



Dec. 3<sup>rd</sup>-7<sup>th</sup>, 2012

MACKENZIE VALLEY ENVIRONMENTAL ASSESSMENT BOARD  
- De Beers, Gahcho Kue Diamond Project

# INTRODUCTION



- Introduction:

Members of the Yellowknife Dene First Nation are descendents of people whose very existence depended on utilization of the rich resources of the lands and waters north of Great Slave Lake, known as the Chief Drygeese Territory. The Yellowknives Dene have practiced their traditional rights for generations, and they remain in active use to this day – they do not exist just on paper.

- YKDFN Team:

- Randy Freeman: Traditional Knowledge Specialist
- Todd Slack: Regulatory Specialist
- Kim Poole: Wildlife Expert
- Chief Edward Sangris: Chief of Dettah

- Mandate



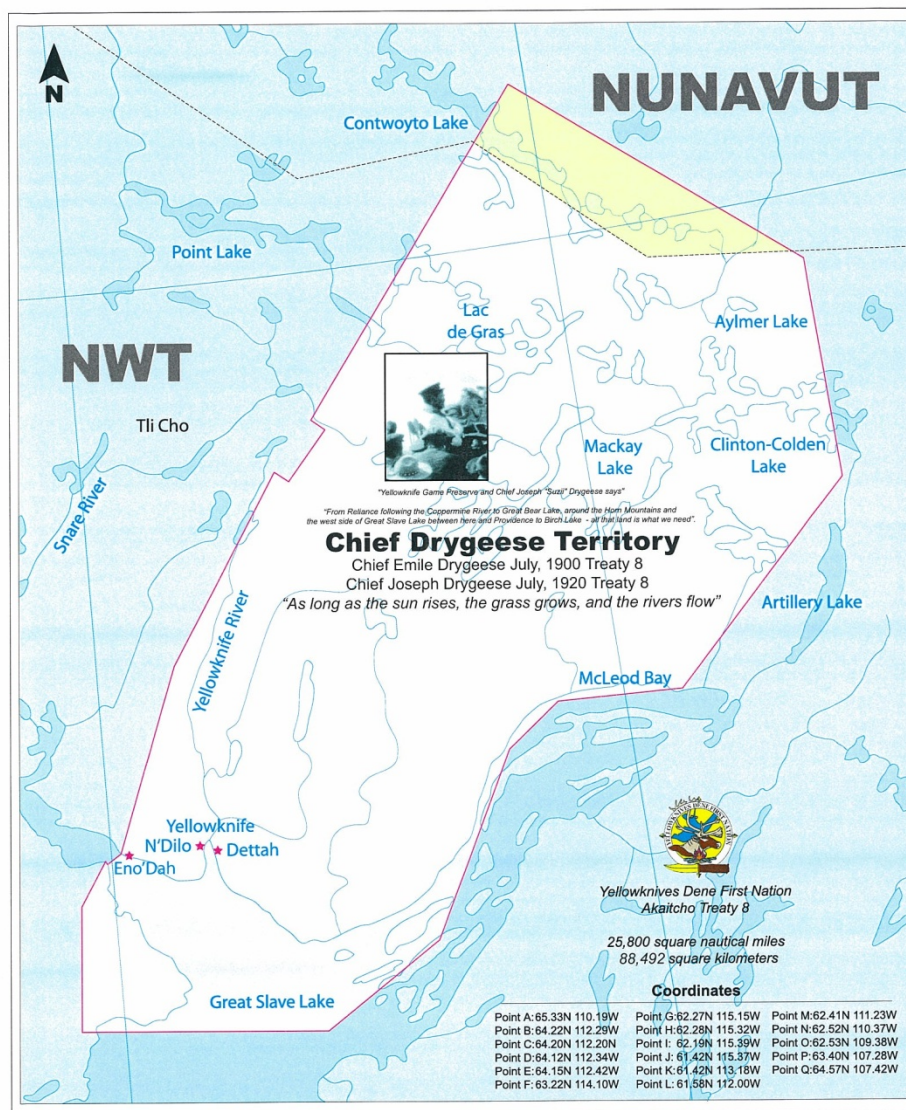
Gahcho Kué Diamond Project  
Traditional Knowledge and  
Traditional Land Use Study  
**Progress Report**

Dec. 3<sup>rd</sup>-7<sup>th</sup>, 2012

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# TRADITIONAL KNOWLEDGE UPDATE



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# TRADITIONAL KNOWLEDGE UPDATE



- Yellowknives Dene First Nation and De Beers Canada Ltd entered into a Traditional Knowledge Study Agreement for the Gahcho Kué area on September 24, 2012
- The purpose of the study is to “... collect TK [Traditional Knowledge] and TLU [Traditional Land Use] information as well as contemporary land use information from YKDFN for the Project area for use and consideration in the Project EIR process and related regulatory processes...”

# TRADITIONAL KNOWLEDGE UPDATE



- In designing the Gahcho Kué TK/TLU Study we recognized three distinct phases to the work:
  - First, determining what information has already been gathered,
  - Second, determining what the gaps are in this knowledge and how we fill those gaps, and
  - Third, how can this knowledge be used.

## Timeline

Phase One: November/December 2012

Phase Two: January/February 2013

Phase Three: March/April 2013

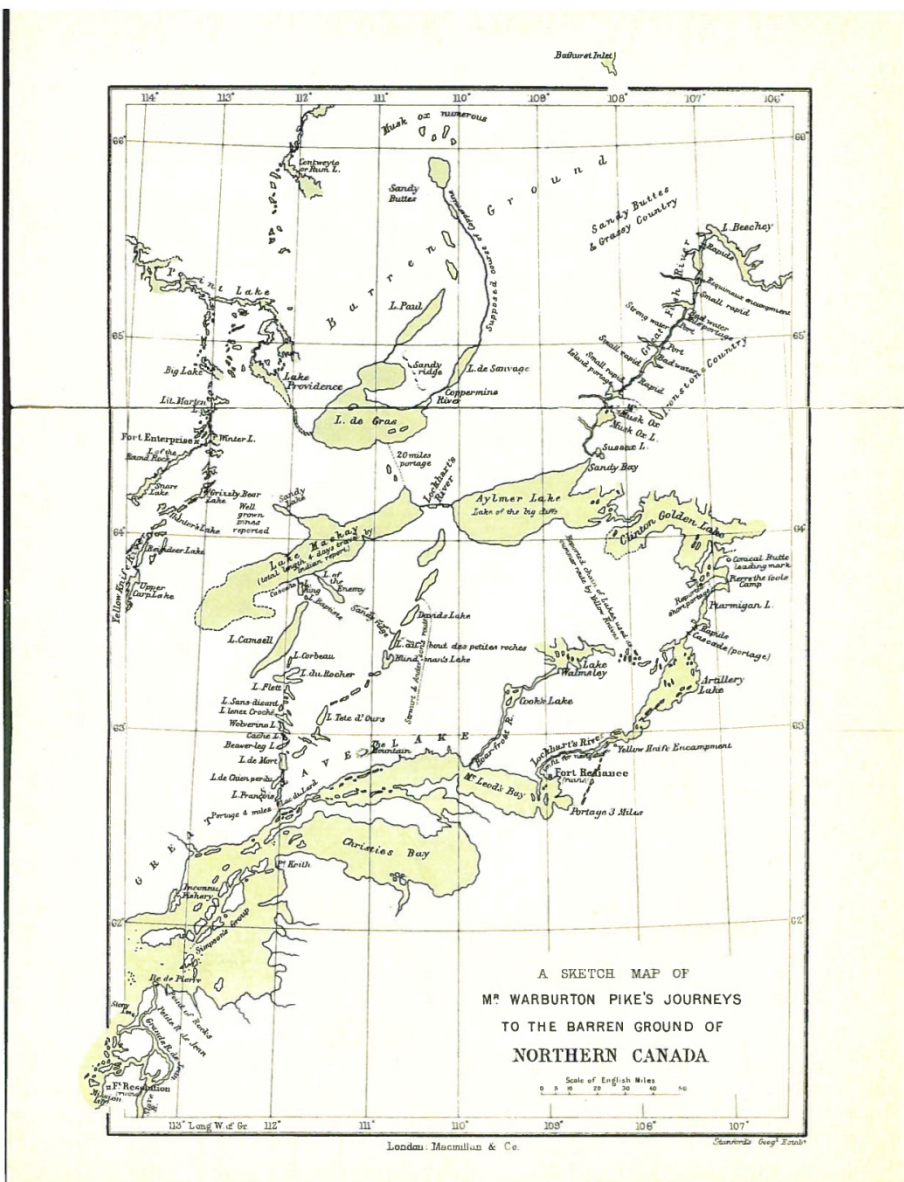
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# WHAT WE KNOW

- Published sources for historic use of the area (1800s, early 1900s)
- Dene Mapping Project (1970s, 1980s)
- YKDFN Traditional Place Names Project (1990s)
- Weledah Yellowknives Dene History Project (1997)
- Akaitcho Land Use Study/Treaty 8 Mapping Project (2000-2002)
- Archaeological Reports



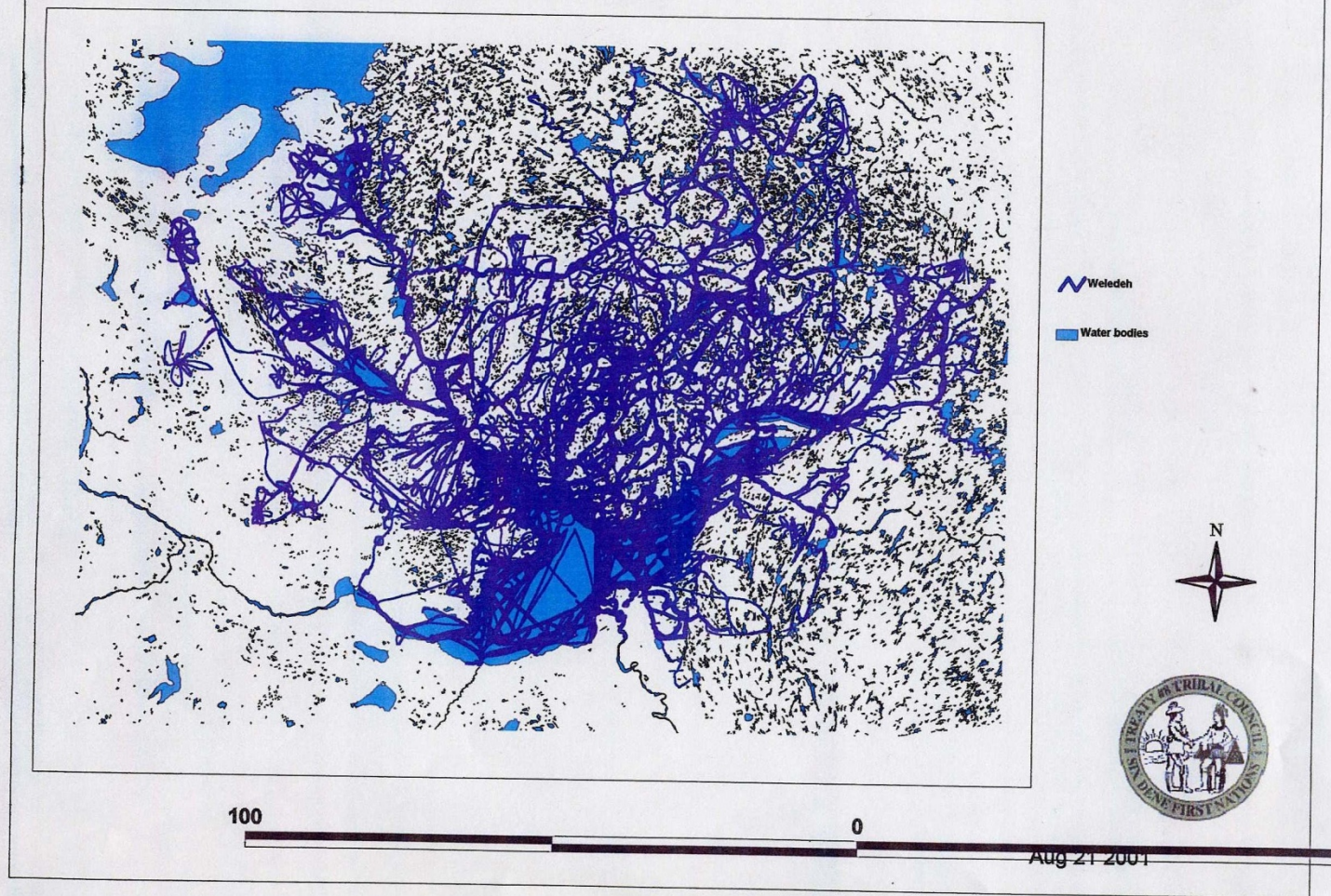
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# TRADITIONAL KNOWLEDGE UPDATE



## Dene Mapping Project Weledah Trails



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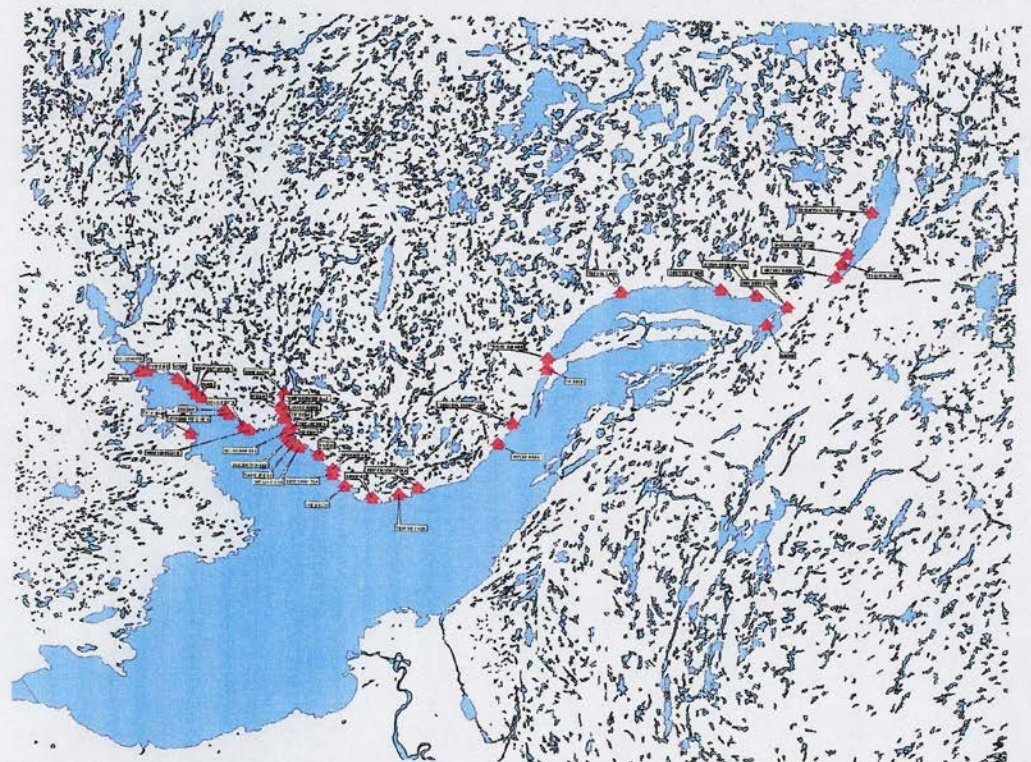


# TRADITIONAL KNOWLEDGE UPDATE



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## NWT Treaty 8 Mapping Project Traditional Villages



◆ Traditional Villages  
■ Water bodies



50 0 50 100 Kilometers

Aug 21 2001

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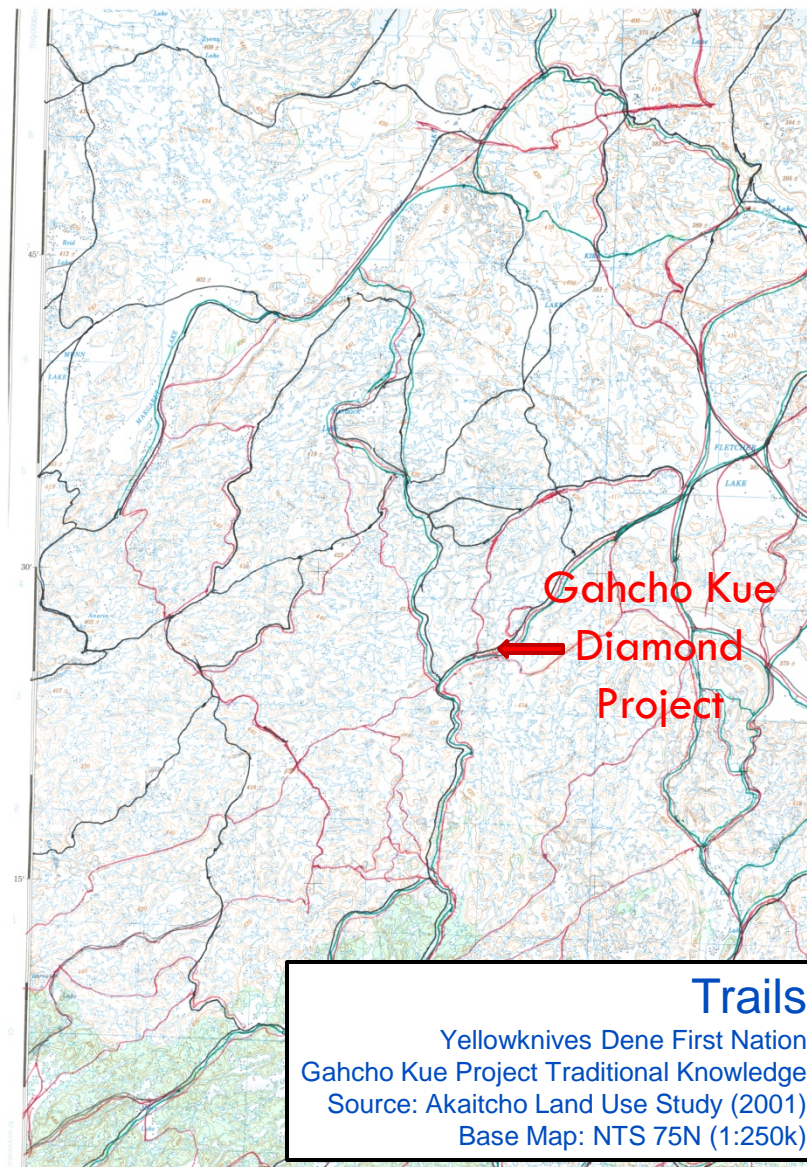
# TRADITIONAL KNOWLEDGE UPDATE



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# TRADITIONAL KNOWLEDGE UPDATE

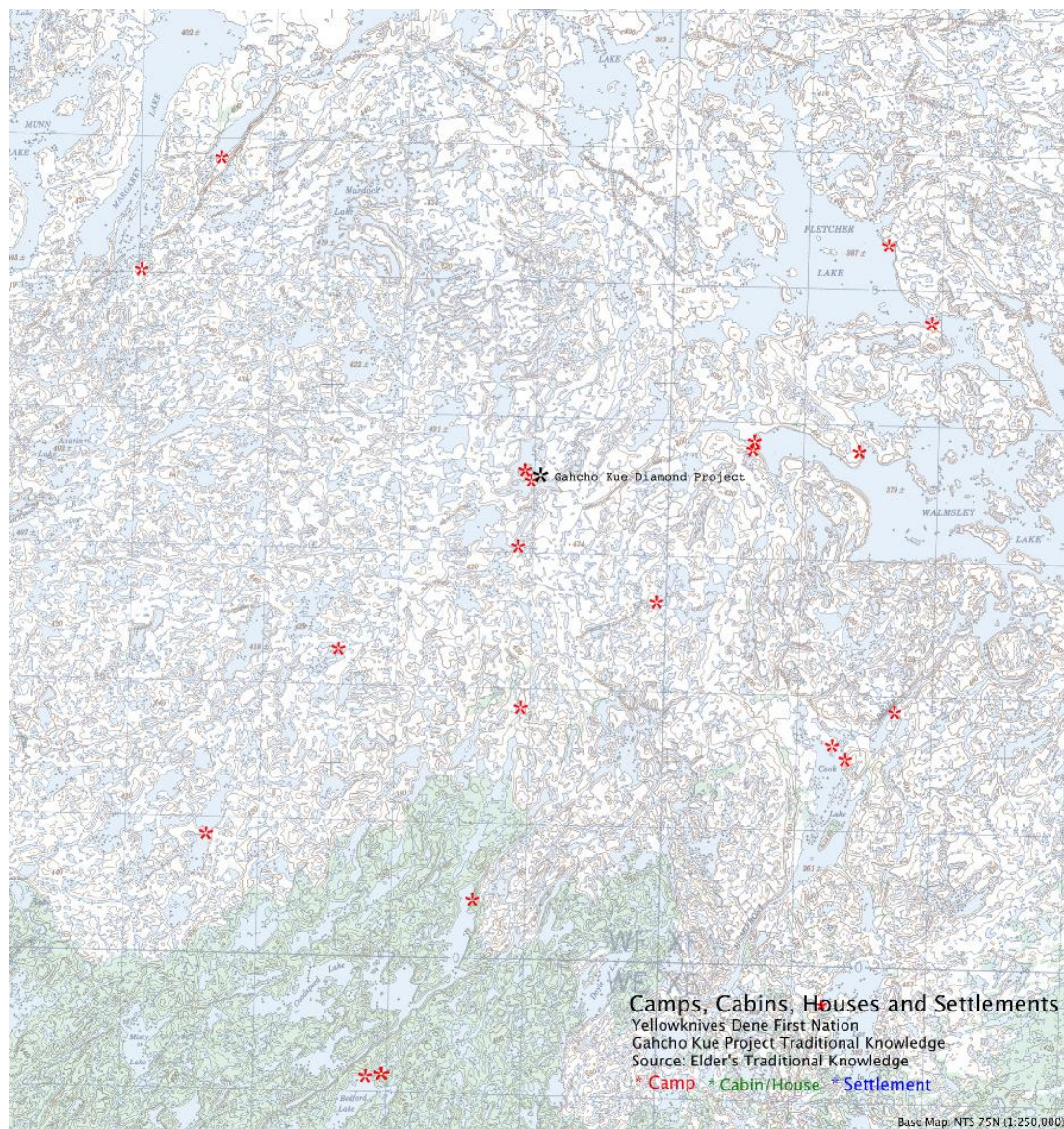


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# TRADITIONAL KNOWLEDGE UPDATE



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# TRADITIONAL KNOWLEDGE UPDATE



- This information gathering phase is nearly complete and land use patterns have begun to emerge:
  - Gahcho Kué is on a major trail system connecting the East Arm's north shore 'villages' with the large lakes of the upper Lockhart drainage basin (Clinton-Colden, Aylmer and Mackay) where fall caribou hunts, and winter musk-ox hunts, took place
  - Camp locations, and a network of minor trails, suggest extensive trapping activities in the area
  - A northward extension of the treeline along the Bedford Creek 'canoe route' is used as a means for accessing the southward migration of caribou in the fall. Because of their unique geographical position the small lakes 25 km south of Gahcho Kué are surrounded by traditional camps that have likely been used for hundreds if not thousands of years.



# WHAT WE WANT TO KNOW

- Analyze what we know and look for gaps in that knowledge
- Conduct further research (primarily focused interviews with Elders, harvesters, and trappers) to fill those gaps
- Emphasis will be placed on gathering information on wildlife, hunting, trapping and fishing



# WHAT NEXT?

- What conclusions can we draw from past and present use of the Gahcho Kué area?
- How can this knowledge be used to
  - guide De Beers in the design of the proposed mine
  - guide De Beers in wildlife monitoring around the mine and in the operation of the mine
  - guide De Beers in its closure planning





## Gahcho Kué Diamond Project Selected YKDFN Technical Comments

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# SNAP LAKE HISTORY



- The relationship between Snap Lake and the regulators has been difficult in the past, but YKDFN have improvement in recent times – starting with better communications, moving towards a more collaborative approach to environmental stewardship. Important work remains – for instance the IBA is outstanding - but we will continue to work with the company.
- It is important to recognize the shortcomings of the past - relative to the other diamond mines, De Beers has had significant challenges with environmental stewardship at the Snap Lake site
  - Large number of spills, both in frequency and size, with direct release into the receiving environment. The project disregarded SLEMA concerns on the sump elevations, which led to a spill directly entering Snap Lake.
  - Frequent and continuing water management issues, including a requirement for Emergency Water Management in 2012. Effluent has had repeated failed toxicity tests with no adaptive management response.
  - Refused to participate in the regional wolverine and grizzly bear monitoring programs until recently.
  - Weak closure plan (until recent efforts to improve)
- YKDFN hope these systematic weaknesses are a function of early decisions taken at the site - the new management approach will eventually resolve the concerns. To date, Gahcho Kue has adopted a more collaborative and open approach.

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# CUMULATIVE EFFECTS



- Impacts occur both from direct activity and indirect response. Indirect effects tend to occur across a broader spatial scale.
  - Mitigations have proven effective to reduce/avoid direct impacts
  - Mitigations to indirect impacts have been weak and ineffective
- With the current level of development plus known projects in permitting, the level and range of impacts will be much higher. Presently 3/4 active mines on the Bathurst Caribou range – likely to be 10 in the near future.
  - Existing: Ekati, Diavik, Snap Lake, Jericho
  - Late EA: Avalon (2015), Fortune (2015), Gahcho Kue (2015)
  - Early EA: NWT Gold, Izok (2017), Back River (2018)
  - Starting EA in 2013: Hackett River, Courageous Lake
- Efforts to push these companies to monitor and assess cumulative effects have been met with a response indicating that this is a government responsibility. However, YKDFN have seen little response to this over the last 15 years.

**IT IS NOT IMPORTANT HOW THIS OBLIGATION IS MET – THROUGH INDUSTRY, GOVERNMENT OR SOME OTHER MEANS – SIMPLY THAT THE NEED IS ADDRESSED OR SIGNIFICANT IMPACTS WILL RESULT.**

# TRADITIONAL KNOWLEDGE INCLUSION:



- Previously, we've had poor incorporation of Traditional Knowledge into the operational approach of the project. It's been ignored in the past and relegated to an afterthought more recently.
- The approach to gathering and understanding Traditional Knowledge has recently begun to change – from something specific to a theme and topic to something broader and more holistic. In YKDFN's view, this better approximates the experience and understanding of the land.
- There's no mechanism to address potential failures – it is outside the regulatory approach and there is no resources available.
- The company has made commitments to provide opportunity and the *Ni Hadi Yati* group would include additional considerations on where TK could/should be used, but there is no resources to facilitate the collection or incorporation.



# CLOSURE

- Closure Objectives

-The 'closure plan' is lacking in detail, which makes it difficult to evaluate the full relationship between the impacts and benefits – clarity in the end uses that can be supported are essential.

- Company has not worked with the First Nation to establish closure objectives.

Those that do exist are unclear and have been unilaterally set by the company

- The commitments are limited, often allowing nature simply to reclaim the site
- Aquatic closure goals, voiced by the company, are to simply establish a self sufficient aquatic ecosystem. The nature of that ecosystem is unclear.
- The company does not place value on pristine land and water – it has no intrinsic worth - but the First Nation certainly does not agree.

- YKDFN closure objectives are different – good enough for things to live in is a low bar when the land and water are pristine. The land must be reflective of the surrounding ecosystem and must approach pre-development baselines after closure.



# WILDLIFE



- Improving monitoring to test effectiveness of mitigation
  - e.g., mine footprint
- “Best Practices” monitoring
  - Winter road
  - Zone of Influence
- Increasing the usefulness of monitoring data in adaptive management
  - Sensitivity monitoring to detect effects
  - Increase monitoring or change in indicators

# RECOMMENDATIONS FOR MEASURES:



1. The Board must issue a measure that requires the creation of an ongoing trans-boundary cumulative effects monitoring program across the range of the Bathurst Caribou herd. To grant maximum flexibility, YKDFN suggest that this measure be issued in such a way that the concern has been considered to be mitigated/achieved when all parties agree that there are appropriate mechanisms in place to address this concern. This would allow the GNWT vision of an industry-government-FN collaboration with an enforceable backdrop. Once the Parties agree, further determinations can be made under the MVRMA.
2. A measure that creates an adaptive management approach for range management that this monitoring ties into – monitoring is empty unless it feeds into management decisions and at this point there is no mechanism or impetus for any type of management beyond the project specific level. Recognizing the complexities, YKDFN recommend that this to be in place within 5 years of the report of environmental assessment decision.

# RECOMMENDATIONS FOR MEASURES:



3. To ensure that this does not become an idle commitment, YKDFN ask the board to issue a measure that requires the project to develop a framework to gather and incorporate this knowledge in collaboration with the knowledge holders. The test of success for this measure will be met when consensus exists between the parties that a good faith effort has been made to address the intent.
4. YKDFN are requesting the development of a preliminary closure plan that contains mine components, collaboratively arrived at closure objectives, and where possible, draft closure criteria. This must be completed within one year of the Report of Environmental Assessment. If the plan cannot be successfully completed with consensus. Until the completion of this plan, the outstanding requirement should be viewed as a significant risk and no further determinations under the MVRMA should be made.



# RECOMMENDATION FOR SUGGESTIONS:



5. Wildlife – The Panel should issue a suggestion directs that future monitoring is consistent with best practices, is linked to management actions, and is completed in a collaborative manner. Thus far the discussions around wildlife at the Gahcho Kue site has generally followed this approach, but in previous projects YKDFN have observed a different tone prior to permitting and after permits are in hand.