this kind of exploitation to continue in their territory (YKDFN 1997a, Recommendation #1: vii).

Despite understandable frustration, a spirit of co-operation prevailed throughout the 1997 TK Report (especially through the good work of Fred Sangris). The Yellowknives continue to live their paradigm: that issues are solved and altered over an extended period of time, especially when a "scientific" solution does not adequately capture the complexities of this situation.

In 1997, Fred Sangris with many Elders pushed for inclusion of Weledeh experts in the planning and operations of the mining company to form a cooperative work environment and an ongoing basis for mutual respect and trust:

The indigenous people must be part of the team that monitors the mining companies' work and impact on the environment (Drygeese et al. Interview, Aug. 21, 1997).

If they agree to these recommendations made by us, then we can begin to work together. If they don't want to conduct this research by themselves, then the young people such as myself can work on this research with them. We can act as watch-dogs, to make sure that all information concerning these issues are properly conducted and reported (Fishbone et al., Interview, Aug. 19, 1997).

In addition to trust issues surrounding the recommendations put forth in the 1990s, there is a general distrust of the mining industry that needs to be addressed:

The mining companies really protect one another. We have seen those attitudes before. That is why we need to take a look at these things themselves. We have to see what they are doing...The companies say they are not using chemicals but we know that they are (Alfred Baillargeon, Jay Project Workshop, 2015).

Having observed the effects of development impacts in Weledeh-Cheh, they have grave doubts that mining near Ek'ati can do anything but harm to their people's traditional territory (YKDFN 1997a: 25).

Finally, the Elders today feel a great respect for the Elders of yesterday who originally put forth the recommendations. As such, they are reticent to make any changes to them and would instead like the opportunity to provide additional recommendations.

The Elders put the recommendation forward, but they are not with us here today. We know they didn't want it disturbed. This is what they wanted. We should leave the recommendation the way it is. Nàk'ooṛaa (the Narrows) must be protected (Alfred Baillargeon, Jay Project Workshop, 2015).

Another example of such distrust is illustrated in the response to a question posed at the workshop: What have you learned in the last 20 years, and how can you give advice thinking forward to the Jay Pipe?

Before the mines started, they told us they were just using straight water. After the mine started, they were using chemicals. They need to tell the truth. I hope it doesn't happen like that again. If they want to start a mine, they should come out with the truth and be open from the start and nothing is hidden. In the Aboriginal way, we don't hide anything. We are straightforward, if we want somebody to know something, we don't beat around the bush. That is our way. That is the thing, that I really want to know the truth before something happens (George Tatsiechele, Jay Project Workshop, 2015).

6.3 Work Together

Elders in the 1990s and today, expressed a sincere interest in working together to ensure the best outcomes on Chief Drygeese Territory. Respect, trust and a genuine interest in understanding one another will be critical to working together on the Jay Project:

Diavik informed us of everything and they worked very well with us. Dominion should do the same (Alfred Baillargeon, Jay Project Workshop, 2015).

At that time, fish inspector came with us to go all around to see the fish and check nets. We caught different fish: small fish, big fish, with all different net sizes. We check the nets about 20 minute later. The fish get caught in the net. The inspectors always go out with us, we have to put the recommendation forward. The fish should be scooped with the net, try not to handle them too much. Fish cannot survive without water. The [fisheries people] give us lots of information too. I recommend that we meet with the fisheries people on site so that we can share TK and science (Alfred Baillargeon, Jay Project Workshop, 2015).

We have to recommend that they hire our people, that they work with us. I want to recommend that they hire our people to do these kinds of work on the land (Alfred Baillargeon, Jay Project Workshop, 2015).

Not all communities work well together: sometimes they just want money. It is getting hard for communities to work together (Alfred Baillargeon, Jay Project Workshop, 2015).

We know what happened on our land, our grandparents told us what happened. Now we are going through this, how can we make recommendations so that they [the mining companies] work better with us? (Alfred Baillargeon, Jay Project Workshop, 2015).

YKDFN Elders believe that there must be ongoing formal recognition that DDEC is operating in Chief Drygeese Territory and that some gratitude must be expressed:

They said that the white people were saying there were not Dene people here when they came. I am really upset because that is not true. People were always out doing something—nobody stayed in one spot a long time. We were always out doing something on this land; we traveled all over. I remember a lot of things that happened. When I was young, we would travel to Lutsel K'e, and spend a few seasons over there and then come back here again. I never saw one white guy growing up. Then they say a white guy found gold in YK area. When we did see them [white people], they were dressed poorly. We had to help them out. They would have froze. There was one white guy who had three dogs on his team, he didn't have good footwear so my uncle gave him mukluks and thick leggings when we saw him at Gros Cap. I was there. I saw it. I never heard one white person say that they survived because Dene people helped them. And here they are trying to take over everything that is ours. They don't even say thank-you. No white person has mentioned anything like tht. (Judy Charlo, Jay Project Workshop, 2015).

Finally, respect and understanding for one another will be critical to moving forward:

They just step over us. They don't ask us to go on our land. Look at all these mines, they are going over our heads, going straight to the government and they don't tell us what they are going to do on our land. This is our land, by our rights, they have to come see us first. We don't go to their land and just destroy what we want. I'm trying to figure out how they think after all these years. Ever since white people came to this land (Alfred Baillargeon, Jay Project Workshop, 2015).

6.4 See with our Own Eyes

In the world of the Yellowknives, “seeing is believing.” As reported elsewhere, Elders at Diavik wondered aloud whether DDEC was even mining diamonds, as they had not seen them with their own eyes (TCS 2014). Community members must continue to visit the proposed development frequently before any work commences and again throughout the entire construction process should the Jay Project proceed.

You should look for funding so they can show us how, when, where they plan to build the Jay Pipe. I know they don't work very fast, so right now everything is being planned. They should take some youth and some elders in the 40s/50s so they can see it with their eyes and so they can know. They cannot know otherwise. We should have a site tour, we need to take a trip...The mining companies should be able to sit down with the young people and talk together...What I recommend is that we go to the Jay Project Pipe to consider an open pit; to go there in July (Alfred Baillargeon, Jay Project Workshop, 2015).

We should go check it with our own eyes. I wasn't there. I need to see it, the esker (Alfred Baillargeon, Jay Project Workshop, 2015).

Once something is seen with one's own eyes, that person can now speak of it. Otherwise, it is in keeping with the Yellowknives' world-view that dictates that one cannot speak of something they have not witnessed.

7.0 Closing

This TK Study set out to look into work done by Elders in the 1990s to help proposed development of the Jay Pipe today in the context of answering the following questions:

- Are the recommendations of the TK Study of Ek’ati still valid?
- Do the “dire predictions” contained in the Report still reflect the attitudes and beliefs of YKDFN Elders?
- Is the baseline environmental data contained in the audio and video tape recordings used in the production of the TK Study of Ek’ati valid for the Jay Project?
- Are there gaps in the data that can be addressed by further analysis, further knowledge holder interviews and renewed discussions?

In answer to the first question, the detailed table in Appendix B shows that most of these recommendations are still valid, although some continue to be more important than others. In general, the principles behind the recommendations remain relevant, even if the specific construction activity has changed. Elders today are reticent to make any changes to recommendations made by Elders of the past, simply out of respect for their predecessors.

In general, the “dire predictions” contained in the original TK Study reflect the attitudes and beliefs of the YKDFN Elders. However, the Elders are encouraged by their inclusion in some on-site monitoring programs (e.g., aquatic monitoring of fish and water).

Indeed, the baseline environmental data contained in the audio and video tape recordings used in the production of the TK Study of Ek’ati are relevant to the Jay Project, but there needs to be additional work carried out to focus on Nàk’oozaatì (Lac du Sauvage) rather than just Ek’ati (Lac de Gras). As discussed in Section 6.0, much time was spent informing study participants of the Jay Project in a consultation manner rather than collecting new data, and thus more time is needed to conduct research to supplement baseline data for the Jay Project.

When Elders today revisited maps and data contained in the 1997 TK Study of Ekati, there are two key areas that must be further examined. The first is the significance of Nàk’oozaa (the Narrows) for a multitude of reasons, including caribou crossing, open water for bird habitat, fishing, burial sites, cultural importance, and more. The second is the bay in Nàk’oozaatì (Lac du Sauvage) currently slated for de-watering and construction of the Jay pipe. This area has been identified as key spawning habitat, and must be protected.

8.0 References

8.1 Works Cited

- CBC News North. April 22, 2015 Dettah chief worried Ekati's Jay pipe expansion may affect caribou. Available at: <http://www.cbc.ca/news/canada/north/dettah-chief-worried-ekati-s-jay-pipe-expansion-may-affect-caribou-1.3043739>. Accessed April 28, 2015 .
- Thorpe Consulting Services (TCS 2014). DDMI Traditiona Knowledge Panel Session #7: Focus on Revegetation. Diavik Diamond Mine, August 14-18, 2014. Report prepared for Diavik Diamond Mine Inc.
- (TCS 2013). At Night We Slept on Diamonds: Report of the Traditional Knowledge camp for the Diavik Aquatic Effects Monitoring Program. Report prepared for Diavik Diamond Mine Inc. March, 2013.
- Yellowknives Dene First Nation (YKDFN 2015). Jay Project Workshop March 24, 2015. Dettah, NT. Unpublished workshop notes. *Note that these are also included as Appendix C.*
- Weledeh Yellowknives Dene (YKDFN 1995). "Policy Guidelines for Yellowknives Dene Traditional Knowledge: Saving our Community Cultural Resources." February, 1995. Dettah, NT.
- Yellowknives Dene (YKDFN 1997a). "Weledeh Yellowknives Dene: a traditional knowledge study of Ek'ati". Prepared and approved in 1997 by Yellowknife Dene First Nation, Elders Advisory Council. Dettah, NT.
- Yellowknives Dene First Nation (1997b). "Weledeh Yellowknives Dene: a history". Dettah: Yellowknives Dene First Nation Council.

8.2 Interviews Cited

- Betsina, Rose, Frank Drygeese, Jonas Fishbone, Alexi Mackenzie, Ben Noel, Isadore (Jeiko) Sangris, Theresa Sangris and Eddie Sikyea with Edward Doctor and Paul Mackenzie. August 11, 1997. Interview regarding meat cache, Misery Point, and burial site. Video interview with Elders regarding portage trails. Interview conducted by Fred Sangris on Akaitcho Island, Ekati, NWT for the NWT Diamonds Project.
- Charlo, Chief Joseph. August 19 1995. Conducted at Nqndika Tì / MacKay Lake, NWT, for CARC.
- Crapeau, Noel, Philip Crapeau, Noel Crookedhand, Jonas Fishbone, Alexie Mackenzie, Michel Paper, Therese Sangris, with Edward Doctor and Paul Mackenzie. July 11-21, 1997. Summary of Recommendations from Elders –Conducted on Barrens Trip #1, Akaitcho Island NWT for the NWT Diamonds Project.

Crapeau, Noel, Philip Crapeau, Noel Crookedhand, Jonas Fishbone, Alexi Mackenzie, Michel Paper, Therese Sangris, with Edward Doctor and Paul Mackenzie. July 16, 1997. Interview regarding water. Interview conducted by Fred Sangris on Akaitcho Island, NWT for the NWT Diamonds Project.

Crapeau, Phillip, Jonas Fishbone, Ben Noel and Therese Sangris. August 8, 1997. Excerpt from meeting minutes conducted by Dave Penner and G. Fedirchuk on Akaitcho Island, Ekati [Ek'ati] for the NWT Diamonds Project.

Crapeau, Phillip, Jonas Fishbone, Alexi Mackenzie, Jeiko Sangris with Edward Doctor. August 12, 1997. Interview with Elders regarding animals. Interview conducted by Fred Sangris on Akaitcho Island, Ekati, NWT for the NWT Diamonds Project.

Crapeau, Phillip, Frank Drygeese, Jonas Fishbone, Alexi Mackenzie, Ben Noel, Therese Sangris and Eddie Sikyea with Edward Doctor and Paul Mackenzie. August 11, 1997. Interview with Elders regarding portage trails. Interview conducted by Fred Sangris on Akaitcho Island, Ekati, NWT for the NWT Diamonds Project.

Crapeau, Phillip, Frank Drygeese, Jonas Fishbone, Alexi MacKenzie, Ben Noel, Jeiko Sangris, Therese Sangris, Eddie Sikyea, Jeiko (Isadore) Tsetta with Edward Doctor and Paul Mackenzie. August 14, 1997. Interview regarding fish. Interview conducted by Fred Sangris in Akaitcho Island, Ekati, NWT for the NWT Diamonds Project.

Crookedhand, Noel. June 25, 1997. Interview conducted by Fred Sangris in Dettah, NWT for the NWT Diamonds Project.

Crookedhand, Noel, Phillip Crapeau, Alexi Mackenzie, Paul Mackenzie, Michel Paper and Therese Sangris. July 19, 1997. Interview regarding fish. Interview conducted by Fred Sangris in Akaitcho Island, Ek'ati, NWT for the NWT Diamonds Project.

Drygeese, Frank, Jonas Fishbone, Alexi MacKenzie, Ben Noel, Jeiko Sangris, Therese Sangris, Eddie Sikyea. August 15, 1997. Interview regarding animals and significant sites. Interview conducted by Fred Sangris in Akaitcho Island, Ekati, NWT for the NWT Diamonds Project.

Drygeese, Frank, Jonas Fishbone, Alexi MacKenzie, Paul MacKenzie Ben Noel, Jeiko Sangris, Therese Sangris, Eddie Sikyea, with Edward Doctor. August 21, 1997. Interview regarding stories and recommendations. Interview conducted by Fred Sangris in Akaitcho Island, Ekati, NWT for the NWT Diamonds Project.

Fishbone, Jonas, Alexi MacKenzie, and Jeiko Sangris. August 19, 1997. Conducted by Fred Sangris in Akaitcho Island, Ekati, NWT for the NWT Diamonds Project.

Fishbone, Jonas, Alexi MacKenzie, Jeiko Sangris and Therese Sangris. August 21, 1997. Interview conducted by Fred Sangris on Akaitcho Island, Ekati, NWT for the NWT Diamonds Project.

Liske, Elise and Isadore Sangris. June 18, 1997. Interview conducted by Fred Sangris in Dettah, NWT for the NWT Diamonds Project.

Liske, Elise. June 19, 1997. Interview conducted by Fred Sangris in N`dilo, NWT for the NWT Diamonds Project.

Liske, Elise. August 11, 1997. Interview conducted by Fred Sangris in N`dilo, NWT for the NWT Diamonds Project.

Mackenzie, Alexie, Isadore Sangris, Jeiko Sangris and Therese Sangris. August 13, 1997. Interview regarding plant and land stories. Interview conducted by Christina Ishoj for the NWT Diamonds Project.

Sangris, Isadore. June 18, 1997. Interview conducted by Fred Sangris in Dettah, NWT for the NWT Diamonds Project.

Sangris, Isadore. August 11, 1997. Interview conducted by Fred Sangris in Dettah, NWT for the NWT Diamonds Project.

Sangris, Isadore. August 10, 1997. Interview conducted by Fred Sangris at Na`Ko-ah -Where willow stands, River/Narrows, Ekati, NWT for the NWT Diamonds Project.

Sangris, Therese. June 20, 1997. Interview conducted by Fred Sangris in N`dilo, NWT for the NWT Diamonds Project.

Appendix A

Recommendations from the 1997 TK Study
of Ek'ati

Recommendations

*Source: Weledeh Yellowknives Dene: a Traditional Knowledge study of Ek'ati
(1997: vii-xvi)*

Recommendation #1

Weledeh Yellowknives Dene Elders have already seen the impacts from mining-in Weledeh-Cheh and in Akaitcho Territory. The Elders and Dene land owners in this project, who believe in coexistence, do not want this kind of exploitation continue in their territory. When Treaty 8 signed by our former Chief Sizeh Drygeese of the Yellowknives with the Crown in Right of Great Britain, the Queen requested the right to live in our territory in a spirit of coexistence. The Weledeh Yellowknives continue to maintain the Treaty relationship that is binding on the state of Canada and any party who enters into our territory. Therefore, it is recommended that a percentage of profits, jobs and compensation for loss of land use go to the Weledeh Yellowknives Dene First Nation.

The Elders and Dene land owners of this project strongly recommend that Weledeh Yellowknives Dene land owners must participate actively in developing mechanisms in monitoring and in monitoring impacts from mining operations and their effects on their territory. Participants in this Weledeh Yellowknives project want to see a formal agreement in place that the mining companies will work together with their people throughout mining projects (including reclamation and closure) to develop, implement, and monitor ways to protect the water land, animals, the peoples continued use of their lands, and the evidence of the people's ancestral use of the lands.

Recommendation #2

Weledeh Yellowknives Elders and Dene land owners in this project have made recommendations in four major areas on ways to reduce impacts from mining in the Akaitcho Territory barrenlands.

Recommendations:

- A. Ancestral evidence of Weledeh Yellowknives Dene
- B. *Ndeh* (ie, the environment: land, animals, fish, birds, plants) and the Peoples' continued use of their traditional lands
- C. Water (ie, Ek'ati, streams flowing into and out of it, and groundwater)
- D. Water or land as a result of construction

As the Indigenous Peoples of these territories, Weledeh Yellowknives Dene want to be continually and fully informed prior to giving their consent to any mining or any changes to mining projects, including the location of any minerals

A—Ancestral Evidence of Weledeh Yellowknives Dene

Recommendation #2-A-1

Mining companies must get the consent of the Weledeh Yellowknives Elders for the use of their territories, lands and water and to monitor the impacts of mining operations. There are particular areas of the territory which has particular significance to the Weledeh Yellowknives Dene that must be respected by any group wishing to enter into the territory in the spirit of co-existence.

Recommendation #2-A-2

In summer 1998, mining companies particularly BHP should take Weledeh Yellowknives Elders and Dene land owners to sites previously identified and to sites known to the people where ancestral evidence can be found.

Avoidance of burials and significant sites

Recommendation #2-A-3

On the sensitivity map, areas identified as "green space are to be totally avoided by the mining companies and their employees and subcontractors and their employees. These areas include burial sites, caches and ecologically and environmental sensitive areas of great importance to animals and fish.

Recommendation #2-A-4

Weledeh Yellowknives burial sites must be marked so that anyone from the mines can easily see and respect them. Graves can be marked with large rocks placed at each corner and rocks in the shape of a cross placed over the grave. Rocks placed like this are not likely to be moved by caribou.

Indigenous Peoples' identification of sites

Recommendation #2-A-5

Mining companies shall fund Weledeh Yellowknives Dene to identify significant areas on shorelines, islands, and other places the companies are not telling their contract archaeologists to investigate.

Recommendation #2-A-6

All Weledeh Yellowknives Dene archeological and ancestral camp sites within the BHP block and surroundings are to be identified by Dene and protected. There will be no activity on identified camp sites, especially for road building.

Recommendation #2-A-7

Mining companies must carry out a strong policy to forbid anyone from the mines disturbing graves, artifacts and especially, to forbid the collection and removal of artifacts, caribou antlers, and bones.

Contract archaeologists

Recommendation #2-A-8

Mining companies can use government archaeologists in the verification of information for reports and monitoring. These archaeologists must be confirmed by the Yellowknives Dene prior to going into the territory.

Recommendation #2-A-9

All contract archaeologists working for mining companies shall have at least ten years experience, with half of that time in working with Indigenous Peoples. An acceptable alternative might be for the mining companies to authorize and fund Indigenous Peoples to select specialists they believe they can work with for results satisfactory to their Peoples, governments and the companies.

Recommendation #2-A-10

Evidence of Weledeh Yellowknives Dene ancestors' occupation and use of their territory is not to be called "heritage resources" as the term is disrespectful and diminishes the connection of such evidence to Indigenous Peoples. Ancestral evidence will not be considered exploitable "resources". Elders and Dene land owners in this project have a range of ideas about how mining companies and government should handle evidence of their ancestors, therefore, mining companies need to hold a community workshops with Yellowknives Dene to develop plans for presentation to the First Nation Council for approval or use.

Recommendation #2-A-11

Yellowknives Dene First Nation have developed guidelines for the companies and contract archaeologists to follow in their relationship with the people and their ancestors' evidence. Therefore the companies and contract archaeologists must get permission and operational guidelines from the Chief and First Nation council.

B—Ndeh (ie, the environment: land, animals, fish, birds, plants) and the peoples' continued use of their traditional lands

Recommendation #2-B-1

Mining companies must use Weledeh Yellowknives Dene land owners to monitor impacts from mining operations on the water quality, plants, fish, and animals (including fish, birds, wildlife) and all roads, airstrips, barges, snow machines and other mechanical impacts to be used by mine companies.

Habitat damage

Recommendation #2-B-2

Mining companies must take responsibility for damage to *ndeh* (land) and environment since there is to be continual damage through exploration and mining, the companies shall be responsible to protect areas of great significance to animals and other wildlife, such as good caribou habitat and good fish spawning areas.

Recommendation #2-B-3

Mining companies must pay for regeneration of wildlife and aquatic habitat. Therefore the Elders and Dene land owners of this project recommend that preventative policies and mitigating measures be put in place along with adequate reclamation funds be for purposes. The funds be to used these will jointly managed by the Yellowknives Dene and the company. This is in keeping with the numerous international legal instruments that require such measures.

Animals

Recommendation #2-B-4

Before there is any more disturbance of Ek'ati Ndi (the island where Diavik plans to mine diamonds), all animals - including fox and ground squirrel - must be live trapped and moved to a suitable habitat away from Diavik and BHP mine sites. If mining companies decide to use lands directly to the west of their sites (ie, where dust will be most dense), or decide to increase their activities (and increase the amount of dust blowing to the west) - every effort must be made to keep animals, birds, fish and vegetation from being covered with thick dust and going into the water.

Recommendation #2-B-5

There should be no vehicle movement or blasting or other dust- and noise-producing activities during bird and animal migrations and birthing periods.

Recommendation #2-B-6

To protect animals from human activity and contaminants, mining companies shall take great care to keep animals off their sites with fences. Fences must be built around mining sites, especially where animals are migrating. Fences must be very high about four metres or 12 feet high) so that animals do not get caught in the top of fences in winter when snow blows against them.

Recommendation #2-B-7

Diavik should limit its mining activities to the east island of Ek'ati Ndi and leave the west island (the one that points to Great Slave Lake) for animals. The island where mining operations are planned should be entirely fenced, leaving a wide corridor (at least 100 metres) around the shore so that wildlife can continue to use the island to rest while crossing the lake. The Elders and land owners of this project recommend that monitoring be

especially enforced by the Land and Environment personnel in spring, summer, fall and winter.

Caribou

Recommendation #2-B-8

Mining shall fund Weledhe Yellowknives Dene land owners experienced in caribou deflection to change the migration of caribou out of the entire operating area near Ek'ati. During the next three caribou migrations, experienced land owners, directed by the Elders, can set up stone markers and stand by them to chase caribou away. After three migration seasons, caribou will have learned to avoid the markers (and, therefore, the mining operations). People will not have to man the markers after that time, as long as no one disturbs the markers.

Recommendation #2-B-9

Mining companies must avoid the Narrows between Ek'ati and Lac du Sauvage and the esker that passes through La Ponte de Misere and crosses Ek'ati because they are key caribou migration routes.

Recommendation #2-B-10

Mining companies will have to pay Weledhe Yellowknives Dene to improve the Narrows between Ek'ati and Lac du Sauvage, since increasing numbers of caribou will use the narrows to avoid the mining operations. The crossing is dangerous because gaps in the rocks can break caribou legs, especially those of very young calves. Some become trapped and die, particularly in springs (like the one in 1997), when caribou cows leave the calving grounds early with calves not yet hardened for travel. Land owners could fill dangerous gaps in the rocks. This work to be done at the same time as the work being done in Recommendations #2-B-8.

Recommendation #2-B-11

Weledhe Yellowknives Elders strongly recommend that all caribou calving grounds become Protected Areas. They urge BHP, which has gold mining interests near Bathurst Inlet, to support the protection of the caribou calving grounds in the area. Halting gold mining operations to stop noise, dust and contamination during calving would benefit the caribou and other animals, such as birds in the nearby waterfowl sanctuary. Caribou cows, if they feel more comfortable, might stay in the calving grounds long enough for their calves to be properly ready for migration.

Recommendation #2-B-12

Diavik must leave room for migrating caribou on the north part of the island where they are planning to build an airstrip.

Fish

Recommendation #2-B-13

Mining companies must protect fish in Ek'ati. There are some very old, large fish in this lake. They could be damaged by boat motors as well as dyke construction and, potentially, from any spills resulting from trucks going through the winter road. Many fish also migrate to Ek'ati – particularly to spawn - from the Coppermine River and could suffer from construction activities, spills, and dust contamination.

Recommendation #2-B-14

People from the mines will not hunt or fish in the Ek'ati area. Mining staff and contractors go to Ek'ati to work; if they want to hunt and fish, they can go to nearby lodges.

Recommendation #2-B-15

Weledeh Yellowknives Elders warn against the catch-and-release of fish. It is not a good practice because fish can die from wounds inflicted by large hooks or from starvation when hook wounds in the mouth prevent them from feeding. Fish can also die from hypothermia when fish are handled by humans so much that the slime covering the fish is removed.

Recommendation #2-B-16

Government specialists and an independent environmental monitoring agency picked by the Yellowknives Dene and the company should verify environmental information for reports and monitoring of mining effects. Contractors working for mining companies in these areas must have at least ten years of field experience most of it in northern environments, and field staff working for such contractors must have at least two years of experience collecting field data. Contract scientists or fisheries and aquatic specialist researchers will hire Yellowknives Dene land owners for fish monitoring and related work.

Protection of Aboriginal & Treaty Rights

Recommendation #2-B-17

Mining companies will compensate Weledeh Yellowknives Dene for disrupting their Akaitcho Territory land rights and affecting their way of life.

Recommendation #2-B-18

Mining companies that cause a large loss of animal, fish, and bird habitat will compensate the Indigenous Peoples, including Weledeh Yellowknives Dene, for loss of use of territory resulting in destruction of harvesting areas.

Recommendation #2-B-19

Indigenous Peoples such as Weledeh Yellowknives Dene must continue to have access within their complete territory for their traditional pursuits. The Elders and Dene land owners of this project recommend that an open door policy be put in place for managers of

the mine site to give emergency help to hunters and travellers who may need assistance when in the area.

C—Water (ie, Ek'ati, streams flowing into and out of the lake, and groundwater)

Recommendation #2-C-1

Mining companies and government specialists must continue to verify where water flows from Ek'ati. Monitoring of water flow and levels must be continual throughout and after mining operations.

Recommendation #2-C-2

Mining companies must involve Weledeh Yellowknives Dene in the monitoring impacts from mining on water quality, water flow, water level, fish, aquatic plants, and wildlife relying on water including - monitoring for dust and contaminants from waste rock stockpiles.

Elders are very concerned about dust from mine pits and roads that will be carried westward by wind. Dust will settle in streams that flow into Ek'ati and these contaminants will flow into the larger lake. Rain will also wash dust into the lake. The nine open-pit mines planned to date will all produce huge amounts of dust. Dust from Diavik's planned mines (in the lake itself) and the BHP mine closest to Ek'ati (at La Pointe de Misere) is likely to have the greater impact on water and the plants, birds, fish, and animals that depend on it than pits farther inland from Ek'ati.

Recommendation #2-C-3

Mining companies' waste water must be well filtered, and the outflow of waste must be monitored constantly (24 h/d, 365 d/yr). Weledeh Yellowknives Elders are concerned that soap, sewage, and other toxins from mining camps will enter the water and harm plants and animals. Although mining companies are treating this waste, it can still seep into the lake. Elders want to know the effects of such seepage on wildlife, plants and people that use the water what is the composition of the tailing ponds. There should be strict criteria developed with the Yellowknives Dene for the construction and maintenance of tailing ponds including their location.

Recommendation #2-C4

Mining companies must take responsibility to secure their fuel storage from spills, explosions, and other disasters. Fuel storage must be far from shorelines and creeks to reduce seepage. Fuel tanks should be placed in retainers with cement bottoms and walls so that if tanks leak, any leaks can be contained. Fuel storage should be located at a safe distance from camp facilities to reduce impacts (and lives) from potential fires resulting from lightning strikes.

Recommendation #2-C-5

Every effort must be made to prevent damage from salt and acid drainage to spawning grounds and fish habitat. Because salt and acid drainage that may occur during drilling for mining operations can be devastating for fish and water plants, mining companies must be very open about informing Indigenous Peoples about where they plan to drill so monitoring impacts from drilling can take place in an orderly fashion.

Recommendation #2-C-6

Mining companies must monitor for seepage of contaminants, including those from waste rock stockpiles, into groundwater.

D—Water or land as a result of construction

Recommendation #2-D-1

Mining companies planning major changes to the Akaitcho Territory environment such as the draining of small lakes or the building of expansive dykes in large lakes should be restricted to only one site initially. At this site, mining companies, government agencies, and Indigenous Peoples can find out what impacts actually occur and which mitigation attempts work best. Development on this scale has occurred in the barrenlands in Russia and Mongolia with devastating impacts. It is better to have methods of construction and monitoring developed before additional sites are attempted.

Recommendation #2-D-2

If Diavik has the consent of the Yellowknives Dene to proceed there are a number of things which must be done. To have the least negative impact on fish and fish spawning grounds near Ek'ati Ndi, Diavik should start building dykes in Ek'ati in late October or November, after fish have migrated to deep water. In spring, fish travel to and live in shallow areas along shores, bays, and islands in order to feed. In summer and fall, fish in these shallow areas. Diavik's plans to construct dykes will spawn disturb these shallows. One Elder suggested that, if dyke construction begins very cautiously in July (before spawning starts), leaving channels near the shore, the fish would be able to leave the shallows through these channels in late fall. The remainder of the dykes could be then built in late October or November. This process might still cause problems for whitefish because lake sediment will be disturbed and will cover plants that whitefish feed on.

Recommendation #2-D-3

Diavik must protect the important fish spawning ground in the narrow inlet that almost separates the northern part of east Ek'ati Ndi from the rest of the island. One of Diavik's drawings (dated July 1997 *see* Appendix 1) shows this inlet being closed off at the eastern shoreline. Since dykes in the lake will cut fish off from other spawning grounds in shallows around the island, it is vital that the spawning area in this inlet be preserved.

Recommendation #2-D-4

If Diavik puts an airstrip on the northern part of this island, it would be advisable to fence the inlet so that fish are not disturbed.

Eskers

Reasons why development should not occur on and east of the "Misery" esker and the shore of Ek'ati include:

- a. There is at least one visible archaeological camp site and there are burials in this area.
- b. The esker is important to animals making dens in the soft gravel.
- c. The shallow, rocky shore an important fish spawning habitat,
- d. Caribou migration and plans for deflection require the esker to remain in place.
- e. Regardless of deflection, some caribou and other migrating animals will continue to try to use the shore associated with the esker.
- f. Animals denning in the esker should not be disturbed by direct human contact.

Recommendation #2-D-5

Mining companies should leave all eskers in the Akaitcho Territory undisturbed. If companies believe they have to disturb an esker, they must consult with the Indigenous Peoples to do a comprehensive investigation of the esker, especially for burials and animal habitat, before the esker is disturbed or altered in any way.

Recommendation #2-D-6

Mining companies should use waste rock from pits or granite stockpiles (if they can be proven not to produce contaminants), instead of using material from eskers for construction of roads.

BHP's Misery Mine Site

Recommendation #2-D-7

BHP's "Misery" camp and mine operations must be constructed west of planned locations: instead, they should be located inland away from water and away from the "Misery" esker. Materials from the esker should not be used to build roads or other construction. Waste water and from the sewage camp should flow toward the unnamed lake between La Pointe de Misere and Paul Lake, rather than into Ek'ati to prevent the runoff which is presently occurring at Mackay lake and Pine Point. (This unnamed lake is surrounded by higher land and, there, the Elders feel such wastes can be contained.) Camps should be built on sites with lots of boulder, to deter caribou from entering. Waste rock piles must be located so that potential acid drainage does not enter Ek'ati as runoff.

Recommendation #2-D-8

Elders are concerned that the planned distances between camps and mining operations should not be too great. They say that, if these sites are not closer together, workers will face potentially fatal challenges walking between the sites during blizzards. Project participants recall a man working at the Tundra/Salamita mine on Mackay Lake about ten years ago; he had intended to walk through a storm to an electrical shed only one hundred feet away; he did not return and searchers never found his body. Lightning is also a hazard for anyone walking or working on the barrens.

Recommendation #2-D-9

The access road from the BHP mining lease to the winter road that crosses Ek'ati should be constructed to the west of the small lake that will become the open pit mine - rather than, as planned, near the esker used by migrating caribou and over a clearly visible Weledeh Yellowknives ancestral camp site. A small valley to the west of the mine site would be suitable.

Recommendation #2-D-10

Elders also feel strongly that BHP should not build roads from mining camp sites to water, especially to Ek'ati, for people from the mines to fish, bother animals or collect ancestral evidence as souvenirs.

Winter road(s)

Recommendation #2-D-11

Mining companies and government will get the consent of the Weledeh Yellowknives Dene on a more appropriate route for the winter road constructed every year to bring supplies to an increasing number of mine sites. When the first road was built in the 1970s, it was built without the consent of the Yellowknives Dene. This road uses a traditional trail of our people and, as a result, goes through some of the people's most important trapping and hunting areas. Elders and land owners in this project strongly recommend that the winter road from Tibbett Lake be moved to follow another route - particularly if there are plans to build a permanent, all-weather road.

Recommendation #2-D-12

Mining companies will use Weledeh Yellowknives Dene land owners during winter road construction to identify currents and channels in lakes, so that ice over them does not become part of roads. Ice over currents and channels remains thin because of continual water action; thin ice results in trucks crashing into lakes with their loads of supplies, such as diesel fuel.

Recommendation #2-D-13

To reduce the possibility of more fuel spills into lakes crossed by winter roads to and on Ek'ati, mining companies must have and enforce contracts with trucking companies stating that transport trucks must stay off winter roads when the ice is under two feet thick.

Recommendation #2-D-14

Mining companies that depend on winter roads crossing Weledeh Yellowknives Dene territory shall put up bonds against spills, contamination and other damage to water, lands, wildlife and cultural sites. The monies will be held in trust by the Yellowknives Dene for cleanup purposes.

Recommendation #2-D-15

Mining companies must find acceptable alternative ways to handle garbage that cannot be incinerated such as styrofoam and many plastics, as burning them results in contaminants polluting the air. At present, all garbage from the kitchens and camps is incinerated.

Recommendation #2-D-16

There is to be no public tours of the mine and no construction of permanent towns on the barrens. Tours and town would increase human activity in the area and increase the negative impacts and cumulative effects on an environment that is extremely vulnerable. It is recommended that aspects of knowledge of this not be taken out of context or placed on a database. Elders are aware that their knowledge in English does not have the same clarity, meaning, or significance that it does in their language or to their own people who are familiar with the language and the history or own their territory.

[Authors Note: The numbering of the recommendations in YKDFN 1997 contains an error whereby two different recommendations are given the designation of "Recommendation #2-D-4" (YKDFN 1997: xiv). Accordingly, the second "Recommendation #2-D-4" is corrected to "Recommendation #2-D-5" and edits to all following recommendations (i.e. Recommendation #2-D-5 to #2-D-16)].

Appendix B

Recommendations from the 1997 TK Study
of Ek'ati Re-considered in March 2015

Number	Recommendation	Current Status / Questions	Action Required	Suggested Edits (in bold)
1	Weledeh Yellowknives Dene Elders have already seen the impacts from mining-in Weledeh-Cheh and in Akaitcho Territory. The Elders and Dene land owners in this project, who believe in coexistence, do not want this kind of exploitation continue in their territory. When Treaty 8 signed by our former Chief Sizeh Drygeese of the Yellowknives with the Crown in Right of Great Britain, the Queen requested the right to live in our territory in a spirit of coexistence. The Weledeh Yellowknives continue to maintain the Treaty relationship that is binding on the state of Canada and any party who enters into our territory. Therefore, it is recommended that a percentage of profits, jobs and compensation for loss of land use go to the Weledeh Yellowkives Dene First Nation. The Elders and Dene land owners of this project strongly recommend that Weledeh Yellowknives Dene land owners must participate actively in developing mechanisms in monitoring and in monitoring impacts from mining operations and their effects on their territory. Participants in this Weledeh Yellowknives project want to see a formal agreement in place that the mining companies will work together with their people throughout mining projects (including reclamation and closure) to develop, implement, and monitor ways to protect the water land, animals, the peoples continued use of their lands, and the evidence of the	Should be addressed in IBA already negotiated.	A new IBA must be negotiated for Jay Pipe.	
A - Ancestral Evidence of Weledeh Yellowknives				
2-A-1	Mining companies must get the consent of the Weledeh Yellowknives Elders for the use of their territories, lands and water and to monitor the impacts of mining operations. There are particular areas of the territory which has particular significance to the Weledeh Yellowknives Dene that must be respected by any group wishing to enter into the territory in the spirit of co-existence.	Still relevant		
2-A-2	In summer 1998, mining companies particularly BHP should take Weledeh Yellowknives Elders and Dene land owners to sites previously identified and to sites known to the people where ancestral evidence can be found.	Done / No longer relevant		
2-A-3	On the sensitivity map, areas identified as "green space are to be totally avoided by the mining companies and their employees and subcontractors and their employees. These areas include burial sites, caches and ecologically and environmental sensitive areas of great importance to animals and fish.	Have these areas been totally avoided?	More meetings with Elders are required to evaluate whether the 'green space' indicated is still relevant.	
2-A-4	Weledeh Yellowknives burial sites must be marked so that anyone from the mines can easily see and respect them. Graves can be marked with large rocks placed at each comer and rocks in the shape of a cross placed over the grave. Rocks placed like this are not likely to be moved by caribou.	Still relevant		
2-A-5	Mining companies shall fund Weledeh Yellowknives Dene to identify significant areas on shorelines, islands, and other places the companies are not telling their contract archaeologists to investigate.	Still relevant		
2-A-6	All Weledeh Yellowknives Dene archeological and ancestral camp sites within the BHP block and surroundings are to be identified by Dene and protected. There will be no activity on identified camp sites, especially for road building	Still relevant		
2-A-7	Mining companies must carry out a strong policy to forbid anyone from the mines disturbing graves, artifacts and especially, to forbid the collection and removal of artifacts, caribou antlers, and bones.	Still relevant. Should be covered under current reguatory processes.		
2-A-8	Mining companies can use government archaeologists in the verification of information for reports and monitoring. These archaeologists must be confirmed by the Yellowknives Dene prior to going into the territory.	Difficult to enforce		
2-A-9	All contract archaeologists working for mining companies shall have at least ten years experience, with half of that time in working with Indigenous Peoples. An acceptable alternative might be for the mining companies to authorize and fund Indigenous Peoples to select specialists they believe they can work with for results satisfactory to their Peoples, governments and the companies.	Difficult to enforce		

Number	Recommendation	Current Status / Questions	Action Required	Suggested Edits (in bold)
2-A-10	Evidence of Weledeh Yellowknives Dene ancestors' occupation and use of their territory is not to be called "heritage resources" as the term is disrespectful and diminishes the connection of such evidence to Indigenous Peoples. Ancestral evidence will not be considered exploitable "resources". Elders and Dene land owners in this project have a range of ideas about how mining companies and government should handle evidence of their ancestors, therefore, mining companies need to hold a community workshops with Yellowknives Dene to develop plans for presentation to the First Nation Council for approval or use.	Were these workshops held?	Terminology in Project Description still refers to "Heritage Resources" (page 22). More discussion is required.	
2-A-11	Yellowknives Dene First Nation have developed guidelines for the companies and contract archaeologists to follow in their relationship with the people and their ancestors' evidence. Therefore the companies and contract archaeologists must get permission and operational guidelines from the Chief and First Nation council.	Difficult to enforce	YKDFN to send their guidelines to Dominion.	
B - Ndeh (ie, the environment: land, animals, fish, birds, plants) and the peoples' continued use of their traditional lands				
2-B-1	Mining companies must use Weledeh Yellowknives Dene land owners to monitor impacts from mining operations on the water quality, plants, fish, and animals (including fish, birds, wildlife) and all roads, airstrips, barges, snow machines and other mechanical impacts to be used by mine companies.	Addition required.		Mining companies must use Weledeh Yellowknives Dene land owners to monitor impacts from mining operations on the water quality, plants, fish, and animals (including fish, birds, wildlife) and all roads, airstrips, barges, snow machines and other mechanical impacts to be used by mine companies. Monitoring Programs must draw from both TK and western science (e.g. indicators of healthy water grounded in TK). YKDFN notes that Dominion is carrying out monitoring, but there is room for improvement.
2-B-2	Mining companies must take responsibility for damage to <i>ndeh</i> (land) and environment since there is to be continual damage through exploration and mining, the companies shall be responsible to protect areas of great significance to animals and other wildlife, such as good caribou habitat and good fish spawning areas.	Should be covered under current regulatory processes.		
2-B-3	Mining companies must pay for regeneration of wildlife and aquatic habitat. Therefore the Elders and Dene land owners of this project recommend that preventative policies and mitigating measures be put in place along with adequate reclamation funds be for purposes. The funds be to used these will jointly managed by the Yellowknives Dene and the company. This is in keeping with the numerous international legal instruments that require such measures.	Should be covered under current regulatory processes.		
Animals				
2-B-4	Before there is any more disturbance of Ek'ati Ndi (the island where Diavik plans to mine diamonds), all animals - including fox and ground squirrel - must be live trapped and moved to a suitable habitat away from Diavik and BHP mine sites. If mining companies decide to use lands directly to the west of their sites (ie, where dust will be most dense), or decide to increase their activities (and increase the amount of dust blowing to the west) - every effort must be made to keep animals, birds, fish and vegetation from being covered with thick dust and going into the water.	Was this done? The YKDFN does not think so.	Will this be done for Jay Pipe?	
2-B-5	There should be no vehicle movement or blasting or other dust- and noise-producing activities during bird and animal migrations and birthing periods.	Should be covered under current regulatory processes.		
2-B-6	To protect animals from human activity and contaminants, mining companies shall take great care to keep animals off their sites with fences. Fences must be built around mining sites, especially where animals are migrating. Fences must be very high about four metres or 12 feet high) so that animals do not get caught in the top of fences in winter when snow blows against them.	See 2-B-8	High fences and wildlife deflection zones remain a priority.	

Number	Recommendation	Current Status / Questions	Action Required	Suggested Edits (in bold)
2-B-7	Diavik should limit its mining activities to the east island of Ek’ati Ndi and leave the west island (the one that points to Great Slave Lake) for animals. The island where mining operations are planned should be entirely fenced, leaving a wide corridor (at least 100 metres) around the shore so that wildlife can continue to use the island to rest while crossing the lake. The Elders and land owners of this project recommend that monitoring be especially enforced by the Land and Environment personnel in spring, summer, fall and winter.	Note concerns about shoreline. Too specific to still be relevant given current development.		
Caribou				
2-B-8	Mining shall fund Weledeh Yellowknives Dene land owners experienced in caribou deflection to change the migration of caribou out of the entire operating area near Ek’ati. During the next three caribou migrations, experienced land owners, directed by the Elders, can set up stone markers and stand by them to chase caribou away. After three migration seasons, caribou will have learned to avoid the markers (and, therefore, the mining operations). People will not have to man the markers after that time, as long as no one disturbs the markers.	YKDFN still strongly support this recommendation. Why was this not done with the YKDFN and done only with the Tlicho?	Recommend a 15 km radius, fencing around the airport site and camp. Any fencing has to be taken down during reclamation. Experiment with using inuksuit, sonic deflectors and wolf sounds to scare away caribou.	
2-B-9	Mining companies must avoid the Narrows between Ek’ati and Lac du Sauvage and the esker that passes through La Pointe de Misere and crosses Ek’ati because they are key caribou migration routes.	What sort of mitigations will be presented if these areas are disturbed? What has been done to date? The YKDFN understands that nothing has been done to date.		
2-B-10	Mining companies will have to pay Weledeh Yellowknives Dene to improve the Narrows between Ek’ati and Lac du Sauvage, since increasing numbers of caribou will use the narrows to avoid the mining operations. The crossing is dangerous because gaps in the rocks can break caribou legs, especially those of very young calves. Some become trapped and die, particularly in springs (like the one in 1997), when caribou cows leave the calving grounds early with calves not yet hardened for travel. Land owners could fill dangerous gaps in the rocks. This work to be done at the same time as the work being done in Recommendations #2-B-8.		YKDFN to remove large boulders and make a gentle slope in the waters at the Narrows to facilitate safe caribou passage.	
2-B-11	Weledeh Yellowknives Elders strongly recommend that all caribou calving grounds become Protected Areas. They urge BHP, which has gold mining interests near Bathurst Inlet, to support the protection of the caribou calving grounds in the area. Halting gold mining operations to stop noise, dust and contamination during calving would benefit the caribou and other animals, such as birds in the nearby waterfowl sanctuary. Caribou cows, if they feel more comfortable, might stay in the calving grounds long enough for their calves to be properly ready for migration.	Should be covered under current regulatory processes (i.e. Caribou Protection Measures).		
2-B-12	Diavik must leave room for migrating caribou on the north part of the island where they are planning to build an airstrip.	Done / No longer relevant		

Number	Recommendation	Current Status / Questions	Action Required	Suggested Edits (in bold)
Fish				
2-B-13	Mining companies must protect fish in Ek’ati. There are some very old, large fish in this lake. They could be damaged by boat motors as well as dyke construction and, potentially, from any spills resulting from trucks going through the winter road. Many fish also migrate to Ek’ati – particularly to spawn - from the Coppermine River and could suffer from construction activities, spills, and dust contamination.	Fish should be removed by communities before any lake or water body is drained or disturbed and distributed to communities.	How will Jay Pipe affect the key fishing areas identified in the TK Study of Ek'ati (maps)?	Mining companies must protect fish in Ek’ati and Lac du Sauvage. There are some very old, large fish in this lake. They could be damaged by boat motors as well as dyke construction and, potentially, from any spills resulting from trucks going through the winter road. Many fish also migrate to Ek’ati – particularly to spawn - from the Coppermine River and could suffer from construction activities, spills, and dust contamination. FS: In Lac de Sauvage, at the shorelines, there are lots of fish, especially near the island [near bay of Jay Project]. The open pit and dyke area is right in an important spawning area.
2-B-14	People from the mines will not hunt or fish in the Ek’ati area. Mining staff and contractors go to Ek’ati to work; if they want to hunt and fish, they can go to nearby lodges.	Should be covered under current regulatory processes. YKDFN understands that this is now an enforced regulation.		
2-B-15	Weledeh Yellowknives Elders warn against the catch-and-release of fish. It is not a good practice because fish can die from wounds inflicted by large hooks or from starvation when hook wounds in the mouth prevent them from feeding. Fish can also die from hypothermia when fish are handled by humans so much that the slime covering the fish is removed.	Still relevant. Fish in Lac du Sauvage must be handled with care.		
2-B-16	Government specialists and an independent environmental monitoring agency picked by the Yellowknives Dene and the company should verify environmental information for reports and monitoring of mining effects. Contractors working for mining companies in these areas must have at least ten years of field experience most of it in northern environments, and field staff working for such contractors must have at least two years of experience collecting field data. Contract scientists or fisheries and aquatic specialist researchers will hire Yellowknives Dene land owners for fish monitoring and related work.	Difficult to enforce		
<i>Protection of Aboriginal & Treaty Rights</i>				
2-B-17	Mining companies will compensate Weledeh Yellowknives Dene for disrupting their Akaitcho Territory land rights and affecting their way of life.	Still relevant. Partly addressed through IBA payment once/year.		
2-B-18	Mining companies that cause a large loss of animal, fish, and bird habitat will compensate the Indigenous Peoples, including Weledeh Yellowknives Dene, for loss of use of territory resulting in destruction of harvesting areas.	Still relevant		
2-B-19	Indigenous Peoples such as Weledeh Yellowknives Dene must continue to have access within their complete territory for their traditional pursuits. The Elders and Dene land owners of this project recommend that an open door policy be put in place for managers of the mine site to give emergency help to hunters and travellers who may need assistance when in the area.	Still relevant		
C - Water (ie, Ek’ati, streams flowing into and out of the lake, and groundwater				
2-C-1	Mining companies and government specialists must continue to verify where water flows from Ek’ati. Monitoring of water flow and levels must be continual throughout and after mining operations.	Should be covered under current regulatory processes.		

Number	Recommendation	Current Status / Questions	Action Required	Suggested Edits (in bold)
2-C-2	Mining companies must involve Weledeh Yellowknives Dene in the monitoring impacts from mining on water quality, water flow, water level, fish, aquatic plants, and wildlife relying on water including - monitoring for dust and contaminants from waste rock stockpiles. Elders are very concerned about dust from mine pits and roads that will be carried westward by wind. Dust will settle in streams that flow into Ek'ati and these contaminants will flow into the larger lake. Rain will also wash dust into the lake. The nine open-pit mines planned to date will all produce huge amounts of dust. Dust from Diavik's planned mines (in the lake itself) and the BHP mine closest to Ek'ati (at La Pointe de Misere) is likely to have the greater impact on water and the plants, birds, fish, and animals that depend on it than pits farther inland from Ek'ati.	Still relevant. Yellowknives Dene want to lead monitoring on their lands.		
2-C-3	Mining companies' waste water must be well filtered, and the outflow of waste must be monitored constantly (24 h/d, 365 d/yr). Weledeh Yellowknives Elders are concerned that soap, sewage, and other toxins from mining camps will enter the water and harm plants and animals. Although mining companies are treating this waste, it can still seep into the lake. Elders want to know the effects of such seepage on wildlife, plants and people that use the water what is the composition of the tailing ponds. There should be strict criteria developed with the Yellowknives Dene for the construction and maintenance of tailing ponds including their location.	Should be covered under current regulatory processes.		
2-C-4	Mining companies must take responsibility to secure their fuel storage from spills, explosions, and other disasters. Fuel storage must be far from shorelines and creeks to reduce seepage. Fuel tanks should be placed in retainers with cement bottoms and walls so that if tanks leak, any leaks can be contained. Fuel storage should be located at a safe distance from camp facilities to reduce impacts (and lives) from potential fires resulting from lightning strikes.	Should be covered under current regulatory processes.		
2-C-5	Every effort must be made to prevent damage from salt and acid drainage to spawning grounds and fish habitat. Because salt and acid drainage that may occur during drilling for mining operations can be devastating for fish and water plants, mining companies must be very open about informing Indigenous Peoples about where they plan to drill so monitoring impacts from drilling can take place in an orderly fashion.	Should be covered under current regulatory processes.		
2-C-6	Mining companies must monitor for seepage of contaminants, including those from waste rock stockpiles, into groundwater.	Should be covered under current regulatory processes.		
D - Water or land as a result of construction				
2-D-1	Mining companies planning major changes to the Akaitcho Territory environment such as the draining of small lakes or the building of expansive dykes in large lakes should be restricted to only one site initially. At this site, mining companies, government agencies, and Indigenous Peoples can find out what impacts actually occur and which mitigation attempts work best. Development on this scale has occurred in the barrenlands in Russia and Mongolia with devastating impacts. It is better to have methods of construction and monitoring developed before additional sites are attempted.	How is this being addressed?		
2-D-2	If Diavik has the consent of the Yellowknives Dene to proceed there are a number of things which must be done. To have the least negative impact on fish and fish spawning grounds near Ek'ati Ndi, Diavik should start building dykes in Ek'ati in late October or November, after fish have migrated to deep water. In spring, fish travel to and live in shallow areas along shores, bays, and islands in order to feed. In summer and fall, fish in these shallow areas. Diavik's plans to construct dykes will spawn disturb these shallows. One Elder suggested that, if dyke construction begins very cautiously in July (before spawning starts), leaving channels near the shore, the fish would be able to leave the shallows through these channels in late fall. The remainder of the dykes could be then built in late October or November. This process might still cause problems for whitefish because lake sediment will be disturbed and will cover plants that whitefish feed on.	Was this done?		

Number	Recommendation	Current Status / Questions	Action Required	Suggested Edits (in bold)
2-D-3	Diavik must protect the important fish spawning ground in the narrow inlet that almost separates the northern part of east Ek'ati Ndi from the rest of the island. One of Diavik's drawings (dated July 1997 <i>see</i> Appendix 1) shows this inlet being closed off at the eastern shoreline. Since dykes in the lake will cut fish off from other spawning grounds in shallows around the island, it is vital that the spawning area in this inlet be preserved.	Was this done?		
2-D-4	If Diavik puts an airstrip on the northern part of this island, it would be advisable to fence the inlet so that fish are not disturbed.	Was this done? What are the results?		
Eskers				
2	Reasons why development should not occur on and east of the "Misery" esker and the shore of Ek'ati include:			
	a) There is at least one visible archaeological camp site and there are burials in this area.			
	b) The esker is important to animals making dens in the soft gravel.			
	c) The shallow, rocky shore an important fish spawning habitat,			
	d) Caribou migration and plans for deflection require the esker to remain in place.			
	e) Regardless of deflection, some caribou and other migrating animals will continue to try to use the shore associated with the esker.			
	f) Animals denning in the esker should not be disturbed by direct human contact.			
2-D-5	Mining companies should leave all eskers in the Akaitcho Territory undisturbed. If companies believe they have to disturb an esker, they must consult with the Indigenous Peoples to do a comprehensive investigation of the esker, especially for burials and animal habitat, before the esker is disturbed or altered in any way.	Still relevant.		
2-D-6	Mining companies should use waste rock from pits or granite stockpiles (if they can be proven not to produce contaminants), instead of using material from eskers for construction of roads.	Still relevant.		
Misery Site				
2-D-7	BHP's "Misery" camp and mine operations must be constructed west of planned locations: instead, they should be located inland away from water and away from the "Misery" esker. Materials from the esker should not be used to build roads or other construction. Waste water and from the sewage camp should flow toward the unnamed lake between La Pointe de Misere and Paul Lake, rather than into Ek'ati to prevent the runoff which is presently occurring at Mackay lake and Pine Point. (This unnamed lake is surrounded by higher land and, there, the Elders feel such wastes can be contained.) Camps should be built on sites with lots of boulder, to deter caribou from entering. Waste rock piles must be located so that potential acid drainage does not enter Ek'ati as runoff.	Should be covered under current regulatory processes.		
2-D-8	Elders are concerned that the planned distances between camps and mining operations should not too great. They say that, if these sites are not closer together, workers will face potentially fatal challenges walking between the sites during blizzards. Project participants recall a man working at the Tundra/Salamita mine on Mackay Lake about ten years ago; he had intended to walk through a storm to an electrical shed only one hundred feet away: he did not return and searchers never found his body. Lightning is also a hazard for anyone walking or working on the barrens.	Should be covered under current regulatory processes.		
2-D-9	The access road from the BHP mining lease to the winter road that crosses Ek'ati should be constructed to the west of the small lake that will become the open pit mine - rather than, as planned, near the esker used by migrating caribou and over a clearly visible Weledeh Yellowknives ancestral camp site. A small valley to the west of the mine site would be suitable.	Was this done?		
2-D-10	Elders also feel strongly that BHP should not build roads from mining camp sites to water, especially to Ek'ati, for people from the mines to fish, bother animals or collect ancestral evidence as souvenirs.	Has this been done?		

Number	Recommendation	Current Status / Questions	Action Required	Suggested Edits (in bold)
Winter Roads				
2-D-11	Mining companies and government will get the consent of the Weledeh Yellowknives Dene on a more appropriate route for the winter road constructed every year to bring supplies to an increasing number of mine sites. When the first road was built in the 1970s, it was built without the consent of the Yellowknives Dene. This road uses a traditional trail of our people and. as a result, goes through some of the people's most important trapping and hunting areas. Elders and land owners in this project strongly recommend that the winter road from Tibbett Lake be moved to follow another route - particularly if there are plans to build a permanent, all-weather road.	Not considered due to time constraints		
2-D-12	Mining companies will use Weledeh Yellowknives Dene land owners during winter road construction to identify currents and channels in lakes, so that ice over them does not become part of roads. Ice over currents and channels remains thin because of continual water action; thin ice results in trucks crashing into lakes with their loads of supplies, such as diesel fuel.	Not considered due to time constraints		
2-D-13	To reduce the possibility of more fuel spills into lakes crossed by winter roads to and on Ek’ati, mining companies must have and enforce contracts with trucking companies stating that transport trucks must stay off winter roads when the ice is under two feet thick.	Not considered due to time constraints		
2-D-14	Mining companies that depend on winter roads crossing Weledeh Yellowknives Dene territory shall put up bonds against spills, contamination and other damage to water, lands, wildlife and cultural sites. The monies will be held in trust by the Yellowknives Dene for cleanup purposes.	Not considered due to time constraints		
2-D-15	Mining companies must find acceptable alternative ways to handle garbage that cannot be incinerated such as styrofoam and many plastics, as burning them results in contaminants polluting the air. At present, all garbage from the kitchens and camps is incinerated.	Not considered due to time constraints		
2-D-16	There to be no public tours of the mine and no construction of permanent towns on the barrens. Tours and town would increase human activity in the area and increase the negative impacts and cumulative effects on an environment that is extremely vulnerable. It is recommended that aspects of knowledge of this not be taken out of context or placed on a data base. Elders are aware that their knowledge in English does not have the same clarity, meaning, or significance that it does in their language or to their own people who are familiar with the language and the history or own their territory.	Not considered due to time constraints		

Key



Questions posed to Dominion with a request for a response and/or update OR Topic of discussion.

Suggested edits made to existing recommendations.

Not considered due to time constraints. Needs further discussion.

Should be covered under current regulatory processes OR No longer relevant OR Too difficult to enforce.

Appendix C

March 2015 Jay Project Workshop Notes

Yellowknives Dene First Nation
Revisiting A Traditional Knowledge Study of Ek'ati: 17 Years Later
Workshop carried out to consider Jay Pipe proposed by Dominion Diamonds
March 24, 2015, 9: 30 – 4:00
Dettah, NT (Council Chambers)

Participants:

Judy Charlo (JC)
Eddie Sikyea (ES)
Alfred Baillargeon (AB)
George Tatsiechele (GT)

Facilitators:

Fred Sangris (FS)
Randy Freeman (RF)
Natasha Thorpe (NT)

Interpreter:

Lena Drygeese

Attempts were made to invite youth, but nobody was available.

Materials Available: Plain Language Summary of the Developer's Assessment Report for the Jay Project. Prepared for Dominion Diamond Ekati Corporation. Prepared by Golder Associates Ltd. October 2014.

Materials Provided: Maps 2 and 3 from the DAR Plain Language Summary produced by Dominion Diamond Ekati Corporation (DDEC). (Map 2: Proposed Jay Project Footprint and Map 3: Existing and Proposed Mine Footprints).

Note: Participants marked burial sites and other sites of interest on a map, but this is not included due to issues around confidentiality and sensitivity.

Notes taken from English interpreting carried out during workshop. Participants have not verified these notes so they should not be cited without written permission. Maps were shown (Maps 1 – 4) from the DAR Plain Language Summary produced by DDEC of October 2014).

FS: Welcomes group. Explains purpose, plan and agenda for the day (see attached presentation). Provides history and overview of 1990s TK Study of Ek'ati. Focus today will be on recommendations made in the TK Study of Ek'ati as they relate to the proposed Jay Pipe. Chiefs and Council will discuss issues around IBAs, and socio-economics. Explains that reports are given by Dominion Diamonds to communities to provide updates on their work. Encourages group to make sure that their recommendations (of the past and those made today) are followed. Highlighted how communities to water and fish tasting

regularly, but that they have a responsibility to 'dig deeper' to find out if the recommendations are being followed. In reviewing the plain language summary of the proposed Jay Pipe, there are likely concerns about: deflecting caribou, the caribou and the narrows, key spawning habitat, piling waste rock too close to the open pit in a windy area, cumulative impacts and ongoing expansions. Asks for permission for notes and photos to be taken during the workshop which is granted by participants. [See Powerpoint Presentation.]

FS: We get reports of how they are doing their work at Ek'ati. We have to make sure they follow our recommendations. Maybe we can make recommendations they have to put up rocks piled up to deflect caribou. They have used some of the recommendations we made. We do the water and fish tasting at Lac de Gras. We need to dig deeper to find out if they are following our direction. . . . They are piling rock close to the open pit; this is a concern, that it is too close to the water [CN1]. The pile needs to move inland because of dust and how windy it is in that area. We need to recommend that we do more meetings before they do their EA [for Jay Project].

RF: Shows photos from the August 2014 site tour where a small group of elders visited the area proposed for development of the Jay Pipe.

Group: General discussion about the traditional name for Lac du Sauvage.

AB: A long time ago, we were there [at Ek'ati] for two months and I helped. There was a small trailer placed there and that time the exploration people were looking for kimberlite. We used to set nets and well over 5 feet deep, we used to catch fish in the net. We used only one net and we checked the fish and the water. They did that before the mine started; they carried out all these tests before the mine started. We walked all over, we went through the Narrows, and we used boats to go through the Narrows. Mike Francois and myself, we were there for two months working with them. At the Narrows, the place is so old that even the rocks are all worn out [at the Narrows].

Back then they were testing everywhere. Now they want us to develop that pipe that they call Jay Pipe. It seems like they are not really going to go ahead, but we are not sure. Before they were working on that Misery Pit. The other sites that we visited and they took tests, it seems like they have found other pipes and they didn't say anything at that time. They didn't tell us about it at the time. How many years ago was that? They didn't say anything about those pipes. Only now they are saying they are going to work on it.

They are using a strategy on us. All those places that they said they were only going to be testing. We had gone to those places with them. They measured things down in the ground. That is what they were doing when we were with them. Those pipes that they used, they poured a little bit of cement in to the ground and pushed it down. That is what they were doing when we were with them. They were doing all these tests. I think they were planning on building a dyke around Diavik at that time, but they did not tell us. They will do the same thing around this Jay pipe.

During that time, we saw a burial [GR1].

We still want the IBA payment to continue no matter what kind of work they do in the barrenlands up there. They have to continue, no matter what. At the Narrows, there, there is a grave [BU2]. We saw it. It was all tied up in roots, a cross. Jonas and Isadore, we all went on a trip and walked all along there. I'm sure there are more than one little burial site around those areas [near the proposed Jay Pipe], but we do not know how they came to be buried there. I'm sure there are a lot more burial sites.

We were in a chopper and there is water flow between the rocks. There was a large chunk of ice like an iceberg, and we landed on it in July, just on the north side of, and west of Jay Pipe [IC1].

ES: What does Lac du Sauvage mean?

FS: The "lake of the savages" – that is what they called the Dene. Nàk'oozaati is the traditional name, I remember that lake. It is called standing willow or Willow Lake. There is willow all around the lake.

AB: There are lots of moose in that area east of the Narrows [MS1]; we saw two moose wandering in that area on the east side of Lac du Sauvage. We saw them. There is a tourist camp on the south side of the Lac du Sauvage. There was about eight moose at the southern part of Lac de Gras one time where there was a little cabin there, tourist camp. Even around Mackay Lake, there were 3 moose around that lake [MS2]. Maybe they are still wandering around in that area.

There was an island there, we were in a canoe and we were going towards that island. It looked like a big cliff on the island, but as we got closer, we realized it was a moose. We saw two moose on that island.

FS: About twenty years ago we heard about moose there [near Ek'ati], but we didn't see any. Now there are about eight moose there, on the east side of Lac du Sauvage. It is because of the willows in the area: the willows are attracting the moose, especially in the winter when the food is scarce. The moose will go where the willows are. Maybe in the future, they will come down.

FS: When we went there in 1996, we told them not to go there, where the Jay Pipe is located.

FS: Background

AB: I want to know, where do these people come from? Overseas? We want to know their backgrounds; what kind of families they have; we want to know everything. They just step over us. They don't ask us to go on our land. Look at all these mines, they are going over our heads, going straight to the government and they don't tell us what they are going to do on our land. This is our land, by our rights, they have to come see us first. We don't go to their land and just destroy what we want. I'm trying to figure out how they think after all these years. Ever since white people came to this land.

Today they use chemicals. Look at Giant Mine and the arsenic. There is a lot of arsenic underground. All kinds of big storage bins and all these things are there. Ms. [Judy] Charlo went there to see how they stored things.

Look how much of our land they are contaminating. They are using chemicals. They are doing all this damage to our land and don't say anything to us until after it is too late. At one time, we went on a site tour. There were different rocks laid out, but they told us we could not touch those rocks without using gloves. They knew they were contaminated. What is going to happen to our land, when the young people go out? When they go out, they don't even tell us what they are doing.

All these mines, they are trying to make money out of it. Even Akaitcho mines. There is a gold mine, past Giant, TerraX [TerraX Minerals Inc. is presently exploring the Yellowknife City Gold Project, a current exploration program for property adjoining Giant Mine's north boundary]. We need to go meet with them again. We need to recommend TK to them. They are destroying our land all around us. They are looking for more minerals, gold, anything they can make money out of on our land. Even if they do all this exploration work, they don't tell us what they find.

Here we talk about the Drybones Bay area, remember they destroyed some places during exploration. Drilling, blasting and now that site doesn't look good anymore. We thought that we recommended that they don't do any work in that area, but they did it anyway. They are sneaky: they did it anyway. They destroyed the land and then stopped. It seems like they just come to our land and take whatever they want and do whatever they want. They have to come to Dettah and talk to us, talk to the Chief, people who work for the Band.

There are burial sites at Drybones Bay. There was a fire there and some of the graves were destroyed. When they did their exploration work, it was right near the burials.

Now in the barrens today, they are making money out of our area. They send us just a little money. How can we help our own people if the government doesn't help us? They think we are stray dogs all over this land. They make as much money as they can from our land and then just leave. Then they go buy the fancy stuff down south. What do we end up with? Hardly anything!

When we try to make recommendations, and negotiate, they say that their person has died or moved so we have to start all over again. It is so sad to see the government even thinking about the native people in the country. Not only us up here, but all over. Today we are being taken advantage of, just like the first time the white people came and built houses everywhere. In the past and today, the white people are still taking advantage of us and our land.

We want to teach our young people. We make recommendations to help our future generations. We cannot always say we are in the poor house, as we are always helping one another. Still, we want the government to keep to their promises when they made the treaty. We want our great grandchildren to have a great life. Even myself, when I think

back to being a young boy with the old man, grandpas and uncles, they raised us how to do things on the land. What we did on the land, we knew. During those days, we traveled and hunted and trapped for our clothing and survival. Today it is different.

We should recommend that youth sit with us, travel with us, just sit with us. Even one of my sons works at the mines and he watches everything. Right now, they blast in the open pit. If there is a bit of wind after the blasting, the wind carries the dust on the land. Sometimes he sees the fox come out of dens because of the smoke. They come out of their dens because of the blasting, or maybe the sulphur smell.

There is nobody working to help our workers. Maybe there is nobody helping us. Maybe the mine representatives are hired and don't even talk to people.

We have to put a lot of recommendations forward if we want to protect our land and people. It gets hard sometimes when you think about it. I would like to recommend that whoever does work on our land, I want to know who the head boss is and where they come from, what country and more. We know all kinds of people are in this world, but we do not like it when they come to our land and destroy it just to make money for themselves.

In 1958 when the Mackenzie highway opened and the Ingraham Trail was worked on, the ice road was worked on every winter. Think of it, all these heavy equipment and supplies moved to the barrenlands to start those mines. We never got anything back in return. You have to give us compensation. There was lots of good fish in the barrens. What about all the dozers that go over all the portages, go over the burials? Sometimes you smell the oil from the spills. When I look at that, I think of the wildlife in that area. For destroying our land, wildlife, environment, we want to get compensation. There are four mines in operation and they bring up people in there. There are 9000 deliveries to the mines on our land. We should talk about those big vehicles. They should pay a toll, fee of some kind.

Break

NT: Explains details of Jay Pipe (e.g. will extend minelife for 11 years), the work of the TK Panel (formerly through EMAB) resulting in recommendations, many of which are the same/similar to those detailed in the 1990s TK Study of Ek'ati and many of which are being implemented. Explains the objective today of considering the 55 recommendations made in the 1990s down to those most relevant to the proposed Jay Pipe.

FS: Explains that IBA will be dealt with by Chief and Council. We are only here today assuming that there will be at least 30% Aboriginal employment, and that there will be many jobs and training. This is being negotiated by the GNWT through a socio-economic agreement. This should be mentioned as it related to

Recommendation #1.

Caribou Recommendations

R #2 – B – 8

FS: The ribbons used to try to deflect caribou were suggested by the Tłı̨chǫ, but didn't work and probably attracted caribou instead. We want instead a 15 km radius, fencing around the airport site and the camp. Near Great Bear Lake, caribou got caught up in fencing and died. We are wondering how it would work to use markers to deflect caribou? Is there something different that we can try? Should this still be a recommendation?

AB: Anything, any kinds of fencing, has to be taken down when the mine is closed. In the past some fencing was done, some kind of wiring. One time we went to BHP campsite and close to the airport there were lots of caribou and the plane couldn't land. The workers chased the caribou to another area, but after that there was fencing put up. After the mines close, they have to take the fencing down. Anything they brought to the minesite to put up, they have to take it away.

FS: The Jay Pipe would extend the life to 2030. They will still be using trucks, helicopters, so we should make recommendations. Maybe we can get funding to employ our people to set up the berms or fencing. What about the suggestion to use rocks? Our people could help with this.

GT: In the past, there is something being used. What about using something humans cannot hear, but animals can and it will deflect the caribou (i.e. sonic).

FS: Maybe we could use wolf sounds, help them develop wolf sounds. In the past, when our ancestors tried to herd the caribou using cairns like inuksuit. Maybe they can use recorders of other animals that prey on the caribou, like the wolves. Maybe they will go another way. We could use those kinds of sounds systems (e.g. ultrasonic).

JC: When we talk about things like that at these meetings, when I think back to the way our ancestors lived - even the Chief Drygeese, the past chiefs - they way they used to go to Fort Resolution for meetings, and I know the things they used to say. The Elders used to talk about all kinds of things, even Eddie's grandpa, they would make recommendations to each other around how the people should live, what they should do.

This is the land of our ancestors and it is being ruined. We cannot even drink water without paying for it. Even some of our people get sick on the water. Sitting beside me, Eddie, his older brother was walking around in the water and his feet got infected. All those companies have ruined our land.

There is a story about a big boat that sunk in the water, past Moose Bay, a big island off there, a big boat sunk in the water and it is still there. There is another vehicle, stuck in the ice with supplies, and it sunk. These things are happening on our land, but we don't see the government saying "lets help these people clean up the land."

In the past, there were lots of fish in these lakes. There used to be a fish camp, they used to take the guts and throw them in the water just like that; that is how it used to be. Fish blood, guts, were thrown into the water. Now when I think about it, we cannot even drink a cup of water without paying for water delivery. People used to set nets and travel all over the lake by boat. I feel badly when I think of all the damage done to our land. I don't like to think it, but I have to say it.

Now they have garbage and slop pails they just throw in the water . All these people that used to live there, at the camp, they would keep it very clean. All this area, our ancestors had lived in the area, and it looks clean when we are out there because they took care of the land. Today, it is not like that. Things they didn't want to use anymore, used to be disposed of properly, burned or buried. Now it is just thrown away, in the water. I was young at the time but I remember what it was like.

Now they don't give back to us. We should not pay for water. I don't like that. Sometimes some people make up stories, say to others in meetings . . . there is word going around that people in Dettah would not have survived without the city of Yellowknife. That is a false statement, not true. I don't like it when people make false statements like that. Government people don't know anything about the people who live here, so why do they make false statements? They don't know anything.

Even our young kids like to swim during the summertime, like to have fun and go swimming in the water. Even our kids, we want our grandchildren to swim in the lake, on the shore. Government trying to make rules. Is it because they want more money for the land. I used to go out on the land trapping with my family. We knew where the wildlife was, we followed the animals for survival. We had a good time, clean air, everything. The old timers are not with us anymore and we have to pay for everything that we need. We have to pay for our water and it is used by everybody.

We went for a site tour to Giant Mine to see how they transported the minerals, the trains. . . We used to be close to where the exploration people were working. We used to feel and hear the blasting not too far from us, even though we were out on the land. When the exploration people used to blast rocks near us and we would talk to the Chief right way and tell him they should not be doing this close to us or near us. Nobody mentions this anymore. On top of the ground, under the ground.... They just work at it until they get what they want. They don't even pay us for destroying our land. They should be paying for our water, because this is what we need. We have informed the Chief and council of this, and it take time, but they know what we need.

It is not just here that this is happening. All these abandoned mines, explosives, materials, cans, just left there, all abandoned. They just take off when they are done. Even on the barrens. The other mine that they are working on, near Kennedy Lake, that company will leave an imprint behind. In that area, it is good for all kinds of wildlife. As a little girl, I used to be there with my family. As a young woman, I went there. All of this is taken from our land, we should get something back in return. That is why I want something done for our people. Compensation or anything. They have to help us somehow after they come to our

land and ruin a big area without even consulting with us. What about the other communities when people go to their land and destroy their land? We raise our concerns, all the time.

I recommend compensation, I was thinking about that. The past leaders made suggestions. Why aren't they listening to our suggestions? The government didn't listen to us when we make recommendations. It is not right. We are very concerned about our future generations, our lands and water. This is what I wanted to share.

FS: They should give us compensation for all the areas they have destroyed. Even N'dilo we have to pay for water too. By our rights, when you think about it, they should give something in return for that trade-off. It is really hard for a lot of families to pay for water, especially those who don't have steady jobs.

Randy returns.

FS: Randy, do you know if anybody ever tried sonic or wolf calling?

RF: Not to my knowledge.

GT: Should do it only at daytime to protect from airplanes. Wolves only howl at night anyway. It makes sense to do it that way.

Lunch

Caribou

#2 – B – 9

FS: About the Narrows. There used to be white people there fishing. We told them not to disturb the area there. What do you think?

AB: The Elders put the recommendation forward, but they are not with us here today. We know they didn't want it disturbed. This is what they wanted. We should leave the recommendation the way it is. The Narrows must be kept protected.

AB: [The big rocks at the Narrows are] really dangerous for the caribou.

FS: We looked at the rocks in the water and that is when we found two caribou, the hooves got caught, in 1996. They both drowned. When we went there, the elders said that it was pretty dangerous. If you drive the herd east of Diavik, which will happen with the Jay Pipe, more than one caribou might be injured. In the past, when they crossed safely to Diavik Island, it was safer for them. It is a pretty rough place. DFO might have a problem with us removing rocks or changing it.

RF: Either pull out the big rocks or fill in the small spaces?

FS: There are lots of materials right there, you could make it smooth so the herd can jump in and get out the other side. If the Jay Pipe goes ahead, they are going to chase the herds off that area [north of Misery Esker], and they are going to run across that place. We'll have to ask DFO, to get their blessing, to see if they understand. What do you think?

GT: If we do throw sand in there or gravel, there might be big outcry about that too. Maybe we should ask the DFO and others first. We do not have the same knowledge. They go by scientific, we go by TK.

FS: In the past, when Diavik was on that island, we were working with Diavik, and we told them about the recommendations and they said it was a good idea. Now BHP has a new company, Dominion. So we they did not know all the recommendations put in place since 1995 so now we want to meet with them and tell them about our recommendations. So Diavik is ok with it, but the Dominion Diamonds needs to know. If they say yes, we could work and do something about it. If they say no, the caribou will still migrate in that area. Maybe we can go look at it ourselves.

GT: The caribou drowned in that area, you said. I think that it would be a good idea for where the big rocks are, the big rocks should be removed. Only the gentle part should be left. The area further up is ok, only that one spot (NOTE ON MAP). Big rocks should be removed and replaced with smaller ones so it won't happen again. We don't want caribou to drown. It happened lots in the past, but we don't know about it. It is a recommendation we can work on.

AB: When we worked there one summer, there are lots of big rocks there. That area you just mentioned, it is only one little area [south of inlet – about half way up the Narrows channel]. We could make that suggestion and funding could be put in place. I think that it could be done. It is just that little small area there. In the future, when the mines close, caribou might go back to it.

FS: We have the chance to fix it. One day the herds will all come back and it is probably better to make it safer now. We probably want to work on deflectors in this area.

Fish

FS: Shows map from 1990s TK work showing fish activity in Lac de Gras and Lac du Sauvage – 1:250,000 PDF. Requests discussion.

FS: According to Alexie Mackenzie, the Narrows stay open all year. In Lac du Sauvage, at the shorelines, there are lots of fish, especially near the island [near Jay Project Bay]. The open pit and dyke area is right in an important spawning area. We need to meet with the company to put a recommendation to take fish out and to ask questions.

AB: At that time, fish inspector came with us to go all around to see the fish and check nets. We caught different fish: small fish, big fish, with all different net sizes. We check the nets about 20 minute later. The fish get caught in the net. The inspectors always go out with us, we have to put the recommendation forward. The fish should be scooped with the net, try not to handle them too much. Fish cannot survive without water. The [fisheries people] give us lots of information too. I recommend that we meet with the fisheries people on site so that we can share TK and science. They need to see it with their own eyes or they won't believe it. We need to be together on site.

Not all communities work well together: sometimes they just want money. It is getting hard for communities to work together.

The Weledeh have to sit down and be serious about what is going on our land. Mining companies have to come tell us and give us a presentation they need to consult with us. They need to consult with us after everything is set up. Even when we took the site tour, on that day, they had blasted rock. They crush the rocks for roads, they use chemicals too. Water flows all the time and it will get contaminated slowly even if it doesn't look like it. After the work is done, what about the oil on the ground from vehicles? Our water will have a film on it. Will fish survive if the water is put back in the pit?

We recommend this in the past, how do we know they will listen? Elders have died, and this is all we have left: points on paper. What is going to happen? Most of the young people have never been there. We need to make our reports available. If you have to, pass it to each house like a flyer.

Diavik informed us of everything and they worked very well with us. Dominion should do the same. We are doing this for future generations, for them to live on the land. Look what happened with Giant and Con.

GT: What about if they find another kimberlite pipe, drain the water, what are they going to do with the fish? Are they going to put the water back in the Lac du Sauvage after it is built? The first time, they said they distributed the fish to the communities. Are they going to do the same thing this time?

FS: In the past, the fish were distributed to different communities, even to Yellowknife. The mining companies were not prepared to collect fish when they first had work on the other open pits. Those lakes on top of the pipes took the fish out and water out; they were not prepared to store fish onsite (i.e. no freezers or equipment ready). So some of the fish was getting rotten and so the fish were brought to somewhere else. We don't know where it was brought. Maybe to Kugluktuk where they still have dogs. So if they had told us on what days they were going to send the fish on the plane, somebody could have been waiting at the airport to get them. Over 55,000 fish were spoiled. The ones still good were sent to this community. This time, we recommend that freezers are available to store fish before sending to community so they are not spoiled. They should freeze it and package it and send it to different communities. It should be talked about. That way too much fish won't get spoiled.

Last year at Kennedy Lake, all the fish that was taken out of that Lake, we had put recommendations in there, to be prepared to collect and store them properly. We told them to do that. They got everything ready and the ones that know how to check nets and fish, we wanted them to hire our fishermen to collect the fish because they know how to handle them. This should be done again at Jay Pipe. When you touch fish from the lakes up there with your bare hands, because there is something in your hands that is not good for the skin/scales of the fish. We should meet with the mines and DFO to make recommendations on how they should do it, and how we can work with them. They should hire some of our people.

FS: It needs to be done properly. They didn't do a good job in taking care of the fish so we need to recommend that they gut it and package it properly to be distributed to people. In that area where they are going to drain the water, there probably won't be much fish because it is a shallow area, but it is important migration, spawning and fish habitat.

#2-C-5

FS: If we have people that do the blasting and drilling, maybe we could have them come talk to us. We should tell them to demonstrate to us, or tell us how the work is done. Better communication of monitoring results, want to know what is in the stockpile.

#2 - D - 1

RF: The idea 20 years ago was that the mines would get too big, there would be too many mines. We can re-word this that it is still a concern and that it is actually happening.

FS: We have to recommend to keep it small; we put forward recommendations years ago that we did not want a big footprint of the area. Go slowly and learn from the past. If you are going to have open mines, we want them to work carefully so that they do not destroy the water or contaminate anything and that they don't have too many buildings everywhere, especially around the minesite. We don't want too many mines in all directions.

NT: What have you learned in the last twenty years and how can you give advice thinking forward to the Jay Pipe?

GT: Before the mines started, they told us they were just using straight water. After the mine started, they were using chemicals. They need to tell the truth. I hope it doesn't happen like that again. If they want to start a mine, they should come out with the truth and be open from the start and nothing is hidden. In the Aboriginal way, we don't hide anything. We are straightforward, if we want somebody to know something, we don't beat around the bush. That is our way. **That is the thing, that I really want to know the truth before something happens.**

JC: When we talk about the mines on our land, we have concerns. I remember when the elders used to be on our land. We never used to see anybody around the Lac de Gras area. When I go to meetings, I sit around and listen to what people say and sometimes in other communities, I go and I listen. When they talk about their own land, when they talk about their mines. In the Burwash area, there was people living there, I was talking about what the mines did to our land. . . . I always tell them that everybody is younger than me at the meeting. I remember all the chiefs of the past. I remember what they said, what they did for our people. We never used to see white people on the land. We never used to see white people. We used to go to Fort Resolution to pick up our supplies.

After so many years, Chief Drygeese said we would not go to Fort Resolution to accept treaty money and we told them they had to come here. That was before the big influenza epidemic came through the north. We never used to see white people around here. After the epidemic came through here, it was only after that the white people came through. Some white people started coming.

At Con mine, we didn't know they were going to do blasting. It was in 1935 after I came back from residential school when... I never saw white people until I went to Fort Resolution. Around Burwash there were little shacks and log houses... when the white people came there, they were really surprised that the white people came here, across here, at Con Mine. The chiefs said that on this side of the land [near Dettah], no white people are going to come here. Willie Crapeau has said this. These were his words.

Today I am still talking about water. I am upset I am paying for water delivery. I did not ruin the land or all those areas around the mine! All the chemicals they used! I was really concerned. We did not do this! The leaders here, they did not like what the white people were doing. There used to be the Back Bay / river area, people used to set up tents to collect fish for the upcoming winter. They did that in the fall time. Later when the white people came, they just put their garbage wherever they wanted. They used our land as a dumping ground. Sometimes the tailings pond over-flowed and they didn't do anything about it. That is why Back Bay is really bad.

Even in this area, the fish look different. Around Gros Cap Area [in Great Slave Lake], we used to come back to Dettah and then back there: the fish were different. Sometimes they have slop pails in the winter times, they just spill on the ice like that. Just dump their garbage not too far from where they live. All these things, I have seen.

They said that the white people were saying there were not Dene people here when they came. I am really upset because that is not true. People were always out doing something – nobody stayed in one spot a long time. We were always out doing something on this land; we traveled all over. I remember a lot of things that happened. When I was young, we would travel to Lutsel K'e, and spend a few seasons over there and then come back here again. I never saw one white guy growing up. Then they say a white guy found gold in YK area.

When we did see them [white people], they were dressed poorly. We had to help them out. They would have froze. There was one white guy who had three dogs on his team, he didn't have good footwear so my uncle gave him mukluks and thick leggings when we saw him at Gros Cap. I was there. I saw it. I never heard one white person say that they survived because Dene people helped them. And here they are trying to take over everything that is ours. They don't even say thank-you. No white person has mentioned anything like that. We used to see white people on the land, said my uncles, but I was little and I still remember. In 1935 I came back here from residential school to this area. If it wasn't for the white man, they would say nobody would be in Dettah. That is not true. I don't like that. My grandpa, and his grandpa and his grandpa were here.... I know that because I was told that.

In those days, we went hunting and trapping, we had everything we needed. Even at Thor Lake now they are talking about a mine there. Francois Lake, the other place. . . My grandpa had a log house there, and they had a little smoke house beside the log house. Fred knows that area I am talking about. There are lots of trapping trails from Dettah out that way to the east. Sometimes they just made a small lean-to house, with a flat roof, just enough for

people to sit around, lay down, have a small stove or fire pit in there to check their traps. My grandpa used to have a log house out there. They used to go to Fort Rae in a small freighter canoe with an old time kicker on it. They used to have a trading store at Fort Rae. They used to buy tea in exchange for fur.

I remember one time they went there and on the way back, they stopped at Enodah.

Then they made log houses there, at Enodah. Now the white people say when they first came there, there were no Dene people there.

When I first saw blasting done, it was at the Con Mine. They were blasting some rocks there and we didn't really know what they were talking about. They were making signals and talking. We finally figured out what they were trying to say and so we got out on shore. The guy kept looking at his watch. He said we should just wait 20 minutes and kept looking at his watch. Next thing we know, there was big bang and dust and rocks fell into the water on the shore. We knew they had blasted. We got back in our boats and we couldn't go back that way [because of the blast rock] so we had to go around the other way, away from Con.

... Remember what the elders have said from this community because they know what has happened before the white people came. My mother is from the Aklavik area and my father is from the southern part, near Fort Smith. My parents are from two different places, but we grew up here and what our grandparents told us about these areas around the lake. . . We know these places because we have been there ourselves.

The government and mining companies are taking money from our land and we don't get anything. I remember when the Queen of England came with her family to here. They did a tour. My husband had some coins given to him, maybe for the Centennial. All these things were happening and all our people were out on the land.

What the land looks like today, with all the abandoned mines....we went to those areas too and have seen how they just leave their things behind. When I get out, I remember how good the land used to look. Then I see the stuff left behind and I get really disappointed. It breaks my heart.

You must take down our words, as this is what we saw. This is what we learned from our grandparents before us.

AB: We know what happened on our land, our grandparents told us what happened. Now we are going through this, how can we make recommendations so that they [the mining companies] work better with us? They should help us with money since they are making money. The way they want to work with us at Ek'ati and Diavik. If they can improve...

What if something happens to those two lakes [Lac de Gras and Lac du Sauvage], what will happen to the fish and water? We have to get a payback of some kind, compensation. Even this diamond mine that they have started, the land they have touched, the open pits, they have killed that land. It will never be the same again. They ruined that land that they are on. So now there is another area they want to work on.

I recommend that we go there ourselves. Sometimes we have to have people from here to go to the worksite to see what they are doing. We need funding to do the kind of work that we want. Since they are taking from our land, we want them to give us funding.

From Dec/Jan there is always big trucks going on the road. Now there are 4 mines operating and all these supplies are being delivered. We have not talked about the roads too much.

When I think back about traveling with dog teams, everything was pristine. Water, land, trees...everything. I remember how I used to look when I travelled. Not all lakes have been checked for good fish. Maybe there is some fish nearby the mines where the water and/or fish is not good. The fisheries officers are always making regulations. It cannot always be like that. They have to make recommendations from us too. The old people, from the 1950, 60s, 70s... We have to recommend that they hire our people, that they work with us. I want to recommend that they hire our people to do these kinds of work on the land.

Somebody somewhere is digging something up. We have to think about this. I wonder how they are doing out there. The land is being torn apart and the wildlife need to find another place. I wonder where they are going to?

The mining companies really protect one another. We have seen those attitudes before. That is why we need to take a look at these things themselves. We have to see what they are doing.

The companies say they are not using chemicals but we know that they are.

The rare earth metals at Thor Lake are very powerful. We used to avoid that area, the Elders used to say, we avoided that area because they know there was something over there. Now today, they think that we don't know anything.

Now they say there is going to be a road in a different area. It just seems like they are constantly changing their minds. We should always talk about what is going on in our land. We need to continue with these information sessions. We need to involve the young people to teach them.

You should look for funding so they can show us how, when, where they plan to build the Jay Pipe. I know they don't work very fast, so right now everything is being planned. They should take some youth and some elders in the 40s/50s so they can see it with their eyes and so they can know. They cannot know otherwise. We should have a site tour, we need to take a trip. . . . The mining companies should be able to sit down with the young people and talk together.

There are lots of abandoned sites . . . We don't want to do that again, just pick a spot and start picking around. . . . As Treaty 8 people, we have not even settled our land claim yet. I was thinking that if we had settled our claims, we could have been part owners. I am thankful we have people who work with us.

In 1952 or 1954 in Fort Rae, I went there by boat and I was about 17 years old. In Fort Rae, people were really pitiful at that time. After we helped them out a bit, they think that they

are so rich and they want to take over our land. They were so pitiful at one time. What I recommend is that we go to the Jay Project Pipe to consider an open pit; to go there in July.

I want to know, when is the next meeting for Jay Project in N'Dilo?

RF: There will be many meetings. This is just the first meeting. The Jay Pipe will go through a lengthy environmental assessment process.

#2 - D -5

FS: Should we alter the wording around eskers? The animals make their dens in there. This is still valid.

#2 - D - 6

FS: The Elders didn't want eskers used. It is the same today.

NT: Can they mark areas for potential deflection areas for caribou, key fish areas or camp sites?

FS: They said there is not enough people here and they want more meetings. They don't feel comfortable. They don't want to change the recommendations made by the elders in the mid-1990s.

#2 - D - 8 / #2 - D - 9

FS: We recommend that there are not a lot of roads built to give people access. We don't want policies to enable people to take things, go fishing, go on our land.

AB: What are they going to do with all of the waste rock that they take out? Where are the people going to stay?

FS: There is an area where there is an esker where it goes down to the shore, where it goes down. The road will be constructed after the assessment. There will be several meetings about the road construction. That is when they are going to start working on the dyke. They really have to watch out for the weather, it can get very windy around here. Dust on the road from trucks going by. They have to be careful how they work. Plants and other wildlife are in that area in there. We have to ask questions about this.

AB: We should go check it with our own eyes. I wasn't there. I need to see it, the esker.

FS: This is not the only meeting we will be having so we will still be talking about it.

RF: I don't know when the environmental hearings will be, but everybody needs to go and stand up and talk.

GT: Do they have water and water treatment?

RF: Yes, as part of their regulatory requirements.

GT: Closing prayer.

END

Appendix D

English and Taltsáot'íne Place Names in
Chief Drygeese Territory

Ehdàtì/Ehdaàtì / Lockhart Lake

Ekècho Ndà / Egati Dea / Egati Island /Small Island in Lac de Gras

Enq̄hdaà / Enodah

Ewàdehtì / Courageous Lake

Kòk'e Tì / Contwoyto Lake

Nàk'ooʔaa / The Narrows between Lac du Sauvage and Lac de Gras

Nàk'ooʔaati / Lac du Sauvage

Ndilo / Ndılq̄

Nechagq̄ndo / Gros Cap

Nq̄ndıka Tì / Nodeati / MacKay Lake

Nq̄ndıka / MacKay Lake (at narrows)

T'èʔehdaà / Dettah

Wiłłideh / Weledeh / Yellowknife River

Wiłłidehcheh / Welehdeh-cheh / Yellowknife Bay

Whatì / Whati

Whatìà / Drybone Lake

Whatìcho / Beniah Lake

Taltsq̄ot'iné

From: GOYATIKQ LANGUAGE SOCIETY (June 5, 2015)