



MACKENZIE VALLEY ENVIRONMENTAL

IMPACT AND REVIEW BOARD

EA14314-01: Jay Project,

Dominion Diamond

Community Hearing

Mackenzie Valley Review Panel:

Chairperson	Joanne Deneron
Board Member	Kirby Marshall
Board Member	Yvonne Doolittle
Board Member	James Wah-Shee
Board Member	Bertha Norwegian
Board Member	John Curran

HELD AT:

Behchoko, NT

September 17, 2015

1 APPEARANCES

2	Chuck Hubert	)MVEIRB Staff
3	Mark Cliffe-Phillips)
4	Sachi De Souza)
5	Simon Toogood (np))
6	Ruari Carthew)
7	Chris Rose)
8	Brett Wheler (np))
9	Stacey Menzies)
10	Kate Mansfield)
11	Catherine McManus)
12	Alan Ehrlich)
13	Kathy Racher (np)	) Technical Advisor
14	Neil Hutchinson (np)	) Technical Advisor
15	Anne Gunn (np)	) Technical Advisor
16	John Donihee	) Counsel
17		
18	Brendan Bell (np)	)Dominion Diamond
19	Elliot Holland)
20	Gaeleen MacPherson)
21	Richard Bargery)
22	Claudine Lee)
23	Bob Overvold)
24	Harry O'Keefe)
25	Ori Wah-Shee)

1	APPEARANCES (Cont'd)	
2	Dustin Chaffee (np))
3	Laura Worsley-Brown (np))
4	Lukus Nory (np))
5	Nicole Spencer (np))
6	Charles Klengenberg (np))
7	Lynn Boettger (np))
8	Emily Nichol (np))
9	Tom Jeffery (np))
10	Ellie Adjun (np))
11	Laura Corey (np))
12	Laura Malone (np))
13	Patrick Duffy	) Counsel
14	Kristine Mason	) Dominion Consultants
15	Steven Strawon (np)	) Golder Associates
16	John Virgil (np))
17	Jim Rettie)
18	Fiona Esford (np))
19	John Faithful)
20	Dennis Chang (np))
21	Cam Stevens (np))
22	Mike Herrell (np))
23	Eric Denholm (np)	) EDenholm Consulting
24		
25		

1	APPEARANCES (cont'd)	
2	Lorraine Seale	) GNWT
3	Deborah Archibald)
4	Lisa Dyer (np))
5	Aileen Stevens (np))
6	Lisa Cardinal (np))
7	Glen MacKay (np))
8	Les Harrison (np))
9	Andy Bevan (np))
10	Jim Sparling (np))
11	Melissa Pink)
12	Monica Wendt (np))
13	Kate Witherly)
14	Dianna Beck)
15	Zachary Young)
16	Rebecca Dupuis)
17	Wade Blake)
18	Shirley Kemeys-Jones)
19	Jesse Davidson)
20	Eric Binion (np))
21	Ben Linaker (np))
22	Catherine Braun-Rodriguez (np))
23	Andrew Hawton (np))
24	Wade Carpenter (np))
25	Katherine Villeneuve (np))

1	APPEARANCES (cont'd)		
2	Kelly Fisher	(np)	) GNWT
3	Marty Sanderson	(np))
4	Peter Fast	(np))
5	Francis Jackson	(np))
6	Kelly Mahoney)
7	Jeremy Roberts	(np))
8	Andrea Patenaude)
9	Nancy Zimmerman	(np))
10	Karin Clark	(np))
11	Dean Cluff	(np))
12	Bruno Croft	(np))
13	Paul Mercredi	(np))
14	Jody Pellissy	(np))
15	Jan Adamczewski	(np))
16	Barry Zajdlik	(np)	) Zajdlik Consulting
17	Rick Walbourne)
18	Bill Pain)
19	Neil Van Der Gugten	(np)	) AMEC
20	Jamie Vangulck	(np)	) Arktis
21	Paul Green		) ENR
22	Robert Jenkins	(np)	) ENR
23	Lynda Yonge	(np)	) ENR
24	Brett Elkin	(np)	) ENR
25	Nathen Richea	(np)	) ENR

1	APPEARANCES (cont'd)		
2	Marjorie Matheson-Maund	)	Tlicho Government
3	Grace MacKenzie)	
4	Sjoerd Van Der Wielen)	
5	Petter Jacobsen)	
6	Chief Clifford Daniels)	
7	Joseph Judas)	
8	John B. Zoe)	
9	Georgina Chocolate)	
10	Henry Zoe (np))	
11	Ginger Gibson (by phone))	
12	Henry Zoe)	
13	Joseph Judas)	
14	John B. Zoe (np))	
15	Joseph Judas)	
16	John B. Zoe)	
17			
18	Emery Paquin (np)	)	IEMA
19	Jaida Ohokannoak (np))	
20	Kevin O'Reilly)	
21	Bill Rose (np))	
22	Kim Poole)	
23	Doug Doan (np))	
24	Tee Lim)	
25	Tim Byers (np))	

1 APPEARANCES (cont'd)

2 Chief Edward Sangris (np))YKDFN

3 Alex Power (np))

4 Randy Freeman (np))

5

6 Marc d'Entremont (np))DKFN

7 Patrick Simon (np))

8 Elmar Plate (np))

9

10 Shin Shiga (np))North Slave Metis

11 Elder Ed Jones (np))Alliance

12 Tony Whitford (np))

13 Robert Mercredi (np))

14

15 Shawn McKay (np))For Resolution Metis

16)Council

17

18 Gord MacDonald (np)) Diavik Diamond

19) Mines Inc.

20

21 Christopher Aguire (np))Transport Canada

22 Anita Gudmundson (np))

23

24 Sarah Robertson) CanNor

25

APPEARANCES (cont'd)

1		
2		
3	Phillip Dryneck	)Member of the Public
4	Joe Rabesca	)Member of the Public
5	Phoebe Rabesca	)Member of the Public
6	Elizabeth Michel	)Member of the Public
7	Melanie Lafferty	)Member of the Public
8	Gabriel Mantla	)Member of the Public
9	Richard Bishop	)Member of the Public
10	Christine Theriault)Member of the Public
11	Nick Football)Member of the Public
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1 --- Upon commencing at 1:17 p.m.

2

3 THE CHAIRPERSON: Good afternoon.

4 Welcome to the community hearing of the Jay Project.

5 My name is Joanne Deneron, and I am the Chair of the

6 Mackenzie Valley Environmental Impact Review Board.

7 For those requiring translation, there are receivers

8 available with English on channel 2 and Tlicho on

9 channel 4.

10 I would like to acknowledge that we are

11 holding this hearing in the traditional territory of

12 the Tlicho Government. We will begin with an opening

13 prayer. And I would ask that Elder Noel Bishop lead

14 us in this prayer.

15

16 (OPENING PRAYER)

17

18 THE CHAIRPERSON: Masi for the prayer.

19 I would now like to now invite Chief Clifford Daniels

20 to make some opening remarks.

21

22 OPENING REMARKS BY CHIEF CLIFFORD DANIELS:

23 CHIEF CLIFFORD DANIELS: Good

24 afternoon, and -- and masi, Madam Chair. I will be

25 kind of going back and forth from the Tlicho language

1 and English as I do my opening remarks. So I'd like
2 to welcome you and the Board to the community of
3 Behchoko. Thank you for having the meeting here in
4 our community.

5 The last time we met here together to
6 review this diamond mine and the proposed project was
7 in January 25th, 1996. At that time, all of our
8 negotiators, leaders, and Elders sat together in this
9 room, and talked about what was important to our
10 people. We were very clear back then that we were not
11 against development.

12 Previous Chiefs have said it, and I've
13 said it. We will support this company, and we want to
14 see our IBA agreement reflect on this new project.
15 That is my hope.

16 You agreed that we would start very
17 soon. We'll leave it up to our resource team to sit
18 down and work it out. People have always said that
19 the caribou are important. People here know the land
20 is very important. These are the people who use it,
21 the water, the land, and the wildlife.

22 Coming into these hearings I've been
23 thinking about a few things. And I want you, the
24 Tlicho people, to make sure that you remember the
25 caribou herd that used to pass through there and what

1 may happen to the environment and the land. Right now
2 they're talking about jobs, benefits, which are
3 offered to all the young people, but what about the
4 land and the environment.

5 You have to all think about this. Some
6 caribou that we harvest migrate through that -- or
7 near the mine area. We've heard in the past that some
8 caribou are not healthy and that they could have an
9 affect on us, on our harvest, and our limitations just
10 due to recent declines.

11

12 (INTERPRETED FROM FIRST NATIONS LANGUAGE INTO ENGLISH)

13

14 CHIEF CLIFFORD DANIELS: As Tlicho
15 nation if we're going to speak to -- if we're going to
16 make presentation or speak to the issue you have to
17 tell us your name and tell us your concerns. From
18 this meeting today the Mackenzie Valley Environmental
19 Review Board will travel to Lutsel K'e to listen to
20 the people also in Lutsel K'e to listen to people's
21 concerns and our people are very concerned.

22 We need to be especially concerned
23 about our land. And we all understand that all our
24 people who have passed on are all buried now and gone.
25 But the people who are still coming in the future

1 generations are the ones that we want to be able to
2 utilize what we have on our lands.

3 And so all these years we've been
4 utilizing caribou and our resources on the land. And
5 so as our ancestors have protected the land and been
6 stewards of our land, we -- we need to make sure that
7 our future generations work the same way.

8 And so whenever there's new development
9 we know that there's effects of the -- on the land.
10 And so -- so it's also good to know what are these
11 kind of future developments that maybe we'll have an
12 idea what kind of potential developments could also
13 destroy our lands as well.

14 And many of our people and many of our
15 ancestors, we have to remember through their stories
16 how they travelled through all the areas of land and
17 their stories, where they worked, where they travelled
18 and trapped. And so this evening will also give the
19 opportunity for our people to talk about themselves.

20

21 (INTERPRETATION CONCLUDED)

22

23 CHIEF CLIFFORD DANIELS: Joanne
24 Deneron is the chairperson for this review. If you
25 want to express your concerns express it -- them to

1 her. It's going to be recorded on tape and then the
2 report will be made. These people sitting on the
3 panel will make recommendations to the Minister in
4 Yellowknife.

5 Just to clear the record, I -- I did
6 state that it was going to the Minister in Ottawa, but
7 due to devolution, that this will be going to the
8 Minister in Yellowknife, not the federal government.

9 And then the Minister will review the
10 report and consider how the water and land permit will
11 be issued. So they'll be here all day, so it's up to
12 you, my people, to express how you want and what you
13 want to say.

14 There are two (2) microphones on the
15 floor and at the table. So I'll leave it up to them.
16 I think we'll get time later on this afternoon, about
17 3:00 p.m., for our citizens to have their say. So
18 masi cho.

19

20 OPENING REMARKS BY THE CHAIRPERSON:

21 THE CHAIRPERSON: Thank you. I would
22 like just to talk about some of the logistics and the
23 scheduling, some of the scheduling Chief Daniels has
24 mentioned.

25 Room logistics are the washrooms are

1 just at the back here, and to be all aware of the
2 exit/entrances where you came in through the door.
3 Some of us have different entrances. We came in
4 through here. Those ones are now blocked off, so
5 there's an entrance over by the exit signs, just to be
6 aware of them.

7 We have scheduled this community
8 hearing from 1:00 to 8:00 p.m. today, September the
9 17th. We will have health breaks during the
10 afternoon, and dinner will be provided for you around
11 five o'clock. We will start again after dinner at
12 6:00 p.m. and continue till about 8:00 in the evening.

13 The reason for the evening session is
14 to hear from people who cannot be here during the day
15 to work or that are in school or in other -- have
16 other commitments.

17 We are here to listen to your views
18 about the Jay Project, file number EA1314-01. The
19 Developer is Dominion Diamond Ekati Corporation, or
20 Dominion Diamond.

21 The Jay Project is located at Lac du
22 Sauvage, about 25 kilometres southeast of the existing
23 Ekati diamond mine facilities. The Ekati mine is
24 about 300 kilometres northeast of Yellowknife.

25 The Jay Project is an expansion of the

1 Ekati Diamond Mine. It consists of a horseshoe dike
2 in Lac du Sauvage to expose the proposed open pit to
3 extract ore from a diamond-bearing kimberlite pipe.

4 The ore will be removed and trucked --
5 transported in trucks along the proposed Jay Road, and
6 existing Misery haul road. Milling of the ore will
7 occur at the existing Ekati processing site.

8 A waste rock storage area will be
9 located on land adjacent to the Jay Pit and fine-
10 processed kimberlite from the mill will be backfilled
11 into the mined-out Koala and Panda pits at the main
12 Ekati site.

13 If the Jay Project is approved, it will
14 keep the mine operating for eleven (11) years.

15 The Review Board's mandate -- the
16 Review Board is a co-management body established under
17 Part 5 of the Mackenzie Valley Resource Management
18 Act. The Review Board is the main instrument for the
19 environmental assessment and environmental impact
20 review of developments in the Mackenzie Valley.

21 Board members are northerners nominated
22 by First Nations organizations and by the Tlicho,
23 territorial, and federal governments. The Review
24 Board makes its decisions by consensus.

25 Our goal is to make decisions that will

1 protect the environment, including the social,
2 economic, and cultural well-being of all residents of
3 the Mackenzie Valley, now and for future generations.

4 The reason for referral to the
5 environmental assessment, Dominion Diamond submitted
6 preliminary screening applications for regulatory
7 authorization of the Jay Cardinal Project to the
8 Wek'eezhii Land and Water Board in October of 2013.

9 The Jay Cardinal Project involved
10 mining two (2) open pits within Lac du Sauvage.
11 During the preliminary screening, the Jay Cardinal
12 Project was referred to the Review Board for
13 environmental assessment by Aboriginal Affairs and
14 Northern Development Canada on November 21st, 2013.

15 In its letter of referral, Aboriginal
16 Affairs and Northern Development Canada stated that,
17 given the scale, scope, and magnitude of the project
18 and the potential for impacts to water quantity and
19 quality, the proposal might have a significant adverse
20 impact on the environment.

21 The environmental assessment process
22 steps to date. The Review Board, parties, and
23 Dominion have worked together on a number of steps in
24 the environmental assessment that has led us to this
25 hearing.

1 In January 2014, the Review Board
2 conducted issues, scoping meetings in Yellowknife,
3 Behchoko, and Lutsel K'e. That June, Dominion revised
4 its project description to remove the Cardinal pit
5 from the project. The revised scope of development
6 includes mining of only one (1) pit. Because of this,
7 the project was renamed the Jay Project.

8 On November 6, 2014, Dominion submitted
9 its Developer's Assessment Report. Since then, the
10 Review Board has conducted an adequacy review of that
11 report. There have been two (2) rounds of formal
12 written Information Requests and a technical session
13 in Yellowknife. Dominion has hosted workshops on
14 management plans for caribou, wildlife, air quality,
15 aquatic effects, waste rock, and wastewater.

16 Based on all these steps, parties
17 submitted their technical reports and traditional
18 knowledge reports at the end of July and in August
19 this year.

20 The scope of development. The Jay
21 Project extends the life of the Ekati Diamond Mine
22 from 2019 to 2030. The project will use some of the
23 existing facilities at Ekati and require the
24 construction of new structures. Dominion Diamond will
25 describe the Jay Project and scope of the development

1 in its presentation later this afternoon.

2 The purpose and format of this
3 community hearing. We have reached one (1) of the
4 final stages of the environmental assessment, the
5 public hearing. Today, the Board wishes to hear the
6 views and opinions that members of the community of
7 Behchoko may have regarding the proposed development.

8 This community hearing is informal and
9 is intended to be distinct from the more formal
10 hearings in Yellowknife earlier this week. Over the
11 course of the day, we ask that you do your best to
12 help the Review Board to understand your views about
13 this proposed development. This includes your opinion
14 on the potential environmental, socio-economic, and
15 cultural impact and your view on the potential
16 significance of these impacts.

17 The Review Board will fully consider
18 these views while it is deliberating on its decision
19 in this environmental assessment. Once the decision
20 is made, the Board will write it down in a report of
21 environmental assessment and send it to the Minister
22 of Lands, GNWT.

23 At this time, I would like to introduce
24 our Board members, and then to introduce our staff and
25 counsel. Board members to my far right...?

1 MS. YVONNE DOOLITTLE: Good afternoon.
2 My name is Yvonne Doolittle.

3 MR. JOHN CURRAN: Hello. My name is
4 John Curran. Thank you very much for having us here
5 today.

6 MS. BERTHA NORWEGIAN: Hello. I'm
7 Bertha Norwegian. I'm very happy to be here today.

8 MR. KIRBY MARSHALL: Good afternoon.
9 My name is Kirby Marshall. Thank you very much for
10 having us in Behchoko. Masi.

11 MR. JAMES WAH-SHEE: James Wah-Shee,
12 Review Board member. Masi cho.

13 THE CHAIRPERSON: We have staff with
14 us. Mark...?

15 MR. MARK CLIFFE-PHILLIPS: Mark
16 Cliffe-Phillips, executive director with the Review
17 Board.

18 MR. JOHN DONIHEE: Good afternoon. My
19 name is John Donihee, and I'm counsel to the Board.

20 MR. CHUCK HUBERT: Chuck Hubert, with
21 the Review Board.

22 MS. SACHI DE SOUZA: Sachi de Souza,
23 with the Review Board.

24 MR. MARK CLIFFE-PHILLIPS: Behind me
25 here, we have Alan Ehrlich, manager of environmental

1 assessment; Ruari Carthew, senior environmental
2 assessment officer; Kate Mansfield, environmental
3 assessment officer; and Chris Rose, policy advisor.

4 THE CHAIRPERSON: Over at the front
5 door when you came in, you would be signed in, and we
6 have two (2) staff members over there, Stacey Menzies
7 and Catherine McManus. I have some additional
8 comments on today's proceeding that I hope will help
9 make sure that everything goes smoothly.

10 The Review Board wants to hear what
11 everyone has to say. The Review Board will --
12 producing an official transcript of this hearing.
13 This transcript will be available through our website
14 on the public registry for the Jay Project.

15 The community hearing will be informal,
16 and will proceed as follows. Dominion will give a
17 presentation. After they have given their
18 presentation, community members have the opportunity
19 to ask questions. Next, Tlicho Government will give
20 it's presentation. Representatives from the GNWT and
21 Government of -- Government of Canada are present and
22 at today's hearing.

23 I will now ask them to introduce
24 themselves. GNWT...?

25 MS. LORRAINE SEALE: Thank you, Madam

1 Chair. My name is Lorraine Seale. I'm the manager of
2 project assessment with the GNWT Department of Lands.
3 And I'd like to thank the Review Board and the Tlicho
4 Government for having us here today.

5 And I'll now ask each of my colleagues
6 to introduce themselves. We have people from a number
7 of different departments with a number of different --
8 different expertise about the project.

9 MR. GUSTAVO OLIVEIRA: Hello. I am
10 Gustavo Oliveira. I'm the manager of industrial
11 initiatives with industry, tourism, and investment.

12 MS. DIANNA BECK: Dianna Beck,
13 industry, tourism, and investment.

14 MS. KELLY MAHONEY: I'm Kelly Mahoney,
15 with education, culture, and employment.

16 MS. MELISSA PINK: Melissa Pink,
17 department of lands.

18 MR. JESSE DAVIDSON: Jesse Davidson,
19 department of lands.

20 MS. SIMONE TIELESH: Hi. I'm Simone
21 Tielesh, with the department of justice.

22 MS. DEBORAH ARCHIBALD: Good
23 afternoon. Deborah Archibald, assistant deputy
24 minister with industry, tourism, and investment.

25 MR. ZACHARY YOUNG: Zachary Young,

1 department of health and social services.

2 MR. RASHAAD BHAMJEE: Rashaad Bhamjee,
3 industry, tourism, and investment.

4 MR. WADE BLAKE: Good afternoon. Wade
5 Blake, department of justice.

6 MS. SHIRLEY KEMEYS-JONES: Good
7 afternoon. My name is Shirley Kemeys-Jones. I'm with
8 the Department of Justice.

9 MS. REBECCA DUPUIS: Good afternoon.
10 Rebecca Dupuis. Department of Justice.

11 MS. KARIN CLARK: Hi. Thank you. I'm
12 Karin Clark, with Wildlife Division, Environment and
13 Natural Resources.

14 MR. DEAN CLUFF: Dean Cluff,
15 Environment and Natural Resources, North Slave Region.

16 MS. KATE WITHERLY: Hi. Kate
17 Witherly, with Environment and Natural Resources.

18 MS. ANDREA PATENAUDE: Hi. I'm Andrea
19 Patenaude. I'm with the Wildlife Division in
20 Environment and Natural Resources.

21 MR. BILL PAIN: Bill Pain, Environment
22 and Natural Resources, Water Regulatory Group.

23 MR. PAUL GREEN: Paul Green, with
24 Water Resources.

25 MR. RICK WALBOURNE: Rick Walbourne,

1 with Water Resources, ENR.

2 MS. LORRAINE SEALE: And that's
3 everyone from -- oh, sorry. You're hiding in the
4 back.

5 MR. BRUNO CROFT: Bruno Croft, ENR,
6 North Slave biologist.

7 MS. LORRAINE SEALE: Thank you, Madam
8 Chair.

9 THE CHAIRPERSON: Thank you. The
10 Government of Canada, or did we find one (1) more
11 Government -- northwesterners --

12 MS. LORRAINE SEALE: No.

13 THE CHAIRPERSON: Okay. Federal
14 Government...?

15 MS. SARAH ROBERTSON: Hi, I'm Sarah
16 Robertson, with the Northern Projects Management
17 Office.

18 THE CHAIRPERSON: These individuals
19 will not make presentations today, but are available
20 to answer questions that your community members or you
21 may have. There will be no questions between the
22 Developer and the government representatives during
23 this community hearing. The remaining time today will
24 be for community members to ask questions of the
25 Developer and government officials that are present.

1 Community members here today are
2 welcome to speak to the Review Board to make a
3 statement or ask questions. If you would like to
4 speak, please identify yourself to one (1) of our
5 staff at the table on the side so that they can help
6 you, and a list will be made of the people that are
7 wanting to speak.

8 As the Chair, I will call the speakers
9 to the microphone. Questions must be asked with the
10 microphone so that everyone can hear and the
11 transcriber can properly record it. Please start by -
12 - by stating your name so it can be included in the
13 record.

14 We will now start our presentation with
15 Dominion.

16 MR. RICHARD BARGERY: Madam Chair,
17 perhaps before we start, we'll -- we'll start to
18 introduce everyone at our table first.

19 MR. BOB OVERVOLD: Thank you, Madam
20 Chair. Bob Overvold, head of environment communities
21 for Dominion.

22 MS. GAELEEN MACPHERSON: Good
23 afternoon. My name is Gaeleen MacPherson, and I'm the
24 head of human resources with Dominion Diamond.

25 MR. ELLIOT HOLLAND: Afternoon. My

1 name is Elliot Holland. I'm the vice president of --
2 for the Jay Project with Dominion.

3 MR. RICHARD BARGERY: Good afternoon.
4 My name is Richard Bargery. I'm the manager of
5 permitting for the Jay Project for Dominion.

6 MS. CLAUDINE LEE: Hello. My name is
7 Claudine Lee. I'm the superintendent of environment
8 for Dominion.

9 MS. ORI WAH-SHEE: Ori Wah-Shee, team
10 leader, community development.

11 MR. RICHARD BARGERY: Madam Chair,
12 just in our back row, we have Harry O'Keefe who's a
13 team leader for environment operations for Dominion.
14 We also have Jim Rettie from Golder. John Faithful
15 from Golder and Kristine Mason from Golder.

16

17 PRESENTATION BY DOMINION DIAMOND:

18 MR. ELLIOT HOLLAND: Elliot Holland,
19 with Dominion. Good afternoon. It's good to be back
20 in -- in Behchoko. I think we were here just a couple
21 of weeks ago for a -- a public engagement, and we've
22 been here many times before this year for the -- the
23 tenth anniversary celebration, for -- for hand games
24 tournaments and -- and other things.

25 I -- I have the -- the pleasure of --

1 of talking about the -- the Jay Project today. We'll
2 -- we'll certainly cover a -- a lot of different
3 topics with respect to the -- to the design of the
4 project, the benefits we believe it will bring to --
5 to the north and -- and the Tlicho people, as well as
6 the -- the environmental impacts of the project and --
7 and what we -- what we've done to -- to design a
8 project that -- that we believe is environmentally
9 sound, that's been designed in a -- in a responsible
10 way, and that will provide significant benefits to the
11 north and -- and to the Tlicho people.

12 I'll cover a number of topics today,
13 including a description of the project itself, our
14 assessments of the project's impacts on socio-
15 economics -- so -- so on the -- the economy and -- and
16 life in the north and for the Tlicho people.

17 We'll talk about air, we'll talk about
18 the impacts of the project on caribou and -- and how
19 we plan to -- to mitigate them. We'll talk about
20 other wildlife as -- as well as -- as water and fish.

21 The -- the Jay Project, as -- as the
22 Chair just mentioned, is -- is located 25 kilometres
23 from the main Ekati site. For -- for those of you
24 that have -- have been to the mine, it's not far from
25 the -- from the Misery Road. And on this map here,

1 it's the -- the pink area in the lower right-hand
2 corner of the map.

3 Before we go into the project, let me
4 just say a few words about our company. As many as
5 you -- of you know, Dominion is the -- the owner of
6 the Ekati mine and a 40 percent owner of the Diavik
7 diamond mine.

8 Dominion's commitment to the north and
9 to the Northwest Territories really is -- is at the
10 core of who we are as a company. You know, since
11 purchasing the Ekati mine two and a half (2 1/2) years
12 ago, we've done a number of things to -- to realign
13 our company with the north and with northern values.

14 Chief among them is -- is relocating
15 our headquarters from Toronto to -- to Yellowknife,
16 and making sure that our -- our senior management
17 team, myself, our -- our chief executive officer,
18 Brendan Bell, and the rest of our management team work
19 and -- and live in Yellowknife.

20 And we've -- we've made sure that --
21 that we staff many of our most important departments
22 with long-time northerners like Bob Overvold, Gaeleen
23 MacPherson sitting -- sitting to my left, and -- and
24 Ora Wah-Shee sitting -- sitting to my right.

25 And because of that, you know, we

1 believe that the -- we have some special insight into
2 the -- the right way of doing development in the
3 north, and that we can bring to bear a project which
4 is in the interests of the north.

5 I'll now give an overview of the
6 project operations during different phases of its
7 life.

8 First, this is an image of the project
9 area as it exists today. And you'll notice in the
10 upper part of the page where Rick is pointing, the
11 Misery Road marked in yellow and the Misery Pit in the
12 upper left of the page.

13 This next slide is an image of what the
14 project will look like during construction. We'll
15 build several access roads from the Misery Road to the
16 edge of Lac du Sauvage which will allow access for
17 construction to build a horseshoe-shaped dike in Lac
18 du Sauvage.

19 We will then build a dewatering system
20 to allow us to pump water from the diked area
21 initially into Lac du Sauvage.

22

23 (BRIEF PAUSE)

24

25 MR. ELLIOT HOLLAND: This next slide

1 des -- is an image of the project during the early
2 part of operations. So we will pump water from the
3 area within the dike, exposing an open pit so that we
4 can access the -- the kimberlite, which is the -- the
5 rock which contains the diamonds. We will then build
6 roads into -- into the pit area itself and start to
7 mine the pit, moving the rock to a waste rock storage
8 area.

9 Once the project is in operations,
10 we'll have several ore stockpiles, one (1) of which
11 will be at the edge of the pit, another on the far
12 side of the Jay road near the Misery camp, and another
13 ore stockpile at the main Ekati processing plant. And
14 what this will allow us to do is continue to -- to
15 operate, to -- to continue to -- to process ore even
16 when either the Jay or the Misery road or both need to
17 be closed due to -- to caribou migration or -- or
18 other factors.

19 So those stockpiles of ore will help us
20 mitigate the -- the impacts of the project on
21 migrating caribou in particular.

22

23 (BRIEF PAUSE)

24

25 MR. ELLIOT HOLLAND: So this is an

1 image of the project towards the end of operations.
2 The waste rock storage pile is full. And the open pit
3 will be completed and look very similar to the other
4 eight (8) pits that we have at the Ekati site. And
5 what we'll do is establish a diffuser which will allow
6 us to -- to pump clean water back into the lake.

7

8 (BRIEF PAUSE)

9

10 MR. ELLIOT HOLLAND: This is what the
11 project will look like at closure. So, as you can
12 see, the area inside the dike will be back-flooded
13 with water. The water will be pumped from the Misery
14 pit, as well as from Lac du Sauvage, into the diked
15 off area. And we'll only do that once the -- the area
16 within the pit has been cleared of any debris or -- or
17 other mining waste that -- that need to be moved.

18 Once the water level inside the pit is
19 similar to the water level outside the pit, we'll then
20 be ready to -- to breach the dike, which is pictured
21 in this next slide. So we'll cut approximately four
22 (4) notches in the dike around 10 metres in width,
23 which will allow the free flow of -- of water back and
24 forth from the diked area into the lake. This will
25 only be done once the water levels are similar and

1 once the water quality inside the diked area has been
2 deemed appropriate.

3 We will also decommission the roads
4 which lead back to the site, so -- and restore the
5 esker which that road does cross back to its natural
6 condition. At clo -- closure, we'll also build ramps
7 on the waste rock storage pile to ensure that caribou
8 migrating through the area, if they do choose to -- to
9 climb up onto the waste rock pile, can descend safely
10 on those ramps.

11 A word on the -- the timing, which is
12 listed at the bottom of this slide. Our current time
13 line for the project is for construction to begin in
14 the second half of 2016. And we're already in
15 discussions with a number of Tlicho-affiliated
16 businesses regarding dis -- different aspects of the
17 project construction. Construction would take
18 approximately three (3) years, and be completed in
19 2019.

20 And the date 2019 is very important
21 given that the existing Ekati pit which employ -- pits
22 which employ a large number of northern and -- and
23 Tlicho people, and support a number of Tlicho
24 businesses, those pits are -- are otherwise closing in
25 2019.

1 The -- the previous owner of the mine,
2 BHP, based in -- in Australia had intended to close
3 the mine in 2019, and Dominion bought the mine with
4 the intention of -- of avoiding that by building the
5 Jay Project. So meeting that date of starting Jay
6 operations in 2020 will prevent that, and provide
7 another ten (10) years of jobs, and -- and
8 opportunities for young people in the Tlicho region,
9 and throughout the north.

10 Closure would happen from 2030 to 2033.
11 That's when the activities of flooding and
12 decommissioning of roads would take place, which I --
13 I describe. And then beginning in 2033 a post-closure
14 monitoring period would take place when -- according
15 to an approved closure plan, Dominion would establish
16 over a period of at least ten (10) years, more in --
17 in some -- for some project elements, that closure
18 objectives have been met. And the property was
19 returned to a -- to an acceptable state.

20 This is an image of the project
21 footprint from above. The Jay Project is in the upper
22 right, and the Jay road is the pink and -- and green
23 line in the middle of the -- the slide. The esker,
24 which -- which crosses the area, is marked in light
25 grey. Dominion recognizes that the -- the Esker

1 that's marked there is an important caribou migration
2 rout -- route, and as a result Dominion has designed
3 the -- the Jay road through engagement with Tlicho
4 people, and people throughout the north, which --
5 which we'll talk about in detail a little later in the
6 presentation.

7 But we've also designed the road with
8 caribou crossing the road in mind. The Jay road will
9 be built wherever practicable as a caribou crossing
10 with grades at the sides of the road which are
11 appropriate for caribou to climb on and -- and climb
12 off of the road safely. And we've established a
13 number of protocols in the existing site describing
14 how we'll manage traffic so that we -- we're able to
15 keep -- keep traffic away from caribou.

16 The details of -- of all of that will
17 be described later in -- in the presentation. I would
18 also just add when we look at the -- can we go back to
19 the last slide -- that if we had -- had compared the
20 Jay-Cardinal Project which the -- the Chair spoke
21 about in -- in her introduction today, this project
22 foot print is approximately 10 percent of the size and
23 scope of Jay-Cardinal.

24 Dominion chose to reduce the scope of
25 the Jay Project to the design that we're presenting

1 today based on input from communities across the
2 north, including the Tlicho which indicated to us that
3 -- that the Jay-Cardinal design was not appropriate.
4 So we've advanced a project that -- that we believe is
5 of a sufficient -- efficiently reduced scale and scope
6 and impact as to be a responsible development,
7 especially given that the benefits that it does
8 provide.

9 The Jay Project will be an extension of
10 the current Ekati mine, which has operated since 1998.
11 As Chief Daniels mentioned in his introduction, we
12 have a long history of working together with the
13 Tlicho Government and Tlicho people at Ekati, and the
14 -- the mine will -- will represent an extension of all
15 the -- the practices and principles that we've
16 developed over the last eighteen (18) years of
17 operations.

18 Because it's an extension of the
19 existing mine, the project, compared to a brand-new
20 development like Gahcho Kue, would have a much smaller
21 footprint. We will reuse the existing process plan,
22 the existing air strip, the Misery Road, and many
23 other elements of the project.

24 So the -- the footprint of -- of new
25 works relative to the -- the opportunities that the

1 project provides we believe are -- are much -- much
2 better than other developments in the north.

3 Closure and reclamation are very
4 important topics I'm sure we'll discuss today in some
5 detail. A couple of benefits that the project can
6 provide to closure and reclamation relative to the
7 existing Ekati closure plan, which would begin in
8 2019, are that we plan to -- to deposit processed
9 kimberlite -- that is, the rock that's remaining after
10 we extract the diamonds -- into the existing open
11 pits, making the -- those pits shallower at closure.

12 We would also be able to reclaim the
13 Long Lake Containment Facility in conjunction with the
14 operation of Jay.

15 We've heard from the Tlicho government
16 that it's important that the project have benefits to
17 -- to remove other infrastructure on the site as -- as
18 soon as is practicable so that those areas can be
19 returned to a -- to a natural state for -- for use by
20 caribou and other wildlife.

21 And we plan to have a discussion with
22 representatives from the Tlicho Government in the next
23 couple of weeks on that topic and -- and others
24 relating to compensatory actions that we can take so
25 that the project is a -- a net benefit in terms of

1 reclamation and -- and other aspects that are of
2 interest to -- to the Tlicho.

3 That's okay. I think we -- we've
4 covered this Rick.

5 So in terms of socio-economic benefits,
6 I've mentioned these. But I would just say that the
7 extension of the Ekati mine is really of critical
8 importance, not just to Dominion, but to the economy
9 of -- of the Northwest Territories and the economy of
10 the -- the Tlicho region.

11 Dominion Diamond currently employs more
12 northern and Aboriginal people than any other northern
13 company.

14 This includes roughly two hundred (200)
15 Tlicho citizens that work either directly for us or
16 for our contractors, many of whom are -- are long-time
17 employees. We're -- we're just coming up on our first
18 twenty (20) year employees at Ekati.

19 Dominion Diamond also spends more than
20 a quarter billion dollars every year in the north,
21 including between \$70 and \$80 million a year with
22 Tlicho-owned businesses.

23 For example, these include Tli Cho
24 Domco, providing catering and janitorial services at
25 the camp, an employer of -- of many Tlicho people; Tli

1 Cho Logistics which provides us temporary labour; Tli
2 Cho Air and Air Tindi which provides flights to
3 northern communities; Tli Cho Landtran which provides
4 fuel haul; and KeTe Whii/Procon which provides
5 underground mining labour.

6 Because of the -- the time line of the
7 existing Ekati Mine closing, Dominion Diamond believes
8 that there will be a significant impact on the economy
9 and -- and the population as well of the Northwest
10 Territories if the Jay Project does not go ahead.

11 But if it does go ahead, you know,
12 we'll see significant benefits in terms of employment
13 and overall economic activity.

14 We'll now turn over the presentation to
15 -- to Bob Overvold, our head of environment and
16 communities, who will describe how we've aligned
17 traditional knowledge with our assessment of the
18 project's impacts.

19 MR. BOB OVERVOLD: Bob Overvold,
20 Dominion Diamond. Thank you, Madam Chair.

21 Dominion respects the importance of
22 traditional knowledge to northern Aboriginal people,
23 and actively seeks out ways to align traditional
24 knowledge at the Ekati mine with other things we do
25 there from a science perspective.

1 The importance of traditional knowledge
2 is recognized and preserved in the Ekati mine's
3 engagement plan, in our environmental agreement with
4 the territorial government. You can also see it in
5 our IBAs with the Aboriginal communities that we have
6 benefit agreements with and in our regulatory
7 approvals.

8 Ekati -- Dominion Diamond has a full-
9 time traditional knowledge advisor that works with the
10 communities, and as well as most of our environmental
11 staff and community staff in our department,
12 environment communications, with our environment staff
13 at site, whether it's with Claudine Lee, our
14 superintendent, or -- or Harry, back there. All of
15 them have -- take traditional knowledge very seriously
16 and we -- we get a lot of advice from community
17 traditional knowledge holders.

18 By way of example, in the year 2014,
19 we've engaged with over two hundred and forty (240)
20 representatives of the Tlicho government, Tlicho
21 regions and their citizens, often through the Kwe Beh
22 working through group, through visits to the mine
23 site, through workshops, and through normal quarterly
24 engagements with the community.

25 So in the year 2014, we -- we met, as I

1 said, at a minimum of two hundred and forty (240)
2 Tlicho representatives, the vast majority of them
3 being actually Tlicho citizens.

4 Traditional knowledge was used to
5 provide important long-term information in the
6 assessment, such as selecting valued components, such
7 as caribou, fish, water, and air quality, traditional
8 plants, and land use. It was also used in identifying
9 potential effects from the project, on the land,
10 water, animals, and people.

11 We also sought traditional knowledge in
12 recommending mitigation to avoid and reduce effects.
13 The importance of the narrows and Lac du Sauvage and
14 the Lac du Sauvage esker to caribou, migratory
15 movements was one (1) of the bigger things that we
16 engaged on. We actually had representatives from --
17 from Tlicho communities come out to site, look at the
18 esker. And we talked to them about where we wanted to
19 have the road cross the esker. We talked to them
20 about just generally how to build new roads for the
21 Jay Project, and again, got a lot of good advice on
22 how to do that, much of which we took to heart and you
23 will find it in our plans.

24 We recognize the importance of the
25 narrows to fish movement because at the narrows it

1 does not freeze over. And again, that knowledge and
2 that advice was given to us from traditional knowledge
3 holders.

4 Dominion Diamond understands and
5 embraces the inclusion of traditional knowledge
6 alongside science in project planning and design and
7 will continue to work with traditional knowledge
8 holders in the future, in future project activities
9 and in our monitoring programs.

10 Dominion Diamond will continue to be
11 open to discussing ideas for improving or creating new
12 TK projects with all of our IBA communities. I think
13 most importantly, Dominion Di -- Diamond is open to
14 discussing ideas for aligning TK in our operations, on
15 our ongoing operations or on new projects that we
16 undertake.

17 And we have some -- we -- we have -- in
18 the past have had many good recommendations in this
19 regard from the Tlicho Government, particularly during
20 this Jay process, and we appreciate that very much. I
21 often take that -- and always take that advice to
22 heart. Thank you, Madam Chair.

23 MS. CLAUDINE LEE: Claudine Lee,
24 Dominion Diamond. Madam Chair, I'll continue with
25 some slides on the environmental components.

1 Air quality has been identified by
2 communities as being important to people, as well as
3 its potential effects on wildlife, vegetation, fish,
4 and water, with a particular concern in the area
5 around dust.

6 To address concerns around dust and air
7 quality, Dominion developed and submitted a Conceptual
8 Air Quality Monitoring and Management Plan to the
9 Review Board in June of this year. Dominion is
10 working with communities to develop this plan, and to
11 address the issues of dust that have been raised in
12 engagement sessions, and then through this process.

13 That plan is being developed for Jay,
14 and we intend to meet in the next few months with our
15 IBA communities to talk about what should be included
16 in this plan. In the meantime, we are taking some
17 other actions to help reduce dust at the current Ekati
18 mine.

19 For example, this summer we tried out a
20 new type of dust suppressant agent that is safer for
21 the environment to help with the suppression of dust
22 on our roads, and we are hoping that this pilot
23 project will help control dust in the future.

24

25 (BRIEF PAUSE)

1 MS. CLAUDINE LEE: As a northern
2 company, Dominion also recognizes that the discussion
3 about Jay Project comes at a very sensitive time,
4 given the new survey results last week regarding the
5 Bathurst caribou herd.

6 That is why an important part of our
7 work on designing the Jay Project is the extensive
8 engagement that we have undertaken, and will continue
9 to undertake through site visits, community meetings,
10 and workshops with communities and regulators.

11 This engagement on the Jay Project as
12 part of the assessment process has directly resulted
13 in the brand new Ekati Mine Caribou Road Mitigation
14 Plan, which builds on what we currently do at the
15 Ekati mine to further reduce the risks to caribou.

16

17 (BRIEF PAUSE)

18

19 MS. CLAUDINE LEE: Dominion
20 understands the importance of reducing the effects of
21 the road on the health of the caribou herd, and we
22 have worked with the parties to design ways to do
23 this. Last summer and early this year we made many
24 visits to sites with traditional knowledge holders,
25 youth, and community members from all of our Impact

1 Benefit Agreement communities to talk about how we
2 could lessen any impact from the road on caribou that
3 might be moving through this area.

4 This included flying over the route in
5 a helicopter, and taking trips to the Esker by foot
6 with both the engineer -- the designing engineer for
7 the project and the Dominion team. What we heard from
8 these visits was that people wanted the road to be as
9 short as possible, have the smallest impact on the
10 Esker, and to allow most of the road to be constructed
11 as caribou crossings.

12

13 (BRIEF PAUSE)

14

15 MS. CLAUDINE LEE: We believe we have
16 accomplished this in our design. We have also been
17 working with communities on our plans for managing and
18 monitoring wildlife during the Jay Project. This
19 included workshops to discuss the Wildlife Effects
20 Monitoring Program, and the Caribou Road Mitigation
21 Plan.

22 We intend to continue with this
23 engagement to ensure that input from communities,
24 government, and the Independent Environmental
25 Monitoring Agency is included in this document before

1 it is finalized for the Jay Project.

2 I just spoke on the previous slide
3 about the Caribou Road Mitigation Plan, but wanted to
4 provide a little more detail on what it is. Really,
5 it lays out how we will operate when caribou are
6 moving through the project area. We are very proud
7 that we have never even had a caribou injured by a
8 vehicle at Ekati, and we think our practices to deal
9 with caribou moving through this area are world class.
10 This plan makes them even better.

11 Some examples of what you see in the
12 Caribou and Roads Mitigation Plan are that caribou
13 always have the right of way.

14 We will also implement road closures
15 when larger numbers of caribou are moving through our
16 environment -- moving through or when our environment
17 department deems necessary because even one (1)
18 caribou approaching or on the road, even if this lasts
19 for hours or days.

20 I spoke about the Wildlife Effects
21 Monitoring Program. This applies to all wildlife, as
22 I noted earlier, and we plan to continue with our
23 engagement on this plan with communities before it's
24 finalized prior to the construction of Jay.

25 The majority of our programs are world

1 class such as our award-winning Grizzly Bear Program
2 and the Wolverine DNA program.

3 The Jay Project will require a fish-out
4 of the area. Some of you might be aware that we just
5 recently completed a fish-out at the Lynx Project, and
6 it was very successful. As a matter of fact, some of
7 you might have even had some of the fish from that
8 fish-out.

9 Dominion intends to work on these plans
10 for the Jay fish-out in the same way we did with Lynx.
11 We would build on the success of Lynx by engaging with
12 the communities on the draft plan for the fish-out,
13 that the fish-out would include community members,
14 that the fish would be distributed to our IBA
15 communities for their use, and we would seek further
16 ideas about how to use the smaller fish to minim --
17 minimize any wastage, whether that be for dog food,
18 fertilizer, or for community gardens.

19 As well, Dominion intends to work with
20 communities to identify potential fish offset projects
21 in their area.

22 In the Tlicho region, we are working on
23 a memorandum of understanding with the government,
24 with the Tlicho Government, to work out a workshop
25 with Elders, community members, and the Tlicho

1 Government to identify potential projects in this
2 area.

3 Once this is done, we would undertake
4 the initial field work to investigate these areas with
5 community members.

6 We have heard the importance of the
7 narrows during our engagement and through this
8 assessment process for fish spawning and for movement
9 in Lac du Sauvage and Lac de Gras.

10 The importance of the narrows for fish
11 spawning and movement has been considered in the
12 affects assessment, and we continue to engage with
13 communities on the importance of the narrows and that
14 the plan developed protects the narrows for fish
15 spawning and movement.

16 Dominion is confident that we have
17 designed a good water management plan that is
18 protective of water quality, fish, and fish habitat.

19

20 (BRIEF PAUSE)

21

22 MS. CLAUDINE LEE: Ekati has a long
23 history of effective water monitoring and we intend to
24 develop a water monitoring plan with communities,
25 government, and IEMA.

1 We believe that the Wek'eezhii Land and
2 Water Board is the appropriate authority to ensure and
3 appropriate and productive water management strategy
4 for fish and water. Dominion has also agreed to
5 recommendations from IEMA and the communities to
6 develop plans for the management of mine water and the
7 waste rock pile.

8 This will also include additional
9 sampling in the diked area and monitoring of any
10 seepage from the waste rock pile. And in summary,
11 before we just end our presentation here, the Jay
12 Project allows for the continuation of employment,
13 economic inputs, and community developments including
14 significant benefits to this region with the
15 employment of many Tlicho citizens and contracts with
16 Tlicho businesses.

17 We are also committed to working with
18 communities on monitoring and management plans for the
19 Project. On the Jay fish-out plan and opportunities
20 for offsetting projects. We have and will continue to
21 work with communities on aligning traditional
22 knowledge into the Jay Project and our operations.

23 On behalf of Dominion we thank you all
24 for attending today and we look forward to discussing
25 the project further this afternoon.

1 THE CHAIRPERSON: Thank you, Dominion,
2 for your presentation. At this time we would like the
3 Tlicho to start their presentation, please.

4

5 PRESENTATION BY TLICHO GOVERNMENT:

6 MR. SJOERD VAN DER WIELEN: Masi cho,
7 Madam Chair. I would like to start with introduction
8 of our team.

9 On my total left I've got John B. Zoe
10 as our senior advisor. Next to him is Joseph Judas,
11 who is our Elder and councillor. We've got Chief
12 Clifford who introduced himself. We've got Grace
13 Mackenzie, our mine lais -- liaison, sorry. And I see
14 very many familiar faces in the stand too, or in the
15 public, so -- but I would like to point out a couple
16 people, Marjorie Matheson-Maund is our implementation
17 facilitator.

18 Petter Jacobsen is our TK researcher.
19 Georgina Chocolate is our TK research facilitator.
20 And we've got Ginger Gibson (phonetic) our consultant
21 on the line. There are many more people here, but I
22 can't go through all of them, but I would like to
23 point out also our Elders and acknowledge them.
24 They're sitting in the back. Masi cho for showing up.

25 This is an important subject and it --

1 it involves all Tlicho dearly. Yeah, it works. Okay.
2 So maybe first we could talk a little bit about the
3 background of the project. So the proposed location
4 of the Jay Project, which we're all talking about, is
5 within an important migration and habitat area for
6 caribou.

7 It goes without saying that the state
8 and the future protection of the Bathurst caribou
9 herds is a priority for the Tlicho governments and the
10 Tlicho people. And therefore, any new stressors for
11 caribou must be avoided.

12 Our Tlicho research and training
13 institute has done several TK studies regarding
14 caribou and their migration routes. On here is a map
15 where it -- which -- which shows the migration routes
16 before and after the mines were -- were being
17 constructed. And not only does the -- the migration
18 route change, but also the behaviour of caribou.

19 And the question that we can ask
20 ourselves: There are many existing impacts already,
21 we have several mine sites, and do we need any more
22 stressors?

23 So here's another map that shows a
24 little bit of a closeup. And our TK show -- oh,
25 sorry, I should also do it with this one. Our TK has

1 shown several important travel routes for caribou that
2 uses mainly eskers, but other important crossings, as
3 well. Here's the general location. And as you can
4 see, it plays an important role in the Bathurst
5 caribou migration role.

6 So the -- the Tlicho Government has
7 raised four (4) important issues, and which are the
8 Tlicho access to caribou. And, now -- now, that
9 doesn't involve just straight access. That also
10 involves access to healthy caribou that are not sick.

11 And this includes the dust management.
12 Dust on the land has been pointed out by our Elders
13 that if it changes the forage for caribou, that the
14 caribou eat, it's the food for the caribou, and -- and
15 it results in unhealthy caribou. And if it's -- our
16 Elders and our hunters have seen this on the land.

17 We've raised issues with the -- the Jay
18 roads. As mentioned before, the Jay road crosses in a
19 important esker that's been documented to be travelled
20 a lot by caribou. How will this -- how will this
21 esker be -- be crossed?

22 And another important thing that we
23 would like to raise is the waste rock piles. They
24 have to be constructed with input from the Tlicho,
25 because they are constructed right next to the esker

1 that I've mentioned before.

2 So our recommendations are as follows.

3 We -- we have -- make in total thirteen (13)
4 recommendations for -- oh, sorry, we have to make
5 recommendations for thirteen (13) measures, and
6 they're related to caribou, and we would like them to
7 be included in the report of the environmental
8 assessments.

9 Overall, the proponent needs to work
10 with the Tlicho Government, the Tlicho Elders, and the
11 Tlicho people to better understand the existing
12 impacts on caribou and to avoid and minimize any
13 additional impacts on caribou. And this work can be
14 done through community meetings, IBA negotiations,
15 true Elder meetings that involve -- that involve more
16 than just a few Elders, and our Kwe Beh meetings.

17 The Tlicho Government -- the Tlicho
18 Government has also requested that a determination of
19 significant adverse cumulative impacts of the Jay
20 Project on the Bathurst caribou can be made by the --
21 by the Board. And finally, that compensatory
22 mitigation be required as part of the Developer's
23 wildlife mitigation -- management plan.

24 So this is the slide part of my -- of
25 our presentation. And I would like to give the mic to

1 Joseph Judas, our Elder sitting here, who would add
2 some to the community perspective. So, masi cho,
3 everybody. Masi cho, Madam Chair.

4

5 (INTERPRETED FROM FIRST NATIONS LANGUAGE INTO ENGLISH)

6

7 ELDER JOSEPH JUDAS: Thank you --
8 thank you, Madam Chair. I will speak in my language.
9 At this time, we're having a meeting here in Behchoko,
10 and we have many people who are representing the
11 government, representing the mine. People, Elders.
12 I'm very grateful that you're all here. Madam Chair,
13 thank you.

14 And in our -- in our communities, we
15 are concerned about, what are our priorities? The
16 wildlife in our -- in our land is what we depend on,
17 because we live by caribou. And if there's such
18 hearings like this, there's a lot of information that
19 gets heard in hearings like this.

20 The reason why I say these kind of
21 hearings are important, way long ago, before all the
22 mining companies started working in our lands, long
23 ago when our hunters and trappers -- only our hunters
24 and trappers were making money in the northern
25 economy, they -- they really, really worked hard to

1 make money, make a good living. And our Elders, they
2 really worked hard.

3 And today, all wildlife and land is
4 changing. Wildlife is also getting less, and many of
5 our people are concerned because the wildlife is
6 changing, as well. And when you're introducing new
7 development, new mines happening, you also have to
8 take in concern about, What kind of water management
9 are we -- do we have now? It's good opportunities for
10 people to make money. It's good opportunities for
11 people to make a better living. And so we really have
12 to make a decision, and -- and take time -- take our
13 time making all the appropriate decisions.

14 In the future, also the mining
15 companies, are they going to continue to treat people
16 well? Are they going to continue to make good
17 agreements with our people? In the past, our Elders
18 have worked so hard, and -- and lived a good life, but
19 they worked very hard.

20 And so -- and -- and now when we have
21 so many mines in the North, we need -- we do need
22 jobs, but now since some time ago -- because in the
23 North, when it was full of wildlife, it seems like
24 it's replaced with mining companies. And there's less
25 wildlife in our lands. And back home in our Wekweti

1 land, we spend about almost one (1) week or so on the
2 land, and while we were out on the land for almost a
3 week or so in around the time of July, they would be
4 passing through Wekweti area, slowly walking through
5 the Wekweti area, going further to the north to the --
6 to the barren land.

7 And so -- so during the fall time, when
8 the caribou would go into the bush -- into the
9 bushland and live in the bush for a little while, and
10 then further up north to the barren land. So over
11 time, as our wildlife is also suffering, and is -- as
12 our wildlife is getting less in our lands, sometimes
13 we have such a hard time -- such a long time looking
14 for caribou meat, or wildlife.

15 And because we're having such a hard
16 time looking for wildlife, is the mining company able
17 to help us? Look at the Dene people, help them with -
18 - as -- we also know that just for transportation
19 goods to be delivered to the Northwest Territories,
20 there is such a high cost to -- to make a living in
21 the North, and to have delivered goods in the North to
22 buy goods from the North, how are we going to manage?

23 So if -- if the people in the North are
24 going through a hard time because of high costs of
25 living and because of lack -- less wildlife and long

1 distance to travel to get even hunting, how is a mine
2 company going to make some kind of help to the
3 communities, to the IBA communities, to make their
4 life better?

5 And so I have a lot -- I have a lot of
6 questions. I also have a lot of concerns about the
7 proposed project, the Jay Project. The open pit is
8 going to be in a lake, and there's going to be a dike
9 that's also going to be built. And there's also that
10 dust that's going to get carried away. There's --
11 there's also dust that's going to be carried for long
12 distances.

13 I'm thinking about the environment, I'm
14 thinking about the wildlife. I'm also thinking about
15 the water. All of this is going through my head. I'm
16 thinking about the impact that this project is going
17 to have on the environment. That includes everything.

18 I want -- I have concerns about -- that
19 the water being polluted. I'm also concerned about
20 the wildlife being sick by this project. And there is
21 no way to rec -- recapture or to go back to the way --
22 the old system used to be in the environment.

23 As you all know, the caribou -- the
24 caribou has declined. Everybody is aware of that.
25 And the population will never go back to the way it

1 used to exist. It's been -- it -- it's -- this has
2 taken time. It has taken time to have this impact on
3 the wildlife.

4 Now all of these development --
5 development that's taking place way out in the tundra,
6 the -- of course, that is going to -- to have an
7 impact on the environment as well as the wildlife. We
8 -- we are all aware of that. Any kind of changes on
9 the environment will always have a cumulative effect
10 on the environment.

11 Even though the water -- the lake is
12 long and narrow, we -- we know that, and the caribou
13 used to cross that lake. We haven't seen that
14 happening in the past few years. We do talk about
15 caribou a lot. We have a lot of discussions. We talk
16 a lot about the changes that's taking place here in
17 the North.

18 So today, I want to make all of you
19 aware of this. We are talking about a brand-new open
20 pit project. We have to treat each other with
21 respect, and when one (1) of us speak, we have to try
22 to understand what the other person is saying.

23 Sometimes the Developers, once their
24 permit is approved, they don't come back into the
25 community and treat us the way they used to during the

1 process. We are -- we are here. We are going to be
2 here for a long time. We have a lot of beautiful
3 lakes. We have water that's drinkable, that's usable,
4 and we have a lot of wildlife, a lot of different
5 wildlifes.

6 It has -- it was protected before --
7 before we -- we existed. And now all of that has been
8 destroyed. So we have to take that into
9 consideration.

10 So today we have gathered to -- to talk
11 about all of these that concern us. And we have to
12 work together. And it -- it would be nice if the
13 Developers can consult us or can meet with us and
14 update us on their activities at the site, and also on
15 the activities of the wildlife.

16 Sometimes the people that are -- that
17 are the -- that are living in the communities are
18 forgotten and left behind. That has happened in -- in
19 the past. That is my own experience.

20 So I would appreciate it if the
21 Developers can come in and visit each of the
22 communities or else come and visit the communities
23 just to talk about -- just to give us the update on
24 their -- on their project, and -- and also on their
25 monitoring system that they have for wildlife and the

1 environment.

2 What we're talking about now is
3 protection -- protection of the land, protection of
4 the water, and also the protection of wildlife. Any -
5 - any concerns that we have will be brought -- brought
6 out for discussion here at this meeting.

7 I -- we also have -- we in Wekweti also
8 have concerns about employment. The unemployment is
9 very high in our community. The cost of living is
10 very high. As well, the transportation is also very
11 expensive.

12 So we live below poverty in Wekweti,
13 and we depended on wildlife a lot to -- to feed our
14 families. So at this point in our community, you can
15 say that we can -- we are going through economic dep -
16 - depression.

17 So -- and the priority and the advice
18 that I'm giving to the Developers is that for
19 employment, Tlicho should be the first consideration
20 for any kind of employment at the mine.

21 Ever since we have moved to Wekweti,
22 the cost of living has always been really high, right
23 from -- right from the first time that we moved. The
24 -- the fuel cost has been rising, has been going up
25 every year. It has never -- it has never been

1 reduced. Even though there was leftovers from last
2 year, the price continues to go up.

3 Everything in my community, all the
4 prices of everything goes up every year, and you never
5 -- you never see any -- any reduction.

6 And now we're talking about a totally
7 new -- new project here that's being discussed. I
8 want all of us to work, to -- to work well with one
9 another, work in harmony, and also with a little bit
10 of wisdom.

11 So I'd like to say thank you to -- to
12 be able to make this presentation. I just wanted to
13 tell you what is happening in my community and how my
14 people are living in my community. And thank you very
15 much.

16

17 (INTERPRETATION CONCLUDED)

18

19 THE CHAIRPERSON: At this time, I
20 would like to ask counsel to speak as to the way the
21 questions will be handled.

22 MR. JOHN DONIHEE: Thank you, Madam
23 Chair. It's John Donihee, for the Board.

24 I think in the opening, we weren't as
25 specific as we might have been. And with respect to

1 the way that the questions can be addressed to the
2 Government of the Northwest Territories, I think we
3 just want to be clear that it's a community hearing.

4 GNWT is not making a presentation. The
5 Board very much appreciates the range and number of
6 staff that they've brought to support the community
7 meeting.

8 But what we're hoping is that if there
9 are questions raised by Tlicho citizens or Tlicho
10 Government which can best be answered by people from
11 various program areas in GNWT who are here in the
12 audience, that perhaps the Chair will simply ask if
13 there's someone from GNWT that can assist us with
14 that, and that in that way, they can come up and
15 participate in the meeting.

16 And I -- I guess I would simply
17 distinguish that from the situation where, you know,
18 we have a panel of GNWT witnesses in front of the
19 Board who are subject to what lawyers would call
20 cross-examination. That's not our intention this
21 afternoon. Thank you, Madam Chair.

22 THE CHAIRPERSON: Okay. Thank you.

23 We would like to call a five (5) minute
24 break at this time, because we were having some
25 problems here with our transmitters up here for

1 translation. So if we can have a five (5) minute
2 break?

3

4 --- Upon recessing at 2:48 p.m.

5 --- Upon resuming at 3:11 p.m.

6

7 PUBLIC COMMENTARY:

8 THE CHAIRPERSON: We are at a section
9 of the agenda where we are now going to be open for
10 public comments. So questions can be asked, or
11 statements can be asked. You can come to the main
12 table up here, or speak into one of the mics. And as
13 long as you state your name, you have an opportunity
14 to ask or make a comment.

15

16 (BRIEF PAUSE)

17

18 THE CHAIRPERSON: Okay, welcome.
19 State your name, please.

20 MR. BRUNO CROFT: Thank you, Madam
21 Chair. I'm Bruno Croft, from ENR. Just a quick
22 question for Sjoerd. I -- he -- you showed, Sjoerd,
23 on -- I think it's your second slide or third slide --
24 a nice map showing the migration path of the caribou
25 based on -- on the Elders then and now.

1 I had never seen this before. I'm
2 wondering if you could tell me a little more about how
3 you came up with this map, and what the Elders have
4 been telling you? Like, is this -- especially the
5 most recent migration that you indicated have -- has -
6 - has changed based on what the Elders are telling
7 you.

8 And, like, did the Elder go out there
9 at different time of year, and they noticed that
10 things had changed from way back then when they were
11 there, or -- or what they heard from their parents?

12 MR. SJOERD VAN DER WIELEN: Thank you
13 for the question. Thank you, Madam Chair. I can go
14 over it shortly --

15 THE CHAIRPERSON: Please, state your
16 name again for the record. Thank you.

17 MR. SJOERD VAN DER WIELEN: Sjoerd van
18 der Wielen, Tlicho Government. This -- this study was
19 initiated by Diavik mine, and it had to do with the
20 dust collections. So it was our research institutes
21 that initiated the study. And -- and what we did, we
22 have Google Earth projected on the -- on the wall, and
23 we gave Elders a marker.

24 We have a scale of less than 10
25 kilometre height. Google Earth doesn't give a scale

1 from, say one (1) to fifty (50) or whatever, but
2 approximately 10 kilometre heights, depending on your
3 screen size and everything, is -- comes to a one (1)
4 to fifty-thousand (50,000) scale. And then Elders
5 draw the lines on the whiteboards on Google Earth, and
6 we take that over with our mouse.

7 And our Elders have shown -- have shown
8 that the red lines are prior to the mines. So they
9 were -- the -- the mine -- the Bathurst caribou were
10 travelling south of Contwoyto Lake, and they were
11 following this main route. And then they would end up
12 at Wekweti.

13 And this is what our Elders are saying
14 often, is they follow these eskers and -- and
15 therefore, they end in -- in Wekweti. The people from
16 Wekweti, they are saying that they don't see as many
17 caribou anymore, and that has to do -- and that's --
18 this is what this TK studies have shown is that it's -
19 - it's following -- it's following eskers, but if you
20 -- if you cut off an esker over here, it has -- it has
21 results down the line. And that's what this study
22 shows.

23 I -- I'm more -- it's a public study.
24 I'm more than willing to email it to you or anybody
25 that has interest in it. Just shoot me an email. But

1 what the -- yeah, the main message of this study is
2 that the -- there are -- there are eskers that they
3 follow. Cut one (1) off in the beginning and it has
4 results all the way till the end.

5 And so the migration patterns, they
6 changed. They still use this area, but not as
7 intensively as before. Joseph Judas is actually a
8 very important participant. I don't want to put him
9 on the spot, but maybe he would like to add...

10 MR. BRUNO CROFT: Madam Chair, Bruno
11 Croft. That -- that's good enough, Sjoerd. I can
12 follow up later. Thank you.

13 THE CHAIRPERSON: Okay. Thank you.
14 Again, if you wish to speak or you wish to make a
15 statement or ask questions, if you could sign up at
16 the table with the two (2) girls over by the door when
17 you first walk in? If the girls could just put your
18 hand up? So sign up with Stacey or Catherine over
19 there. We have two (2) people signed up.

20 And the first person is George R.
21 There's no last name. I'm sorry. Is there a George?
22 If George is here, please come to the table, one (1)
23 of the mics.

24

25 (BRIEF PAUSE)

1 THE CHAIRPERSON: The other name we
2 have, and I'd like to give the opportunity to speak,
3 is John. John just has John Rae Edzo, and that's it
4 on the list.

5

6 (BRIEF PAUSE)

7

8 THE CHAIRPERSON: I'm going to leave
9 it open, then, if those are the only two (2) speakers
10 we have. So is there people in the audience here that
11 wish to speak or to make a statement, ask a question?
12 Please come to the table.

13

14 (BRIEF PAUSE)

15

16 THE CHAIRPERSON: We don't want to
17 have coffee break all afternoon.

18

19 (BRIEF PAUSE)

20

21 THE CHAIRPERSON: Questions or
22 comments?

23

24 (BRIEF PAUSE)

25

1 THE CHAIRPERSON: Okay. We have a
2 speaker.

3

4 (BRIEF PAUSE)

5

6 MS. STACEY MENZIES: We have Phillip
7 Dryneck.

8 ELDER PHILLIP DRYNECK: Hello.

9

10 (INTERPRETED FROM FIRST NATIONS LANGUAGE INTO ENGLISH)

11

12 ELDER PHILLIP DRYNECK: Today I will
13 ask you a question. As government officials, you're
14 all full in here. You're talking about Elders. I'm
15 listening to you speak about Elders. Today, there's
16 not many Elders. As an Elder at this time, I'm over
17 eighty (80) years old.

18 As -- I hear you speak about Ekati,
19 you're also speaking about the eskers. In that land,
20 you're talking about eskers in Ekati. And also,
21 there's a lot of people who are on this table who --
22 who are also at their jobs but have not actually been
23 on the land and physically worked and -- and seen the
24 land. I hear you speak about our land.

25 In the past, our ancestors, and they

1 walked the land. They've seen the land. They paddled
2 the land. And they've travelled to the land where all
3 the mines are. There were no boat and motors. There
4 were no airplanes. There was no vehicles. There was
5 no skidoos in the area where all the mine is taking
6 place right now.

7 But how -- but how is it that you're
8 saying that you have taken evidence from Elders.
9 Which -- who Elders are you talking about? Which
10 Elders that you're -- you are taking existing
11 information from? It does seem kind of odd to me that
12 land has been utilized very well. It's a fat land.
13 It's Ekati. Ega means fat.

14 Our ancestors have really worked the
15 land very well. Many of our people lived on the land
16 trapping, looking at -- looking, roaming the land for
17 trap -- for furs. At fall time, people would travel
18 north. And then -- and then, now, when you look at
19 it, there's a lot of resources that has been ruined,
20 and I'm very upset because of that. I'm very
21 concerned about all the resources that's ruined on our
22 land.

23 Not only is the land ruined, but, also,
24 the water has been contaminated. The contam -- the
25 water was pristine before mining development happened.

1 And so ever since the mine is on our
2 lands, we're -- we're having many caribou that used to
3 migrate through there, they're not going through the
4 migration areas anymore. And so if we went onto your
5 lands and developed all this, what are you going to
6 give in -- in return for us? It seems like you've
7 taken away a lot of our resources from us.

8 I can't say you right. But at the same
9 time, it's the young people who will benefit from the
10 jobs and -- and money that it may come from. You are
11 talking about eskers. You're talking about -- you're
12 talking about water. You're talking about land. All
13 those things that you're talking about are things that
14 we need to live from, that we need to survive from.

15 Wherever there was water, wherever
16 there was good river systems and streams, look at --
17 it used to be so many water. But now, if you look
18 around, there's so less water. Where there were
19 streams there's no streams no longer. Where did it
20 go? Does anybody know where all our water went?

21 That's what we're talking about, about
22 cumula -- cumulative effects. We can't say that it's
23 a very good thing. And so as you mine our land,
24 there's a lot of -- you are accumulating a lot of
25 mess. And since Ekati has become a mine, over that

1 area it doesn't seem like there's not much wildlife in
2 that area.

3 In the summertime over in that area, we
4 really made use of the resources in the Ekati area.
5 And so now what's happening is a lot of the
6 governments and the mining companies are making money
7 from it. In the past, our people -- that area of land
8 -- Ekati area of land survived through the caribou.
9 The caribou provided clothing, shelter, food.

10

11 (BRIEF PAUSE)

12

13 ELDER PHILLIP DRYNECK: And so today
14 for future generations -- for our future generations
15 you need to work well with each other. When you talk
16 about what -- when you talk about eskers, it's a path.
17 It's an area where they can roam. And -- and so when
18 you are blasting and -- and building -- building areas
19 where you're putting mine rocks and that, you're
20 blocking their migration area because the caribou have
21 to roam for so long that they have to really watch
22 their footing, their ankle, their -- their step, that
23 they don't hurt themselves.

24 And -- and now where is all the good
25 fish? Where was all the good fish? Where have they

1 gone? By that kind of evidence -- by those kind of
2 evidence I can't say you doing right. But at the same
3 time, we have to also remember that employment and job
4 opportunities are going to be there if you work well
5 together, if you make good plans together.

6 Our ancestors used to say in the
7 Northwest Territories it's very cold area. It used to
8 be so cold up here. We never -- we wouldn't exist --
9 we wouldn't survive if we wore material like this kind
10 of manmade material, but if you wore leather hides,
11 made from hides that's hide and -- that then you'll
12 survive. That's how our ancestors raised us.

13 By walking, they travelled so far for
14 our people to be here today. So today when you look
15 at caribou about three (3) or four (4) years ago it
16 was restricted to our people. It became restricted to
17 our people. In those days, we should have had more
18 discussion. I should have talked more before all the
19 restrictions were put in place. And so through our
20 people surviving from caribou and -- and caribou, when
21 you look at us today there's a lot of people who are
22 hungry for their traditional food.

23 And so as we have meetings like this,
24 and all the people who are looking for developing mine
25 for -- for decisions, for recommendations, not one

1 person -- maybe leaders -- people who are looking for
2 answers, have not come to visit me and ask my opinion.

3 And so Joseph -- Joseph Judas, who is
4 sitting at the table up there, he's the only person
5 there at the table that I can say his father taught
6 him well. When he speaks, he speaks from experience.
7 Of course his father raised him in the caribou land.
8 In the winter, in the summer at the -- it's like the
9 same. Whatever happens in the winter or in the
10 summer, you -- you -- he has that knowledge. And we
11 used to get all the stories in the -- in the past.

12 And so sometimes I -- when I speak out
13 like this, I'm -- I'm a bit upset. But at the same
14 time, we want to think about setting a good place for
15 our future generations. We want them to be able to be
16 on their own, and do well on their own. And -- and if
17 people don't have experience in our lands, we would
18 take people in. We would tell others -- our ancestors
19 would always teach people if they weren't from our
20 land how our land was. Where the rivers would flow
21 to.

22 And so today you have to prepare for a
23 new generation of people. You have to set the new
24 generation of people so that they are well, and -- and
25 it'll be good for them in -- in their life.

1 And so when you speak about what - when
2 you speak about eskers, it is true. And sometimes a
3 caribou would follow the eskers. He would follow
4 alongside the eskers. The caribou knows and makes
5 good use of the eskers as it travels through the land.

6 And so when -- when -- at the end of
7 this month is when the caribou would migrate through
8 that area. But there doesn't seem to be no caribou
9 around at this time. And so I'm really concerned
10 about that now.

11 Whatever you're going to make use of,
12 you have to discuss it. Sometime it's very difficult
13 to discuss such things as caribou. It wasn't only
14 Tlicho Nation that survived and -- and lived -- made
15 use of caribou.

16 All my great-grandfathers, my parents,
17 their parents, the grandfathers' families, all that
18 knowledge that that they knew about caribou was taught
19 from one family -- one generation to the next
20 generation.

21 Wherever there were streams, wherever
22 there was even strong currents, sometimes when they
23 travelled over some of the river systems, their
24 moccasins would -- would be turned almost off their
25 feet because they're working so hard walking and

1 working with their legs and walking.

2 That's exactly how we have to work as -
3 - as we have meetings like this because we're talking
4 about caribou land. And where -- wherever you're
5 deciding to put your rocks, waste rocks, you have to
6 be especially careful because if you're putting waste
7 rock just in any spot and not careful about how you're
8 placing mine rocks, caribou won't go into that area
9 again. It just depends on how you work at the -- at
10 that area of the mine.

11 Long ago, there was -- there was no
12 such disturbance. There was no disturbance on the
13 water, on the land. Everything was peaceful. Nothing
14 was disturbed.

15 I can't speak very long. And so what
16 we're talking about is our future generations. You
17 have to think about them. You have to make a plan so
18 that they have a good life. You have to help one
19 another.

20 Your plans also have to work together.
21 Sometimes people would say, if there's something very
22 difficult, even though it's so difficult, but if
23 there's a lot of people that work on that difficulty,
24 you can go through it.

25 You can make plans. You can let each

1 other know if there's to be any kind of problem, if
2 there's something that you need to find out that's
3 important to -- to make things better. This is how
4 our ancestors have always worked.

5 I'm very glad you listened to me.

6 Masi.

7

8 (INTERPRETATION CONCLUDED)

9

10 THE CHAIRPERSON: Masi, Philip. I
11 would like to call up Georgina Chocolate to the table.

12

13 (BRIEF PAUSE)

14

15 MS. GEORGINA CHOCOLATE: Madam Chair,
16 my name's Georgina from TG, Tlicho Government.

17 There's just two (2) questions I wanted to ask, and a
18 third one (1) will be that concern. The first
19 question is to the Developers. This year, the
20 Bathurst herd is present at low point in its cycle.
21 TK indicates low in 1920s, 1950s, 1970s, and high in
22 1940s and 1990s.

23 I would just like to know: Do they
24 still have this report? Because if they do, I will
25 like to look on at the TK indication report. Masi.

1

2

(BRIEF PAUSE)

3

4

MR. RICHARD BARGERY: So, Georgina,
you just -- you wanted the reports that those -- where
the TK indicated that. Is that -- is that what you're
looking for? Because we can provi --

8

MS. GEORGINA CHOCOLATE: Yes, I do.

9

MR. RICHARD BARGERY: We can provide
those. We don't have those with us, but we can -- we
can provide those to you if that -- if that will be
helpful.

13

THE CHAIRPERSON: Please identify
yourself when you're speaking.

15

MR. RICHARD BARGERY: I should -- I
should know that by now, Madam Chair. Richard
Bargery, Dominion Diamond. I apologize.

18

MS. GEORGINA CHOCOLATE: Yes, another
question is that: They said that there's going to be
a road going across that what'aa esker. The Elders
were -- chose the location on that esker. When they
walked on that esker it's like a high esker, and
there's a lower one. But there's a lower one in has -
- in the little, short kind of dented where the one --
the road should be built.

1 So is that the same -- same area,
2 location that the Elders have chosen, or did the
3 Developer chose the road?

4 MR. RICHARD BARGERY: Richard Bargery,
5 Dominion Diamond. So that's the same part that when
6 we -- when we looked at it -- I think it was last
7 summer when we had the --

8 MS. GEORGINA CHOCOLATE: Yeah.

9 MR. RICHARD BARGERY: -- the tours,
10 that's the same -- the same area, yeah, that the
11 Elders walked, and then when -- when we went to the
12 maps at site, yes.

13 MS. GEORGINA CHOCOLATE: Okay, thank
14 you. And the third one (1) is that it's just my
15 concern that I'm a Tlicho citizen and this is my
16 Tlicho land. And the Elders would say, We always have
17 our Tlicho traditional names. That has always been
18 brought up. And I think when we say Lac du Sauvage,
19 to me it sounds like a French name, but I don't know
20 how it got that name in English.

21 But I would say, as -- myself, as a
22 Dogrib, that Elders always called the place names
23 under (OTHER LANGUAGE SPOKEN), so it'll be good if you
24 used that name instead of Lac du Sauvage. Masi cho.
25 Thank you.

1 MR. RICHARD BARGERY: Richard Bargery,
2 Dominion Diamond. I think that's a very good su --
3 suggestion, but I think I may need some practice on
4 pronouncing the name, so.

5 THE CHAIRPERSON: Masi, Georgina, for
6 your questions. I will ask if George R. has come into
7 the building. He has signed up for public comments or
8 questions.

9
10 (BRIEF PAUSE)

11
12 THE CHAIRPERSON: How about John, John
13 from Rae Edzo?

14
15 (BRIEF PAUSE)

16
17 THE CHAIRPERSON: Welcome, Joe. We're
18 asking for questions or comments to the Jay Project.

19 ELDER JOE RABESCA: Comments and
20 concerns. I'm going to speak in my language. I hope
21 you don't mind.

22
23 (INTERPRETED FROM FIRST NATIONS LANGUAGE INTO ENGLISH)

24
25 ELDER JOE RABESCA: We have a lot of

1 visitors here today. From 1980 up to here, there's
2 been development. A lot of activities on our land.
3 We've been asking questions about it. I was involved
4 in some of the discussion. I'm still part of it. I
5 still monitor the activities. There was a lot of
6 presentation from the Elders back when Developers were
7 first introduced to our communities.

8 At that time, the Elders were saying
9 that once the constructions and the pro -- projects go
10 ahead, what will become of the caribou and how will
11 their behaviour change? We have to keep a close eye
12 on it. Right now, the population has declined, but we
13 cannot entirely blame the mine for it.

14 I used to live in Snare Lake in
15 Wekweti. That was back in the '70s, 1970 -- 1974. At
16 that time, the caribou population was around four
17 hundred and eighty thousand (480,000). And back then,
18 the Elders used to talk about the -- the caribou a
19 lot, and the Elders back then also noticed the
20 population declining.

21 We cannot -- we cannot blame the people
22 for it. Maybe it's Mother Nature. We don't know if
23 the caribou is ever going to recover. That's
24 unpredictable. Back -- I work with a lot of Elderly
25 chiefs who are all pass on. One of them was Alexis

1 (phonetic). He -- back then, Alexis has said if
2 there's any odd behaviour on our land, like
3 activities, the behaviour of the caribou would change.
4 We were told back then, because I've been watching it
5 since. Is -- he -- he says, I was a young man then.
6 I am now close to seventy (70), and I have seen the
7 popu -- the popul -- the caribou population decline.

8 And the Elders even predicted way back
9 exactly where the locations of the mine were or might
10 be. And that's exactly where it is. And even back
11 then, the Elders had -- had also predicted that there
12 will be mines right from here all the way up to Great
13 Bear Lake, which is happening, which is existing right
14 now.

15 And -- and the Elders also said from
16 here on, there's going to be a lot of developers on
17 our land. There's going to be a lot of corporations
18 on our land, and we do have to engage with them. We
19 have to work with them. And we get stubborn and
20 refuse development, then, that isn't also -- that
21 isn't right also.

22 We have to work together. We all -- we
23 all have to work in harmony. We all have one (1)
24 thing in common, which is the environment. No one --
25 no one ever wants to see polluted water. Nobody ever

1 wants to see an environment that's been rui -- ruined.
2 No one ever wants to see that, no one from all
3 nationalities.

4 We all have one (1) thing in common,
5 which is to protect the environment. So therefore, we
6 shouldn't think we are above one another. We all have
7 to work with each other. Now, I want to say a few
8 words about Rayrock.

9 They didn't have any hearings. They
10 didn't have any inquiries. The developers came in and
11 they started to -- they started the construction to
12 open the mine without consulting the communities
13 nearby. We have learned from that that the
14 environment can be ruined drastically. It's hard to
15 recover.

16 So therefore, we -- we work -- we now
17 work with people with open mind. There was a lot of
18 damage -- damages done to Rayrock, and there was a lot
19 of trash that was left behind. So we don't want to
20 see the same mistake repeated. Therefore, we are now
21 actively involved in different committees that is
22 connected to the -- to our -- our environment, because
23 we're passionate about our land. This is why we are
24 here listening to all of you.

25 Before we do any damages that cannot be

1 reversed, we want -- we want to be able to -- to begin
2 working on monitoring all the activities that is going
3 on. We want to be actively involved. Therefore,
4 that's the reason why we are here. We didn't have the
5 opportunities such as this back in the '70s or even
6 before the '70s.

7 The people that have spoken about the
8 environment are here because they have seen a lot of
9 changes since they were young people. The water has
10 gone right down. Some of them -- in some places, you
11 can see the riverbed, whereas you have -- you never
12 used to before.

13 When -- and when we talk about water,
14 water is essential, essential to everything on Earth,
15 humans, animals, plants. It's essential. It's very
16 important. So -- so when I look out on the lake, I
17 think about the younger people, the people that are
18 growing up now, how -- how will they live off this
19 land if there's no more clean water? We have been
20 here for a long -- we have been here for a long time.

21 A lot of you know we don't -- we -- we
22 can -- we cannot harvest -- we cannot grow things here
23 up in the North, because we have a lot of rocks, so it
24 was the wildlife that sustained us, which is the
25 truth. I went -- I went hunting to Kennedy Lake. I

1 left Yellowknife. We used one (1) vehicle and it took
2 us twelve (12) hours to -- to get to our destination.
3 That's where I went hunting.

4 And I came back with some meat and a
5 lot of -- after I come back, a lot of people from the
6 community come by and ask for even a small piece of
7 meat, just enough for one (1) meal for one (1) person.
8 So -- so now the caribou has moved a long ways from
9 us. That's how long I had to travel.

10 Now when Joseph made his presentation,
11 he mentioned that his community is very expensive to
12 live in. Everything is very costly. And I think
13 about how well they survived this year, and from here
14 on into the future.

15 We all know -- we -- we all know and we
16 are aware of all the changes that is taking place in
17 our environment, our surroundings. So to avoid past
18 mistakes, we have to all work together. If we start
19 arguing and if we start disagreeing, we'll never be
20 able to work together. And -- and then that will
21 become an obstacle.

22 I have spoken for my people many, many
23 times in the past. When BHP had first come north and
24 Diavik and all the other mining companies, I was
25 actively -- actively involved in the negotiations. We

1 had IBAs.

2 We also had economic agreements, which
3 was good, but this -- this proposed project seems to
4 be a lot better, and I think it's going to benefit my
5 people in more ways than one (1).

6 But we all have to be on the same
7 level. We all have to share all the information, and
8 we all have to work together. We can't -- we cannot
9 hide, and we all support each other's ideas. And if
10 we listen to one another, we -- we become a unity. We
11 become stronger.

12 I know that we will see more
13 development up here in the north, especially in the
14 mining sector. My Elders had talked about this years
15 and years ago. That was a long time ago and since
16 I've been sharing what I know with -- with the younger
17 people.

18 We have made mistakes in the past with
19 developments, and we know what the mistakes were. We
20 -- we try not to repeat that again. So if there is
21 any kind of damages done to the environment or if
22 there's any laws that were broken connected to the
23 environment, we know that there's fines that has to be
24 paid. We know that the law has to be work.

25 We al -- we have also become aware of

1 that. But back in the '70s, even before the '70s,
2 there was no policies such as that that existed to
3 protect the environment.

4

5 (INTERPRETATION CONCLUDED)

6

7 ELDER JOE RABESCA: ...in my own
8 language, I participated in BHP, Diavik, Snap Lake.
9 The same that you're going through right -- right
10 around, completely around. I got involved and stayed
11 until I was done with BHP.

12 Sometime we didn't like each other, but
13 we -- we work our difference out. In the past, like I
14 said, there was no Board, once or forever. No Board.

15 Industry came in and did what they had
16 to do. Didn't -- didn't talk, didn't worry about
17 caribou, didn't worry about water, didn't worry about
18 the land that they're going to work on. Never asked
19 people.

20 And these are the memories that these
21 Elders have. That's why they raise concerns all the
22 time. But I'm saying to them, Things change because
23 it takes people like leaders in the north to talk to
24 government, tell them, This is the way we should do
25 things so that everybody can be satisfied.

1 The Board can be satisfied, industry
2 can be satisfied, our leaders and the users can be
3 satisfied. That's the only way it's going to work
4 that I see. No other way. But we're always going to
5 have development because the -- the Elders said,
6 There's always going to be mine around in Tlicho area
7 right up to Great Bear Lake. That's what they've
8 said. It's always going to be there.

9 If you look in this area, Tlicho --
10 Tlicho -- there's no way you can go commercial
11 fishing. There's no way you're going to sell timber.
12 Look at our trees. So small. What are we going to
13 live on? I see, and I've seen in the past, and I
14 still see it today, people gave up on trapping.
15 People don't go out no more.

16 So what do we? What do we live on?
17 That's what -- I don't see my kids going trapping. I
18 don't see that happening. Even though that's not a
19 dead issue. We have to go, we'll go, but there's
20 going to be a mine.

21 People like to work at the mine. I
22 have had -- bad memories about Colomac and Rayrock.
23 Yes, that's gone. We can change all that. We can
24 improve on a lot of things. Even today, I know that
25 through our companies we can send people out there to

1 -- to do tests on water. We can do that ourselves,
2 which we never have in the past.

3 We could do it if they put their mind
4 to it. If they want to. They can work with the
5 mining company. We can do all that ourselves. But in
6 the past we never had that opportunity. That chance
7 was never given to us. But today, things change.

8 I remember when I came back from school
9 1960 here. There was no road, no lights. Look. 1960
10 isn't gone too far back. Look at all the change that
11 took place. Like I said, there was no road. No
12 power. The road from Yellowknife the but -- the bus
13 keep flying when we're coming back. The Cat has to
14 pull us back on the road because we're working the
15 road.

16 My dad had to go get me in Frank
17 Channel. And look at all the changes. Don't expect
18 things to be the same as they are, Mr. (sic) Chairman.
19 That's never going to -- things will change, change,
20 change. If we're left behind, that's not the way I
21 see things. We have to go along with the changes that
22 was appearing in front of us, and work with the
23 changes. And we have to change, too. If we don't,
24 where we going to be?

25 We're going to be lost. We're going to

1 be left behind. I don't think the young people would
2 be left behind. They want to be part of everything
3 that goes on. Madam Chairman, I'm not asking you to
4 listen to every word I said, but think about what I'm
5 saying as a concerned Elder, and a past leader.

6 I can see what the changes that's
7 happening. More change will happen, and we have to go
8 along with the changes. People don't like mining
9 companies. Sometime when they speak, yes, I
10 understand where they're coming from. But if we work
11 with them, we can improve on things that we don't
12 like. We can do it.

13 But sitting in the back and complaining
14 is not going to help. I'm not saying I'm 100 percent
15 supporting them. I'm not saying that. If I say that
16 I might get a kick in the asshole. Sorry, Ms.
17 Chairman, forgive my language but I just had to say
18 it.

19 But, you know, that's -- that's just
20 the way we are, right. We have to go along with the
21 changes. I understand where my good friend, Joseph,
22 is talking about his community. He's worried about
23 caribou. I have lived there. He -- he's right. By
24 now the caribou should be going through there right
25 now. We should be providing meat to the community.

1 Now it's not happening, he's saying.

2 Now, where did that go? And I
3 understand through Bruno the numbers keep dropping.
4 How far down is it going to drop? And it's nobody's
5 fault. I don't want to blame nobody. It's nature.
6 But we don't know how far down it's going to go
7 because I had to go that way up to Great Bear Lake to
8 hunt, and I had to go the other way to Kennedy Lake.
9 Like I said, it took me twelve (12) hours by driving.
10 In between, very, very, very, very few.

11 That's the changes we're facing right
12 now. And we're going to have to go with the changes,
13 otherwise, what are we going to do? You know, past
14 leaders -- like, leaders, once we get this behind this
15 we never stop, so I'll stop right now, Madam Chairman.
16 Thank you very much.

17 THE CHAIRPERSON: Masi cho, Joe, for
18 your comments. Masi.

19

20 (BRIEF PAUSE)

21

22 THE CHAIRPERSON: Again I'll call for
23 George R. How about John, John from Rae Edzo?

24

25 (BRIEF PAUSE)

1 THE CHAIRPERSON: Okay, at this time,
2 we'll have another five (5) minute break and get
3 warmed up for the comments.

4

5 --- Upon recessing at 4:03 p.m.

6 --- Upon resuming at 4:26 p.m.

7

8 THE CHAIRPERSON: I would just like to
9 explain the section on the public comments. We will
10 try to not have it so formal so that you have to sign
11 up. We will just ask for public comment. And if you
12 could just raise your hand and state your name and
13 your -- you don't have to come to the table. They can
14 bring a mic to you if it's going to be easier for you.
15 But I would ask Chief Clifford Daniels to also make
16 some comments.

17 CHIEF CLIFFORD DANIELS: Masi, Madam
18 Chair.

19

20 (INTERPRETED FROM FIRST NATIONS LANGUAGE INTO ENGLISH)

21

22 CHIEF CLIFFORD DANIELS: When we have
23 meetings such like this, all recording of the context
24 of the meeting is recorded. And so when people are
25 requesting for a new water licence people are -- have

1 concerns. And so we are looking to see if people have
2 concerns. And so the Board here at the table are the
3 people who are speaking the question to. Or if you
4 want to make a statement also to the Board, you may do
5 so.

6 Many times, Elders have repeated over
7 and over that we love our land and wildlife. And our
8 previous -- or our previous chief is, like Joe Rabesca
9 spoke, everyone concerned about the caribou, the
10 Bathurst caribou. And also, I too want to ask a
11 question.

12 Long ago, before mining development
13 happened, there was a lot of caribou in our lands. I
14 remember even my grandmother/grandparents when they
15 went hunting to the barren land there was a lot of
16 caribou. Sometimes they said that they travel there
17 by -- by boat. And when at the time they -- the
18 collected -- harvested caribou and they did that.

19 And so many, many years as we are here
20 today in regard to the barren land caribou it has
21 lessened. And also, in regard to GNWT wildlife
22 division and we're questioning each other why is it
23 that our caribou has gone down in numbers. By working
24 together within one (1) year if we put a management of
25 -- caribou management together, maybe a monitoring

1 program together, maybe in regard to wherever there is
2 mining activities happening in our -- our land we need
3 to seek out those situations. We don't exactly know
4 what is going on around the mining areas.

5 Maybe by doing these kind of projects
6 like monitoring projects in -- around the mine area,
7 if we talk about it now we should try it, because
8 we're not exactly sure what the numbers are, what kind
9 of new information we may find out. It seems like a
10 lot of the problems people feel reluctant and
11 sometimes hesitant to hunt for caribou because they're
12 just not quite sure what's out there. We just don't
13 know what's happening out there, what's out there.

14 We know in the past that they talked
15 about setting up a project where we monitor the
16 caribou movement, caribou activities around all the
17 mines in the northeast are the things that we need to
18 talk about, but that's all I'll say for now. But I'm
19 sure many of our people are thinking about how maybe
20 we can see if we have any questions.

21 It's very important while you're here
22 in the room, while you're here and the mining company
23 has made it possible so that all the people who are
24 involved in anything that happens with the mines are
25 here to listen to your concerns. It's a good

1 opportunity now. Maybe this too will open many doors
2 for our young people for employment opportunities.

3 Also, if there's any precautions that
4 they need to think about as they develop their plans,
5 all your words will be taken into consideration.

6 There's many concerns. We have to make sure that we
7 take all the concerns and address them. Even though
8 we have small concerns they should be addressed.

9 Thank you.

10

11 (INTERPRETATION CONCLUDED)

12

13 MR. RICHARD BARGERY: Thank you for
14 those words, Chief. Certainly that's something that
15 we'd be interested in. One (1) of the things that
16 came out of the -- the hearings over the last three
17 (3) days in -- in Yellowknife was we made a commitment
18 to meet with -- with the communities, with our IBA
19 communities and with IEMA to talk about what -- what
20 we're calling a comp -- I can never get the word
21 right, but I'll try it, compensatory mitigation, which
22 would sort of talk about ideas about ways to counter
23 any impact that we might have on caribou.

24 We'd certainly be interested in talking
25 about monitoring programs as part of that. We do

1 caribou surveys with communities every year. We have
2 people up -- Tlicho people up and -- and from other
3 and that's something that we could adjust maybe, that
4 program, to -- to deal with the same kind of things
5 that -- that you've just -- you've just suggested and
6 we -- we're more than willing to have that
7 discussions, more than happy to have that discussion
8 in the next -- the next week.

9 I think Jorne's (phonetic) coming to
10 that -- that meeting on October 1st, so with that --
11 with respect to that one (1) specific issue, yeah,
12 we'd be -- we'd be happy to discuss it.

13

14 (BRIEF PAUSE)

15

16 THE CHAIRPERSON: We would like to ask
17 Phoebe Rabesca (phonetic). She has signed up for the
18 public comments. Phoebe Rabesca...?

19

20 (BRIEF PAUSE)

21

22 MS. PHOEBE RABESCA: I usually don't
23 speak in public, but I do have a few questions. My
24 name is Phoebe Rabesca, and I'm a Tlicho citizen. And
25 my husband worked at Ekati mine for -- since July

1 1997, and -- and two (2) weeks in, two (2) weeks out.

2 And he's really busy, and this year,
3 he's been really busy, but this is the first time in
4 twenty-five (25) years my freezer is empty. I hardly
5 have any caribou. I've got some, but not much.

6 And -- and our livelihood is mostly on
7 caribou and fish. And -- and not only that, but
8 there's a lot of Elders in the community that are --
9 they really want their traditional food, and it's not
10 there.

11 And also, my other concern is that,
12 with IBA agreement that you have made with the Tlicho
13 citizens is twenty (20) years old or so, I think.
14 It's really old. And -- and not only that, but has
15 the IBA agreement been renegotiated?

16 Because the cost of living's gone up,
17 and there's a lot of our students -- there's more
18 students than twenty (20) years ago. And a lot of
19 them are going back to school. A lot of them are
20 graduating from high school. A lot of them are going
21 to colleges.

22 And not only that, but I'm going to
23 also speak on behalf of the ones that fall in the gap.
24 We have a lot of Tlicho citizen, probably not only in
25 Tlicho citiz -- not only in Tlicho Nation, but there's

1 probably a lot of Aboriginal groups in other
2 communities, where there's a lot of people probably my
3 age, maybe younger. I don't know.

4 But, you know, there's a lot of them
5 that didn't finish grade 12, and they fall in the gap.
6 And there's a lot of them that -- that want to go back
7 to school, but they can't.

8 The reason why I say that is because
9 they have a family. They need to support their
10 family. But if they want to do upgrading, I know that
11 GNWT doesn't fund upgrading. And I don't know -- you
12 know. And these people fall in the gap.

13 And so there's a lot of them want to go
14 back to school, they want to do upgrading, and they
15 can't because, you know, they want to go to Fort
16 Smith, they're going to say, No, we don't fund
17 upgrading.

18 And so stuff like that I'm -- I'm
19 concerned about, because a lot of them want to improve
20 their life. They want to improve themselves through
21 education.

22 The reason why I say that too is
23 because we're not going to go to -- we're not going to
24 go back. We're not going to go trapping. We're not
25 going to live on the land like our ancestors did, and

1 we're not going to -- you know.

2 And now everything's education,
3 technology, you know. Everything is -- if you don't
4 have a university degree, if you don't have a college
5 degree, everything's based on that now.

6 And so my concern is that: How come
7 the IBA wasn't renegotiated with the -- with the --
8 the -- with Aboriginal groups you've negotiated with
9 twenty (20) years ago? That's a old, old IBA.

10 And so, you know, that's just my
11 question. And I want the public, the Tlicho citizen,
12 to know. Has it been negotiated or not? And -- and
13 that's my question.

14 MR. RICHARD BARGER: Richard Barger,
15 Dominion Diamond. So, a -- a lot of good points
16 there, Phoebe. But the specific questions about the
17 IBA, so when Dominion took over, or -- or purchased
18 Ekati about two and a half (2 1/2) years ago, one (1)
19 of the requirements at that time was that we live up
20 to the agreements that BHP formally had, including the
21 IBA agreements, which we have and which we continue to
22 do.

23 And those agreements have clauses in
24 them that'll -- that deal with the passage of time,
25 and -- and so there are those -- those factor -- so

1 those instruments in -- in the agreement to -- to help
2 with some of the problems that you've talked about.

3 What we've said to the Tlicho
4 Government and, you know, what we're prepared to do is
5 to sit down and talk about the kinds of things we can
6 do over and above the IBA agreements, and we've done
7 some of those things.

8 For example, the funding for the -- for
9 the multiplex in this community, which we gave a very
10 large donation. We've supported caribou hunts for the
11 Tlicho, which we -- those are the kinds of things that
12 we're prepared to -- to talk about, and help -- and
13 help support, and -- and sit down and -- and talk to
14 the Tlicho about.

15 So from our perspective, we want to
16 make sure that we live up to the agreements that we
17 have, the IBAs, which -- which I think work well for
18 the Tlicho. I -- we gave some examples earlier about
19 the levels of employment for Tlicho citizens. You
20 know, we have almost two hundred (200) Tlicho citizens
21 that work either directly for Dominion or for our
22 contractors.

23 And we -- certainly, we support a lot
24 of -- support a lot of indirect employment, as well.
25 And then we do a substantial amount of contracting

1 with Tlicho companies, seventy (70) to \$80 million
2 worth annually. So -- so I -- I think there has been
3 a fairly good economic benefit to -- to the Tlicho
4 region, and -- and through the Tlicho government,
5 through the IBAs. But I will emphasize that we have
6 opened the door to have that discussion with the
7 Tlicho Government about things over and above the --
8 the IBA.

9 I just wanted to touch a little bit on
10 the issue that you raised last about upgrading, and I
11 don't know if Gaeleen will want to -- will want to add
12 to this, but a -- a few of the things that Dominion
13 has done, just to get a sense of the types of -- we --
14 we talked about this in our written materials to the
15 Board during this process, but just to get a sense of
16 some of the things that we've done to help encourage
17 employment and assist people with their employment.

18 We -- we've re-instituted the Adult
19 Educative Program at -- at Ekati to help our own
20 employees. And for some positions, particularly
21 entry-level positions, for example, you know, we'll
22 hire people and -- and help them with their upgrading
23 to be able to get to the position to take -- to -- to
24 do the job. We -- you know, we need to -- to make
25 sure that people are safe on the job, so they need

1 certain skills.

2 But a -- a position that comes to mind
3 are -- are, you know, haul truck drivers, which we
4 haul -- we've hired quite a few lately, and virtually
5 all have been from the North. And we'll hire people
6 without driver's licence. We'll train them fully at
7 Ekati to do those kinds of jobs.

8 But, I don't know, Gaeleen, if you
9 wanted to add to sort of some of the things that we do
10 on -- on that, or -- or programs where we interact
11 with the GNWT, as well?

12 MS. GAELEEN MACPHERSON: Gaeleen
13 MacPherson, with Dominion Diamonds. There -- just
14 echoing some of the comments that Rick has made, there
15 are a lot of problems that, since we have acquired
16 Ekati, that we have implemented that we think is -- is
17 helping us to improve our numbers, and -- and helping
18 us to engage the communities a little bit better.

19 One (1) of the things that we did, and
20 -- and for those of you who are aware of some of the -
21 - the structure with BHP many years ago, they used to
22 have an adult educator, and per the IBA, it actually
23 says that the adult educator, after ten (10) years of
24 operations, would no longer be required by the
25 Company.

1 When we acquired Ekati, we did do an
2 assessment in terms of, how are we living up to the
3 development of -- of our Aboriginal employees, and --
4 and are we seeing the Aboriginal employees starting to
5 fill supervisory roles, or higher level roles?

6 We also noticed -- and from that
7 assessment, we noticed that we weren't doing that
8 well. We also noticed that our apprentices were
9 struggling in just attending school, and -- and
10 writing their -- their entrance exams, but also their
11 -- their yearly exams in order to advance to the next
12 level.

13 So it was a conscious decision of the
14 Company to reintroduce that adult educator role.

15 We are seeing great improvement in --
16 in the achievements of our apprentices since that --
17 the reintroduction of that role. We've also seen some
18 -- some good success in having that adult educator
19 work directly with individuals in communities and the
20 adult educators that are based in the communities in
21 helping them to -- helping community members work at
22 upgrading, so we have done that.

23 We're committed to ensuring that, where
24 we can and where people are motivated to -- to upgrade
25 their skills, whether they're in the communities or

1 whether they are the mine site, we're committed to
2 working with them. We are also -- you know, we work
3 with outside organizations, whether it's the
4 government on various initiatives or whether it's
5 organizations such as the Mine Training Society. We
6 are committed to continue working with them to ensure
7 that we are offering every opportunity and different
8 kinds of opportunities to get people in the door.

9 We are conscious that, you know, there
10 are still a large number of -- of northerners and
11 northern Aboriginal people that don't have grade 12.
12 And, you know what, we have revised our approach to
13 advertising jobs to ensure that we are advertising the
14 minimum requirements.

15 So if grade 12 is not necessarily a
16 requirement, as an example that -- that Rick pointed
17 out with haul truck operators, then we're not going to
18 be advertising the requirement for a grade 12
19 education.

20 So in changing our approach to things
21 and -- and really doing an assessment of -- of what
22 our needs are and where we can improve, we are --
23 we're committed to -- to continuing to do this and --
24 and helping out wherever we can.

25

1 (BRIEF PAUSE)

2

3 THE CHAIRPERSON: We are open for
4 public comments.

5

6 (BRIEF PAUSE)

7

8 THE CHAIRPERSON: Push your button.
9 Just push your button and state your name.

10 MR. ROLAND YENDO: Yeah. Hello.
11 Yeah, my name Roland Yendo. I'm from Wrigley, from
12 Pizika (phonetic). And two (2) years ago, I was a
13 sub-chief for a year and a half because I went to town
14 and stay at my niece in -- in Yellowknife.

15 And -- and I was in Yellowknife and I
16 stay at my -- band, and stuff like that. So try --
17 must be about 15, 20 meetings and about I've been
18 there for three (3) months. And I never contact
19 Wrigley or anything like that for -- for my -- my
20 band.

21 And what happened is that they, well --
22 they call me out. I guess they -- they had another
23 election. What I mean they had -- what I mean is they
24 had six councillors. What I mean is they had two (2)
25 more councillors in there, so there's seven (7) of us,

1 seven (7) councillors that took -- took my -- my
2 position.

3 And so -- so right now, I was in
4 Yellowknife. I caught a ride into town here. And
5 then I wanted to sit in this meeting. And, you know -
6 - and --

7 THE CHAIRPERSON: Thank you. Thank
8 you, Roland.

9 MR. ROLAND YENDO: Huh?

10 THE CHAIRPERSON: Thank you, Roland --

11 MR. ROLAND YENDO: You're very
12 welcome.

13 THE CHAIRPERSON: -- for your --

14 MR. ROLAND YENDO: Masi cho.

15 THE CHAIRPERSON: -- your message.
16 Thank you.

17

18 (BRIEF PAUSE)

19

20 THE CHAIRPERSON: Okay, the floor is
21 open for public comments.

22

23 (INTERPRETED FROM FIRST NATIONS LANGUAGE INTO ENGLISH)

24

25 ELDER ELIZABETH MICHEL: I don't know

1 how to make speeches that well. I am an elderly
2 person. My -- I am in my 90s. When you get my age
3 sometimes it's hard to have a train of thoughts and
4 there are times when I forget things. But I want to
5 tell you about my ancestors.

6 Back when the treaty was first settled,
7 Monfwi has said this area, this whole area, he says, I
8 will only agree to this treaty if we have the freedom
9 -- freedom to hunt on this land. He says that's how
10 he signed the treaty. And -- and then each one (1) of
11 us were given five dollars (\$5).

12 And he drew -- he drew a line on a map
13 about the area that he want to claim. After Monfwi
14 pass away, Bruno (phonetic), Chief Jimmy Bruno
15 (phonetic) replaced him. He also had the same goals.
16 He also had the same dreams about traditional
17 knowledge, which is to hold all of that. Anything --
18 any animals on land or water, we will have the freedom
19 to access it any time we want.

20 This -- that was the statement that he
21 made when he started meeting with -- with the
22 government officials. He says back then I was pretty
23 young, but that story was told to us many, many times.
24 And I'm talking about the times that we live in tent
25 frames. We didn't have any log houses. And the

1 federal agents sat with Monfwi for three (3) days,
2 negotiated with him for three (3) days and he was
3 determined to have the freedom to have access to
4 wildlife on the land.

5 He was -- he was also a great leader
6 for us. These days I have seen so many changes over
7 the years. We were raised on country foods, but today
8 we are banned from hunting caribou. You have to take
9 elderly people like me into consideration, because our
10 main source of diet was country foods like caribou,
11 meats and fish. And I'm sure there must be some
12 documents floating around in some of the offices with
13 the original statements from -- from the treaty when
14 it was signed.

15 Since we've been living using that as
16 our policy and as our rules since. Up until -- up
17 until now we were nev -- never ban from hunting any
18 kind of wildlife on our land. Now, I cannot
19 understand why all these caribous are declining.
20 Where are they dis -- disappearing to?

21 And also, the water. The water has
22 been going down a lot all around us. Now, I'm
23 thinking about -- I'm thinking about my great
24 grandchildren. I think we are destroying everything.
25 What will they do to sustain themselves when they get

1 about our age? We cannot go back to our old
2 traditional ways and live off the land like -- like
3 our elders used to. And -- and because the caribou
4 meat is so scarce, so -- so low in the community, even
5 a little chunk would be appreciated if it was given to
6 us.

7 And our renewable resources in our --
8 I've been thinking about them a lot lately. Why do
9 they have the power to tell us when to hunt and when
10 not to? We were born and raised in poverty. We -- we
11 all know that. And the only wildlife that sustain us
12 up until this point was caribou.

13 I have been to Ekati five (5) times for
14 -- for meetings. The first -- the first time was when
15 the minerals were first discovered. This is before
16 the development.

17 At that time, there was abundance of
18 caribou that roamed that area. And that whole -- that
19 whole lake -- the -- the whole lake used to be just
20 full of caribou.

21 But I went back after the mine went
22 into opera -- operation. There are just so many
23 lights, it was almost like a -- a small city. So how
24 do you expect a caribou to migrate past obstacles
25 that's in their way?

1 And there's so much noise pollution
2 from blasting and also from drilling. And it was in
3 their -- in their path. It was in the migration path.

4 And then -- and now -- and now I --
5 I've been hearing that the caribou migration had moved
6 east. I don't think any -- anybody from this
7 community have went east around Lutsel K'e to go
8 caribou hunting.

9 But before, the major migration path
10 used to go right by Wekweti. Now you don't see
11 caribou over there anymore. And when -- when the men
12 from Wekweti go hunting, sometimes they'll spot maybe
13 three (3) caribou or less.

14 So -- so because of the changes -- I
15 think because of the changes in our diet, I'm thinking
16 that -- I'm thinking that maybe they're trying to
17 slowly kill off elderly people like me, because I have
18 been forced to eat meat from the store, which I am --
19 I'm not used to.

20 And before, we used to paddle. We used
21 to -- we used to paddle north to the tundra. And then
22 we used to -- we used to walk the portage with
23 packsacks, with bundles on our back.

24 And from here to Wekweti, there's over
25 thirty (30) portages, and we used to paddle up against

1 the river to -- to Wekweti. We work hard, and this is
2 only sometimes for one (1) caribou. And we used to
3 spend -- we used to winter up -- up north in Wekweti.

4 And then from there, in the wintertime,
5 our men used to go trapping all the way up to
6 Kugluktuk, and that's how they made -- they made
7 money, mostly for -- for white foxes. Sometimes --
8 sometimes they were gone three (3) to four (4) weeks,
9 and us women and children used to stay behind in
10 Wekweti.

11 We used to haul wood, branches. We did
12 everything. We did everything by walking. And then
13 we had elderly. And then there was our Elders, like
14 my mother.

15 We didn't have any store-bought
16 materials back then, so we used caribou hide to make
17 tepees. Back then, there was a lot of caribou in that
18 area. So they used to save the hide, enough hides to
19 make one (1) tepee.

20 And -- and sometimes they -- they used
21 to make a large -- for a large -- for a large tepee,
22 one (1) tepee takes up about forty (40) -- forty (40)
23 to fifty (50) caribou hides. And then we had to
24 scrape everyone of them and go through the tanning
25 process to make it -- to make it soft, and then -- and

1 then sew it together to make it into -- into a tepee.

2 And then we used to have a -- an open
3 house, an open house in a brand-new tepee with the
4 whole community, and have a celebration, because we
5 struggle. We had -- we -- we had -- we had a hard
6 life, but I'm telling you all of this because I want
7 you to know where I come from. And -- and caribou was
8 very, very important to us, and it still is to this
9 day.

10 And then -- and then they used -- and
11 back before a lot of people had rifles, they used bows
12 and arrows, and sometimes they used spears -- spears
13 to kill -- to kill caribou. Those were the weapons
14 that they had. So I'm telling you, we had a really
15 hard life.

16 And then we didn't see our men for
17 about three (3) to four (4) weeks when they went way
18 up to the arctic as far as Coppermine to go trapping.
19 And then -- and we used to come to Behchoko for
20 Christmas celebration, and then we go back up to
21 around Wekweti area, even though it's really cold.
22 And we stay there until it gets warm, until the
23 breakup in late spring.

24 And -- and then any time we come across
25 a -- a caribou herd, our men used to kill them. And

1 then we used to prepare them. We used to make dry
2 meat, and we prepare the hides, as well. Back then,
3 we didn't have any skidoos. There was no aircrafts.
4 We -- we didn't know anything about aircrafts, so when
5 a person gets really ill in our camp, our -- our
6 family members -- once they get ill, they don't
7 recover. We used to bury them at the camp, and leave
8 them behind.

9 And now -- and now that we have been
10 banned, it has become illegal for to -- caribou. It
11 has been sitting heavy on my mind for a long, long
12 time. I am not used to eating meat -- eating meat
13 from the stores. And now the water all around us is
14 going down. The water is getting really low. Pretty
15 soon we're not going to have any fish.

16 And -- and the caribou diet is only
17 with lichen. Now, if all of that is covered with
18 dust, they're not going to be able to eat. There's
19 this one (1) time, the last time I went to -- I went
20 to the barren lands, and we had a camp -- we had a
21 camp past Ekati. At that time, we were touring the --
22 the area.

23 And then I went to -- I went to MacKay
24 Lake. I went to Tundra mine. I went to Gameti. I
25 went to Wekweti. I did a lot of travelling when I was

1 younger. When I was invited for meetings, I attended.
2 But now I am a little bit older. I am not able to do
3 that any -- any more. I just wish we were not banned
4 from hunting caribou.

5 Now, when Monfwi signed the treaty, we
6 were promised that we would not be illegal from any
7 hunting on -- on the area that he -- that he selected
8 as his own land. We -- we were not wealthy people.
9 We struggle -- we struggle hard. Right now, when you
10 look around, things has really changed. We live in
11 luxury.

12 If we want to go to -- to travel a long
13 distance, you just hop the plane. If you want to go
14 to Yellowknife, you have -- you have transportation
15 for that. And we also have electricity. Is -- if we
16 didn't have any candles back then, we used fat
17 drippings from caribou. And we used that for lights.
18 And that's -- that's what we did when we're -- when
19 we're living in tents years and years ago.

20 We used to drip fat, and save it. And
21 we used to dip cloth in it, and use -- use that for --
22 for a light. But now you just -- there's lights
23 everywhere. It's -- living is not as hard. So why
24 have we been banned from hunting caribou? I would
25 like to -- I would like to get an answer to that.

1 I am pleading with all of you now to
2 find out why caribou has been banned, and now there's
3 a lot of structures where Ekati Mine is right now.
4 And we -- we had a camp close to Ekati Mine. When it
5 becomes dark, you can see all these lights from --
6 from the camp itself.

7 And now I heard talks that they found
8 some more minerals which they want to process. Now
9 that there's going to be more activities, more
10 developing -- more development, which means that the
11 caribou will not come close to their normal migration
12 path. They are going to go elsewhere.

13 So I am wondering: Where does all this
14 caribou go to now? I have seen pictures of the old
15 days where there was lots and lots of caribou that
16 used to travel south when they were migrating. Back
17 then, there was no activities. There was no
18 exploration, no drilling, no noise. So things have
19 changed a lot since minerals were discovered in the
20 barren lands.

21 I think the caribou shy away from this
22 area just because there is so much activities that
23 they're not familiar with. I know that animals -- I
24 know that caribou are afraid of noise. There's
25 evidence of that. I -- I know -- I know that. And --

1 and why -- why did our own -- why -- why did our own
2 leaders support the idea to ban the caribou? What
3 were they thinking? I -- I hear talks of that, as
4 well. Maybe they didn't really think about the
5 consequences of banning caribou.

6 I'm telling you, we struggled really
7 hard when I was just a young girl. We used to travel
8 by boat upriv -- upriver all the way up to the tundra,
9 and -- and we paddled every day, every day. And then
10 we -- we portaged with bundles. And then we knew a
11 good fishing area. Sometimes we'd camp there
12 overnight.

13 And then we set nets. And then we
14 checked nets. We -- that's the thing we do in the
15 morning, is check nets so we can have something to
16 eat, because we weren't living next to a store which
17 had a lot of supplies. We didn't have anything like
18 pork or beef. Our staples were tea and sugar, and
19 that's all we -- we took with us. We didn't have any
20 bread. We had tea. We had ammunition, because we
21 needed -- we needed ammunition to go hunting with.
22 And that's where -- that's where I come from and that
23 is how I was raised.

24 I -- I portaged lots as -- as a young
25 girl, so I know what I am talking about. We went --

1 we travelled as far as up to Kugluktuk. And that's --
2 that's where our money came from, was when our men
3 went trapping. And back when we were really young, we
4 -- we knew nothing about boots or moccasin rubbers.
5 We had -- we had caribou hides for footwears. And
6 then when you're walking that in the snow, sometimes
7 we used to walk around with soaked footwear.

8 But I -- I don't remember anybody
9 getting really sick with a flu, with a cold, or with
10 pneumonia. And then we didn't have access to taking a
11 bath or a shower all the time, so we hardly ever got
12 any cold. And then in the winter months it was
13 really, really cold. Sometimes there was blowing
14 snow. The visibility was so poor and you get icicles
15 covered all over -- all over your face and your
16 clothing.

17 But then even in that condition we
18 still went out to haul wood because we needed
19 firewood. That was a hard life. But these days you
20 just flick -- you just turn on a switch. The heat
21 comes on. The hot plate comes on. Life is really
22 cushy. It's a soft life. But back then we struggled.
23 We struggled.

24 Sometimes our tents had so many holes
25 in them from embers that it was -- it was cold. But

1 we shared everything that was edible. Any -- any --
2 if we had caribou meat we shared. If we had fish --
3 any kind of country foods we shared with one another.
4 But these days it's so different. Nobody will hand
5 out a little piece of meat to share with you.

6 Everything is all money value on it.
7 Nobody will just hand anything to you. But back --
8 back then if our men were very assertive, if they were
9 really good hunters, we never ran out of food. We
10 never run out of things. Our men work really hard and
11 they ran all the way up to the arctic to hunt -- to
12 hunt for fox -- white fox and then they went as far as
13 up to Beaufort Sea.

14 And there's no trees so they had to
15 adapt to a different lifestyle. They -- they had to
16 learn how to make igloos so they can stay in igloos.
17 And there was a lot of moisture so -- so they used to
18 get a lot of frost on their -- on their clothing,
19 because they're close to the oceans.

20 So our men work really hard. And then
21 from Beaufort Sea they're turn around. They'd come
22 all the way back and meet up with us in Wek weti. So
23 that's how we survived. That's our history. But our
24 men never complained about the difficulty that lay
25 ahead of them when they knew they had to go out on the

1 land. They never once complained.

2 So the reason why I'm speaking right
3 now is because I want the caribou ban lifted. We do
4 not eat caribou meat. All we eat is slices of bread.
5 This has -- that is how my diet has changed, a slice
6 of bread. And -- and there's a lot of elderly people
7 my age here in the community.

8 A lot of them had said, I am really
9 sick and tired of eating store-bought meat. I am
10 tired of eating canned soup, because I heard that a
11 lot from people in my own age, because we were raised
12 on country foods. It's hard for us to -- to change
13 our diets. But it's not that difficult for our
14 younger people.

15 They were raised close to stores so
16 they're -- they're familiar. Their -- their diet is
17 with store -- store-bought food. Sometimes you think
18 I -- maybe he didn't do anything, but I did a lot of
19 hunting, a lot of hunting with the men when they went
20 out to the barren lands.

21 And I -- I carry a lot of bundles. My
22 -- my husband was disabled. So when -- when I used to
23 go hunting with him he'll shoot five (5) caribou and I
24 used to help him carry the bundles. And then way out
25 on a -- on a tundra one (1) year when I was with him

1 there was a -- there was -- there was another person
2 there that was camping or -- that was canoeing in that
3 area. It was non-Aboriginal. He had paddled that
4 far.

5 So he met up with us and he came to our
6 camp. He introduced himself and he asked, Where --
7 who -- who cleaned all of this meat? There's a lot of
8 sliced meat here. And then -- and then he's -- and
9 then she says, My husband told -- told him. That was
10 -- my husband told him, That was my wife.

11 So -- so this white guy said, I want
12 you to be my wife, so divorce your husband. And --
13 and she says, My husband just laugh at him because my
14 husband was -- was disabled. When -- whenever I was
15 out with him, out on the land, I did most of the
16 physical work.

17 So I am now in my nineties (90s), but I
18 don't just sit around. I still do a lot of physical
19 work. I'm always -- I'm always up and working on a
20 project. And these days it's kind of -- it's getting
21 kind of difficult for me to walk, but I still am
22 determined to walk.

23 Back when I was younger, I was
24 stronger, and hard work was easy for me. Now -- now,
25 when I -- when I sit down, I feel like my -- my behind

1 is very heavy, so it's really difficult for me to lift
2 it up that easy.

3 But when I was younger, we had a hard
4 life, but nothing -- nothing was -- no work was hard
5 for me.

6 So getting back to caribou, I just -- I
7 just want to tell you that Ekati, there's a mine over
8 there right now. It's right in the migration path, so
9 that place is really busy. There's a lot of lights.
10 It's -- it's also blocking the migration path. I
11 think that's why we don't see caribou on this side of
12 -- on the south side of Ekati.

13 And now the caribou has been banned.
14 We're unable to hunt. We are told not to hunt. I
15 wish -- I wish we were able to hunt, but even though
16 we plead with you, I don't think you can turn -- turn
17 around and change the law so that the caribou ban is
18 lifted.

19 Even though we are pleading with you
20 now, I don't think any one of you would be able to
21 step forward to change the law for us. I wish -- I --
22 I wish that all of you can work on lifting this ban
23 because I cannot -- not do this on my own. I'm asking
24 all of you to help me.

25 So this is all I want to share with

1 you. I'm telling you we had a hard life, a very, very
2 difficult life. We lived in high tents, we used -- we
3 used barks for canoes, we used sinews for sewing. I
4 have helped make a lot of caribou hide tents and
5 tepees.

6 It was -- it was a difficult life. We
7 didn't have -- we didn't have stoves, so we always had
8 a fire going in the centre of our tent or else tepees.

9 And so since we're talking about cari -
10 - caribou, I just wanted to share what I know and how
11 we lived in the past. And my wish is to have the
12 caribou ban lifted. So all of you that are listening
13 to me, please talk to the people that are responsible
14 for enforcing this ban. Maybe they can turn around
15 and change it. But I don't think any one of you will
16 stand up and plead for me.

17 So this is all I want to say. Masi
18 cho. Thank you.

19

20 (INTERPRETATION CONCLUDED)

21

22 THE CHAIRPERSON: Supper is now
23 ready...

24

25 (BRIEF PAUSE)

1 THE CHAIRPERSON: If we could take a
2 break for supper, and I would ask that...

3

4 --- Upon recessing at 5:18 p.m.

5 --- Upon resuming at 6:13 p.m.

6

7 THE CHAIRPERSON: Just before we broke
8 for supper, there was an Elder that spoke, and she
9 questioned the ban on the caribou. So at this time, I
10 would like to ask ENR if they could come to the table,
11 and to have a response to the question.

12

13 (BRIEF PAUSE)

14

15 MR. BRUNO CROFT: Thank you, Madam
16 Chair. Bruno Croft, ENR North Slave. If you could
17 please remind me the name of the -- the Elder person
18 who was here that requested -- I -- I missed the name.
19 I forget the name.

20 THE CHAIRPERSON: The Elder --

21 MR. BRUNO CROFT: Yeah.

22 THE CHAIRPERSON: -- that spoke?

23 Elizabeth Michel.

24 MR. BRUNO CROFT: Oh, okay. All right.

25 I -- I can certainly appreciate and relate to this

1 request, because usually I'm the one that goes to the
2 communities and bring the bad news as far as harvest
3 goes, and harvest restriction, and -- and ban, and --
4 and what I -- we heard from Elizabeth is something I
5 hear all the time from the Elders and the hunters.

6 And so harvest restriction and ban is --
7 is not something we take lightly. And if I could just
8 go back a little bit to explain perhaps how it came
9 about? Simply when we go on the calving grounds every
10 two (2) or three (3) years, and count the number of
11 cows -- the breeding cows returning, when we did that
12 in 2006, we found out in the case of the Bathurst that
13 we had quite a few -- a -- a big drop in number of --
14 of breeding cows.

15 So we became concerned, but not too too
16 much yet, although the warning signs were there,
17 because then 2003 was looking much better. And
18 certainly in the mid 1990s, where as everybody, know we
19 had caribou everywhere, and -- but then in 2009 when we
20 went back again on the calving ground and we counted
21 the breeding cows, and we compared to 2006, we faced a
22 huge decline.

23 Very, very concerning, because the
24 breeding cows is the important segment of a -- of a
25 caribou population. If you -- if you don't have them,

1 you don't produce calf, and -- and things snowball
2 downward after that.

3 And we also knew then, in 2009, that a
4 high proportion of the animal harvested on the Bathurst
5 herd between 2006 and '09, because we were working with
6 the communities then, the Tlicho communities and the
7 Yellowknives, that a high proportion in the harvest
8 during those years were breeding cows.

9 So when we were caught unexpectedly with
10 a slow number of -- of animals for the Bathurst in
11 2009, our government -- government decided to put a ban
12 in place for the winter so we can start talking with
13 everybody and find ways to navigate through this moving
14 forward.

15 So this is when we started working
16 closely with the Tlicho Working Group and the
17 Wek'eezhii Renewable Resources Board, which led to a
18 draft proposal with the recommendations of three
19 hundred (300) animals to be harvested up until last
20 year. So the decision to harvest reduction then was
21 done jointly with -- with the -- the Tlicho Government
22 and the Wek'eezhii Board and the co-management Board.
23 It was not sole -- just ENR at that time.

24 Of course, we went back on the calving
25 ground in 2012. The number of breeding cows appeared

1 to be kind of stable and more or less what they were in
2 2009. So we continued on with the harvest
3 recommendations put in place earlier.

4 Last summer we went on a calving ground.
5 We didn't take pictures like we did this past year, but
6 the reconnaissance survey, or the core survey that we
7 do indicated the total number of animals on the calving
8 ground had dropped again, and -- and quite a bit,
9 which, as far as the government once again, because we
10 face something that we're were not too sure where we're
11 -- it was going to take us, to come up with what we
12 call the mobile zone, but really, it was another ban on
13 the Bathurst herd, and people didn't like it.

14 And of course, it brings all kinds of
15 hardship and -- and difficulties to communities. And
16 we saw the same thing for the Bluenose-East herd last
17 winter, which led to another reduction of the harvest
18 with -- with the Bluenose-East herd. And some people
19 call that the Sahtu herds. The Bathurst people call
20 them the Tlicho herd.

21 And the reason was, again, because every
22 time we go back to the calving ground, we're losing
23 more and more cows. And -- and the harvest, we
24 believe, had to become part of the solution. Again,
25 it's not something decided alone by ENR. If we -- if

1 sometime we have to, but we -- we don't like it. We --
2 we hate it, but we have to do it.

3 And -- but -- and then we always try to
4 regroup and talk with the co-management boards and the
5 communities and try to find a way to sail through those
6 hard times. Again, in June of this year, we had
7 another calving ground survey, a good survey, number of
8 newies (phonetic), good survey on the Bathurst. Same
9 thing, number of breeding cows is dropping again.

10 So this morning, I had a -- a chat with
11 members of the Tlicho Government. Next week, we need
12 to meet with the co-management boards and find a way to
13 address the -- the lower numbers that we're seeing and
14 what sort of harvest recommendations will be put
15 forward moving -- moving ahead.

16 In the case of the Bathurst, obviously,
17 because we haven't had harvest for a while, there's got
18 to be something else going on. But the fact is that
19 the numbers are dropping, still. Unfortunately, the
20 harvest will have to remain to be part of the solution
21 moving forward. Again, it's -- it's not fun. We -- we
22 don't enjoy this one bit, so.

23 I don't know if it answers the question,
24 but in a nutshell, this is how we came about with this
25 bad thing.

1 THE CHAIRPERSON: Okay. Thank you.

2

3 (BRIEF PAUSE)

4

5 THE CHAIRPERSON: Once again, we'd like
6 to give you the opportunity for public comments.

7

8 (BRIEF PAUSE)

9

10 THE CHAIRPERSON: Would she like a mic
11 taken to her? Okay.

12

13 (BRIEF PAUSE)

14

15 (INTERPRETED FROM FIRST NATIONS LANGUAGE INTO ENGLISH)

16

17 ELDER MELANIE LAFFERTY: I will speak
18 for a short time. I will say anything I want. I know
19 how to say hello. I don't speak English, but I know
20 how to say 'hello', and I know how to say 'yes'. But
21 as an Elder, when you get elderly, when you're about
22 seventy (70) or eighty (80) years old, you consider
23 yourself an Elder. I'm -- I'm seventy (70) to eighty
24 (80) years old.

25 Now as widows. Now as orphans. We

1 don't have parents. We don't have uncles. We had
2 grandfathers. We all lived and ate wildlife food.
3 Everyone who you -- you see around here, elderly, when
4 you talk about wildlife, we always immediately think
5 about caribou.

6 We know there's a lot of wildlife around
7 in the world, but when you talk about wildlife, we
8 immediately think about caribou, because we as Elders,
9 we -- we live by eating caribou. And -- and as widows,
10 even though now they're gone, but in the past our
11 husbands would hunt in the barren land for us.

12 And -- and that's how we went from here
13 to the next year till the next harvest season. We
14 killed as much caribou as we wanted. We made as many
15 dry meat. We made as many hides as we want. And
16 that's how we hunted and harvest our caribou. Today,
17 the only wildlife that we've existed on from the past
18 is been restricted from us. It's not the way it's
19 supposed to be. That's not how God made this world for
20 us.

21 Every day, we're supposed to exist by
22 caribou. And so while we're still on this earth, we
23 wanted to live by eating the kind of diet that we grew
24 up with. And so caribou is very important to us. Also
25 the fish, too, is also very important for us, because

1 that's what we existed on as we grew up.

2 So wildlife, even when seasonal, the
3 time when the ducks came back to our lands, we hunted
4 as many ducks as we want. Muskrat. And -- and so all
5 this water that's here on our lands belonged to us as
6 Tlicho people. That was given to us in this world for
7 us to use.

8 And when you talk about Ekati, we look
9 at this model here on the table. It's just so amazing.
10 I'm so amazed. It doesn't look like it's a place of
11 money. It's -- it doesn't look like a resourceful
12 place for us, but my grandmother -- my grandmother, her
13 husband -- I've heard them having conversations.

14 I've never seen my grandfather, but they
15 talked about living in tepees -- of caribou hide
16 tepees. They lived about the time -- when they went
17 outside their tepees, they looked around at everything
18 that seemed to be white all around. I just heard
19 stories. This is all the stories I've head from the
20 past.

21 In -- and then later on, it was said
22 that there was resources found around that area. And
23 so when money -- or resources was found in our area, we
24 weren't invited to see it. Also, regarding the fish,
25 regarding the big pit that they put in place where the

1 fish existed.

2 I really hoped that they would make all
3 the open pits -- fix them so that the fish and the
4 wildlife that existed there long before the mines were
5 there, we'd like them to survive. Maybe our children
6 will see things differently in the future, but now as
7 elderly people, we really want our -- to protect our
8 wildlife.

9 We really would like to protect our
10 northern wildlife. And I never really spoke in public
11 like this in front of so many people. And many of you
12 are here. Many of you are white people, and you all
13 have education. You all seem to be learning from your
14 paper and holding pencils, but we have not -- no pencil
15 that we learn from, or carry our pencils.

16 We weren't educated like that, but we
17 learned from history. We learned from memory. We
18 learn by stories. We learn from real life experience.
19 And these are how far we've carried our stories and
20 traditions. And in 1921, in Behchoko, when treaty
21 party came to make a treaty with Monfwi, with the
22 Elders, they made -- they made a -- a great treaty in
23 those days.

24 And Monfwi, the great leader, said as --
25 when -- when the time comes that -- that the water

1 flows backwards and the grass don't grow no more and
2 the sun no longer shines, that's when this treaty will
3 be broken. Until that happens, this treaty will exist
4 with the Government of Canada. And this is a -- a
5 Elderly leader who made this treaty with the
6 government.

7 In -- in our land, when we say 'wildlife
8 protection people', such as ENR, we -- we really -- we
9 really appreciate people who work on our lands. And --
10 and so when -- as elderly people, when we have someone
11 hunt for us, we really appreciate eating our own food,
12 because to -- with caribou, we really need to get our
13 caribou diet and our food back. Thank you very much.

14

15 (INTERPRETATION CONCLUDED)

16

17 THE CHAIRPERSON: Masi. Thank you for
18 your comments.

19

20 (BRIEF PAUSE)

21

22 THE CHAIRPERSON: Public comments...?

23

24 (BRIEF PAUSE)

25

1 MR. GABRIEL MANTLA: My name is Gabriel
2 Mantla. I was born and raised in Behchoko. I'm fifty-
3 five (55) years old. Not well educated. I just went
4 to school to grade 7.

5

6 (INTERPRETED FROM FIRST NATIONS LANGUAGE INTO ENGLISH)

7

8 MR. GABRIEL MANTLA: I will do this in
9 my language. And they're talking about -- about making
10 changes to work with water in another location. What
11 they should do is -- what they should do is protect the
12 water very well if they're going to work with water in
13 another location.

14 As well, when you talk about caribou,
15 too, we need to protect our caribou as well as our
16 waters and our fish. In the whole of the NWT, and not
17 only the NWT but in Behchoko, we notice that there's
18 really little -- less water. Where you wouldn't have
19 seen rocks jutting out of -- it's --we see rocks in the
20 lake. People don't hunt for big wildlife like sow --
21 or, I mean, bears, grizzly bears. People don't hunt
22 for that.

23 And since I was a young child, we go --
24 go hunting and that, fishing with -- hunting and
25 fishing with our families. We fished and we went

1 hunting for caribou. Those are the two (2) that we
2 usually use for food. When you buy store-bought food,
3 store bought meat, because it's not wildlife meat, you
4 can contract different kind of illness such as
5 diabetes. You can contract sometimes also cancer.

6 The food that you're eating from at the
7 store is not healthy, so eventually maybe some of the
8 wildlife -- I mean, some of the food is injected with -
9 - with stuff so that it'll help them grow faster. So
10 those are the kind of food that we don't like to buy
11 and eat from the stores. And so you as people who are
12 developing, decision-makers, our leaders, if you could
13 protect our caribou and fish, it would be great if you
14 do that as you work and develop the mines.

15 As well, in the community, we do have a
16 social problem. There's a social -- alcohol problem.
17 Sometimes it makes it difficult for people who work at
18 the mines to deal and work properly at the mines.

19

20 (INTERPRETATION CONCLUDED)

21

22 MR. GABRIEL MANTLA: That's why they
23 hang around town and drink. Because -- because I'm not
24 well educated, I do the best I can. That's why even
25 our government, they're not doing nothing about it.

1 You guys should change all that policy for criminal
2 record. They're not going to steal diamonds. Because
3 criminal record, that's why they don't have a job.
4 That's why they do alcohol, drugs. They're not going
5 to steal a diamond.

6 Me, I'm fifty-five (55) years old. I
7 tried to slow down with my drinking. Today, I never
8 drank in a month. I'm doing the best I can. I got one
9 (1) son. He was in BC. He came back. He's looking
10 for work. He graduated. He couldn't find a job.
11 Anyway, there's hardly no job in Behchoko. There's
12 only Tlicho Construction. Tlicho Logistic. Aboriginal
13 Engineer, that's all.

14 You got to create more jobs for native
15 people. That's what kind of make communities here in
16 Behchoko. There's a big place. Even though they got
17 criminal record, they should change that because a lot
18 of our younger generation, they're looking for work.
19 They never stole diamond and get charged.

20 They get charged with -- they get
21 impaired. They get drunk, beating another person up,
22 or drunk tank, or anything. They never -- they never
23 got charged in the mine. I hope you guys create more
24 jobs for younger generation. The leaders said this for
25 younger people, right now they've seen not enough

1 native people working in -- at the mine. There's a lot
2 of people from the south, they work at the mine. Not
3 here. Not for communities. I don't see hardly no
4 younger people work.

5 I hope you -- you guys could create more
6 jobs for younger generation. They never stole mine. I
7 don't know why they're using criminal record. They got
8 charged because they got no jobs. That's the main
9 thing. They got not jobs. That's why they get
10 charged, hang around town. They're not going to steal
11 money. That's our -- our diamonds, our land. That's
12 what I mean, hire more native people, or try to -- they
13 come in, they take money home. Right here, we need
14 more -- more younger people to work.

15 I -- I would be really appreciate if you
16 hired more younger people, native people from -- from
17 communities. That's all I have to say. Masi.

18 THE CHAIRPERSON: Thank you, Gabriel.

19 MR. RICHARD BISHOP: Hi. Good
20 afternoon. My name is Richard Bishop. I'm a hundred
21 percent Tlicho citizen. I was born in Whati, but we
22 move here. I -- I was working at that diamond mine for
23 the past four (4) years. I did that driving the haul
24 truck. I was doing okay, but I had a family problem, I
25 just let it go. That's all I just want to say, and

1 another thing, when you guys are building the dike,
2 like Diavik they did, this is my question: I wonder if
3 you guys are going to go underground like that -- like
4 they did after the mines closed?

5 Who's going to clean up? I went to
6 Tundra mine. I see a lot of bad thing in the water, on
7 the land. I see caribou on the -- on the airport. I
8 been there. I done that. I seen it with my two (2)
9 eye. When I was young, when my mom, my dad, they're
10 alive, my dad told me to hunt on the barren land for
11 caribou hunting. That was good. I see nice land.

12 Now I see the mine opening, destroying
13 the land. There's no caribou, they said. I had two
14 (2) kids, single father, and I've got three (3)
15 granddaughter -- grandkids. Who's going to feed my
16 kids and who's going to feed my grand -- grandkids when
17 the -- when the mine is closed? Who's going to clean
18 up that? Nobody will do it, I know it, only
19 contractor. Even though you guys shut down the mines,
20 the mine is going to be destroying water, the land,
21 everything on top. I know. I have seen that.

22 Like Tundra mine. I don't think nobody
23 will clean it up -- clean up good the way a hundred
24 percent is -- used to be. I just want to say that, my
25 comment. Thank you. Masi cho.

1 THE CHAIRPERSON: Thank you, Mr.
2 Bishop.

3 MS. CHRISTINE THERIAULT: Good
4 afternoon. My name is Christine Bagens (phonetic)
5 Theriault. I'm concerned about (AUDIO ISSUE) Board
6 behind me and that impacts going -- I just saw how it
7 -- it looks, and I'm kind of worried, because it could
8 give us a lot of impact of just -- I'm going to refer
9 to what Richard said. And he's been in the mine, but I
10 haven't. But if he's seen firsthand of what you saw,
11 building this new reser -- reservoir, whatever you guys
12 are going to do, it's going to hurt our water. It's
13 going to hurt our air.

14 Anything around our area, it's going to
15 affect everybody. Everybody that's going on the land,
16 on the water, and ice road, and it's going to hur --
17 it's going to hurt our native people around us that are
18 living in our communities, because they like to hunt.
19 They like to go out fishing. They like to do a lot of
20 things for me.

21 I left my traditional food, because I
22 was raised in the bush. And right now, I work at a
23 senior home, and Elders, they really want caribou meat,
24 but it's -- it's a lack of caribou for the last few
25 years. And the only caribou meat is in the wintertime,

1 when people go out hunting, they kind of donate it to
2 us. Other than that, we can't have it.

3 If we do want to have it, it's got to be
4 ordered out of Nunavut or somewhere else. Other than
5 that, we don't have any. So that's the other thing I'm
6 really about -- worried about, is that impact, what's
7 going to happen to our caribou since there's the less
8 hap -- less caribou happen every year, it seemed like -
9 - like the other person just talked earlier. And --
10 and that's what worries me.

11 And if I -- if I worried, other people
12 in the community worry, too, because they -- they want
13 their tradition of -- traditional food, and it's not --
14 it's not going to be happening, because all this
15 environment happening. And that -- that filling and
16 stuff like that, they leave the -- they leave the mess,
17 and sometimes it's never done a hundred percent. The
18 keep packing stuff over it and over it, and it -- it
19 gets heavy. And then, when the rain falls, everything
20 drifts into the water and it -- it destroys our water.

21 Here it goes all around us, and if we
22 drink it, and we get sick. Who knows? That's why a
23 lot of our people in other community get sick all of a
24 sudden. They got to be shipped out to here and there
25 just to get treatment for their sickness, and it's

1 because of the environment that's happening around us.

2 And it's -- it's not safe for anybody nowadays.

3 So in the future, if they ever build
4 stuff like that, they should really -- and do the good
5 clean-up, 100 percent, not -- not a half-assed job,
6 because that's what's happening, it seems like.

7 And what Richard said, he -- it must be
8 true, because he worked there. So they should think,
9 Is that a -- a really good part about what's -- what
10 they see and what they hear. It should -- they should
11 really look into it, because you come here and you want
12 us -- our input. If you want us -- us to agree on
13 certain things, you should clean up your mess up you
14 make. Everything looks -- look bad. You know, you're
15 hurting our land. Everything doesn't look green.
16 Everything looks so white, and you should take a look
17 at it -- that and help us instead of just walking away
18 and leave the mess for us to look at. That's not fair.

19 That's all I want to say.

20 THE CHAIRPERSON: Thank you, Christine.
21 Public comments?

22

23 (INTERPRETED FROM FIRST NATIONS LANGUAGE INTO ENGLISH)

24

25 ELDER NICK FOOTBALL: He says, my name

1 is Nick Football. Thank you. There's a few questions
2 that I would like to ask. When we start a process such
3 as this, a hearing after it has started, that's the
4 only time the Developers pay attention to us in the
5 community.

6 You talk about eskers. It seems like
7 all of the work has been done behind our back. No
8 information was shared with us. We always said in the
9 past that we would practice open door policy, but it
10 seems like that there were some things that were hidden
11 from us.

12 We didn't know that eskers is going to
13 be used. That's the -- that's an important path for
14 the caribou. At -- right at the beginning of any kind
15 of a project, we were supposed to be consulted. We
16 were supposed to be met with. So how come that wasn't
17 done before this meeting? That isn't the right way to
18 treat people, the citizens of this nation. And I --
19 and I'm also talking about the young people.

20 The chiefs before -- before the present
21 one, Johnny Nitsiza, Harry Simpson, Joe Migwi, Alexis
22 Arrowmaker, they were pretty intelligent. They knew
23 what they were talking about. But -- but now we sit
24 around and we just stare at each other. So why do we -
25 - why did we travel as a group? We haven't had any

1 kind of an information sharing meeting in a while.

2 And now -- and now there's this
3 proposal. There's a project that's going to be worked
4 on. And this Elder that -- that spoke before me had
5 said tha, When you are going to work on any kind of an
6 agreement with developers, always -- always think about
7 the younger generation. Always think about the younger
8 -- the younger people.

9 It's no use to -- it's no use to
10 concentrate a lot -- a lot on the Elders, because the
11 Elders have a -- a shelter, a place to -- to go to.
12 Because for the young people, there's more young people
13 and the unemployment is much higher. Some of them are
14 still living with their parents, because they are not
15 able to afford their own housing.

16 So when we gather in meetings like this,
17 a lot of people do focus on Elders. There's always
18 Elders that are brought up repeatedly when -- when we
19 should be -- when we should be talking about the young
20 people and support them in their initiatives.

21 Right now, we have a lot of young people
22 in school. It's because one day, they will likely be
23 self-sufficient. So that's why they are determined to
24 be in school every day.

25 So why do we keep repeating ourselves

1 and keep -- keep talking about the Elders? I do not
2 agree with it. In fact, we should have a lot of young
3 people here at the meeting, a lot of young people
4 actively involved in all kinds of workshops and
5 environmental issues.

6 And if you -- if we had that, then --
7 then us Elders can sit back and support them and become
8 an advisors for any of the committees. We all want --
9 we all want a -- a good life for our young people. So
10 why do we keep referring to the Elders all the time?
11 Since I hope from now on, we can maybe focus -- focus
12 on the young people and concentrate on them.

13 So what I'm saying is, don't forget the
14 Elders, but also make sure that the young people are an
15 important part of -- of any -- of anything that's going
16 to have an impact on them, since we cannot go back to
17 our -- our old ways. We know that.

18 So for us to move ahead, to move
19 forward, we have to work in unity. We were not raised
20 in big cities, so we cannot work like we are big city
21 people. We do come from small communities, and we were
22 raised in communities, and that's how we practice our
23 daily lives.

24 So think more and concentrate more on
25 the students, on the youth that -- that are in school.

1 Maybe if there was more projects that were geared to
2 help the students, then one day, we will be self-
3 sufficient.

4 So what we're doing now is reversing --
5 reversing everything. We're concentrating -- we're
6 concentrating more on the Elders. Elders are here,
7 just -- just as -- as advisors. I -- like I said
8 before, we cannot go back to the way we used to live.
9 Things has changed, so we need -- if -- if we're going
10 to move forward, we need to help our -- our young
11 people.

12 And -- and if you -- if you don't
13 believe what I'm saying, maybe you can -- you can ask
14 one (1) or two (2) Elders that are sitting behind me,
15 and ask them. Ask them if always -- always
16 concentrating on Elders is a good thing, because I
17 don't think it is.

18 We do have to think about the young
19 people, and I would like to say a few things about the
20 caribou.

21 When -- when we have bills, any kind of
22 bills, any kind of utility bills, and we don't keep on
23 top of it, it get -- it gets cut off. The caribous do
24 not have any kind of a utility bills. When we have
25 utility -- when we have utility bills, we talk about

1 our bills on a daily basis, because we are concerned
2 about the bills that we have.

3 Caribou does not have any sort of bills
4 to pay. So why do we keep talking about caribou all
5 the time? Just take me for example. I'm standing
6 here. And if somebody was gossiping about me or ta --
7 or saying terrible things to my face on a daily basis,
8 I would -- I would get fed up with it, he says. And
9 the -- the topic on caribou is getting out of hand.
10 It's all over our face. It's -- it has become part of
11 our daily conversation.

12 I'm sure the caribou are getting tired
13 of being talked about. I don't think that it's also
14 right. There's -- there's a lot of meat in the stores.
15 And -- and I'm sure the stores are making good money --
16 good money from us when we -- when we have to go in to
17 buy groceries, including meat.

18 So the stores are become well off, and -
19 - and that's because we -- we don't -- we're not
20 allowed to hunt for caribou anymore. So the future
21 doesn't look too bright for First Nations. And when
22 you go into the stores the meat are very expensive, and
23 everybody is aware of that.

24 So at public hearings, I think there's
25 going to be other people that will be talking about the

1 concerns that they have about caribou and the prices of
2 food and groceries. I am seventy-four (74) years old.
3 I will not be standing in the same spot seventy (70) --
4 seventy-four (74) years from now, so I'm not going to
5 be here for -- forever.

6 And I just want you to think about the
7 young people that are growing up. We need -- we need
8 to talk for them so that will have a better future.
9 And this is what I wanted to share with you. Masi.

10

11 (TRANSLATION ENDED)

12

13 THE CHAIRPERSON: Masi, Mr. Football.
14 Public comments?

15

16 (BRIEF PAUSE)

17

18 THE CHAIRPERSON: John B. Zoe...?

19 MR. JOHN B. ZOE: Masi. My name is
20 John B. Zoe. I'm a senior advisor to the Tlicho
21 Government. I've kind have been listening to the -- to
22 the hearing off and on since Monday. And the things
23 that we -- that we've been hearing are pretty important
24 because we're talking about two (2) values; one (1) is
25 the western value, the other one is the Aboriginal

1 value. And for each of us, in some ways, they're
2 priceless because they provide for us to continue our
3 ways.

4 Some of the things that the Elders
5 talked about was very important because only they can
6 really describe the type of life that was there, and
7 beyond that, too, beyond that to the time where Canada
8 was being colonized. But at the time, the Crown
9 decided that, through the royal proclamation, that if
10 any lands are going to be alienated for development or
11 otherwise, that they would be -- if lands are going to
12 be alienated from the Aboriginal people, that they
13 would have the authority to authorize that alienation.

14 And since the establishment of Canada in
15 1867, Canada -- Canada became responsible for doing the
16 treaties with the Aboriginal people, including the
17 Treaty, so that they can have access to these lands for
18 development. So the treaties interpreted by Canada was
19 that it gives them the authority to authorize the usage
20 of those lands for the benefit of shareholders. And
21 the law protects them to ensure that they get that
22 benefit and the ability to pass on that inheritance to
23 new shareholders, which is the case that we're in right
24 now with Dominion taking over the -- the project.

25 So the -- it protects them all the way

1 to the extraction. But the treaties also recognize,
2 according to the Elders that spoke a number of times,
3 that they were assured that the land, the animals, the
4 water, all those things that were used would not be
5 restricted so that we would carry on our life
6 unhindered because those are the foundation of our
7 language, culture, and way of life.

8 And so when the first diamond mines
9 happened in the area, it happened -- it happened to be
10 the -- the first time that people were consulted in
11 what might have been considered a meaningful way --
12 meaningful way at the time. It was still under the --
13 the old land and water regime under the feds. But
14 things have changed now that we have a land and water
15 board and MVR -- and the Mackenzie Valley Environmental
16 Impact Review Board, which listens to the shareholders
17 and what they want to do on the landscape.

18 And for us, Aboriginal people, what we
19 bring to the table is our inheritance. It's our
20 inheritance. We're the shareholders for that land,
21 water, and the animals. And so in 1995/'96, when the
22 mines were first beginning to open up, that the value
23 of our inheritance, the value in lands not being
24 disturbed, the waters flowing freely without fear of
25 contamination, the air was clean. The caribou were

1 abundant. The highest value of our inheritance was at
2 its peak. But twenty (20) years later we know it's not
3 so, because we have ENR that would bear the bad news
4 about where we are in that management of our
5 inheritance.

6 At the same time, in early 1990s people
7 were concerned about the caribou. There wasn't very
8 much known about the caribou or the wildlife at the
9 time. And the only place that we could really rely on
10 trying to get information onto paper in an -- in an
11 acceptable form was through studies, working with the
12 elders, funded by non-governmental organizations to get
13 to the point where we can get some sort of protection
14 for having our inheritance opened up.

15 So the value -- the value for the
16 shareholders at the beginning the benefit is mostly on
17 that side where the value of what we had is at its
18 lowest point. And the real threat is towards a --
19 slightly towards loss of language, culture, and our way
20 of life. Because our inheritance which the main one
21 (1) is the caribou had provided an activity of going
22 into the landscape to read the footprints and the
23 stories of the people that were there before us to
24 follow their trails and the skills needed to be out
25 there doing that activity.

1 And the stories that are passed on by
2 the older generation that caught a glimpse of what they
3 might have heard, what they've seen, or looking at the
4 physical land -- landscape that describes the movement
5 of people back and forth following the caribou.

6 And they talked about the hardship at
7 the time, but they talk about it as if it's natural.
8 And we have, like they say, a lot of gravesites along
9 the trails that by just its presence tells you the type
10 of investment that went into that life -- lifestyle.

11 But they also had to rely on other
12 animals like ducks, fish, fur-bearing animals, all the
13 things that fill in the gap of the migration period to
14 take them to the next phase. And all these landscapes
15 that people travelled on are dotted with thousands of
16 names that describe what went on. So really, the land
17 is not only our history book, but it has many promises
18 for the future.

19 And that's what's -- what I've been
20 hearing in the last number of days, is that those
21 promises are at stake. Where now we're being asked to
22 give up a little more of our -- of our inheritance so
23 that life for the shareholders can continue.

24 And when the former grand chief spoke,
25 what he said was pretty important. That Canada did

1 treaties for a purpose, to open up lands, but it also
2 did a treaty to protect the people of the land. And to
3 open up the lands, it's created legislation for how
4 those lands and waters could be used. But it's also
5 created an entity to ensure that people are heard for
6 the first time in the last decade or so.

7 And so we found a voice that the Board
8 that we're talking to, as it says, it's a non-
9 governmental entity that will look at fairness. That
10 Canada has the legislation, but it gives the Board the
11 ability to listen to both sides. It still is
12 responsible for legislation, but the implementation is
13 now transferred -- the management of the land and water
14 management is now transferred to the territories, but
15 it's also transferred the management of the lands --
16 for the la -- for the animals to GNWT, too.

17 So there's lots of -- lots of
18 responsibility up in the north. All the responsibility
19 for land and water, the animals, the people that are
20 responsible are really sitting in this room if not
21 represented. There's nobody else out there.

22 So what we're looking for is fairness
23 that our inheritance has to be rekindled. A process of
24 how that happens needs to have -- needs to be kick
25 started somehow, some recognition of a meaningful

1 discussion to not only talk about preservation of where
2 we are now, but a process -- meaningful process for
3 revi -- revitalization for the recovery -- recovery of
4 the animals that we rely on from going down any
5 further.

6 Because I think, in a sense, if we
7 listen to the people, that processes, entities and
8 decision making that has been going on has made this
9 generation of people seem like they have failed in
10 passing on the inheritance to the younger people in its
11 full value. That failure is pretty heavy. So there's
12 got to be something in here that our value of our
13 inheritance has been measured by the greatest value
14 that we had when we started, the caribou and all the
15 things that go with it.

16 So the -- the Board has a huge
17 responsibility where it's probably going to make some
18 recommendation as to how we proceed from here. And --
19 and we need to look beyond just the hearing of the Jay
20 pipe.

21 We're -- I'm just talking big-picture
22 stuff. It's not to lay the whole thing on -- on this
23 single project. This is a discussion that needs to
24 happen in a larger scale is all I'm saying.

25 So our -- so our inheritance is

1 something that, like I say earlier, was -- is -- is at
2 stake. And we know that governments, northern
3 government, because now it has all this power, has
4 inherited all these things.

5 And we've heard early in that transfer
6 that a lot of this authority that's inherited has been
7 mirrored legislation, meaning that it doesn't look like
8 things are going to be any different.

9 But since it's got this thing, it's got
10 the ability to do implementation in -- in a different
11 way, that the Treaty of 1921 is a living Treaty. But
12 it seems to be alive only for the development but not
13 the protection of the rights of the people of the land
14 that -- that rely on the animals that it provides.

15 So now that it's got this authority,
16 it'll probably get some recommendation. But it's
17 important and good for government to exercise decision
18 making in -- in the areas of their jurisdiction, but
19 also must recognize the adjustments to the pompousness
20 of how they run governments that affect the locality of
21 the people that rely on that landscape. Masi cho.

22 THE CHAIRPERSON: Masi, John. Public
23 comments?

24

25 (BRIEF PAUSE)

1 (INTERPRETED FROM TLICHO INTO ENGLISH)

2

3 ELDER PHILLIP DRYNECK: Thank you.

4 There was two (2) presenters before me. I have been

5 listen to their presentation. I would like to

6 acknowledge and thank them. They -- they gave us a

7 very important message, and one (1) of them is that we

8 have to stand united and support one another. And I

9 totally agree with it.

10 1921 was the year that we -- we signed a

11 treaty. My father was a young man. He was present

12 during the celebration of the treaty in 1921. And he

13 was told that, I'll give you this five dollar (\$5)

14 bill, and that five (5) -- five dollar (\$5) bill

15 represents wealth, in a sense.

16 So the five dollar (\$5) bill was given

17 to -- to Tlicho. And with this five dollars (\$5), when

18 we go through a difficult time, we are there for there

19 for each other since that was -- that was the promise

20 that was made then. It doesn't matter which

21 nationality you were, you could be First Nations or you

22 could be a Canadian from down south, is whenever you

23 are going through a hard time we're there to help each

24 other.

25 So -- so the presentation -- the

1 presentation that was done by John B. Zoe, he is
2 accurate on the information that he share with us. As
3 long as the sun rises, as long as the river flows, for
4 as long as we live, for as long as we're -- we live we
5 will not be banned or restricted from anything on our
6 land. And that was the speech from Monfwi when he
7 signed the treaty in 1921. He says, My father passed
8 that story on to me and my father was there.

9 But -- but as I got a little bit older,
10 I go -- I used to attend public meetings where the
11 Elders gather way back. And -- and what they predicted
12 back then, that's where we're at right now in our
13 situation. He says, everything -- everything around us
14 is changing, and they predicted that way back.

15 There was -- there was an Elder that
16 spoke before John B. Zoe, and that Elder said, We have
17 to think more of the young people when we talk about
18 any kind of development or any kind of changes. We
19 always have to think about them.

20 And it was -- it was our ancestors that
21 were thinking of the future when they signed the
22 treaty. They were not thinking for themselves. They
23 were not trying to benefit themselves. They were --
24 they were thinking about the future and they were
25 thinking about how they can help the younger

1 generation.

2 Caribou is an important part of our --
3 our life. Even that the population is declining now,
4 that's a big change. That too was also predicted by --
5 by our ancestors. And when an Elder speaks like that
6 about the changes in the future we can almost bet that
7 that change will come, so -- and we will see it soon.

8 You already heard a lot of stories about
9 our ancestors, how they struggle to survive on the
10 land, how difficult it was. They -- they work really
11 hard. And -- and some -- some of the Elders that spoke
12 claimed that they were part of that when they were --
13 when they were young, when they were being raised.
14 That is also the truth.

15 And the ancestors -- my ancestors also
16 were saying at one time way back that, When you get a
17 little bit older, when you're in your 60s or 70s, there
18 are some changes that you will see that will -- that --
19 that will put you in -- in a restricted environment.
20 That's where I'm at right now.

21 When I was younger I went -- I went for
22 a fall hunt by -- by boat. We didn't get any kind of
23 ration. We didn't get

24

25 (BRIEF PAUSE)

1 THE CHAIRPERSON: Okay. If we could
2 just have a five (5) minute break, please?

3

4 --- Upon recessing at 7:27 p.m.

5 --- Upon resuming at 7:40 p.m.

6

7 CLOSING REMARKS BY THE CHAIRPERSON:

8 THE CHAIRPERSON: We have surveyed the
9 room and it has come to the conclusion for everyone and
10 especially for the Tlicho, we consulted with them, that
11 the time has come to do some closing remarks. So with
12 that, we've arrived at the end of the Jay Project
13 community hearing in Bekchoko.

14 Thank you, masi, to everyone who spoke
15 today. The Review Board values the views of the
16 community members in Bekchoko. After these hearings
17 are complete, Dominion and the parties will submit
18 post-hearing filings prior to the closure of the public
19 record. Post-hearing filing material includes official
20 hearing transcripts, comments, undertakings, and final
21 statements from parties and the Developer.

22 Post-hearing filing dates are as follow:
23 on October 9th, the undertakings from Dominion and
24 parties will close. October 23rd, closing arguments
25 from parties. October 30th, closing argument from

1 Dominion. And on the 30th of October again, closure
2 for the public record.

3 The Review Board will fully consider the
4 views of all the people who spoke to the Review Board
5 today. Your views and opinions are important to the
6 Board and will be considered in the report of
7 environmental assessment. The Review Board will
8 complete the report of the EA for the Jay Project in
9 January of 2016.

10 The report will then be submitted to the
11 GNWT Minister of Lands for their consideration. I
12 would like to thank the following individuals who
13 helped to make this hearing successful: The caterers
14 for the food, masi; the interpreters; Pido for the
15 sound; Tlicho Government for their hospitality and the
16 use of their cultural centre; to the Board members, and
17 of course, to our staff.

18 Just before we close with the closing
19 prayer, I would like to open the floor to Chief
20 Clifford Daniels for some closing remarks.

21

22 CLOSING REMARKS BY TLICHO GOVERNMENT:

23 CHIEF CLIFFORD DANIELS: Masi, Madam
24 Chair. I'd like to thank all of you for being here and
25 attending today. It's been a long day. We have some

1 Elders here. They might be tired. And I'd like to
2 thank everybody, I -- everybody have -- that you've
3 thanked, too, the interpreters especially. That's how
4 we communicate with our Elders, and it gives them that
5 engagement and involvement in these important
6 processes.

7 We are concerned with the caribou, and
8 the well-being of the Bathurst caribou, and the crisis
9 that's being faced here in the North. As you've heard,
10 the caribou are declining. It's really a hardship for
11 our citizens young to old, our communities. Our way of
12 life on the land is being affected.

13 We've heard many reasons why this
14 decline could be happening: Predation on the migration
15 route, the calving grounds to the wintering range. And
16 we've heard it all from all our communities, climate
17 change, as you heard, the low water levels, ice not
18 freezing up as fast, insects in the barren lands,
19 forest fires, and this is nature that we don't really
20 have control of.

21 Caribou could be migrating to other
22 herds. This has been heard, because we haven't ver --
23 verified what is the cause. We have lived with the
24 caribou many years and generations and generations, but
25 there's been more -- other harvesters after the same

1 herds due to winter roads, modern machines, airplanes,
2 and the mines, but also their development exploration,
3 (AUDIO ISSUE), pollution, lots of things that could
4 affect the caribou in the barrens.

5 Nunavut has not had any conservation
6 plans for protections of the caribou herds that migrate
7 between the borders. So there's various things these
8 cumulative effects that have -- that are causing the
9 decline, but so far, only the harvesters have been
10 targeted out of all the other causes that have been
11 raised by our Elders, by our citizens, and by others
12 that are known.

13 If the caribou keep declining at that
14 rate, it would be very hard for me to support any
15 future development and mines in the caribou range. And
16 you've heard the Elders. And, yes, the Elders are
17 right when you say there's concern. What Chief Monfwi
18 has signed in 1921, the treaties, too, also have to be
19 expected -- respected, I mean. And it's very important
20 that we acknowledge that -- the Elders and their
21 stories. They've experienced it, their lives. They
22 were there and they're sharing with us, and we thank
23 you -- them.

24 And we can't continue on this process.
25 There's got to be change. There's got to be a

1 willingness somehow to make sure it doesn't get worse
2 than it is. And we need to do this together.

3 Madam Chair, we do connect the changes
4 we see in the communities to mines. We see many young
5 families torn apart by the work of one (1) or the other
6 partners at the mine. We know many families like this.
7 And we are saddened to see that the GNWT will not
8 connect the mines being open with changes we know we
9 are experiencing in the remote communities.

10 We urgently need new -- new initiatives
11 and community-based programs in our communities. We
12 urge the GNWT to work more closely with us to build
13 environmental programs.

14 Madam Chair, we're looking at a
15 permitting mine that is going to impact our
16 relationship to the caribou -- will further impact the
17 relationship to the caribou. And I've said this
18 before.

19 The resources that are there, it's a one
20 (1) time deal, it's a one (1) time shot because what's
21 there, once you take it, there's nothing there. It's a
22 void. And it's very important that we have a very good
23 relationship.

24 And it'll be good to modernize our
25 agreements we have and to move forward with that. It

1 is outdated, it is old. And this is what we -- I
2 myself and the Tlicho Nation would hope for, and to
3 look forward to remediation and site clean-ups, too.

4 And I appreciate everybody here, all the
5 concerns from young to old. So I'd like to thank you
6 once again, and may all of you return home safely. I
7 know you still have a job ahead of you to all of you
8 that are here, some council members, chiefs, ex-
9 leaders, and all the words of wisdom that have been
10 shared here.

11 And I realize the Board has other
12 meetings to attend, and you'll be travelling by
13 vehicles and airplanes. I hope nothing happens to you
14 as you make these travels. I realize a lot of you have
15 family and children waiting for you at home.

16 Thank you for all of you who have
17 travelled to meet us today, and we wish you all safe
18 travel home. Masi cho.

19 THE CHAIRPERSON: Masi for those words,
20 Chief Daniels.

21 We have a Board member, James Wah-Shee,
22 that would like to say some words before we finish off.

23

24 (INTERPRETED FROM TLICHO INTO ENGLISH)

25

1 MR. JAMES WAH-SHEE: Masi, Madam Chair.
2 When we talk about the Northwest Territories, when we -
3 - when we focus on development, when we talk about
4 development and its policies, we have gatherings like
5 this to raise concerns and to ask questions and to work
6 together as well as a Board member.

7 But we start -- but before we start a
8 process like this, maybe we should make some changes so
9 we can have a better relationship amongst us and
10 amongst all the community members. These should be
11 taken into consideration because we are dealing with a
12 lot of different policies and different views.

13 Now, I'm thinking about people across
14 the territories. Everybody have their own feelings and
15 their own opinions. And there's some concerns that
16 people have that maybe we don't pay attention to. So
17 we do not understand what the other person is saying.
18 That's when we have to start asking questions so we can
19 educate ourselves.

20 And we also know that there's a lot of
21 ministers, a lot of different ministers, a lot of
22 different departments, a lot of different assistants.
23 So there's a lot of departments to deal with, and if we
24 are going to have hearings like this in the future, how
25 can we change is so that everybody can benefit from

1 hearings like this?

2 And then there's also -- there's also a
3 lot of policies involved in any changes that are going
4 to be made. So we also need to -- to be -- to become
5 aware of the powers of different boards that exist.
6 And then at times -- at times, we -- we do raise some
7 very good recommendations. But there are times when we
8 don't pay attention.

9 But this is part -- we stop here. We --
10 we are going through a tour. We were in -- in
11 Yellowknife for three (3) days, we're here today, and
12 then we still have two (2) more stops to make.

13 So we do have to listen to other
14 people's concerns as well from other communities. And
15 if we do not focus on the presenters, then we do not
16 really understand why they were standing up and talking
17 to us.

18 And -- and now, the Developers want --
19 want to expand, and that is their job. And here in the
20 Northwest Territories, we have listened to some of the
21 Elders. The Elders had spoke about unity, and if we
22 work as one, then the -- the obstacles that we believe
23 is an obstacle isn't so difficult. So we have to work
24 together.

25 There's -- there's a lot that has spoke

1 in Tlicho and a lot that has spoke in English. There
2 were some young people that -- that raised their
3 concerns, elderly people as well. I would just like to
4 thank all of them for -- for talking to us.

5 And -- and also the members of the
6 Tlicho Government that had come to -- that had come to
7 this hearing, and also for making their own
8 presentations, and all the individuals -- all the indi
9 -- individuals, Tlicho citizens that had made their --
10 their presentation to the Board.

11 We as a Board member, our job is to sit
12 and listen to the speakers. So therefore, we don't --
13 we don't take up a lot of time talking, because we are
14 here to listen to the citizens. That's why we're on
15 this tour.

16 So I'd just like to say thank you. And
17 all of the advice and recommendations that were raised
18 is an important part of this hearing. I'm talking
19 about everyone, everyone here that made a presentation.
20 We still -- we still have more hearings to attend to,
21 so this meeting had a very good turnout. I'd just like
22 to say thank you.

23

24 (INTERPRETATION CONCLUDED)

25

1 THE CHAIRPERSON: Masi. I would now
2 like to have Elder Phillip Dryneck come up and do the
3 closing prayer.

4

5 (CLOSING PRAYER BY ELDER PHILLIP DRYNECK)

6

7 THE CHAIRPERSON: Masi for the prayer.
8 The community hearing for the Jay Project in Behchoko
9 is adjourned. Masi

10

11 --- Upon adjourning at 7:50 p.m.

12

13

14 Certificate Correct,

15

16

17 _____

18 Bob Keelagan, Mr.

19

20

21

22

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25

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