



“When You Talk - We Listen!”



MACKENZIE VALLEY REVIEW BOARD

DIABIK DIAMOND MINES INC.

EA1819-01

COMMUNITY AND TECHNICAL HEARING

Mackenzie Valley Review Panel:

Chairperson	Joanne Deneron
Board Member	David Krutko
Board Member	Kirby Marshall
Board Member	Yvonne Nakimayak
Board Member	Bertha Norwegian
Board Member	Sunny Munroe
Board Member	Jim Edmonson

Dettah, NT

September 4th, 2019

1		APPEARANCES
2	Chuck Hubert	)MVRB Staff
3	Mark Cliffe-Phillips	)
4	Catherine Fairbairn	)
5	Catherine Janz	)
6	Kate Mansfield	)
7	Alan Ehrlich	)
8	Brett Wheler	)
9	Jeremy Freeman	)
10	Neil Hutchinson (np)	)
11	Joe Handley	)
12	Catherine McManus	)
13	John Donihee	)Counsel
14	Julia Paille	)Counsel
15		
16	Sean Sinclair	)Diavik Diamond Mines
17	Gord Macdonald	)
18	Kofi Boa-Antwi	)
19	Dave Patterson	)
20	Steve Bourn	)
21	Winter Bailey	)
22	Myra Berrub	)
23	Kyle Bennett	)
24	Shadi Dayyani	) Golder
25	Jerry Vandenberg	) Golder

1 APPEARANCES (cont'd)

2 Rainie Sharper ) Golder

3 Erica Bonhomme ) Stantec

4 Colin Buchanan ) Stantec

5

6 Chief Clifford Daniels (np) ) Tlicho Government

7 Elder Joseph Judas )

8 Elder Louie Zoe )

9 Elder Charlie Nitsiza )

10 Elder Joe Rabesca )

11 Elder Dora Migwi (np) )

12 Elder Joseph Moosenose )

13 Violet Camsell-Blondin )

14 Joline Huskey )

15 Ginger Gibson (np) )

16

17 Morgan Moffitt ) GNWT

18 Lorraine Seale )

19

20 Patrick Simon ) Deninu K'ue First

21 ) Nation

22

23 Georgina Williston ) ECCC

24

25 Agnes Simonsalvy ) CanNor

	APPEARANCES (cont'd)	Page No.
1		
2		
3	Dinah Elliott ) INAC-AANC	
4	Maureen Flagler )	
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6	Daniel Coombs ) DFO-MPO	
7		
8	Chief Edward Sandgris ) Yellowknives Dene	
9	Johanne Black ) First Nation	
10	Machel Thomas )	
11		
12	Doris Enzoe ) Members of the Public	
13	Elder Modeste Sangris )	
14	Henry Beaulieu )	
15	Fred Sangris )	
16	Tony Rabesca )	
17	Blake Rasmussen )	
18	Paul Betsina )	
19	Lena Black )	
20	Stephanie Poole )	
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1 --- Upon commencing at 3:13 p.m.

2

3 MS. KATE MANSFIELD: Good afternoon,  
4 everyone. My name is Kate Mansfield, and I'm with the  
5 Review Board. I just have a few brief housekeeping  
6 notes before our Chair formally opens this hearing.

7 The bathrooms are located through those  
8 doors right over there. Thank you very much.

9 THE CHAIRPERSON: Thank you, Kate.  
10 Good afternoon, everyone. My name is Joanne Deneron,  
11 and I am the Chair of the Mackenzie Valley  
12 Environmental Impact Review Board. Welcome to the  
13 community public hearing for the environmental  
14 assessment of Diavik Diamond Mine's proposal for  
15 depositing processed kimberlite in the pits and  
16 underground.

17 Before we begin here, I would like to  
18 acknowledge that we are holding this hearing in  
19 Dettah, in Chief Drygeese territory.

20 I would like to invite at this time  
21 Elder Peter Sangris to the mic to give an opening  
22 prayer, and then right after that, I would ask that  
23 Chief Sangris to make some opening remarks.

24

25 (OPENING PRAYER)

1 THE CHAIRPERSON: Masi. At this time,  
2 I would like to call upon...

3

4 (NOT SWITCHED TO ENGLISH CHANNEL)

5

6 CHIEF EDWARD SANGRIS: Hello? Good  
7 afternoon.

8

9 (INTERPRETED FROM INDIGENOUS LANGUAGE INTO ENGLISH)

10

11 CHIEF EDWARD SANGRIS: My name is  
12 Chief Edward Sangris from the Yellowknives Dene.  
13 We're here today to talk about important issues of  
14 concern of our land. Ever since the prospectors came  
15 into our lands, and the other non-Dene people, they  
16 first talked to us about living together in harmony.

17 When -- when the people first came,  
18 they talked to the Chiefs and they made an agreement  
19 with a statement of intent, as long as the sun rise,  
20 rivers flows, and grass grows, and they also said that  
21 we will do what we want on this land as long as that  
22 does not reverse. The statement we still use today.

23 The people, the prospectors that  
24 travelled on our land, and the people that's working  
25 in the mines, we want them to do a clean job, not to

1 contaminate the lands. We have concerns regarding the  
2 animals, the land. We don't want nothing to happen to  
3 them.

4

5

(INTERPRETATION CONCLUDED)

6

7

(BRIEF PAUSE)

8

9

THE CHAIRPERSON: Chief Sangris, I'm  
10 sorry for the delay, but if you would be so kind to  
11 start again, we'd appreciate it. Masi.

12

13

(INTERPRETED FROM INDIGENOUS LANGUAGE INTO ENGLISH)

14

15

OPENING COMMENTS BY CHIEF EDWARD SANGRIS:

16

CHIEF EDWARD SANGRIS: Can you hear me  
17 now? Okay. Thank you. As -- as Dene people, we want  
18 to speak in our language. The non-Dene people -- we  
19 cannot speak the non-Dene peoples' language, so that's  
20 the reason why I'm speaking in my language.

21

I thank you once again for having this  
22 meeting here, and the things that we're here to  
23 discuss is very important to our people. The land,  
24 the water, the animals are all important to our  
25 people, our Dene people.



1                   Around 1900, when the first white  
2 people came, and the Treaty officials came, our Chief  
3 made a statement at that time. He said, As long as  
4 the sun rises, the rivers flows, and the grass grows,  
5 as long as it does not reverse, nothing will be  
6 prevented from my people. And they also said at that  
7 time that we will take care of this land together --  
8 take care of this land together.

9                   Today, we still hold that spirit of  
10 intent. The way we were all raised, we were raised by  
11 the caribou and the water. But today, the government  
12 doesn't believe this when we tell them the importance  
13 of this animal and the water. It is because they were  
14 not raised by this animal, and their main concern is  
15 making money. And today, we don't want nothing to  
16 contaminate the land which affects the animal.

17                   So today, this is the issue that we  
18 will be bringing up. First of all, when they first  
19 started this mine, the development of the mine, they  
20 came to us. And when it was coming close to closure  
21 of the mine, they want to make some changes to their  
22 plan. If they make changes to the land -- to the  
23 plan, what will happen?

24                   They should have said this at the  
25 beginning. We would have had time to talk about this

1 and make better plans, and we wouldn't be making a big  
2 issue today regarding that. So today, there will be a  
3 lot of people speaking up about this issue of concern  
4 to our people.

5 As Dene people, we don't want nothing  
6 to happen to our animal, water, but now there's a lot  
7 of development happening in our lands, and it seems  
8 like the most important things to our Dene people is  
9 slipping from our hands.

10 So we want -- we want to try to  
11 preserve that. That's one (1) of the reasons why we  
12 are here today.

13

14 (INTERPRETATION CONCLUDED)

15

16 CHIEF EDWARD SANGRIS: I want to  
17 extend a warm welcome to our traditional territories -  
18 - territory of Yellowknives Dene called Chief Drygeese  
19 territory, and see the territory of Yellowknives Dene,  
20 and not share yet until we settle the claim.

21 We were the original guardians of this  
22 land, our ancestors. Now, they're going to have a  
23 hearing on whether to alter the plan of the mine  
24 closure when they initiated it in the beginning.

25 Wasn't talk about -- but we have to

1 think deeply on how this alternation will affect our  
2 people, our land. Like the Elder said, I'd like to  
3 thank the Creator, so we can have resulting true  
4 healing of the land once Diavik ceases operation.

5                   Our voices must be heard, and all  
6 precaution must be taken to protect the land, the  
7 wildlife, the fish, and water during and after  
8 reclamation. I'd like to thank the Mackenzie Valley  
9 Land and Water Board -- Review Board, and Diavik, for  
10 these hearings and pray that they will listen to the  
11 concerns and recommendation from the public, and we  
12 work together with all the people and YKDFN to  
13 successfully mitigate and eliminate all potential risk  
14 to our land, to our water, and to our animals.

15                   Sometimes, I think back on how this has  
16 proceeded from the beginning. They come on to our  
17 land romancing us for our stones, being sure they tell  
18 us that they promise that they're going to do this and  
19 that.

20                   One (1) of the promise was to keep the  
21 land to the near perfection of how they found it, but  
22 sometimes people get anxious and the wealth there  
23 that they created, they think only about their wealth  
24 and not what's going to be left behind for Dene  
25 people.

1                   We grew up on a land with caribou,  
2 fish, and water, but the industry and the government  
3 don't understand our way of life until they have  
4 experienced it, how we grew up, how all these things  
5 are so vital to their existence of the Dene, and I  
6 think back and hope that what have transpired in the  
7 front yard cannot repeat itself in the backyard, and  
8 the tundra.

9                   What reminds us is within Chief  
10 Drygeese territory, and yet all these assorted groups  
11 can lay claim, but we must all work together for the  
12 betterment of our future generations so they can enjoy  
13 what our ancestors have enjoyed since time immemorial.

14                   And sometime I get so worried that  
15 these three (3) operating mines, diamond mines, are in  
16 our traditional territory. We are Yellowknife Dene.

17                   I've always been adamantly trying to  
18 protect our land, our wildlife, and our water, but yet  
19 people keep doing what they want to do, because we  
20 don't have certainty of negotiated settlement in our  
21 territory, and sometime we cannot follow others'  
22 jurisdictions and cannot be imposed on us as  
23 Yellowknife Dene. So we have to ensure that the  
24 Proponent and the Agency do the right thing so that we  
25 don't have a repeat of things that have went on in the

1 past.

2                   It's so crucial to me, when I think  
3 about my grandkids and I look at them, they're so  
4 important for the future of our existence, and so  
5 we're trying to protect the land, but what Diavik has  
6 proposed wasn't part of the plan from the beginning.  
7 You could have got my message when I said that before.

8                   So how it's going to affect our water,  
9 how it's going to affect our wildlife when it's  
10 closed. The monitoring system that have to be put in  
11 place, because if you put something underground, you  
12 mix it with the water, it's going to seep out one way  
13 or the other. There's no stopping it. I've been here  
14 for a long time, I know for sure that these things  
15 happen.

16                   So let's listen to one another and see  
17 how we can prevent anything from happening in the past  
18 that it could happen in the future. I don't want  
19 anybody to think that they're in a bubble zone, that  
20 they are protected, they cannot be touched. We're all  
21 going to be affected one (1) way or the other, and we  
22 will pay the price on the expense of who.

23                   The Dene were born on this land, and  
24 will die on this land, get buried on this land. So  
25 let's think about what really is going on, what

1 they're asking for, and hopefully that we can work  
2 together to prevent and ensure any happening from --  
3 anything that's happened in the past not to happen in  
4 the future.

5 I'd like to thank each and every one of  
6 you for being here today. Masi cho.

7

8 OPENING COMMENTS BY THE CHAIRPERSON:

9 THE CHAIRPERSON: Masi, Chief Sangris.  
10 We appreciate your comments and your opening remarks.  
11 Masi.

12 The Review Board is here today to  
13 listen carefully to your views about the potential  
14 impacts of Diavik's proposal to deposit processed  
15 kimberlite into the pits and underground. The Review  
16 Board gets its authority from the law called the  
17 Mackenzie Valley Resource Management Act, and the  
18 Review Board is responsible for environmental  
19 assessments of proposed developments in the Mackenzie  
20 Valley.

21 Board members here are nominated by the  
22 Tlicho, Territorial, and Federal Governments, and also  
23 by First Nations organizations. We try to make our  
24 decisions here by consensus. Our goal is to make  
25 decisions that will protect the environment and the

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

4           We have special regard for the  
5 conservation, the way of life, and well-being of all  
6 Indigenous peoples.

7           I would like at this time to introduce  
8 our Board members, as well as our Board staff and  
9 counsel. Board members Bertha Norwegian, Sunny Munroe,  
10 David Krutko, Jim Edmonson, Yvonne Nakimayak, Kirby  
11 Marshall, and myself, Joanne Deneron, as I said, as  
12 Chairperson.

13           Joe Handley, whose term as a Board  
14 member recently ended will be acting as a Special  
15 Advisor to the Board. Joe has reviewed the documents  
16 on the public record and has participated in the  
17 Board's other decisions on this file, including  
18 ordering this project to EA and to set and clarify the  
19 scope of the EA. Mr. Handley has been an important  
20 part of this EA process so far and the Board would  
21 benefit from his presence for the remainder of the EA.

22           Mr. Handley will provide advice to the  
23 Board but will not act as a Board member and will not  
24 participate in any Board decisions. During the public  
25 hearings, he will participate like other advisors or

1 Board staff by observing, and at the Chairperson's  
2 discretion, asking questions of the developer or  
3 Interveners.

4 I would like to introduce our Board  
5 staff at this time: Mark Cliff-Phillips, our  
6 Executive Director; John Donihee, our Legal Counsel;  
7 Julie Paille, Legal Counsel; Kate Mansfield, Senior  
8 Environmental Assessment Officer and Co-Lead for this  
9 Environmental Assessment; Catherine Fairbairn,  
10 Environmental Assessment Officer and the other Co-Lead  
11 for this Environmental Assessment; Alan Ehrlich,  
12 Manager of Environmental Impact Assessment; Chuck  
13 Hubert, Senior Environmental Assessment Officer;  
14 Jeremy Freeman, Environmental Assessment Officer;  
15 Brett Wheler, our Senior Policy Advisor, way over  
16 there; Catherine Janz, Administrative Assistant, over  
17 by the window.

18 I would also at this time like to  
19 recognize our interpreters for today's hearings, at  
20 the back. We have our Weledeh interpreters, Mary Rose  
21 Sundberg and Bertha Martin. Our Chipewyan  
22 interpreters are Bertha Catholique and Tom Unka. Our  
23 Tlicho interpreters are James Rabesca and Violet  
24 Mackenzie.

25 The Review Board determines the scope



1 of development for every EA it conducts. The scope of  
2 development includes all the physical works and  
3 activities required for a project to proceed. For  
4 this EA, the scope of development is based on Diavik's  
5 water licence amendment application and the public  
6 review that's followed, as well as a Review Board  
7 scoping process.

8                   This includes transporting, depositing,  
9 and storing processed kimberlite into pits and  
10 underground mine workings and closing and reclaiming  
11 any mine infrastructure related to the transport,  
12 disposition, and storage of processed kimberlite in  
13 pits and underground mine workings.

14                   The scope of development, as previously  
15 set by the Review Board, includes all three (3) pits  
16 in the mine and any associated underground mine  
17 workings. Removing processed kimberlite from the  
18 existent containment facility is not part of this  
19 assessment. However, the Board is considering the  
20 impacts of adding processed kimberlite from the  
21 containment facility in the future as part of the  
22 cumulative effects assessment.

23                   The Review Board decided that the scope  
24 of assessment will consider potential impacts of  
25 Diavik's proposed activities on water quality and

1 quantity, cultural use of the land, fish and fish  
2 habitat, and other wildlife, specifically caribou,  
3 birds, and species at risk.

4                   These public hearings are one of the  
5 final steps of the Environmental Assessment. The  
6 Review Board is holding this community public hearing  
7 to directly hear the views and opinions of community  
8 members and the public about the potential impacts of  
9 the proposed project.

10                   We also held a community public hearing  
11 in Behchoko yesterday. This community hearing is  
12 informal and it is intended to be distinct from the  
13 more formal technical hearings that will be held  
14 tomorrow and Friday at the Explorer Hotel.

15                   Today, Diavik will describe its project  
16 and how it plans to manage the project and any adverse  
17 impacts. This will be followed by a short  
18 presentation from the Dene -- Dene -- Yellowknives  
19 Dene First Nation.

20                   In addition, we have representatives  
21 from the GNWT and the Gover -- Government of Canada  
22 today, present at today's hearing to listen to what  
23 you have to say.

24                   At this time I would like them to  
25 introduce themselves. The GNWT, I think there might

1 be a mic that you can pass so that they can make the  
2 introductions.

3

4 (BRIEF PAUSE)

5

6 MS. LORRAINE SEALE: Thank you, Madam  
7 Chair. My name's Lorraine Seale. I'm with the GNWT  
8 Department of Lands. We have representatives here  
9 from the Department of Lands, the Department of  
10 Environment and Natural Resources, and the Department  
11 of Justice.

12 If you'd like everybody to introduce  
13 themselves, we can, but that may take more time than  
14 you're willing to spend.

15 THE CHAIRPERSON: We can have that at  
16 the formal meeting tomorrow. But if you just -- you  
17 told us what departments are here. And if we can also  
18 ask that for the Federal Government, as well, for the  
19 -- what departments.

20 MS. GEORGINA WILLISTON: Thank you,  
21 Madam Chair. My name is Georgina Williston, and I'm  
22 with Environment and Climate Change Canada.

23 MS. DINAH ELLIOTT: Dinah Elliott,  
24 with CIRNAC in Yellowknife.

25 MR. DANIEL COOMBS: Dan Coombs, with

1 Fisheries and Oceans Canada.

2 MS. MAUREEN FLAGLER: Thank you, Madam  
3 Chair. I'm Maureen Flagler, with CIRNAC in Ottawa.

4 MS. AGNES SIMONFALLY: Good afternoon.  
5 Agnes Simonfally, with Kennore NPMO's office.

6 THE CHAIRPERSON: Okay. Thank you.  
7 These individuals will not make presentations today  
8 but may be able to answer questions that community  
9 members may have at the discretion of the Board Chair.

10 I will ask that a representative from  
11 each government department that have already  
12 introduced themselves will do that formally tomorrow.  
13 I have some comments about today's meeting that I hope  
14 will help and make sure that everything goes smoothly.

15 We have limited time, and the Review  
16 Board is committed to hearing what everyone has to  
17 say. An agenda for the hearing is available at the  
18 door. And presenters are reminded to keep their  
19 presentations timely and to allow for questions and  
20 comments from the public.

21 The Review Board will be -- be  
22 producing an official transcript of the Hearings. The  
23 transcript should be available the day following each  
24 day's Hearing.

25 All questions and answers are permitted

1 at my discretion. And I will intervene if not clear  
2 to me that the question is relevant or appropriate.  
3 People responding to questions should be direct and  
4 helpful in their answers.

5 Please use a microphone for all  
6 questions and responses so that everyone, including  
7 Sean Coleman, who is doing the transcription, can hear  
8 you clearly.

9 Please remember to say your name before  
10 you speak. I will also ask that you speak slowly and  
11 clearly to allow for our simultaneous interpretation.  
12 Members of the public are welcome to present their  
13 views directly to the Review Board following the  
14 presentations from Diavik and from YKDFN.

15 Members of the public may also submit  
16 commits in writing to the Review Board. The Board  
17 will announce the deadline for written public comments  
18 at the end of the public hearings.

19 If you want to speak at this Hearing,  
20 please see Board staff at the back table or at the  
21 front and get your name added onto the speaker's list.  
22 I will then call the names of the people from this  
23 list during the public comment period.

24 This public Hearing takes place today  
25 from 3:00 to no later than hopefully nine o'clock

1 tonight. We will have a short break to get dinner  
2 from 5:30 to 6:30, where you are all invited for  
3 dinner.

4                   If you need more time for dinner,  
5 please eat as we continue the Hearing at 6:30. We  
6 will also have health breaks throughout the day.  
7 Please remember that the schedule is at the discretion  
8 of the Chair and times may be changed if necessary.

9                   In conclusion, we want to understand  
10 what you think about the potential impacts of Diavik's  
11 proposal to deposit processed kimberlite into the pits  
12 and underground mine workings.

13                   We need you to clearly share your views  
14 on the potential impacts from the project on the  
15 environment, on your community, and on your ability to  
16 practice your culture.

17                   The Review Board also asks you to  
18 present your views and opinions on how important these  
19 potential impacts are to you.

20                   After the Hearings, the Review Board  
21 will fully consider these views while making its  
22 decision on this environmental assessment. Once that  
23 decision is made, the Review Board will prepare a  
24 report of environmental assessment.

25                   This report will describe the Board's

1 decision and the reasons for it. The Review Board  
2 will then submit the report to the GNWT Minister of  
3 Lands who is the final decision maker along with other  
4 responsible ministers.

5 To make a good decision, we need to  
6 understand what you think. We will listen carefully  
7 to you. And we hope to get the information that we  
8 need to make the best decisions possible in this  
9 environmental assessment.

10 I will not ask Diavik to briefly  
11 introduce its representatives for today and to bre --  
12 to begin its presentation. Thank you.

13

14 PRESENTATION BY DIAVIK DIAMOND MINES:

15 MR. GORD MACDONALD: Gord MacDonald,  
16 with Diavik. Madam Chair, Board, Board staff,  
17 Interveners and members of the public, thank you for  
18 the opportunity to present a summary of Diavik's  
19 processed kimberlite to mine workings project.

20 Thank you for coming to site to get a  
21 firsthand perspective of the project. Thank you for  
22 your time and time -- and the time Interveners have  
23 spent to date to understand this project. And thank  
24 you to Dettah for hosting this session.

25 My name is Gord MacDonald. And I'm the

1 closure manager for Diavik. I've been with Diavik for  
2 over twenty (20) years now, starting with the original  
3 baseline studies during advanced exploration and  
4 represented Diavik through the original environmental  
5 assessment. And I hope to be allowed to continue to  
6 closure.

7 I'd like to introduce the Diavik team  
8 and our technical experts. Sean Sinclair, on my left,  
9 is the environment superintendent with Diavik, Kofi  
10 Boa-Antwi, the regulatory advisor, and Louis Beland,  
11 our legal counsel.

12 Today we have two (2) -- or three (3)  
13 technical experts, Rainie Sharpe, from Golder, and  
14 Erica Bonhomme and Coli -- and Colin Buchanan, from  
15 Stantec.

16 I'd like to also acknowledge that there  
17 are other Diavik representatives that are in -- maybe  
18 in the audience, Winter Bailey, our manager of  
19 community affairs, Myra Berrub, our closure and  
20 communities representative, and Kyle Bennett, media  
21 relations. Thanks.

22 Our presentation today will have four  
23 (4) parts. The first part will be a summary of the  
24 purpose of the project. And then Sean will provide an  
25 overview of the project description and a summary of



1 results from the environmental assessment.

2                   Finally, I'll come back and provide a  
3 summary of commitments Diavik made in response to  
4 Intervener recommendations. Diavik's requested an  
5 amendment to our water licence to allow processed  
6 kimberlite to be posited in mine workings.

7                   Mine planning and closure planning are  
8 ongoing activities at Diavik. Recent updates to the  
9 mine plan for Diavik identified that the A418 mine  
10 will be complete by the end of 2021. And there's now  
11 an opportunity to use this completed mine workings to  
12 store processed kimberlite.

13                   This wasn't an option under the plan  
14 that was considered during the 1999 environmental  
15 assessment. Diavik has published a summary impact  
16 statement that contains the findings of our  
17 environmental assessment.

18                   The findings which we'll cover in more  
19 detail during this presentation highlight that this  
20 project can be done in a safe and environmentally  
21 responsible way. Ensuring that water quality meets  
22 approved environmental standards is a key aspect of  
23 our proposal.

24                   Diavik began engagement with  
25 communities and regulators on this project more than a

1 year and a half ago. We are very interested to hear  
2 if there is any fundamental opposition to the idea of  
3 depositing processed kimberlite in completed mine  
4 workings.

5                   We did not hear any fundamental  
6 opposition. What we heard was general support to put  
7 it back where it came from. However, in all cases,  
8 support was conditional on being able to demonstrate  
9 that it can be done in an environmentally safe way,  
10 particularly with regard to Lac de Gras water quality.

11                   Deposition of processed kimberlite in  
12 mine workings is not a new idea. In fact, Diavik is  
13 the only operating diamond mine in the Northwest  
14 Territories that does not have approval to deposit  
15 processed kimberlite in mine workings.

16                   The Ekati Mine was approved to deposit  
17 processed kimberlite in the Beartooth and the  
18 Panda/Koala Mines, cover them with freshwater and  
19 connect the pit lakes to local watersheds.

20                   The Gahcho Kue Mine has approval to  
21 deposit processed kimberlite in the Hearne pit, cover  
22 with freshwater and reconnect the pit lake with  
23 Kennady Lake.

24                   This is the first time Diavik has asked  
25 for approval because this is the first time Diavik's

1 mine plan has provided a completed mine workings, the  
2 AA418, that could be used to store processed  
3 kimberlite.

4                   This is a new slide that we -- we  
5 didn't present late night, and it was prepared to  
6 address a request from Blake Rasmussen, of YKDFN, from  
7 last night.

8                   And he asked if we could summarize the  
9 pros and cons, or advantages and disadvantages, of the  
10 project. And we thought it was a very helpful  
11 suggestion. We hope -- we hope walking through this  
12 might help the Board and -- and the public.

13                   I'd like to first start with the  
14 advantages. So, with the project, we'd eliminate the  
15 need to construct another PKC dam rise. So, that dam  
16 raise would -- that we would -- would not have to  
17 build would be 6 kilometres long and 4 metres high,  
18 and it's a significant construction activity.

19                   With the project, there would be a  
20 smaller on-land processed kimberlite containment  
21 facility. It would be 4 metres lower and contain  
22 about 5 million cubic metres less processed  
23 kimberlite.

24                   The project provides the safest long-  
25 term processed kimberlite containment. Below ground

1 storage is more secure than above ground storage. The  
2 project provides the best option for Lac de Gras water  
3 quality.

4 Long-term pour water release from deep  
5 within the mine workings will result in a lower  
6 loading rate to Lac de Gras than if the pour water was  
7 released to Lac de Gras from the surface of the PKC.

8 There is less chance of caribou  
9 contacting -- directly contacting processed kimberlite  
10 material if it's stored more than a hundred metres  
11 below water.

12 Contact with surface processed  
13 kimberlite in the processed kimberlite containment is  
14 also reduced because the PKC closure can begin three  
15 (3) sooner if we have the project.

16 PKC surface facility closure can begin  
17 three (3) years earlier. With the project, fine  
18 processed kimberlite deposition to the surface PKC  
19 will end and closure construction can begin three (3)  
20 years earlier than if we have to wait until the end of  
21 commercial production.

22 The project enables additional  
23 processed kimberlite closure options as there would be  
24 a place to dispose of extra fine processed kimberlite  
25 if that is found to be a feasible benefit for the

1 processed kimberlite containment closure.

2                   With the project, there would be less  
3 Lac de Gras water used to fill the A418 pit and  
4 underground workings at closure. This could amount to  
5 more than 500 million cubic metres less Lac de Gras  
6 water used at closure.

7                   These are what we believe to be the key  
8 advantages of the project. The disadvantages that  
9 we've identified are that the project requires a new  
10 pipeline. And this would be a pipeline directly from  
11 the process plant to the A418 pit and underground.

12                   Dia -- Diavik has more experience with  
13 PK deposition to an on-land PK rather than to a mine -  
14 - rather than to mine workings. It's a new -- it's a  
15 new way of depositing for us. That -- that would be a  
16 disadvantage.

17                   The project requires an environmental  
18 assessment and a water licence amendment. And the  
19 project is a change from what was originally proposed  
20 in 1999.

21

22                   (BRIEF PAUSE)

23

24                   MR. GORD MACDONALD: I'd now like to  
25 ask Sean Sinclair to provide an overview of the

1 project description and the results from the summary  
2 impact statement.

3 MR. SEAN SINCLAIR: Sean Sinclair,  
4 Diavik. Diavik Diamond Mine is a compact mine site  
5 located on the east island of Lac de Gras. Lac de  
6 Gras is roughly 60 kilometres from end to end with an  
7 average depth of 12 metres and some sections as deep  
8 as 40 metres. That's all right.

9 Lac de Gras is the head waters of the  
10 Coopermine River system and water flows in from Lac de  
11 Sauvage in the east past Diavik and into the  
12 Coppermine River in the west, from there, travelling  
13 hundreds of kilometres to the Arctic Ocean at  
14 Kugluktuk.

15 At Diavik, we mine four (4) kimberlite  
16 ore bodies, all of which are located underneath what  
17 was originally the lake. To access the ore, we had to  
18 construct dikes out into the lake. And then the water  
19 was pumped out to allow the open pit and underground  
20 mining to begin.

21 Overall, about 1 percent of Lac de Gras  
22 was diked off and drained to access these ore bodies.  
23 I think you can get a good sense for this sort of 1  
24 percent in that image in the bottom left.

25 Other main facilities onsite include

1 the processed kimberlite containment facility. That's  
2 where all the current PK is stored, the north country  
3 rock pile which stores all the rock from the original  
4 two (2) open pits, the south country rock pile which  
5 stores all the rock from the new A21 open pit, and the  
6 north inlet, which is part of our water management and  
7 treatment system. Next slide.

8                   The focus of our discussions today will  
9 primarily revolve around the A418 mine workings.  
10 Pictured here, you can see -- you can clearly see the  
11 open holes which were mined out using open pit  
12 methods.

13                   Below these open holes we continued  
14 mining underground. The colourful lines on the image  
15 in the bottom right are tunnels we created underground  
16 to access the ore.

17                   The end result is a large open hole  
18 shaped something like an ice cream cone with an open  
19 bowl in the top half, and then a narrow or near  
20 vertical walls in the bottom half.

21                   So, today we're going to talk a lot  
22 about processed kimberlite. Processed kimber -- or  
23 kimberlite is an igneous rock that contains diamonds  
24 at Diavik. We remove kimberlite from the ground. And  
25 then we mechanically separate the diamonds by crushing

1 and washing the rocks using various screens and  
2 shaking tables and flotation -- flotation circuits.

3                   The leftover material, once we've  
4 removed the diamonds, is called processed kimberlite,  
5 and we have two (2) main types. The first is coarse  
6 processed kimberlite, which is in this jar in front of  
7 me here. It's a coarse granular material. It's  
8 pretty dry and can be moved in trucks.

9                   And the second, more important type for  
10 today is fine processed kimberlite, and that's what  
11 you can see in this jar. So it's transported as a  
12 slurry, sort of like muddy water. The slurry rapidly  
13 settles out into a fine sand with water above.

14                   Over the course of our presentation and  
15 throughout the day, I encourage you to keep an eye on  
16 this jar and watch as the kimberlite settles out of  
17 the slurry producing sediment in the bottom with water  
18 on top. And certainly feel free to come play with the  
19 jars.

20                   In general, there are two (2) main  
21 options for PK storage for the remaining mine life at  
22 Diavik: the first is an additional upward PKC dam  
23 raise; the second is permanent disposal in the mine or  
24 effectively putting it back where we took it out of.

25                   The PKC on the left has been



1 constructed over the last seventeen (17) years by  
2 completing six (6) different dam raises. We are  
3 currently working on the seventh raise right now.

4 As you can see, the PKC facility is  
5 located immediately adjacent to Lac de Gras, both on  
6 the east and west. So expansions are limited to going  
7 higher rather than wider.

8 As Gord mentioned, to fit the PK  
9 production from 2022 to 2025, it would require an  
10 additional 4 metre dam raise around the entire  
11 6 kilometre facility.

12 So while this additional dam raise has  
13 already been designed and is approved and permitted,  
14 we are challenging the status quo and following the  
15 recommendation from the responsible authorities during  
16 the initial EA in the nineties to continue in the  
17 pursuit of management options which present a lower  
18 risk and a more permanent disposal solution under  
19 water.

20 So the PK and mine workings project is  
21 a proposal to deposit PK in the mine to basically  
22 refill the mine with the material that we removed.  
23 Our primary focus for this project is the A418 mine  
24 pictured here because it is currently scheduled to be  
25 complete in late 2021. Diavik will continue to mine

1 kimberlite until 2025, so this location provides us up  
2 to four (4) years of extra storage.

3                   We do still believe it is important to  
4 consider the A154 mine, which is the one next to the  
5 A418, to provide maximum flexibility and avoid  
6 additional permitting processes in case our mine plan  
7 changes and that becomes available first.

8                   So in the middle of the screen is the  
9 A418 mine. And in grey, that is the predicted surface  
10 of processed kimberlite after the four (4) years of  
11 deposition we're considering.

12                   The Robertson Head Frame, once the  
13 tallest structure in the NWT at 76 metres high, is  
14 pictured on the left for scale. You could stack  
15 eight (8) Robertson Head Frames on top of each other  
16 in the A418 mine which will be 630 metres deep when  
17 we're complete. We also predict that the PK surface  
18 will be over 150 metres below the surface of the  
19 ground.

20                   As you may recall from earlier, the  
21 average depth of Lac de Gras is about 12 metres. So  
22 essentially, Lac de Gras is as deep as the orange  
23 section of the Robertson Head Frame or just a tiny  
24 sliver of the total mine depth or the total depth to  
25 the PK surface.

1                   You may recall me saying that the pits  
2 at Diavik were once a part of Lac de Gras before we  
3 created the dykes and pumped them dry. The currently  
4 approved closure plan for Diavik is to refill the mine  
5 with water from the lake until it is equal with Lac de  
6 Gras. This is depicted on the right.

7                   After the mine is full of water, we  
8 will monitor the water quality in the pit lakes. Once  
9 we confirm the water quality is acceptable, we plan to  
10 dig out gaps or breaches where you can see at those  
11 blue arrows. The purpose of this is to allow water  
12 and fish to pass back and forth.

13                   This is our current closure plan with  
14 or without the deposition of PK in the mine. The main  
15 reason we plan to reconnect the pit lakes to a lake --  
16 to Lac de Gras is to restore that one (1) percent loss  
17 of fish habitat in the lake. And this is required by  
18 our current fisheries authorization.

19                   So the idea for the project was  
20 jump started by the traditional knowledge panel about  
21 five (5) years ago. Elders were onsite considering  
22 closure options for the PKC, and the idea of more  
23 permanent disposal of extra fine processed kimberlite  
24 in the mine was identified.

25                   When updates to the mine plan in 2017

1 identified the opportunity to use the A418 for this  
2 purpose, Diavik hosted another traditional knowledge  
3 panel session with a focus on this topic. What we  
4 heard was support to put it back where it came from as  
5 long as it could be done in an environmentally safe  
6 manner.

7                   The TK panel had requested  
8 toxicological studies on PK, and they were satisfied  
9 by the results. TK holders told us that they know  
10 that fish generally go where this is food and oxygen,  
11 so they were unlikely to go to the deep depths where  
12 the PK would be.

13                   The TK panel requested to monitor how  
14 water behaves when placed on PK. They also have  
15 requested to see the PK in water in the mine as soon  
16 as it is safe to do so so they can get a visual of the  
17 material and watch it at regular intervals at closure.

18                   They concluded that as long as there  
19 are no contamination or suspension issues, they  
20 generally support us researching this alternative  
21 further.

22                   It's important to note that part of the  
23 rationale for this guidance from the TK panel is that  
24 they want the disturbance footprint of Diavik to be as  
25 small as possible and this project, as Gord said,

1 would result in a smaller on-land containment  
2 facility.

3 This project will also open up the  
4 opportunity to investigate the removal of extra-fine  
5 PK from the PKC and place it in the mine allowing for  
6 a more stable closure surface in the PKC.

7 The Diavik team is completing ongoing  
8 studies to address design questions about the physical  
9 characteristics of suspension, settling, and  
10 consolidation of processed kimberlite in water.

11 Pictured here are the results of a  
12 twenty-four (24) hour and a two (2) month settlement  
13 test of processed kimberlite. The column on the left  
14 is essentially the same FPK that we have proposed to  
15 put back in the mine. This is also the same material  
16 sitting in the jar in front of me.

17 When this material leaves the process  
18 plant, it's transported as a slurry. But as you can  
19 see, within twenty-four (24) hours it is almost  
20 entirely settled into a sediment with clear water  
21 above.

22 The column on the right is extra-fine  
23 processed kimberlite. This material takes longer to  
24 settle and consolidate. Within twenty-four (24)  
25 hours, there's only been a small amount of

1 consolidation. However, as you can see after two (2)  
2 months, it has consolidated quite a bit and forms a  
3 distinct layer between the sediment and the clear  
4 water above.

5                   So to give you a better idea -- to give  
6 you a better idea of how fast PK settles, here's an  
7 actual video of FPK settling over twenty-four (24)  
8 hours. This video is sped up to be about one (1) hour  
9 per second.

10                   Again, this is the exact same material  
11 that we're proposing to put back in the mine, and we  
12 expect the rate of settling and consolidation to be  
13 very similar when placed in the mine. As you can see,  
14 most of the FPK has settled out very rapidly.

15                   One of the most important components of  
16 this project and an area where we spent a lot of time  
17 on was water quality modeling. We completed water  
18 quality modeling for all three (3) of the different  
19 mines. We modeled various realistic and worse-case  
20 scenarios.

21                   These scenarios included the addition  
22 of 5 million cubic metres of processed kimberlite. We  
23 also looked at the option to add an extra 5 million  
24 cubic metres of extra-fine processed kimberlite.

25                   We even looked at extreme worst cases

1 where we added more than 20 million cubic metres of  
2 processed kimberlite. And we did various sensitivity  
3 analysis to increase our confidence in the model  
4 assumptions and the results.

5                   So what you can see here are actual  
6 model results for total dissolves solids in the A418  
7 mine over a one hundred (100) year period.

8                   Below this page would be the  
9 consolidated PK that has filled the mine. Just above  
10 the PK surface, higher concentration and denser pore  
11 water squeezes out of the processed kimberlite and  
12 rests on the bottom of the lake. This is the thin  
13 brown layer there being highlighted.

14                   This higher TBS water is stable and  
15 remains isolated in the bottom of the pit due to a  
16 phenomenon called meromixis. Based on the TK and  
17 scientific evidence we have collected, most fish  
18 should live and eat in the top 40 metres of the water  
19 column.

20                   Also remember that Lac de Gras is, on  
21 average, only 12 metres deep or the thickness of the  
22 orange tip of the Head Frame there. So this pit lake  
23 and the high TS water at the bottom are much, much  
24 deeper than any other part of the lake.

25                   Our target was to protect -- our target

1 to protect the environment is for the top 40 metres of  
2 the water column to be below the aquatic effects  
3 monitoring program benchmarks. These benchmarks  
4 describe water that is safe for aquatic life,  
5 wildlife, and people.

6 All the dark blue areas on that image  
7 contain very clean water, and the water above  
8 40 metres is below those safe benchmark values.

9 Shown here are some sample modeling  
10 results for a few important parameters that we look at  
11 and monitor at Diavik. The second column displays the  
12 AEMP benchmark values that I had mentioned. Again,  
13 any concentration below these values is safe for fish,  
14 aquatic life, wildlife, and people.

15 The model results shown in the next  
16 three (3) columns are the maximum concentration over a  
17 one hundred (100) year period in the top 40 metres of  
18 the water column under different deposition scenarios  
19 for the A418 mine.

20 As you can see, the predicted  
21 concentrations are much lower than the benchmark  
22 values. Generally, concentrations are at least  
23 ten (10) times lower than the benchmarks, meaning that  
24 we're expecting very clean and safe water in the  
25 surface of the pit lakes.



1                   So looking a quick summary of our  
2 assessment of effects to valued components, our  
3 assessment determined that water quality is the  
4 fundamental effects pathway to the other valued  
5 components, being fish and fish habitat, wildlife and  
6 wildlife habitat, and cultural use.

7                   Modeling results from all of our  
8 different scenarios demonstrated that water quality in  
9 the top 40 metres of the pit lakes and Lac de Gras  
10 will remain below AEMP benchmarks. This means that  
11 water quality results -- this means that water quality  
12 is predicted to be safe for fish and animals.

13                   Based on these model results and with  
14 the proposed mitigation measures presented in our  
15 summary impact statement including additional  
16 commitments in response to information requests and  
17 interventions during this ongoing review, we have a  
18 high degree of confidence that the project will not  
19 result in significant adverse affects or impacts to  
20 water -- to the valued components.

21                   It is also important to acknowledge  
22 that the project will not result in any additional  
23 loss of caribou habitat because the project is set to  
24 occur entirely within the existing mine footprint and,  
25 in fact, will result in a smaller on-land containment

1 facility.

2                   Based on our current management of the  
3 environmental risks, the likelihood of a negative  
4 impact from an accident or malfunction such as a pit  
5 wall failure or pipeline failure is very low.

6                   Overall, I would like to emphasize that  
7 based on the evidence on the record are confident in  
8 these assessment predictions is high.

9                   MR. GORD MACDONALD: Gord Macdonald,  
10 with Diavik. Diavik considered a hundred and sixteen  
11 recommendations from eleven (11) Interveners and  
12 provided written responses to each.

13                   Diavik met one on one with five (5) of  
14 the Interveners to discuss and attempt to address  
15 recommendations. We identified five (5) key areas of  
16 Diavik commitments made in response to the Intervener  
17 recommendations. I'd like to briefly note these.

18                   The first is expanded engagement with  
19 non-signatory Indigenous groups. Diavik undertakes  
20 extensive community engagement with signatory  
21 Indigenous groups.

22                   However, Diavik accepts that more could  
23 be done to engage with the Fort Resolution Metis  
24 Council, the Northwest Territories Metis Nation, and  
25 the Deninu K'ue First Nation. Diavik is committed to

1 meeting with each group annually.

2           The second is reconnection criteria to  
3 define culturally acceptable pit lake concentrations.  
4 Diavik recognizes the importance of the views of  
5 Indigenous groups to decision -- to the decision on  
6 whether to breach the pit lakes and rejoin with  
7 Lac de Gras.

8           Diavik commits to immediately work  
9 toward the development of acceptance criteria for  
10 reconnection that are tradition knowledge based using  
11 our tradition knowledge panel and the Environmental  
12 Monitoring Advisory Board. This work will start next  
13 week with our TK panel session at site.

14           The third is fish habitat offsetting  
15 plans. While the project is not expected to impact on  
16 pit lake fish habitat, Diavik acknowledges that some  
17 Indigenous groups have still expressed concern about  
18 reconnecting the pit lakes to Lac de Gras.

19           Diavik commits to consider alternative  
20 offsetting plans with the Department of Fisheries and  
21 Oceans that are reasonable, practical, and provide  
22 fisheries benefits to Indigenous communities if  
23 reconnection is not the preferred outcome.

24           Number four: Removal of the A21 open  
25 pit from review. Diavik accepts Intervener's

1 recommendation to remove the A21 open pit from  
2 consideration for processed kimberlite deposition.

3                   And finally number five: Conditions to  
4 be included in an amended water licence or as  
5 follow-up measures. Diavik has reviewed the  
6 Intervener's recommendation conditions if the project  
7 is to be approved by the Mackenzie Valley  
8 Environmental Impact Review Board.

9                   It's Diavik's view that most of these  
10 can be addressed as conditions to be included in an  
11 amended water licence. These include: additional  
12 modeling of pit water quality, independent review of  
13 final model results or final model predictions, pit  
14 lake monitoring requirements during operations after  
15 filling and after reconnection, revised wildlife  
16 management plans, and any other additional monitoring  
17 requirements.

18                   Thanks very much, Madam Chair.

19                   THE CHAIRPERSON: Thank you, Diavik,  
20 for your presentation.

21                   At this time, I'd like to call just a  
22 ten (10) minute break so that we can get ready for  
23 questions.

24

25 --- Upon recessing at 4:26 p.m.

1 --- Upon resuming at 4:46 p.m.

2

3 THE CHAIRPERSON: If we could have  
4 everyone take their seats again, please, so we could  
5 proceed. Okay, if we could start again, please.

6 At this time, I would like the -- like  
7 to invite the Yellowknives Dene First Nation to see if  
8 they have some opening statements they'd like to make.

9

10 STATEMENT BY YELLOWKNIVES DENE FIRST NATION:

11 MR. MACHEL THOMAS: Thank you, Madam  
12 Chairman. Machel Thomas, for the record.

13 I'd like to thank the Review Board for  
14 having this hearing here today and giving the  
15 Yellowknives an opportunity to voice their concerns.  
16 I'd like to thank our members -- so their voices could  
17 be heard.

18 The Lac de Gras area, since time  
19 immemorial, has been a significant area for the  
20 Yellowknives, and is part of the traditional terri --  
21 territory, which extended from the Great Slave Lake to  
22 the Copper Mine Rivers, and on occasions, to the  
23 Arctic coast. The significance is founded on the fact  
24 that the ancestors carried out their last -- the  
25 activities that ancestors carried out on their lands

1 for thousands of years.

2 Ekati is the YKDFN name for Lac de  
3 Gras, is important to the people because of the  
4 arrival of caribou. Without caribou, the people could  
5 not have survived. Caribou harvests provided families  
6 with new clothing, toboggans, teepees, floor mats,  
7 meat, and fat, vital for winter survival. In general,  
8 the plants, birds, fish and animals also sustain the  
9 people.

10 For the Yellowknives, their identity  
11 and relation to the ancestral lands derives from  
12 having being born to the land, having lived with the  
13 land since time immemorial, and holding knowledges of  
14 evidence that their ancestors remain with the land.

15 Birth and burial pieces within the  
16 people's ancestral lands are of greatest significance.  
17 This prop -- this proposed development of placing fine  
18 grounded slime like substance remaining from the  
19 diamond removal process will deliberately or  
20 inadvertently leave traces upon the land and water  
21 scapes within which the Dene culture, and more so,  
22 YKDFN culture has to exist and cope with.

23 The YKDFN Land and Environment  
24 Department is involved in this EA as an Intervener  
25 primarily to ensure that the development does not

1 compromise the land, water, and wildlife, and  
2 consequently, YKDFN culture.

3           Tensions, fear, and angst can arise  
4 when development is not in alignment with cultural  
5 values and perspectives. Therefore, it is believed  
6 that any activity within this project should still  
7 encourage the traditional and cultural activities of  
8 trapping, hunting, fishing, gathering, and the use of  
9 clean, fresh water.

10           This can only be done by taking into  
11 very high consideration the views and the perspectives  
12 of the Indigenous community. If this can be  
13 successfully undertaken and incorporated into the  
14 decision process, it will symbolize the triumph of the  
15 goodwill of everyone who decides to speak and give  
16 their opinion here today.

17           So YKDFN members, you are all  
18 encouraged to say whatever you feel, and how you think  
19 this might affect us in the long run. YKDFN will  
20 continuously go on about the importance in protecting  
21 the environment. It is of very, very high  
22 significance.

23           Cultural use of the land is connected  
24 to a clean environment. That is wildlife, fish, and  
25 water, particularly water. We have to remember, there

1 has been a detrimental and destructive legacy of Giant  
2 Mine, which has left a scar on our landscape. And for  
3 that I will read a timely quote from an Elder that was  
4 quoted in 1997. It says:

5 "As a result of the mines in this  
6 area, the land has been wasted,  
7 destroyed, and contaminated. Mining  
8 has occurred for more than fifty  
9 (50) years, and a lot of damage has  
10 been incurred. The water is  
11 contaminated. The fish are  
12 contaminated. All the food,  
13 traditional food and medicines are  
14 contaminated. Rabbits and geese are  
15 contaminated. The Dene people have  
16 become very cautious about eating  
17 traditional foods because of the  
18 heavy contaminants in the water,  
19 land, and air. The contamination  
20 even destroys trees, marshes,  
21 habitat, and wild berries, all the  
22 things that the Dene people want to  
23 use, but cannot use anymore. The  
24 Weledeh (sic) cannot use the water  
25 or eat any of their traditional



1                   foods. The mining companies should  
2                   compensate the people around the  
3                   area that have been contaminated for  
4                   destroying their water, fish, and  
5                   wildlife."

6                   So with that in mind, I hope this sets  
7                   some context to the Board for what we are looking for.  
8                   We also should remember that whatever we do here, and  
9                   whatever we say in this entire process, we leave a  
10                  legacy for our children, and whoever will see to come,  
11                  particularly Dene. So let us keep our voices so they  
12                  may be heard, that the legacy we leave -- we leave  
13                  will not compromise the culture of the Yellowknives  
14                  Dene, but leave a long-lasting memory that is not  
15                  negative. Thank you.

16                  THE CHAIRPERSON: Thank you to the  
17                  Yellowknives for your presentation and statements.

18                  We have come to the part on the agenda  
19                  where we are going to open up the floor for public  
20                  comments. There is a mic at the front, here, that you  
21                  can come up and speak, or if you want to speak from  
22                  your chair, you can put your hand up, and someone will  
23                  bring the mic to you.

24                  There is also a table at the front, and  
25                  there's two (2) mics on there. You can come as a

1 team, if you feel more comfortable in speaking,  
2 sitting down and -- and presenting from the table, so  
3 it's your choice.

4 But at this time, we would like to open  
5 it to public comments.

6

7 (BRIEF PAUSE)

8

9 THE CHAIRPERSON: Okay. We have two  
10 (2) people signed up so far.

11

12 (BRIEF PAUSE)

13

14 PUBLIC COMMENTS:

15 THE CHAIRPERSON: Welcome, and please  
16 state your name for the record.

17 MR. PATRICK SIMON: Thank you.

18 Patrick Simon. I'm a Band councillor for the Deninu  
19 K'ue First Nation, and the lead for this particular  
20 file for my First Nation.

21 I guess I'd like to start by first of  
22 all, doing something I forgot yesterday. I'd like to,  
23 I guess, thank the Tlicho people, in which I forgot,  
24 for their hospitality and their welcome that I  
25 received in Behchoko. And it was really a pleasure

1 for me to -- to experience that, and I always  
2 experience it when I meet the Tlicho people.

3                   Because the last time I was there, I  
4 was doing this very thing a long time ago, when I was  
5 a lot younger, probably not as smart, but I -- I had  
6 the opportunity to talk to some Elders there, and they  
7 actually knew who I was by my features. They -- they  
8 told me that my grandfather, Samuel Simon (phonetic),  
9 and my uncle, Paul Simon (phonetic), used to travel up  
10 to the Tlicho people and meet with them, and come up  
11 in this particular area, and hunt and -- hunt together  
12 with them, and then travel to Deline, and then back  
13 along the Tlicho trail back, and of course, back to  
14 where I come from, which is Rocher River.

15                   And -- and then I had the opportunity  
16 to go to Deline, and I was at the mall in Deline, and  
17 I was buying something at the counter, and a group of  
18 Elders behind me actually called me, and -- and  
19 recognized who I was from the back of my -- my  
20 features in the back of my head. And they told me I  
21 was a -- they asked me if I was related to Samuel  
22 Simon. And I told them I was, I was his grandson.

23                   So that was an interesting experience  
24 for me, because back then, when I first began to -- to  
25 address this particular issue, you know, the -- the

1 diamond mine people and a lot of other people were  
2 skeptical about my people being in an area and having  
3 any type of rights in that area for any type of use.  
4 And for me, it's strengthened my resolve to continue  
5 to fight for that, to make people understand that we  
6 were there, and to make people understand that you  
7 have to deal with us as equally as you deal with  
8 anyone else, because for me, those people recognized  
9 me, and they wouldn't recognize me if my people  
10 weren't there.

11                   So that alone should have let calmer,  
12 reasonable, and fair heads reign the day, but it did  
13 not. We continued to struggle, and we continued to  
14 try to make people believe that as a member of the  
15 Deninu K'ue First Nation, and with our families and  
16 our history, we -- we have a presence there, and  
17 that's -- that's old, since time immemorial.

18                   And it's -- it's insulting to us to  
19 have to try to convince people that, quite frankly,  
20 are -- are new to the area, that don't know, that just  
21 asked the people for their convenience on who they  
22 should deal with, but never really seeking the truth.

23                   So for me, when I look at all these  
24 things, and I -- I address it, it always rains in my  
25 mind. I'm not seeing the truth of the truth. I -- if

1 I was told to do this thing before you guys, my family  
2 and my Elders in my community expect me to be  
3 truthful, to expect me to be respectful, to recognize  
4 people, to treat people properly. So it's -- it tells  
5 me that there are two (2) world views, here, one (1)  
6 that is kind of hard for us to -- to conceive, to  
7 understand, you know, how mines, and industry, and the  
8 science behind it operate, how it could be siloed out  
9 and in.

10                   And one (1) hand does not talk to the  
11 other hand, and there's no relationship. So you have  
12 to consider individually in that manner. And in the  
13 world view where I come from, the Dene world view, the  
14 Northern world view, where everything is about  
15 relations, relationships.

16                   You know, we -- we come here to ask the  
17 Board -- we challenge the Board to take this into  
18 account, these two (2) world visions, one (1) in which  
19 the Dene people believe that everything works  
20 together. Everything has a relationship. Science  
21 calls it cause and effect. We call it relationships.  
22 The fish, the water, the air, the climate, the rain,  
23 the wind, the animals all relates. And when looking  
24 and doing things, and proposing things, and  
25 experiencing things, it is all holistically factored

1 in before we do anything.

2                   We don't go to the air people and speak  
3 to them alone and consider that alone. We don't go to  
4 the water people, we don't go to the caribou people  
5 and do that. It's all together, all in relationship.  
6 So for us it's hard to understand a world view that --  
7 that is separated, that almost is individually.

8                   You know, for us it's -- it's always  
9 about the family, songs about the community, and songs  
10 about our neighbours, and it's always about the world  
11 in general, the mothers, the fathers, the women, the  
12 men, everything. So it's hard for us to conceive this  
13 thing.

14                   But nevertheless it's a hard job for  
15 you to -- to -- to take into account, to balance, and  
16 we -- we always want to help you do that by explaining  
17 it the best we can in our simple way, in our simple  
18 words, because our country is not all made up of  
19 university people. We don't have what all you guys  
20 have here, as expertise. We have a different type of  
21 school, a different type of knowledge, and a different  
22 type of expertise.

23                   And I found, because I deal a lot in  
24 the world of the traditional users and the world of  
25 the science, I'm kind of in the middle, and I found

1 that the traditional people tell me something, I'll  
2 tell the scientist, who struggle, and then five (5)  
3 years from now the scientist says, oh yeah, that --  
4 that traditional guy really knew it would happen,  
5 because things such as climate change is told to us  
6 long ago.

7                   We talked with the signs and maybe that  
8 didn't mean anything. We talked about the warm and  
9 the differences in our country. It was hard for them  
10 to comprehend, but now it's all about climate change,  
11 global heating, and extreme events. It's happening  
12 right before their eyes, so they're believing it.

13                   We knew these effects would affect our  
14 big animals. Everything that people wanted to do in  
15 combination with climate change are going to affect  
16 our big animals.

17                   The Elders told us way back in the '90s  
18 and that is happening now. And then ENR comes and  
19 says, well, the caribou are all dying off and it's you  
20 guys. We're going to ban you from hunting caribou.  
21 That's another battle but -- it's not.

22                   We know what it is, and we continue to  
23 bring that up and we continue to challenge everybody,  
24 and you can't build mines along the routes of the  
25 caribou, you can't put roads and power lines expect it

1 not to matter to the caribou. You can't put things in  
2 the water, in the berries, in the plants, in the  
3 lichen, and not affect the caribou. You can't because  
4 the caribou are all part of that relationship that's  
5 so sensitive that they probably could smell the  
6 difference in that pit. They probably could feel it  
7 as they walk by. So now wahi (phonetic) will not come  
8 again.

9                   The Elders and the land users have told  
10 us, and for twenty (20) years they've been trying to  
11 explain that. Because you guys silo yourself out,  
12 even more it's not me, it's not me, it is you, you're  
13 part of it, it's all of you. It's probably even me  
14 too for not doing a hard enough job to make you  
15 understand, and not understanding your world view so  
16 that we can find a balance, a partnership that  
17 includes everybody that has respect, that has  
18 integrity and honesty.

19                   That's a little bit of what I wanted to  
20 say, but I did have a question, and I notice that my  
21 question yesterday that can to me at the -- the  
22 hearing, but I didn't have enough of it, because I  
23 operate on -- on the old traditional ways, on  
24 listening, hearing, thinking, feeling, not only to  
25 Elders but to all of you, all of you as I sit here,



1 and the land, the water, and air also teaches. I feel  
2 that. This is what I'm supposed to do. This is what  
3 I do for my people. Other people have gifts. This is  
4 what I do.

5                   And I notice that you put it on the  
6 board, you put advantages and disadvantages, and I'm  
7 wondering have we really seriously took a look at  
8 that? Have we took a look at the old way, which I'm  
9 familiar because I did do the Diavik Environmental  
10 Assessment back then and their closure plans and how  
11 they -- they wanted it? And then the new way now.

12                   And I notice that it was based on  
13 opportunity, was a lot I heard, opportunity, and --  
14 and that -- that may be fine, but when I hear the  
15 words, opportunity for mining companies, I kind of  
16 pull back because it -- it's probably not my  
17 opportunity. It's probably an opportunity based on --  
18 on math and numbers and time lines and -- and money.  
19 So I think that when I consider these things.

20                   So this opportunity of doing that,  
21 maybe we should look more closely at that. Maybe we  
22 need to analyse that, maybe we need to analyse the  
23 pros and cons of keeping it as they said, because we  
24 are familiar with that, as -- as our host Chief has  
25 stated, as opposed to changing it now and then we have

1 to try to catch up and learn all these different  
2 things in the -- in this world view that we're still  
3 trying to become comfortable with, knowing that our  
4 knowledge and traditional base has that on both sides  
5 too.

6                   But the way they presented, it's --  
7 it's in, like, a bottle, like a cylinder, a glass  
8 cylinder. And you can give me a glass cylinder and  
9 fill it with water and a bunch of material, I'll  
10 settle anything and I'll make it look good. You know,  
11 I -- I -- I know about stuff like that.

12                   But if you told me to go to my lake and  
13 do that very thing, I'll struggle a little. I  
14 wouldn't have the confidence and -- and ability to say  
15 that what was presented. I'd have a lot of doubts and  
16 I'd have to take in a lot of factors and -- and I'd  
17 have to be honest about it.

18                   Our world -- it's not in my way or my  
19 culture to make it one-sided. I'd have to tell you  
20 all sides, because that's my job, to tell you all  
21 sides, the good and bad of this stuff, because of our  
22 honesty and our integrity and because I'd probably get  
23 a licking at home if I came and lied to you guys or  
24 did anything bad or mistreated you, because that's the  
25 way we -- we are raised. And I guess I might be naive

1 to expect the very thing from other people, that very  
2 thing.

3                   So of course I learned, so I have to  
4 educate myself on all the stuff that we're not going  
5 to be told here, to ensure that we -- trying to give  
6 you the best opportunities to -- to make the decisions  
7 on the holistic of it all.

8                   And I -- and I seen the Board and I'm  
9 really -- I really feel good. I know some of you. I  
10 know you -- you are people of integrity. I know that  
11 you have balance approaches. I'm confident that --  
12 and if we do our jobs properly, that you will have the  
13 best available information, the best available people  
14 to -- to refer to, to make a good decision for the  
15 people of the North, because you're committed people  
16 of the North, and we're going to live here and  
17 nobody's going away, but this mine's going to go and  
18 they're going to go away.

19                   So I wanted to ask the Board -- no, not  
20 the Board but the Company, if they have provided pros  
21 and cons and analysis of all scenarios, and I also  
22 wanted to ask the Board if -- if they did, have they  
23 supplied a document of some sort of that or even if it  
24 would be necessary or helpful, because I think it  
25 would, myself.

1 I also want to tell you that we are  
2 concerned. That's why we travelled here. But I have  
3 an opportunity on Friday to discuss some more of this,  
4 to discuss the -- a little more of how the Dene K'ue  
5 people feel in this issue, the types of concerns we  
6 have and -- and what we -- we would like to happen, if  
7 at all possible. But for now I would just like that  
8 question answered that I asked to the -- to the  
9 Company as well as to the Board.

10 And I -- and I thank you for this  
11 opportunity. I thank you for listening to me because  
12 it can be challenging, but most of all I like to thank  
13 the Chief. He's -- he's always been a -- a good host  
14 whenever our people have -- have come here.

15 I like to thank the -- the people of  
16 N'dilo and Dettah. It's always a pleasure to come  
17 here.

18 And a secret I -- I share with you now,  
19 is I -- sometimes Yellowknife is a little too much for  
20 me, and, you know, it's hard for me to -- to be around  
21 it because ours is kind of quiet. So I kind of go to  
22 N'dilo or here and I kind of feel a sense of calm and  
23 it helps. So I don't know, I'm not sure if people  
24 have seen me but I kind of do that. It's a nice  
25 calming place and a place where it could be hectic

1 doing what I do. So I'd like to thank them for that  
2 and -- and they're really good hosts. I really love  
3 the view you have right here from -- from this  
4 building.

5                   And that is why we do what we do. We  
6 want to protect these things. We want to enjoy these  
7 things. These are medicines. Whatever is happening  
8 here and whatever we're doing here, we are protecting  
9 stuff that make us good, stuff that we feel good,  
10 medicines, where we want to protect the traditional  
11 way of life, that can be challenging, that people can  
12 doubt, but we have no doubts.

13                   We are going to protect and we're going  
14 to continue to protect it forever, because if you  
15 don't have that attitude and if you don't have that  
16 resolve, then you'll probably fail, so -- so we can't  
17 -- we can't think that way. We always got to think  
18 that we're going to have this forever, and the Company  
19 has to get its head around that as they deal with us.

20                   And you can't say, well, things are  
21 harder, it's going to -- nobody traps, nobody goes  
22 out, it's -- we're all going to go on our Facebook and  
23 we're going to relate in our Facebook and that's the  
24 way it is, because a lot of Facebook friends aren't  
25 really friends, to be honest with you, but the people

1 I go out on the land and the people I meet out in  
2 Lutsel K'e, N'dilo, and Dettah, and experience I have  
3 with them, that's real friendship, that's real  
4 relationships.

5                   And I am related, I'm related to the  
6 people of N'dilo, I'm related to people of Lutsel K'e,  
7 and these are our lands. I have relationship with the  
8 Tlicho people and the Sahtu people and the Inuit  
9 people. I've been around there. I made it a point to  
10 go around there because they're my neighbours.

11                   When it's all said and done and settled  
12 and it's up to us and them, we're going to have to  
13 deal with the relationship because we have overlaps.  
14 I knew that when I was younger, so I made a point of  
15 working around and knowing people and knowing where I  
16 come from and knowing how I relate to them.

17                   And in here today I'm hoping that I  
18 have conducted myself, other than spilling a coffee, I  
19 hope I conducted myself in a dignified manner, that I  
20 respected the people from Dettah, and when I come back  
21 they would welcome me again, and I'd like to thank you  
22 for this opportunity, Madam Chair. Masi cho.

23                   THE CHAIRPERSON: Thank you, Mr.  
24 Simon, for your comments.

25                   Is there a response from Diavik?

1 MR. GORD MACDONALD: Madam Chair, Gord  
2 MacDonald from Diavik.

3 I -- I think what Patrick is probably  
4 looking for is in the summary impact statement in  
5 section 2.6, which is the summary of the alternatives  
6 for the project.

7 And I'm not sure, Patrick, if you have  
8 a copy of it. It's -- it's on the MacKenzie Valley's  
9 website, but if you need a paper or copy I'm sure we  
10 could get one for you.

11 THE CHAIRPERSON: Okay, thank you.

12 Public comments? Welcome. Come to the  
13 mic and state your name, please.

14 MS. DORIS ENZOE: If I was in Lutsel  
15 K'e I would call myself Terry, but as today my name is  
16 Doris Enzoë and I'm from Lutsel K'e. I also sit on  
17 the Wildlife Board.

18 I have comments for Diavik. I've been  
19 going to site visits to all the mine sites. For me,  
20 before all the mines came on our land, we used to have  
21 animals that were healthy, caribous that we can see  
22 close to our community. Today we don't.

23 Land is important to me. I live off  
24 the land still today. I travel the lake, I go  
25 hunting. Today I hardly see moose around. I've been

1 in MacLeod Bay all summer. The water does float into  
2 Artillery Lake into Lockhart River for Lady of the  
3 Falls into MacLeod Bay, into Great Slave Lake, down  
4 the MacKenzie, back to the ocean.

5                   When I do my site visits I ask  
6 questions about that dust that's flying in the air and  
7 I see the slow stick standing out 500 metres away,  
8 1,000 metres away. That's how they collect their  
9 stuff.

10                   The dust, for me the wind moves, the  
11 dust can go in the water, the dust goes all over the  
12 land and we can see it in the springtime. On the  
13 snow, it's brown colour. Where does it come from?

14                   Maybe when they do their explosions,  
15 when they do their pits.

16                   I went to a meeting two (2) years ago  
17 about PK -- PKC, about the pits where they're going to  
18 do tailings pond. They said they're going to put it  
19 into the cone.

20                   I didn't really agree with it because  
21 of the fish and all of these little tiny little things  
22 that live in the water that eats everything. And I've  
23 been thinking about it ever since then.

24                   It's okay for them, they're only there  
25 for the diamonds. But how about our people? We live



1 here forever, generations after generations after  
2 generations.

3                   How about our young people that are  
4 growing up today? They're not going to see things  
5 that I seen, because it's different.

6                   Also, climate change is different.  
7 They think the land's not going to move? The land  
8 does move.

9                   I seen it on the old site of the  
10 village where people used to live in Lutsel K'e. They  
11 build houses, the land was this level, now it's not  
12 level because of climate change.

13                   I wasn't born yesterday, so I know. I  
14 study, I monitor things because I live off the land.  
15 Water is low. Whatever little creatures, the dust  
16 that goes into the water, into the land, of course  
17 they're going to eat it. And what do the birds do?  
18 And the fish? I seen lots of changes in fish. They  
19 got some white stuff on it, got worms on it. And you  
20 know the -- the fish that's boss is grayling. Never  
21 see grayling around. They sense things and they move.  
22 They're not going to stay around. But the rest of the  
23 fish will stay.

24                   Listening to my Elders as I was growing  
25 up, I'm so glad that I kept their words, their

1 knowledge, that I'm giving it out today.

2 Things is not going to be the same, I  
3 know that. Whenever you put that PKC in a cone, of  
4 course, it -- it'll move, because there's a current,  
5 got river on both sides, creeks. It wouldn't stay in  
6 once place after you overflow it, say I'm going to  
7 monitor it for a long time. How about my people?  
8 We're not living far.

9 How about the young ones that are  
10 growing up today? I think about that. I talk for  
11 them. I don't talk for myself, because all the elders  
12 that I had at my house since the mining company came,  
13 we don't -- we don't have that much elders. They're  
14 not there now.

15 So whenever there was a meeting, I'd go  
16 to a meeting and I'd listen and I'd speak for my  
17 people and for the people that live off the land.

18 So when I heard because they're on the  
19 island and Diavik, there was no more room to put  
20 anything anywhere, you have winter road, take it back  
21 to where you can put it, not around in the tundra.  
22 That's how I see it.

23 If you destroy my water, we're not  
24 going to be living here no more. We're not -- we're -  
25 - we have the freshest water in Great Slave Lake,

1 where I come from. If they destroy the water, we  
2 can't drink it anymore. How are we going to live?  
3 How is -- how are the plants, animals, people are  
4 going to be living?

5 I think about that. I am so glad that  
6 I listened to my parents when I was growing up,  
7 because I keep their words. Listen to when you go to  
8 a meeting, listen to what they're saying. One day  
9 they're going to destroy things, that's what she said.

10 The fish is going to go first. Maybe  
11 the caribou. And I see it today. Life is not easy,  
12 we're struggling. Our own people are struggling.

13 I hope that MacKenzie Valley Water  
14 Board listens to me, because I don't think this is a  
15 one-time meeting for me, because I've been busy all  
16 summer. I decided to come to this meeting. I want  
17 you to hear me. Life is important to my people and my  
18 young generations. For that, I'll say masi cho.

19 Are you listening to me, Gord? Masi  
20 cho.

21 THE CHAIRPERSON: Thank you kindly for  
22 your -- your comments and statements made. It's much  
23 appreciated.

24 And for the record, we are the Review  
25 Board.

1 I would like to open the floor again,  
2 please, for public comments. I think someone would  
3 like the mic.

4

5 (INTERPRETED FROM INDIGENOUS LANGUAGE TO ENGLISH)

6

7 ELDER MODESTE SANGRIS: Thank you.

8 My name is Modeste Sangris from Dettah. I work on the  
9 land for a long time with my father. I work on the  
10 land, I'm a trapper, a fisherman.

11 At the beginning, before the mine  
12 develop, we used to have a lot of caribou, but ever  
13 since the mine has been developing at one time there  
14 was a mine at Gordon Lake Mine and the migration route  
15 was closed to them.

16 Around that area there is three mines  
17 up there now. I've been to all the mines for meetings  
18 as well. This is our land. As Dene people this is  
19 our land, but the way I look at it, the non-Dene, all  
20 they want is to get rich. Once they make their money,  
21 they retire down south, the same with Giant Mine.  
22 Whoever operated the mine had made their millions and  
23 billions and they left the north and left us with the  
24 devastation of the contamination of the mine.

25 At that time when as Doris said I was a

1 Chief, at the end of MacKay Lake there was -- there  
2 was six (6) of us, Alfred Baillangeon was with us at  
3 that time. We were doing research on traditional  
4 knowledge and we were recognizing old historic sites  
5 that was over 20 years ago we done that, we were on  
6 the land at that time.

7                   When I say they've contaminated the  
8 land, I'm very upset about that. I'm wondering what's  
9 going to happen into 100 years from now. The mine  
10 will shut down pretty soon. As you can see, the mine  
11 here, it closed down, it will happen the same in the  
12 bear land.

13                   You should help the people and also  
14 make sure that they don't contaminate the land.

15                   If you have no idea what to do with the  
16 kimberlite, maybe you should find other options of  
17 either burning it off or -- or hauling it back. I'm  
18 sure that you could do something with that waste  
19 rocks.

20                   My father was Joe Sangris, he was a  
21 chief here from Dene. He was a chief for thirty-one  
22 (31) years. In his days, nobody mentioned money and  
23 we were not prevented from hunting or trapping on the  
24 land. That's a kind of an agreement we had in place  
25 with all the tribal nations.

1                   It's been over 60 years since we -- we  
2 had that in place. I'm over 80 years old now.

3                   My father was born at the end of MacKay  
4 Lake, that's what he had said. That's why his name is  
5 Inkor (phonetic) means leaves, because he was born on  
6 the leaf when he was born up there. That's why his  
7 Dene name is Inkor and English name is Joe Sangris.

8                   I've been thinking about this, looking  
9 at the decline of caribou, you should help the Dene  
10 people. Maybe all the lands that have the mines on  
11 it, that's the migration route of the caribou. The  
12 caribou would never decline, it will always be on this  
13 land.

14                  My father used to say his head -- his  
15 head is just like underneath his hooves, the people  
16 survive with it, the animals. Any animals -- we  
17 depend on any animals that's out there for our  
18 survival, but today the mining industry had  
19 contaminated the lands.

20                  I just said this, it seems like you're  
21 okay with that. It's not your land so you're not  
22 worried. As long as you make money and you retire  
23 down south you don't care about the people up here,  
24 you don't care about the future generations of our  
25 people, not only in this area, but I'm talking about

1 future generations, what's going to happen to them?

2                   Today -- I used to work with dog teams,  
3 but today everything seems so different and this whole  
4 summer hasn't been very warm, there's a climate change  
5 happening right now, the weather is so different and  
6 the water levels gone down. I'm really worried about  
7 all these things.

8                   And the kimberlite that you're talking  
9 about, I -- I think we need to look a lot of other  
10 options, it is our land because as Dene people we love  
11 our land. Anyone that works on the land knows that  
12 the land is important because we love the land.

13                   I've been on the land so many times,  
14 all over the place with my dog team. I want to say my  
15 fathers -- these are my father's words.

16                   He said he travelled around Ekati for  
17 silver fox. At that time it was \$25 and it was a lot  
18 of money in those days, and with Marcis Bassena  
19 (phonetic) and Hendry Martin, was Martin's father  
20 Hendry Martin. He said for three (3), four (4) years  
21 they went trapping there in the barren lands, beyond  
22 Diavik, at that time there was no Lutsel K'e and there  
23 was just a little village, but at that time there was  
24 no one living in Lutsel K'e because there was little  
25 fish there, that's why it's called Lutsel K'e.

1                   But they trapped up there for three (3)  
2 or four (4) years and he said we never seen anybody up  
3 there at all. He said he didn't see anyone up there  
4 hunting or trapping, and this is the stories that he  
5 was telling me.

6                   The Elders do love their land so much  
7 that they go out there and harvest on the land and  
8 they don't want no contamination on the land, so we  
9 feel the same way. We don't want none of the lands  
10 destroyed. That's all I have to say. Masi.

11

12                   (INTERPRETATION CONCLUDED)

13

14                   THE CHAIRPERSON: Since dinner is  
15 going to be late, we're going to still open it up for  
16 public comments.

17                   MR. HENRY BEAULIEU: Thank you. My  
18 name is Morris Henry Beaulieu. I'm with YKDFN,  
19 presently living in Dettah. I just want to let you  
20 know that you're talking about Lac de Gras.

21                   My great -- great great -- great  
22 grandfather, Fransua King (phonetic) Beaulieu the II,  
23 Old Man Beaulieu, he named the -- that area, Lac de  
24 Gras, in French.

25                   And the reason why he gave that name



1 was because whe -- when you stand across the lake, the  
2 rocks that you see, it looks like caribou fat. And  
3 so, for that reason, he called that place Lac de Gras  
4 because he spoke French, Chipewyan, and he understood  
5 the Dogrib dialect as well as the Yellowknives.

6                   And I'd like to inform the Review  
7 Board, as -- as well, that regarding Giant Mine, that  
8 I'm the great, great grandson of Mary Fishbone that  
9 found that gold here in Yellowknife.

10                   And -- and I want to let the Review  
11 Board know that -- what that young lady from Lutsel  
12 K'e and my Elder, what they said is true. Like, I  
13 grew up in a residential school in Fort Resolution,  
14 St. Joseph, and my number was 43.

15                   I never had the opportunity to live off  
16 the land, the experience, what the young -- these  
17 young people are talking about. You know, they live  
18 off the land with their -- their parents.

19                   But I live off the land with my  
20 grandparents at a very young age. I still remember  
21 that. I was very unfortunate to be taken away at the  
22 age of 5, and -- and it was hard for me. I -- I have  
23 a really hard time to adjust to the mission style of  
24 living.

25                   I -- I would have preferred to live off

1 the land, but back then, when you reach -- at the age  
2 of 5, they're -- you're taken away. And the land that  
3 my step grandfather, Purerib (phonetic), talked about,  
4 like, where -- where I grew up in the Yellowknife  
5 River -- I spent my time in the Yellowknife River as  
6 well as in Dettah with my great grandmother, the one  
7 that found that gold. She took care of me.

8                   And -- and my step grandfather talked  
9 about the land, about the animals, you know, and  
10 especially Giant Mine and Con Mine. You know, like,  
11 he knew -- he never -- never went to high school,  
12 university, and knew -- and yet he knew the  
13 devastation that the Giant Mine was going to have on  
14 the people living in this area.

15                   And -- and all the Elders who are  
16 presently alive in Dettah Delong (phonetic), they all  
17 know that, you know. And I seen this land, you know,  
18 I seen this town change right from a community to a  
19 town, and then from town hall to a city.

20                   And I seen what Giant Mine has done,  
21 all that trioxide toxins that's been destroying the  
22 water, the trees, the grass, the ground, even all the  
23 topsoil, you know.

24                   And -- and there are times my mother  
25 used to talk about -- you know, I said, well, why you

1 didn't bother having a meeting like this, you know.  
2 Well, once you destroy the land, you will never ever  
3 put it back the way it was. No man can do that.

4                   Only -- like Modeste talked about,  
5 about God, about Jesus, he's the one that created the  
6 land, but yet man come here to destroy our land just  
7 for money, you know.

8                   Like he said, you know, once the -- you  
9 know, they got their moneys worth, they're out of  
10 here. Now we're -- we're stuck with the legacy of  
11 having to deal with the -- the Giant Mine, you know.

12                   And certainly, I don't want to have to  
13 be sitting here, you know, another twenty (20), thirty  
14 (30) years from now talking about Diavik, and plus the  
15 other mines that -- that's in operation that's going  
16 to be closing down shortly, you know.

17                   And -- and you -- and you non-native  
18 people have to understand, even though you have a  
19 university degree, there's no way that you can replace  
20 what's been damaged. Your degree is not going to make  
21 that better, no.

22                   You know, listen to the Elder like  
23 Modeste. You know, it's going to be taking a living  
24 God, the God of Abraham, the God of Isaac, the God of  
25 Jacob to make this land back to what it was before.

1 Only him, he could do that.

2                   You could have a thousand people with a  
3 university degree. Do you think a thousand of those  
4 people are going to make the land what it was before?

5 No, you can't, you know. And that's the reason why,  
6 like -- you know, like, people who are -- who are in  
7 the community, they're the ones that are suffering.

8                   You know, all that money goes to the  
9 Federal Government. Our royalties, interest,  
10 percentage, compensation goes to all the Federal  
11 Government and none of it is diverted back to the  
12 community, you know.

13                   And right now, we're having to deal  
14 with Giant Mine re -- remediation, you know. It's not  
15 going to be fixed, it's not, especially when you put,  
16 you know, like, a poison underneath the ground, you  
17 know.

18                   Like, one (1) thing you got to worry  
19 about, the fault line goes right past Con and right  
20 into Giant. If there was ever an earthquake here in  
21 Yellowknife, you know, the devastation it's -- it's  
22 going to cause.

23                   You know, there's going to be lives  
24 going to be taken. And are we prepared for that? I  
25 don't think so. You know, the tunnel goes right

1 underneath the city of Yellowknife. If you don't fill  
2 in those empty tunnel, another earthquake, the whole  
3 city is going to collapse, you know.

4 Do you guys think about that? No. You  
5 know, you're only thinking about, oh, we'll have this  
6 meeting, then once we're done, you know, we're out of  
7 here, you know. That's your mandate.

8 But my mandate is to make sure that --  
9 that what you've taken out of the land is replaced  
10 back as pristine as before. Can you do that? No, you  
11 can't. I'm sorry to tell you, but you cannot do it.

12 You know, once the land -- like my  
13 mother said, once your land -- destroy the land, you  
14 know, you're not going to change it back to like what  
15 it was before. Come on. Get out of here. You know,  
16 get real, you know.

17 You know, listen to us. Who are the  
18 best conservationists here in the Northwest Territory?  
19 How do you think before you guys came the land was  
20 beautiful, the water was clean, the air was clean?  
21 You know, you should have learned from us before you  
22 started destroying the land that God gave us.

23 You know, the land was given to us by  
24 God. Why do you think we're here? You know, we took  
25 care of the land. You know, we learned to respect the

1 land. We learned to respect the air we breathe, the  
2 water we drink. And the animal we take, we respect  
3 it. All that is destroyed.

4           You know, you put me in a residential  
5 school, took away my name and gave me a number. You  
6 know, I should be speaking Dogrib. I should be  
7 speaking my dad's language, Yellowknife language. You  
8 know I should be speaking Dogrib, my mom's -- my  
9 mother's tongue. I can't.

10           I got a mental block up there,  
11 brainwashed by -- by the nuns and the priests, the  
12 Roman Catholic priests and the nuns. You know, I  
13 can't even teach my children how to pray in Chipewyan  
14 or in Dogrib, I can't.

15           Like, why do you think I'm sitting in  
16 the back here? Because that's where I belong, you  
17 know. I'm just a nobody, you know. I got a home, but  
18 I got no home. You know, that home that I live in is  
19 owned by the government.

20           I used -- my great grandmother used to  
21 have a log house here. I would have loved to raise my  
22 children in it. But what do you guys do? Destroy it.  
23 You guys come here to destroy our land.

24           You know, how would you like it if I  
25 went to your country and destroy your land, take away

1 your children, you know, teach them Dogrib language,  
2 the Chipewyan language. If you speak your language,  
3 you're going to get a good strapping. Would you like  
4 that? No, I don't think so, you know. I sure didn't  
5 like it, you know.

6 I know I -- I told my children -- I  
7 said, You know, you should be happy that you were  
8 raised at home. I was raised in residential school,  
9 you know, and I suffered a lot. A lot of my brothers  
10 and sisters my age, they suffered, and yet they are  
11 here to tell you the truth.

12 The world says the truth hurts, but the  
13 word of God is even more powerful than that, you know.  
14 And, you know, we've been trying out for -- you know,  
15 to sign an IBA that's equitable not only for the  
16 government, nor for the mining industry, but for the  
17 people in the community.

18 They're the ones that are suffering.  
19 They're the ones that have to abide with government's  
20 policy, rules and regulation. Right now -- I heard  
21 not too long ago that we have to pay for our  
22 children's bus fare to town, and we can't -- we can't  
23 afford it.

24 You know, and none of us -- we have a  
25 total -- we're not working from 8:00 to 5:00, you

1 know, Monday to Friday, you know. We're jobless. You  
2 know, we're -- if you want to live in a community,  
3 find out how people live, you'll understand what I'm  
4 talking about, you know.

5                   The word says walk in my shoes and know  
6 how -- how I live. Well, walk in my shoes, you know.  
7 See, how would you like it if I -- if I had a 8:00 to  
8 5:00 job and, you know, set for life job, sure I'll  
9 come attend a meeting, then I'm out of here, you know,  
10 but, unfortunately, I'm not in that situation. I'm  
11 not -- you know, I don't have the luxury, you know,  
12 right now.

13                   You know, my kids are scattered all  
14 over the country because of poor housing conditions in  
15 the community, you know, it's judge and rules and  
16 regulation being posed by the government, you know.

17                   The reason why I can't get hired the  
18 first time, because of my criminal record. Now there  
19 has been -- and now it's been forgiven, the pardon's  
20 forgiven. You know, I don't want to work at the mine  
21 because when I worked there, I felt like I was in  
22 residential school again, you know.

23                   We need -- we need our compensation.  
24 You know, we need, our people, the First Nation  
25 people, need the compensation here in Yellowknife,



1 yes, royalties, interest, percentage, compensation.

2 That's what I learned the first year in  
3 university of native studies, you know. Of any  
4 agreement that's signed by our leaders, those four (4)  
5 things should be in there, but it's not.

6 We got an agreement signed by our --  
7 our previous leaders, \$1 million a year between five  
8 (5) communities. How ridiculous is that, you know?

9 When I was working at Diavik pushing  
10 broom in the hallway in the green mile, you know, you  
11 see a poster that says, This year, we -- we revenue  
12 2.1 billion, 2.1 billion, and we're getting just 1  
13 million between five (5) communities.

14 You know, this white guy uptown told me  
15 -- he said, Henry, we seen a vehicle going by, real  
16 nice fancy car. And he looked at me and said, Henry,  
17 isn't this your land, shouldn't you be owning one (1)  
18 of those.

19 He said, By the way, are you still in  
20 government subsi -- subsidized housing. I told him --  
21 I said, Yeah. Well, shouldn't you be owning a half a  
22 million dollar home, you know, there's something wrong  
23 with this picture, Henry.

24 You know, I knew this guy since back in  
25 the '70s, you know. That's the reality of it, yes, it

1 is, you know, so listen to us. Open your ears.  
2 You've got two (2) ears. If you want to shut one (1)  
3 ear, go ahead, but with the other ear listen to us,  
4 okay? Thank you. Masi.

5 THE CHAIRPERSON: Okay, thank you for  
6 your comments. We have a list. The next speaker is  
7 going to be Joanne Black. Joanne...? You could speak  
8 from the table there, Joanne.

9

10 (BRIEF PAUSE)

11

12 MS. JOHANNE BLACK: Hi. Johanne  
13 Black, Yellowknives Dene First Nation member. I also  
14 work for the Yellowknives Dene First Nation. So, I'm  
15 going to speak on two (2) capacities, one (1) as a  
16 First Nation member of the Yellowknives Dene First  
17 Nation, and the other one (1) being a worker of the  
18 Yellowknives Dene First Nation.

19 I look at the agenda here, public  
20 hearing agenda. It says:

21 "Public comments, specific  
22 opportunities for comments from  
23 women, youth, and Elders."

24 Now, when I -- I look out at the crowds  
25 here I see very little Elders and I see very little

1 youth. And so, I'm going to speak here on behalf of  
2 the youth because not a lot of them are here right  
3 now.

4                   Whether or not you're going to hear  
5 from them as part of this process, I'm unsure. But as  
6 you're well aware, there is a lot of youth in your  
7 community who have high interest in the work that we  
8 do. And the difficulties with them -- including them  
9 in these type of initiatives is something that First  
10 Nations struggle with.

11                   So, I guess my comment to the Board is  
12 to recognize that that is a struggle that we have.  
13 You hear from our Elders, such as Modeste, talking  
14 about the future generations and including them, but  
15 how do you include them?

16                   They're the ones who are, after all,  
17 going to be taking care of the legacies of these  
18 projects. So, I'm looking for assistance in terms of  
19 what the Board can do in terms of helping the youth  
20 understand projective -- development projects such as  
21 this in order to carry on the legacy.

22                   Perhaps having the ability to have --  
23 actually have them be brought up here as part of your  
24 processes, or else possibly having curriculum being  
25 developed to be part of the school dir -- curriculum

1 within this area to let the youth know not even -- not  
2 only the Yellowknives Dene First Nation youth, but all  
3 youth who are impacted from the -- from Gi -- from the  
4 projects that are around us.

5                   Their impacts are a little -- are  
6 different from the impacts that the First Nations see.  
7 But in terms of that legacy component, there is a  
8 legacy we're passing on to them.

9                   The other -- the other worry I have is  
10 the conflict that will come between the Elders and the  
11 youth if we don't include them in these types of  
12 initiatives and to deflect that potential conflict  
13 that comes up in the future.

14                   I see a big memory gap happening with  
15 our First Nation youth. And when I say, "A memory  
16 gap," is that when -- when it comes to the value  
17 components that the Elders are talking about, if the  
18 youth are not in that same room, they're not going to  
19 know those values to protect.

20                   It creates a gap in their memory, and  
21 so they're not going to be focussed on what the Elders  
22 are focussing on and telling us to focus on.

23                   So I'm looking for assistance from the  
24 Board to identify -- help us -- or help Diavik  
25 identify a process for the youth. You have a TK

1 panel. Perhaps maybe you can inject some youth into  
2 that TK panel so that they're working closely with the  
3 elders.

4                   Those are some of the things that  
5 I'm -- I'm quite worried about is that memory gap that  
6 we're passing on to the future generations. Masi.

7                   THE CHAIRPERSON: Thank you very much  
8 for your comments. Comments from Diavik?

9                   MR. GORD MACDONALD: Gord Macdonald,  
10 with Diavik. Thanks for that suggestion on youth and  
11 the TK panel. We actually do have youth involved in  
12 the TK panel. The elders felt the exact same way that  
13 that would be a great way to try and bridge that gap.  
14 So they are involved on the TK panel.

15                   MS. JOHANNE BLACK: I guess -- I guess  
16 there's other -- I'm looking for other opportunities  
17 for the youth to be involved more with these type of  
18 development projects.

19                   As you are well aware, Diavik's not the  
20 only operating diamond mine. There's other diamond  
21 mines that are here. There's a legacy component in  
22 terms of the overall effects of all of those projects  
23 and what we're passing on to them.

24                   There should be some curriculum  
25 developed in order for the youth to be instructed

1 on -- on what is there in terms of the legacy that's  
2 going to be passed on to them, what they're going to  
3 have to take care of.

4                   So I guess I'm looking for more than  
5 just having an invite to the TK panel and a more  
6 robust engagement opportunities should be developed  
7 strictly for the youth. Masi.

8                   THE CHAIRPERSON: Okay. Thank you for  
9 those comments.

10                   It is now 6:00, and I know we're half  
11 an hour behind the schedule. Good thing it's not up  
12 there or else people would be saying how come supper's  
13 not at 5:30 like it's supposed to be.

14                   But we're going to break for supper  
15 now, and I would ask at this time -- we'd like to  
16 break for one (1) hour exactly because we still have a  
17 lot of room here for comments here after dinner.

18                   And hopefully, the Yellowknives can ask  
19 their youth to come out since school should be out by  
20 now, and they've had their dinner. So hopefully  
21 there's an opportunity for them to come out.

22                   And I would ask if we could have our  
23 elders to eat first to go ahead at the front of the  
24 line and then also our community members if that can  
25 happen.

1 I think there's one more comment over  
2 here from Yellowknives.

3 MS. JOHANNE BLACK: Hi. I have one  
4 (1) last comment. When it comes to the youth, we, in  
5 our community, particularly Delong (phonetic) are  
6 suffering effects. The indicators to some of those  
7 effects are suicide.

8 And I believe that if the youth are  
9 more involved in terms of the legacy of what's handed  
10 to them, they would have more pride in themselves;  
11 they'll have more pride in the land. And hopefully  
12 the epidemic of suicide, particularly in Delong,  
13 decreases as development pressures go up. Masi.

14 THE CHAIRPERSON: Thank you, Johanne,  
15 for your comments. It will be noted.

16 Okay. If we could break for one (1)  
17 hour then.

18 MR. MACHEL THOMAS: Madam Chairman.

19 THE CHAIRPERSON: Yes.

20 MR. MACHEL THOMAS: Machel.

21 THE CHAIRPERSON: I'm sorry.

22 MR. MACHEL THOMAS: I think there  
23 might be someone who wanted to make a public comment.  
24 Can we have time for that?

25 THE CHAIRPERSON: Who is it? Okay.

1 All right then. We'll allow for one (1) more public  
2 comment before dinner.

3

4 (BRIEF PAUSE)

5

6 MR. FRED SANGRIS: I'll try to be less  
7 than five (5) minutes.

8 I'm going to speak about the land  
9 around the diamond mines area. My cousin Terry was  
10 here -- Terry Enzo. She did a little bit, and I -- I  
11 wanted to help her out and go a little bit further.

12 In my young days, I was raised by my  
13 grandfather, David Sangris. His Chipewyan name is  
14 Okarthr (phonetic). It means 'Portage Boss.'

15 Three (3) of my -- my grandfather had  
16 two (2) other brothers: Darrel Bolus' (phonetic)  
17 grandfather, Vitell Commelli (phonetic)); Jonas  
18 Sangris' great grandfather, Michelle Commelli  
19 (phonetic). These are all Chipewyan -- Chipewyans who  
20 live off the land.

21 And my mother's Tlicho so that makes me  
22 half Chipewyan and half Tlicho because I heard that  
23 from Michelle when in Behchoko somebody that said  
24 Fred's Tlicho. So I wanted to correct that right off  
25 the bat 'cause people are here.



1 THE CHAIRPERSON: And you're going to  
2 say your name and --

3 MR. FRED SANGRIS: My name is  
4 Fred Sangris. I am a member of the Yellowknives Dene.  
5 I live here.

6 I grew up on the land in 1965. I  
7 remember I was only about eight (8) years old going  
8 across the land behind us here: rolling hills and  
9 trails that led us to -- closer to the treeline.  
10 First time I'd see a treeline. My grandfather said  
11 this is where we stop. We don't go further than that.  
12 I was only about eight (8) years old.

13 I met lots of Yellowknives Dene, and  
14 the old people, and the old natives. They all spoke  
15 Chipewyans. And I remember them being very happy on  
16 the land.

17 And one (1) day, I was taken off the  
18 land and sent to residential school. My journey  
19 started in 1965, same as the journey of the  
20 Chief Sangris here who started about '65. We were all  
21 -- been promoted, the three (3) of us, to be taken  
22 into Elders and then taught to be leaders one (1) day.  
23 And we're still on the same trail.

24 Anyways, I grew up on the land.  
25 MacKay Lake is where I grew up. And my dad had about

1 thirty-eight (38) sled dogs here in 1973. And because  
2 he had a lot of sled dogs, I was able to travel long  
3 distance to MacKay Lake -- it's a hundred and sixty  
4 miles. I do that in two (2) days. I get over there  
5 with my sled dogs.

6 I was trained to be a bear line  
7 trapper. So about twenty-five (25) years of my life,  
8 I've hunted and trapped.

9 And nine (9) of those years, I live for  
10 MacKay Lake. You can ask any of the older trappers  
11 behind me. I actually live off the land nine (9)  
12 years at MacKay Lake. And I know the land really,  
13 really good, and I've traveled on it.

14 And then one day in 1979, the white fox  
15 ran out. And I went from MacKay Lake -- south  
16 MacKay Lake, I drove my sled dogs all by myself. My  
17 cousin Charlie wanted to go muskrat hunting, so he  
18 came back in the beginning of March, and I went to  
19 Lac de Gras in search of caribou and white fox.

20 I didn't find any white fox, so after  
21 nine (9) years, I left the bear line. But my memories  
22 are still there. I remember the landscape, the  
23 wildlife, animals. There were so many caribou all  
24 over the place, so many.

25 And my grandfather used to tell, you

1 know, you got sled dogs. You got to have food. If  
2 you don't have food for your dogs, you're going to be  
3 eating your dogs. Well, I didn't want to do that. So  
4 I went searching for caribou.

5                   He said go to this place here called  
6 Titsagoo (phonetic). Sometime there's caribou there  
7 in the wintertime. Go to south of Warburton Bay.  
8 There's caribou there late, late winter. Go to Baniya  
9 (phonetic). There's winter there, caribou there late,  
10 late winter.

11                   So all these little hotspots that I  
12 knew I went to them, and I got caribou. That's how I  
13 survive. Not all the caribou migrate together. They  
14 mingle and leave. There are some herds that stay  
15 behind -- small groups -- and they leave; they leave  
16 the herds.

17                   So by mid-winter, the bulls and the  
18 cows and calves are literally separated. The bulls  
19 live by themselves. The cows and calf and the young  
20 bulls, they live by themselves isolated.

21                   But I remember many of the beautiful  
22 lands over there I've traveled on before any of the  
23 roads were constructed there and mines. It was so  
24 beautiful, quiet. There were so many animals.

25                   But now, last year -- last two (2)

1 years, I went to -- on a winter road, and it was bang,  
2 bang, bang, bang, bang all the way. You would never  
3 believe it. There was so many hunters out there.  
4 They impact on herd.

5                   Even myself living on the land for so  
6 many years, I've never practiced anything like that.  
7 I take an animal only for the food and for the good  
8 spirit of it, but I don't butcher animals or -- or  
9 slaughter them. That's something I done away. I  
10 depend on them.

11                   I love caribou. I know that caribou  
12 are very small numbers today. But I've read the other  
13 day -- I read the GNWT monitoring plan. But I also  
14 read the mines -- I don't know if it was diamond mines  
15 -- but I read that -- it says that -- that the mines  
16 recorded more caribou than GNWT in that area. GNWT --  
17 the caribou's down, and the mines are saying their  
18 numbers -- the caribou are up.

19                   So I don't know who's right. You know,  
20 sometime politics plays dirty tricks with governments,  
21 and they come up with numbers if they want to change  
22 Aboriginal mines. And it's happened all over the  
23 world.

24                   So politics is -- is sometimes in a  
25 good way if you use it, but it's bad if you can change

1 people and use people.

2                   Caribou's been beginning of time. As  
3 the elders said, it was given to the Dene. The Dene  
4 lived by Caribou just like the Crees who lived off the  
5 plains for the buffalo. Where there are caribou  
6 people here, without caribou they probably wouldn't be  
7 here. We'll probably be further Nunavut or further  
8 south. But the herds kept us.

9                   As the old people say, the caribou was  
10 one (1) a person. One time it was a person, and they  
11 left and helped the Dene people. But today, they --  
12 we have a problem with the caribou.

13                   I remember the days when there was no  
14 mines in Lac de Gras at all. The caribou were free to  
15 move back and forth. That whole corridor was full of  
16 caribou.

17                   Twenty (20) years later, I go back to  
18 that corridor. The herds aren't there anymore.  
19 They're moving around, but they're in small numbers.  
20 There's Lupin, and there's PHP, formerly BHP. And  
21 then there's Diavik, and then the Gahacho (phonetic),  
22 and then -- then another mine there. It's getting out  
23 of control.

24                   If governments are industry, our  
25 governments are responsible and really want to do the

1 right thing, they should really do a land use plan.

2 I talked to the government ten (10)  
3 years ago, too, about land use plan only because the  
4 Churchill government and the mining industry just do  
5 what they want on the land; put the mine wherever they  
6 want. To do public consultation, the mine goes up.

7 But they made a really, really area --  
8 a bad mistake by putting all this corridors of caribou  
9 or mines on a corridor. And the caribou are three (3)  
10 years out to Diavik 1 and 2 to production, the caribou  
11 was splitting. I don't know if you guys have been  
12 monitoring.

13 I have been monitoring because that's  
14 my food. It goes on my table. I have to know where  
15 it goes. Just like you -- you monitor that -- the  
16 trucks that, like, leave Edmonton. Where it goes  
17 here -- your grocery store. You know when it arrives.  
18 I know when the caribou arrives, and I need them.

19 So that mine really devastated the  
20 caribou migration. It changed the pattern of caribou  
21 migration. It really did, believe me.

22 Most of the caribou -- small numbers  
23 went to Hottah Lake, and they stayed there. A big  
24 number went east with Caminariac (phonetic), Beverly,  
25 and they're still there.

1                   Our Saskatchewan brothers are telling  
2 us the herds are, oh, twice bigger over there. We  
3 don't know what's going on. There's so many caribou.

4                   Well, the caribou went over there.  
5 We've been telling the biologists, but they don't want  
6 to do that. But after they make a mistake, their  
7 career is over. They know that, so they have to go  
8 with the government, whatever they're told. They  
9 can't go on the side of Aboriginal even though we tell  
10 them the caribou's gone the other way.

11                   So I'm not sure the -- the mine is  
12 going to go through different phases. It's going to  
13 put construction materials back into the pit.

14                   In 1997, I was living on Lac de Gras  
15 with Michelle Paper with some of the Elders. They're  
16 no longer here. I remember Michelle telling me, we  
17 should tell them to put all that gravel and all that  
18 sand back into the pit once they're done. You think  
19 they would do that?

20                   My only answer to Michelle was, it's  
21 going to cost money, and if it's going to cost money,  
22 this greedy guy's not going to pay for it. And that's  
23 the truth.

24                   But you got to do it, otherwise we're  
25 going to have an island with this unnatural hell with

1 sand, gravel. It's going to blow all over forever.

2 And not -- and that's going to have some impact:

3 caribou feed, wildlife, fish.

4 But the most impact's going to be

5 the -- the blasting material nitran, hydran

6 (phonetic), whatever you call it from dynamite. That

7 is so terrible.

8 Wherever the wind blows, it's going to

9 land on the ground, and that's going to have an effect

10 on caribou. I'm not getting sick, but I eat a lot of

11 caribou, but I'm not getting sick. If I should get

12 sick, then I know who's responsible.

13 The other thing that's happening with

14 the mines are using -- they don't have power lines

15 going to the mines. So they're using a lot of diesel

16 fuel, fossil fuel. A lot of that goes into the air.

17 Then eventually, it's going to fall down. It's going

18 to fall.

19 So what is the mine doing to protect

20 the caribou from eating their lichen food and for how

21 long are they going to be monitored? And if there's

22 something bad, then who's going to pay for it?

23 But fish for sure, it's going to have a

24 big impact. It happened here in Giant Mine.

25 Underground blasting drove our good fish further into



1 the lake. Seventy (70) years they've been gone.  
2 They're finally coming back here seventy (70) years  
3 later. That's when the dynamite stopped.

4                   You're probably not going to find a lot  
5 of fish around Lac de Gras, I'll tell you that, around  
6 the mines. Any dynamite shock is enough to kill that  
7 little minnows. They're probably all floating.

8                   I'll tell you that my -- my question  
9 would be: Is there going to be a new generation of  
10 little species of minnows there going to grow, or are  
11 they all done for? 'Cause the shock -- you gotta  
12 remember the shock is great.

13                   As long as the land remains there,  
14 there's always going to be Aboriginal people hunting,  
15 trapping, using the land. Today, much further,  
16 they'll travel 'cause now we're not dealing with  
17 snowshoes and sled dogs anymore. We're dealing with a  
18 lot more technology: airplanes, skidoo, bombardiers,  
19 all those things. People are traveling distance.

20                   And that mine -- even though if you  
21 think that's too far away for me to go get caribou,  
22 think twice. I'll be there by tomorrow morning. I  
23 could do it. If my family is hungry, I'm going to do  
24 everything I could to get caribou.

25                   But right now, the caribou population

1 are really, really down. The Chief Sangris here told  
2 our Yellowknives Dene, we gotta protect the herds. So  
3 let's slow down on the herd.

4 We're the first people before ENR to  
5 call on protection of caribou, and we're still  
6 practicing that. So last year, we asked the Chief  
7 here, caribou's down, so we're going to go hunting.  
8 How much can we get? He said, each hunter should get  
9 two (2), and that's it. Respect the animals.

10 And that's what we did. Meanwhile,  
11 other communities are going there and taking  
12 twenty (20), thirty (30), forty (40), sixty (60). I  
13 couldn't believe it.

14 So who's in charge? ENR or people?  
15 That road to the diamond mine has cost a lot, a lot of  
16 headaches, mostly for Yellowknives Dene because it  
17 goes through our communities; it goes through our  
18 hunting areas. And it had a big impact.

19 And more people are going on that road  
20 because they call a public road. Maybe we should  
21 change that public road to mining road. No more  
22 public road. That would -- that would save the herd.  
23 I'm really -- really critical that the caribou is  
24 going to be disappear one day, and that's really going  
25 to hurt us.

1                   But the mining industry, I tell you,  
2 they're going to continue into the far future. As  
3 long as the industry is there, the minerals are here,  
4 the governments are here, our people need that job,  
5 too, as well.

6                   We have a lot of people that need the  
7 job, but not jobs are all available. We know that  
8 diamond mines take on local unions, and our people get  
9 fired, let go.

10                  So myself, I'm not a big supporter of a  
11 diamond mines anymore because a lot of my people got  
12 fired. A lot of my people have not been hired. So  
13 I'm not a big fan of a mining industry. I'm a big fan  
14 of commercial industry and other industry. I'm  
15 putting the mine way back in a back shelf until it's  
16 clean up its act and do the right thing.

17                  And governments need to be more  
18 vigilant and do more. Boards -- you know, you're in  
19 charge; you do what you can. You got that  
20 two-by-four. If you need to use that board, use it.  
21 Don't hurt them though. Just tell them, do it this  
22 way.

23                  But I think industry since 1950s, '60s  
24 been here. It hasn't been good. Right in the  
25 beginning, it was -- it was bad at start. The

1 relationship was not good. Government said, go ahead,  
2 and mines did whatever they -- they could.

3 Now we're cleaning up the land --  
4 abandoned mines. It's just uncalled for. Today, we  
5 need to do the right thing. To do -- we need to do  
6 what is do -- do the right thing by falling the right  
7 regulations, making sure that the environment's not  
8 impact, take good -- great care of the caribou, which  
9 is number one.

10 We keep talking about caribou, but we  
11 got to remember there's muskox out there, too, that  
12 were almost driven to extinction at one time by  
13 Canada. The Canadian military brought all their fur  
14 for Second World War.

15 But the muskox are coming back, so  
16 animals need to be protected. Prior -- first before  
17 industry. If you protect industry, there'll be no  
18 animals. You go to protect the animals first before  
19 industry comes.

20 But the grand plan -- government's got  
21 to have -- and the Indigenous people, too, got to have  
22 a grand plan of how wildlife should be preserved,  
23 protected in the future.

24 And that's -- that's all I want to say,  
25 but I hope that I've given as much information as I

1 can. My cousin Terry did speak a little bit. I know  
2 where she wanted to go. She wanted to talk a lot  
3 about the caribou.

4 And that is important. Wildlife is  
5 important all over, not only here but all over the  
6 world. You know, industry sometimes gets -- sometimes  
7 they're not good. If they're not good, we try to get  
8 them to clean up their act, and sometime we get them  
9 to use their bonds so that proper things are taken  
10 place up.

11 The days of mining in the olden days  
12 are gone. We're now into the new Mining Act and the  
13 new mining regime, and we have a new generation that  
14 are going to look forward to that.

15 And if the mines don't do their due  
16 diligent, then our young people are going to look  
17 elsewhere else for our -- for work. So the industry  
18 has got to be good.

19 And the wildlife that they work closely  
20 with, it's got to be monitor and managed and  
21 protected -- protected. Masi cho.

22 THE CHAIRPERSON: Thank you very much  
23 for your comments.

24 It is now 20 after 6, so we would like  
25 to break now for supper for one (1) hour, and then

1 come back and open the floor again for public  
2 comments.

3

4 --- Upon recessing at 6:16 p.m.

5 --- Upon resuming at 7:18 p.m.

6

7 THE CHAIRPERSON: Okay, well, welcome  
8 back, everyone. We thank you to the caterers for that  
9 good meal, and also to Mary Brown's chicken.

10 At this time on the agenda, we have  
11 Diavik, and they would like to do just a short recap  
12 of their presentation.

13

14 RECAP OF DIAVIK'S PRESENTATION:

15 MR. GORD MACDONALD: Thanks, Madam  
16 Chair. Gord MacDonald, from Diavik. Earlier, we gave  
17 a -- a full presentation of the project that had four  
18 (4) parts, and the first was the purpose of the  
19 project. Then it was a description of the -- a -- a  
20 description of the project, and the summary of the  
21 environmental effects, and then a -- a summary of  
22 commitments of Diavik from the responses.

23 What I'll do is just summarize the  
24 purpose of the project. I think I'll go through the  
25 advantages and disadvantages. That seemed to be a --

1 a useful slide, and then -- and just again summarize  
2 the commitments that Diavik met.

3                   And so the -- the purpose of the -- of  
4 the project, so Diavik's requested an amendment to our  
5 water license to allow processed kimberlite -- to be  
6 pros -- that's okay -- to be deposited into mine  
7 workings. It was -- it came about as a -- a result of  
8 a -- a update to our mine plan that identified that  
9 the A418 mine will be complete by the end of 2021.  
10 There will be now an opportunity to use this completed  
11 mine working to store processed kimberlite. This  
12 wasn't an option under the mine plan that was  
13 considered during the 1999 environmental assessment.

14                   And Diavik began engagement with  
15 communities and regulators on the project more than a  
16 year and a half ago. We were interested to hear if  
17 there was any fundamental opposition to the idea of  
18 depositing processed kimberlite in completed mine  
19 workings.

20                   We did not hear any fundamental  
21 opposition. What we heard was general support to put  
22 it back to where it came from. However, in all cases,  
23 support was conditional on being able to demonstrate  
24 that it can be done in an environmentally safe way,  
25 particularly with regard to Lac de Gras water quality.

1 (BRIEF PAUSE)

2

3 MR. GORD MACDONALD: And let's have a  
4 little bit about advantages and disadvantages. So the  
5 project is to put processed kimberlite into mine  
6 workings. The alternative is to put that -- is to  
7 continue the same way as we were before and put that  
8 processed kimberlite onto an on-land storage.

9 We think the advantages to the project  
10 -- or the advantages of the project are that it  
11 eliminates the need to construct another PKC dam  
12 raise. That with the project, there would be a  
13 smaller on-land PKC facility. The project provides  
14 the safest long-term PK storage -- processed  
15 kimberlite storage.

16 The project provides the best option  
17 for Lac de Gras water quality. There is less --  
18 there's a less of a chance for -- for caribou to  
19 directly contact processed kimberlite material if it's  
20 stored more than a hundred metres below water.

21 Processed kimberlite containment  
22 surface facility closure can begin three (3) years  
23 earlier. The project enables additional processed  
24 kimberlite closure options, as there would be a place  
25 to dispose of -- of processed kim -- of extra fine



1 processed kimberlite, if that's found to be feasible.

2           And with the project, there would be  
3 less Lac de Gras water used to fill the A418 pit and  
4 underground at closure. These are what we believe to  
5 be the key advantages of the project.

6           The disadvantages that we identified  
7 are that the project requires construction of a new  
8 pipeline. That Diavik has more experience with PK  
9 deposition -- with process kimberlite deposition to  
10 on-land facilities, rather than to mine workings.  
11 That the project requires an environmental assessment  
12 and water license amendment, and that the project is a  
13 change from what was originally proposed in 1999.

14

15   (BRIEF PAUSE)

16

17           MR. GORD MACDONALD: Diavik considered  
18 a hundred -- excuse me -- considered a hundred and  
19 sixteen (116) recommendations from eleven (11)  
20 Interveners, and provided responses to each. We  
21 identified five (5) key areas of Diavik commitments  
22 that we made in response to the Interveners'  
23 recommendations, and I'd like to briefly note these  
24 five (5).

25           The first is expanded engagement with

1 nonsignatory Indigenous groups.

2           The second is reconnection criter --  
3 development of reconnection criteria to define  
4 culturally acceptable pit lake conditions.

5           The third relates to committing to --  
6 to reconsider alternative fish habitat offsetting  
7 plans if reconnect -- if reconnection is not the  
8 preferred choice.

9           We -- we've accepted Interveners'  
10 recommendation to remove A21 open pit from con --  
11 further review. And we think that the mid -- most of  
12 the conditions from things like monitoring and changes  
13 to management plans can be addressed through the water  
14 license -- conditions of a water license. Thanks very  
15 much, Madam Chair.

16           THE CHAIRPERSON:   Okay. Thank you for  
17 that short recap. At this time, then, we would like  
18 to open the floor for public comments.

19

20                                   (BRIEF PAUSE)

21

22 CONTINUED PUBLIC COMMENTS:

23           MR. BLAKE RASMUSSEN:   Hello, Madam  
24 Chair. I'm Blake Rasmussen, Yellowknife Dene First  
25 Nation.

1                   Bef -- before we get going into the  
2 meat and potatoes of this present -- I'm going to move  
3 this mic a little bit so I can see everybody, if you  
4 don't mind.

5                   No, this is -- this is good. Look at  
6 this tree, here. The tree is very significant in our  
7 culture, you know that. It's very important.

8                   But before I get into this -- and thank  
9 you for acknowledging the -- the cooks so readily and  
10 quickly after supper, there. It was late, and the  
11 only way I knew that, my worms were just starting to  
12 scream at me, boy, I'll tell you.

13                   You know, Aboriginal people, us, we  
14 like -- we like to laugh. It doesn't matter how  
15 serious things get, we've still got to laugh. It's  
16 good medicine, so we laugh at ourselves, and we laugh  
17 at each other, and we laugh amongst ourselves. It's  
18 really healthy.

19                   And before I go any further, I'm going  
20 to say thanks once again to the Tlicho people for  
21 their warm welcome and their hospitality yesterday.  
22 And it gave us an opportunity to go sit and listen to  
23 their concerns of what you -- what you propose to do.

24                   I was supposed to keep my mouth shut,  
25 but I had a hard time doing that, so I had to say

1 something. But thank you for letting me say that.

2 I understand what it is you wish to do.

3 Many of us understand, far better than what a lot of

4 people think. And then there's those of us that

5 understand very little, and I'd like to thank Joanne

6 for bringing it up about our use. And thank God I got

7 this guy here before he ran away. I don't know if

8 he's going to be any help to us today, but he's here,

9 and there might be a lesson in that for all of us in

10 terms of how well informed and educated we all are,

11 and the future caretakers of this land. I just

12 briefed him outside quickly.

13 But what I want to say here, there's a

14 whole bunch of talk around this project, and we're

15 listening, really listening. There's a lot of grief,

16 and hurt, and pain from all that's happened in the

17 last hundred (100) or so, or even four hundred (400)

18 years to our people, and not just from mining. It's a

19 whole bunch of different things.

20 And there's fear of the unknown, which

21 is not necessarily a bad thing. Fear is one (1) of

22 the things that helps keep us alive. I don't know

23 about you guys -- well, I do it sometimes. I walk out

24 in the street there, but it -- it's fear that keeps me

25 from getting hit from that bus.

1 I'm out on the land. There's an  
2 element of fear within us, of things that we know that  
3 can happen, and things that we don't know that can  
4 happen. The unknown I spoke of yesterday with climate  
5 change. We don't know what's going to happen. We  
6 don't know how severe is going to be, but we're  
7 starting to live it now. We see it a lot up here.  
8 And thank God it hasn't been so bad that lives have  
9 been lost in the way in Bermuda the other day, and --  
10 and things such as that. But it's coming, and it's  
11 going to get worse.

12 I just learned yesterday, on the ride  
13 out to Behchoko, from my friend -- I call him Shampoo,  
14 because I couldn't remember his name, from Jamaica,  
15 there; he's come to work with us -- that the sea has  
16 risen in his homeland significantly in the last short  
17 number of years, that whole beaches have disappeared.  
18 That is how powerful what it is that we do here, or  
19 has happened here, will affect people that far away.

20 The global -- the -- the icecaps in the  
21 far north, that are melting, bringing the sea levels  
22 up. And yesterday, I told you where I worked in the  
23 mining, and oil and gas, and all the different sectors  
24 through my life. And Clare's mine (phonetic) years  
25 ago, our Chief Eddie (phonetic), much of -- there's

1 other people, we've all worked together up there back  
2 in the early 1980s.

3                   And you've seen this before, too, right  
4 here, or whatever it is that you come from, likely if  
5 you had snow. But what was happening up there is all  
6 them big smokestacks from all the industrial  
7 countries, and Russia, and the States, and wherever  
8 were spewing all this smoke in the air. And there's  
9 little black particles in that smoke, and the natural  
10 air currents take that way up over the Arctic, and  
11 they turn around, and they come right down, and they  
12 dump on us, but more so in the high Arctic.

13                   When those little black pieces from the  
14 smoke fall down, they hit the snow, and when the sun  
15 hits it, what happens? It melts faster. You see that  
16 here in the street sand. They throw it on this -- on  
17 the street, and the sun hits it, and it melts the snow  
18 at thirty (30) below, or twenty (20) below. That's  
19 the effect of what other people have done far away has  
20 on us here, to give you an example. And what we do  
21 here, we need to be cautious, because it will affect  
22 people far beyond our nation here in time, and it's  
23 happening now.

24                   I'm going to leave that alone for a  
25 second. In my travels, through working in all the

1 different sectors, mining, and oil and gas, and what  
2 have you, I'd had the opportunity and the honour to  
3 meet a lot of interesting people. For us, I don't  
4 know how we say it in our language, because I was  
5 never grew up in my language, but there were like  
6 prophets that spoke of what happened in the past and  
7 what would come in the future, one (1) of which I  
8 know, he lived to be over a hundred and thirty (130)  
9 years old. He was one of the ones that ran away from  
10 the government in Eastern Canada with a number of  
11 families and hid the mountains just to save the  
12 ceremonies of those people, because if they practiced  
13 them, they would get thrown in jail, and then they  
14 slowly come out of the mountains.

15                   Very powerful people, very  
16 knowledgeable, a lot of wisdom. There's good stories,  
17 good information. I had the honour in Deline to meet  
18 those who were close to the old man from Deline. I  
19 forget his name. He spoke, and there's many in his  
20 room that'll know and understand some of the things  
21 that he spoke of, of what's yet to come, and it's  
22 coming true in our lives and more so in the lives of  
23 the young ones.

24                   I remember one (1) Elder telling me  
25 once, whatever it is that you do when you walk across

1 this land or travel across the water, walk softly and  
2 whenever possible leave nothing more behind than your  
3 shadow, basically for the future generations.

4 Sometimes we leave a few things behind for the  
5 betterment of our people, for the land and animals,  
6 our way of life, but only leave behind what is useful  
7 and good.

8                   For us that are harvesters, we leave a  
9 camp out there. We might not come back for a long  
10 time, for whatever reason, but that camp is out there  
11 for somebody else to use, in a good way, to help them.  
12 So there's a message in there that was given to me and  
13 now I'm giving it to you.

14                   I'd like to commend Diavik though  
15 before I go any further, on the work that they have  
16 done for our communities, although for a lot of us  
17 it's a bad thing up there and we can't support you  
18 taking that useless stone out of the ground, which  
19 does absolutely nothing for the common goal objective  
20 which all people need to have today in light of global  
21 warming, as climate change. Does nothing; but  
22 sometimes it's that way.

23                   It gave us a stepping stone as  
24 Northerners and Dene people to better ourselves with  
25 jobs and education, to prepare us for what is yet to



1 come, the unknown. And we have young people here,  
2 they're getting an education, and they benefit from  
3 Diavik yet a little bit. And we do this not only for  
4 ourselves but for everybody, because we're together in  
5 this.

6                   There's a lot of good things in life  
7 and there's a lot of not so good things in life, but  
8 even from the not so good things in life we can take  
9 them, turn that around, and make it good. Sometimes  
10 it's just in the form of lessons learned. That's how  
11 we learn. Sometimes we make mistakes.

12                   But in this case, I'm going to quote  
13 almost word for word from another Elder in my travels,  
14 a very useful statement in my life. When you've been  
15 shown the way or told something, there is absolutely  
16 no excuse for ignorance and to do otherwise.

17                   I think what you are proposing here,  
18 this is my own personal opinion, it's not necessarily  
19 the opinion of my community, it's perhaps not such a  
20 bad idea for the reasons I asked you to put up on that  
21 board today, although I find it -- I feel it is still  
22 a little incomplete, but good effort.

23                   But my own personal thoughts and  
24 opinion are, because the water is so important, that  
25 we take every step that we can to protect and look

1 after that water for the future, which is why I made  
2 the suggestion yesterday that because Diavik Diamond  
3 Mines and Ekati, in part and parcel are of the same  
4 owner.

5 I suggested that you take that  
6 kimberlite and you put it in one of the pits over at  
7 Ekati, away from the water, because your pits are  
8 right on the lake, and then you want to put that water  
9 in there. Like I said, my own personal thoughts.

10 Perhaps it will be okay, but much like  
11 climate change and what's yet to come for all of us,  
12 there's that unknown. We just don't know. That's the  
13 fear that helps us to make good decisions.

14 I mentioned Giant Mine yesterday just  
15 briefly, how important it is that we keep the water  
16 away from that arsenic and that arsenic away from the  
17 water, because if something goes wrong we won't be  
18 able to sustain ourselves, but even beyond that, if  
19 some form of a natural disaster or something goes  
20 wrong that we just don't know, that one there is going  
21 to affect people around the world.

22 And an opportunity has been presented  
23 to you, although on the short term it doesn't give us  
24 -- or pardon me, on the short term it's not in the  
25 spirit and intent of doing what we can for something

1 much larger than what you propose, that we're faced  
2 with, and that's global warming.

3                   However, there are answers. There'll  
4 be a little bit more pipe that needs to be produced, a  
5 few more greenhouse gas emissions, a little more  
6 effort.

7                   But as a harvester, a lot of the old-  
8 timers, when you want to keep your -- your food source  
9 and the things that are very important you from the  
10 land safe, a lot of times they would put it up high,  
11 away from danger. Like our food, we put it up high if  
12 we left. We come back, it would be there.

13                   So I'm suggesting with the kimberlite,  
14 put it up higher. Misery is away from the lake.  
15 There's a big pit there. Get it away from the water,  
16 because it's that water we need to protect more than  
17 anything.

18                   Water is powerful enough to give us  
19 life, it does give us life, but powerful enough to  
20 take it away as well. We got to keep the water safe,  
21 whatever the cost.

22                   And like I said yesterday, the cost of  
23 not doing it now, and these are kind of the same words  
24 I use for Giant Mine, the cost of not doing it this  
25 way, this way, and this way, is nothing compared to

1 the cost of what could be in the future, and it might  
2 not necessarily be of a monetary value. It's of a  
3 different value.

4                   And this is what I say to Diavik, to  
5 all operators and resource developers out there, you  
6 came into our land, perhaps maybe we weren't always so  
7 welcoming, but we've allowed you to be here to do what  
8 it is that you wish to do, and for our own benefit as  
9 well to a certain degree, but you become a part of our  
10 family, you become a part of us when you come here,  
11 and when you come here, we would like you to live like  
12 us and think like us, do things like us, in a good  
13 way. But if you do things differently in a not so  
14 good way, we're not going to be happy with that and  
15 you won't be so welcome.

16                   But you listen to all the people here,  
17 their messages and everything. We all work together.  
18 You're with us now. We need to work together to make  
19 this right to the best of our abilities.

20                   We take all the wisdom and the  
21 knowledge and the thoughts and the science and make  
22 this the best we can, and I say that because what I've  
23 come to learn from so many of these different Elders  
24 that I've met over the years is that the strengths of  
25 all nations comes from the people of the North, and I

1 think we've shown that often times, and you need to be  
2 a part of our strength as well, to show the way for a  
3 whole bunch of other people out there that are making  
4 some huge mistakes, in Asia and all over.

5                   We can't think like this. We need to  
6 think holistically, like Simon, he said earlier. This  
7 is how we need to see the world and think about things  
8 and act on it.

9                   So I share now my thoughts on your  
10 kimberlite and where you -- where I would like to see  
11 it and my thoughts on how it should be. I shared that  
12 yesterday in Behchoko just briefly, but I thought I  
13 would take the opportunity because I've not spoken in  
14 our community about this, but it's food for thought  
15 for everybody to think about, what is the best thing  
16 that we can do, and for our friends on the Review  
17 Board here and the regulatory bodies.

18                   I remember the founding people of where  
19 their concept and ideology came from. Before the Dene  
20 Nation was the Indian brotherhood, the projects that  
21 kick-started this whole process. Those people were  
22 using the same kind of thinking I just tried to  
23 explain to you when we brought this all together here,  
24 and I don't forget that, and I trust that they know  
25 that as well.

1                   So let's work together and let's do  
2 this right, and I would hope -- where did Joseph go?  
3 Did he run away? The only youth we have here. He ran  
4 -- yeah, okay, I got to do that sometimes too.

5                   Educating our young people is very  
6 important. Now we have in the schools, in the  
7 curriculum, the legacy of residential schools; huge  
8 step when you think about it. We're pushing hard now  
9 to have the same sort of thing with regard to Giant  
10 Mine so that we don't ever forget a component in the  
11 curriculum for probably high school students or  
12 somebody so they don't ever forget the legacy of the  
13 Giant Mine, because that's one that we have to keep an  
14 eye on, but we're keeping an eye on you too. We need  
15 to educate our young people.

16                   It would be interesting to see if he so  
17 chooses what he has to say, and from what he has to  
18 say, what can we learn from that? Masi.

19                   THE CHAIRPERSON: Thank you for your  
20 comments.

21                   Public comment...?

22

23                   (BRIEF PAUSE)

24

25                   MR. PAUL BETSINA: Hi again,

1 everybody; Paul Betsina.

2 I just want to point out the elephant  
3 in the room that I am running for MLA, but I want to  
4 put that aside right now, because over the years a lot  
5 of times I attended these meetings for -- for many  
6 years before I was even a councillor. I was a young  
7 lad just like Joseph here.

8 I remember speaking at these meeting  
9 before Diavik was going to start, and Ekati. I  
10 prepared even a little speech that I did on my own but  
11 I needed help from my father to -- to bring it up to a  
12 level where I can actually speak at a meeting about  
13 it. So it wouldn't be fair to my people or even  
14 wouldn't be fair to me if I didn't say anything after  
15 listening to all the things that you guys had to say  
16 today about putting kimberlite under the -- under the  
17 water.

18 So like all of our good speakers and  
19 Elders just before me, even years ago our past leaders  
20 who helped develop this over twenty-five (25) years  
21 ago, I wonder if they would be proud today to know  
22 that we are where we are right now, where we -- what  
23 the benefits that they envisioned us to have that we  
24 have right now.

25 Even this building, it should have been

1 paid for by all the mines. Eventually it was but we  
2 still had to borrow money for it and which was paid  
3 off a few years ago. So I don't know, if I was a  
4 leader and chief back then or wanted this to happen.

5 I was told by a wise man one time, if  
6 you're going to be up here and going to be a leader,  
7 and if you don't have a -- you don't leave a legacy  
8 that your children and great-grandchildren are proud  
9 of, don't even bother. But thinking back, I -- I  
10 really want to know if they really envisioned for this  
11 to -- for us to have. As a nation we didn't really  
12 benefit a lot that we should have. We should have  
13 been further ahead than where we are now.

14 I mean, I see most of you guys go for  
15 walks during break and I hope you weren't too proud,  
16 like as proud as you should be, as proud as a First  
17 Nation or as an -- as an outsider, because now we're  
18 getting tourists here to -- to our beautiful building.  
19 But there should be beautiful homes and houses  
20 everywhere because of the benefits and the things that  
21 we should have got from the mining industry.

22 Our Elders knew that this was coming,  
23 even way back when the old lady found that gold and  
24 traded it for a few pots and pans and what have you.  
25 They knew this was coming.



1                   Even before Diavik came, we knew that  
2 was going to happen, because of the bad legacy of  
3 Giant Mine, Tundra Mine, Colomac. Doesn't matter  
4 where the mine was and -- in NWT, it fell on  
5 somebody's land and -- and now look where it is now.  
6 We are the ones, our legacy and our generations will  
7 have to be the ones to clean it up.

8                   So now the mines are sun-setting, we  
9 cannot benefit -- I don't see it as benefit anymore  
10 because we can't diversify enough in such short amount  
11 of time to be able to reap the benefits of what's  
12 left.

13                   So we've got to think past that now,  
14 what's past that? It's reclamation. We've got to  
15 somehow -- our people, we need to figure out how we're  
16 going to deal with this and not having another Giant  
17 Mine where, yeah, we might have our First Nation  
18 Danoncho (phonetic) having most of the contracts, but  
19 really we -- we need to be benefiting more. We need  
20 to have boots on the ground. We need to have our  
21 yellow iron working.

22                   But we -- currently, as it stands, no,  
23 we don't. That's why we are long-term now thinking,  
24 we need to see what's going to happen past what's --  
25 when you guys are gone.

1                   So I want to commend the -- the young  
2 lad here for coming around here, for attending these  
3 meetings and like I said, I myself, I just needed to  
4 say something, I -- I wouldn't be here today if it  
5 wasn't for the diamond mines. I can honestly say  
6 that. It's provided me a -- a good life, me and my  
7 family.

8                   I'm just thinking about now, I'm  
9 actually proud to be sitting next to my uncle, who --  
10 who was aware that I -- I was striving to be a --  
11 because I seen what he had and what he did and I don't  
12 think I could still do what he does now though, but it  
13 -- that's what it did for me. Like, that's some of  
14 the legacies that the -- the mines have passed on.

15                   It might not have been a whole nation  
16 that lifted, but a lot of each and individuals it  
17 helped in our community, helped them get good jobs,  
18 helped them get the things that they want to do and do  
19 the things that they want to do on the land with  
20 getting the toys that they want.

21                   But those are some of the other things  
22 that did happen and -- and if it was done a different  
23 way, our friend Patrick over there in his First Nation  
24 wouldn't have been so much left out in the -- in the  
25 agreements.

1                   Back then there was a -- there was so  
2 much money being thrown around by all the mines, like,  
3 it was unbelievable. When you're there, you -- you  
4 were like in a different world.

5                   I never seen lobster until I got to  
6 Ekati because of the stuff that they did for us when  
7 you're an employee.

8                   So -- and as a review board I know  
9 you've got a lot on your plate, you've got a lot of  
10 decisions to make, please make them with a -- a whole  
11 heart, with compassion, and also with a little bit of  
12 dignity to know that your decisions are going to  
13 effect a lot of people after this, and it's going to  
14 be -- we're -- we're all going to have to live with  
15 it. Masi cho.

16                   THE CHAIRPERSON: Thank you very much  
17 for your comments.

18                   Public comments...? Public  
19 comments...?

20                   There is also an opportunity to sit at  
21 the table, and if you would like someone to sit beside  
22 you at the table, you're more than welcome to. Except  
23 one of us.

24                   MS. LENA BLACK: Hi. Lena Black.

25                   I have a quick question. So, I wasn't

1 here for the beginning part because I was working.  
2 But in slide 5 of the presentation you identify that  
3 your mine is the only mine that does not have  
4 kimberlite approval.

5                   Why and what was in the original  
6 agreement and the original documentation that  
7 identified what was going to happen at the end?

8                   THE CHAIRPERSON: Diavik...?

9                   MR. GORD MACDONALD: Thanks. Yes,  
10 sorry we didn't do a full recap for people who joined  
11 later.

12                   But what changed from 1999 in the  
13 original environmental assessment, why we didn't  
14 consider it then, was because the mine plan had us  
15 still mining in all of the -- all of the mine pits.  
16 So there was no -- there was no empty pit sitting  
17 there waiting that we could put material back into.

18                   So they've all finished at the same  
19 time. So what changed was that we've now -- we're  
20 almost complete one of the mines and so it now creates  
21 an opportunity there that there is a hole in the  
22 ground or there will be a hole in the ground in a  
23 couple of years, with nobody working in it, that we  
24 can put the processed kimberlite back into it now.

25                   So we've never asked before because we

1 never thought we'd have -- we'd ever have the  
2 opportunity to put processed kimberlite back into a  
3 mine working.

4 Does that make sense?

5 MS. LENA BLACK: So what was included  
6 in the original closure, in the original documentation  
7 when you very first opened up the mine, what was then  
8 included in those documents that -- of how you guys  
9 were going to close? And why then did you shift your  
10 mindframe from that to this?

11 MR. GORD MACDONALD: Yes, so the --  
12 the closure plan is still the same, the closure plan  
13 has always been to, and was in 1999 for the pits, is  
14 to fill them back up with water and then breach the  
15 dikes. That was always the plan.

16 What we're changing now or what we're  
17 asking to change now is instead of filling it all up  
18 with water, we're going to fill up the first third of  
19 it with processed kimberlite.

20 In the original plan, all of that  
21 material, that processed kimberlite, would -- would be  
22 stored on land and none of it would be stored into the  
23 -- back into the mine pit.

24 MS. LENA BLACK: Why now then?

25 MR. GORD MACDONALD: As I was trying

1 to say, because we've -- we now have that space  
2 available and we think it's a better place to put it.

3                   If we -- if we'd known there was going  
4 to be that space available originally, we would have  
5 asked for the -- the permit then. We didn't think it  
6 was going to be available.

7                   So it is available and we think it's a  
8 better place to put the kimberlite, the processed  
9 kimberlite.

10                   MS. LENA BLACK:    So considering it  
11 wasn't part of the original plan, when you guys were  
12 first excavating everything out of the -- the mine and  
13 the kimberlite, the -- the plan wasn't to put it back.

14                   So how do you know then the original  
15 stuff that you took out and is environmentally safe  
16 then to put back into the water now to free flow with  
17 the rest of the water?

18                   Sorry, I wasn't here for the original  
19 part, so it just -- I mean --

20                   MR. GORD MACDONALD:    That's okay.  
21 Yes. No, that's -- that's what the challenge is and  
22 that's what a lot of the discussion has been about, is  
23 is it safe to put it back in below the water, and all  
24 of the modelling work we've done and all the test work  
25 we've done says that it would be.

1                   And -- and that's the basis for why  
2 we're asking for this.

3                   MS. LENA BLACK:     Okay.   One more  
4 thing.   I wasn't here, again --

5                   MR. GORD MACDONALD:    No problem.

6                   MS. LENA BLACK:     -- can we see the  
7 video that is identified in page 16?

8                   MR. GORD MACDONALD:    M'hm.

9                   So what is shows on that left -- these  
10 are -- are columns of this material, of processed  
11 kimberlite.   And what it shows is over twenty-four  
12 (24) hours how it separates in -- into a water and  
13 sediment and it keeps getting -- that line keeps going  
14 down and down and down and that's what would happen at  
15 the bottom of the mine workings, it would continue to  
16 consolidate with clear water on the top and processed  
17 kimberlite on the bottom.

18                   It's just showing how it -- how quickly  
19 that actually happens with this material.   The one (1)  
20 on the right-hand side is -- is extra-fine processed  
21 kimberlite.

22                   MS. LENA BLACK:     I apologize.   Sorry,  
23 can you say that again?

24                   MR. GORD MACDONALD:    It is extra-fine  
25 processed kimberlite, so the -- there's -- there's --

1 one of the -- one part of the application is to also  
2 be able to take some of the material that's stored on  
3 land right now that's called extra-fine processed  
4 kimberlite.

5                   It's -- it's the finest fraction of the  
6 processed kimberlite. And -- and possibly put it back  
7 in the mine workings as well. It settles more slowly  
8 than the fine -- than the fine processed kimberlite  
9 and so that's what we were showing -- that's what's in  
10 the right-hand column.

11                   And it took two (2) months so the  
12 picture on the right-hand side there, the extra-fine  
13 processed kimberlite took two months to settle what  
14 the fine processed kimberlite did it twenty-four (24)  
15 hours.

16                   It -- it's just about the properties of  
17 these materials that we have to consider when we're --  
18 when we'd be putting it into the mine workings.

19                   MS. LENA BLACK: I think I'm missing  
20 something completely.

21                   So what is the difference between the  
22 fine and the extra-fine? So why -- why is there a  
23 difference in size? When you're -- when you're mining  
24 everything you're pulling out everything at the same  
25 time, how -- how and why then is it different?



1                   So when you're going to put it back,  
2 wouldn't it then just float to the surface?

3                   Sorry, Lena Black.

4                   MR. GORD MACDONALD:   Gord MacDonald.

5                   The reason -- the reason that we have  
6 right now why we have the extra-fine and the fine, is  
7 the extra-fine is coming out of the processed  
8 kimberlite containment area, which is on the island.  
9 And it forms because we deposit the kimberlite all the  
10 way around in a circle around this facility and it  
11 makes these long beaches, and the fine particles float  
12 -- go to the very middle and the coarser particles  
13 stay on the outside.

14                  And so what we have now is a -- is a  
15 pool of this extra-fine material in the middle of the  
16 facility and we're looking at the opportunity or the  
17 chance that we could take that material and put it  
18 back in -- that material back into the underground.

19                  So that's why it's changed -- those  
20 properties have changed from when we mined it.

21                  MS. LENA BLACK:   So you're proposing  
22 then that both the fine and the extra-fine is going to  
23 go back into the land and cover half the pit, and then  
24 put water on top?

25                  MR. GORD MACDONALD:   Correct.

1 MS. LENA BLACK: Okay, I think I  
2 understand a little bit. But something is still  
3 missing. I don't know.

4 For me, it just feels like how do you  
5 know that the land -- the rock that you're going to be  
6 putting back into the water is free of 100 percent  
7 contamination? And you're putting it right back into  
8 the water. I mean, you dug the pit, now you're going  
9 to put it back.

10 I just -- is there another round maybe  
11 that's being missed between taking it now off -- back  
12 off the land and going through a processor to clean  
13 before being put back in? Or are you just going to  
14 pick it up and dump it?

15 MR. GORD MACDONALD: No, just pick it  
16 up and put it back.

17 MS. LENA BLACK: It just feels like  
18 there's something missing, like there needs to be  
19 another layer of cleaning before being put back.

20 MR. GORD MACDONALD: So it is just --  
21 it is just rock that's been taken out of the ground,  
22 crushed and washed, to take the diamonds out, and all  
23 this is is the same material, crushed and washed but  
24 without the diamonds.

25 MS. LENA BLACK: So you guys didn't

1 use any kind of contaminants or anything to crush, to  
2 get the diamonds out?

3 MR. GORD MACDONALD: It's a physical  
4 grinding process. It's not like a -- it's not like a  
5 -- it's not a chemical process.

6 MS. LENA BLACK: So the machine oils,  
7 nothing? There's no way of the machine oils or  
8 anything else being added onto there?

9 MR. GORD MACDONALD: No. That's what  
10 it -- it is the same rock that was out of there, it's  
11 just been changed physically. Thank you.

12 THE CHAIRPERSON: Okay, thank you.  
13 Public comments...?

14 ELDER JOE RABESCA: Hello. Joe  
15 Rabesca, Madam Chair.

16 I'm going to say a few words in my  
17 language. We didn't want to speak, but all of us  
18 here, there's about six (6) of us from Ray didn't want  
19 to speak, but I hear a lot of good points from the  
20 chiefs, from the ladies, my friends over here, another  
21 one over there, so I just hate to sit and not say  
22 anything at all before I leave.

23 But nevertheless, we're going to be  
24 here until it's finished for the next two days and  
25 we're getting to technical, some of our staff would be

1 here Thursday and Friday and they'll be speaking to  
2 some of this stuff that you're talking about.

3                   We, as people, we need to definitely  
4 understand what we're talking about, what's going to  
5 go in the water, what's going to happen over here, and  
6 we need to understand it.

7                   And you heard people say that we're  
8 going to live here. Go back and look at Giant Mine.  
9 I live in Behchoko a good part of my life and I see  
10 Giant Mine. I seen the other mines, it was in this  
11 very room that we had meetings about abandoned mine,  
12 with people again, the Elders, and so many, and so  
13 many ladies were sitting here in this room, they were  
14 talking about abandoned mine.

15                   How they were not proper clean, cleaned  
16 up, they left a mess. They did the same thing in our  
17 area and I did touch on it a bit when I was speaking  
18 in Ray, right from Ray where I live, right up to Great  
19 Bear Lake.

20                   To people like us, like Joseph, our  
21 leaders, some of our staff, to argue over and over and  
22 over with the Ministers in Ottawa, so that we can get  
23 proper funds to clean it up, it's not -- just clean up  
24 as much as we could. I sat on the Land and Water  
25 Board and I know when we get the information, I know

1 the area that we're talking about, because all of my  
2 life I've travelled out on the land.

3                   The only trail that I've never been on  
4 in my whole life is Moffi (phonetic) trail and I went  
5 on it. Six hundred (600) and some kilometres, we  
6 paddled over a month. All of my life I've travelled  
7 out on the land. I know every river that hits Fort  
8 Ray, every river that goes to Ray, I know it and I've  
9 been on it, and I know where it goes and where it  
10 ends. I know, because I've been on it.

11                   And someone here was talking about  
12 inviting the -- the youth. What we did in Ray when we  
13 were introduced into Ray, just give you some  
14 information what we've done. The group that are  
15 sitting here with me decided why do we have to have us  
16 meeting with the leaders, the Elders, and forget about  
17 our kids.

18                   So one day, (INDISCERNIBLE) president  
19 called me and said we're going to come to Ray and meet  
20 with you like before, give an update on what's there,  
21 what's -- what's going to happen, when we're going to  
22 start, everything.

23                   So I did talk to some of my members and  
24 I said why don't we invite them to go to our school,  
25 talk to grade 10, 11, and 12, put them in one (1) room

1 like this. Make them make a presentation to the  
2 students, just like they would do to us. And they  
3 agreed.

4                   And me and Ed Ostin (phonetic) and Ted  
5 Bondin, some of the staff, we went to the school ahead  
6 of them and we put all the class together.

7 Interesting, interesting, interesting, I'll tell you.

8                   Some of us here asked questions to  
9 people over there, people over here, but the kids,  
10 holy cow I could never believe the kind of questions  
11 that they were asking. Amazing. And they were asking  
12 questions like what kind of job is there going to be,  
13 how long are you guys going to be here, what's going  
14 to happen when you leave?

15                   Now what's happening, you guys are  
16 leaving. At that time they were talking about it.  
17 Are you going to leave a mess? Because we were  
18 talking about Rayrock when we have that meeting, they  
19 knew what Rayrock was like. They know all the other  
20 abandoned mines that we used to complain to the  
21 government when we were in Ray, when we were having  
22 that meeting. They knew they were there.

23                   So at times we need to involve our  
24 young people, because after look -- look at me, I'm 70  
25 years old right now and one day I won't be around.

1                   So as we speak, we're speaking for our  
2 young people and they're not here right now. They  
3 should listen and learn, because it takes a long time  
4 to learn from meetings, because I went to a lot of  
5 meetings, all over the country, every meeting I  
6 attended I learned something from different people.  
7 Travel all over. Mexico, I learned a lot of things  
8 from Mexico. How be if we traded them down there.

9                   And right now I look at Diavik. We  
10 have to work together, this is what I said in Ray, we  
11 need to work together, you, me, the Board. Even the  
12 Board needs to work with us because even them, if  
13 something goes wrong -- even them, they have kids,  
14 their kids are going to suffer just as much as we do.

15                   If the animal -- something happens to  
16 the wildlife, you name the, the ones that fly in the  
17 air, the ones that walk on the land, the ones that  
18 live under the water, the bear, everything, all the  
19 animals, if something goes wrong, all that wildlife  
20 that's out there is going to suffer and we're going to  
21 suffer because we're the user.

22                   And these guys are the users, too. So,  
23 we have to do -- work together with them and try to  
24 make the best decision we could. Sometimes it's hard.  
25 Sometimes I would argue with my friend here even

1 though he's a chief when I was a chief.

2 I would argue with him. But sometimes  
3 -- you know, there's old man saying, the other chair  
4 maker, he would tell us, yes, but son we could marry  
5 each other. But at the end of the day, everything  
6 comes down, we meet halfway. We made decision that  
7 he's happy with, I'm happy with.

8 The same thing here. You're going to  
9 be happy and the Water Board's going to be happy.  
10 We're going to happy if we all can work together as  
11 one (1), not this on your own. You present a paper  
12 and say this is the way we're going to do it, and  
13 that's the way it's going to be done. Don't say that.  
14 Listen to us. Listen to our consultant when they  
15 speak tomorrow and the next day, people like Tony  
16 that's going to be presenting on our behalf.

17 And we'll be there with him to advise  
18 him, to help him, the Elders. That's what the Elders  
19 -- they do. They may not speak here, but behind a  
20 closed door what's said to our consultant, we'll give  
21 him as much information, this is what we want, and  
22 he'll come and speak on our behalf.

23 So, we need to work together. Can't do  
24 it alone. If you do it alone, look at Rayrock. We  
25 were never asked. But who -- who did it take? It



1 take people like me. It took people like Violet and  
2 Ted. We had to fly to Ottawa to argue with the  
3 minister. And one (1) day, you know what I told the  
4 minister? It's not your fault that you have to answer  
5 for money to clean that mine up. Because you know why  
6 -- why I'm here? Because I was never told. The chief  
7 was never told they're going to open that mine; they  
8 just went ahead and did it.

9                   And what happened? All the land around  
10 there, the trees, the lake, the animal got polluted.  
11 We were told we can't go -- can't go in there no more,  
12 can't fish around there, can't hunt around there.  
13 That's what happened.

14                   The same thing within the lake. And we  
15 learned -- we learned from it. And when we speak, we  
16 talk about it because we know what we're talking  
17 about. We've seen it with our own eyes. We seen what  
18 happened the tree.

19                   A tree dries up, dead, dead. That's  
20 what happened in Rayrock. The tree just turned white.  
21 And we're told we can't go, so they made a new -- new  
22 road to go to Ray lakes and Whati. We can't go that  
23 way no more, no.

24                   So, we learn by experience by what we  
25 see, so just listen and work with us. Work with the

1 Elders. Work with the consultant. Sometimes you hear  
2 people speak and sometimes they raise their voice. I  
3 do that, too, but I don't get mad. I just want things  
4 to get done the proper way. Work with us and we can  
5 do it.

6 Work with the chief. I want to listen  
7 to the chief and the people in Yellowknife. I want to  
8 listen to them because of the mine, Giant Mine. I'm  
9 worried, too, because there's my sisters, my families.

10 A lot of my families are living here in  
11 Yellowknife. I've got a lot of grandchildren living  
12 here in Yellowknife. I even got grandchild going to  
13 school right here in Yellowknife right now. A lot of  
14 us are like that, higher school.

15 And if something goes worse than what  
16 it is right now, what's going to happen? And there's  
17 a guy there saying what if there's an earthquake. We  
18 don't know, but that remains to be seen in the future.  
19 That's why we need to work together.

20 Madam Chair, that's all I wanted to  
21 say, is just that try to reinforce people that are  
22 saying we need to work, like, together. Get the youth  
23 involved. That's what we do in Ray.

24 I told the staff that I work with, Go  
25 to the school, 10 -- grade 10, 11, and 12, like these

1 be -- make the presentation to them. It's their  
2 future that we're talking about; the same thing here.  
3 They could have been here. It would have been very  
4 nice for them to see.

5                   Yeah, I heard my grandpa say this in  
6 this very room. Why did George say that. With that,  
7 Madam Chair, thank you very much.

8                   THE CHAIRPERSON: Masi for your  
9 comments. Thank you. The floor is open for public  
10 comments.

11                   MR. BLAKE RASMUSSEN: Thank you, Madam  
12 Chair. I'll just be really brief and quick with this.  
13 Blake Rasmussen, Yellowknife Dene First Nation. But I  
14 will take the opportunity to walk over and look at  
15 these samples on the table here, if I may.

16

17                   (BRIEF PAUSE)

18

19                   MR. BLAKE RASMUSSEN: I see water on  
20 top of that processed kimberlite there. Is this the -  
21 - the extra fine or the fine? This is the fine? Hold  
22 this for a second.

23

24                   (BRIEF PAUSE)

25

1 MR. BLAKE RASMUSSEN: My friend, have  
2 a drink. Thank you. If you dare. Masi. Thank you.

3 THE CHAIRPERSON: Okay. Public  
4 comments, please.

5

6 (BRIEF PAUSE)

7

8 MS. DORIS ENZOE: Can you put on your  
9 headphones because I'm going to say it in my language?

10

11 (INTERPRETED FROM INDIGENOUS LANGUAGE INTO ENGLISH)

12

13 MS. DORIS ENZOE: I don't quite agree  
14 with it. Before you start at that mine on the island,  
15 if you had given a good thought, all the rocks that  
16 you are taking out, you should have planned to have a  
17 place to deposit that.

18

19 Now, it's kind of a problem right now  
20 for me. That mine that you had put in there, things  
21 were going to change, we were told. They -- they were  
22 saying that things were going to be the same as it was  
23 before you started the mine, and that's not going to  
24 happen.

24

25 Now -- now you're on an island and  
you're having problems with -- with your workings.

1 All that diggings you've done, if you want to put that  
2 dirt back into...

3                   So, if you get a big wind on the -- on  
4 the lake, you're going to have sediments all over the  
5 lake. That's going to happen if you do that. Without  
6 the water, we cannot live. Everything lives on water.

7                   Not only that, everything that we live  
8 on will also perish. The water that you're told to  
9 drink, how come you don't drink that water? You  
10 should at least taste that water.

11                   I got to tell you what I'm thinking. I  
12 live here. Once you take the money out, once you  
13 leave here, you're gone. My kids will be here. We  
14 are all following each other on this land.

15                   If I see -- if I see something that's  
16 not good, I will talk about it. I went to a lot of  
17 meetings with you people. A lot of times, I advised  
18 you. I told you about the bad things that were going  
19 to happen. You have to listen to us.

20                   If I knew about that meeting I would  
21 have gone to that meeting with you. What I -- I would  
22 have told you what I thought of it.

23                   You go to my country -- if you go to my  
24 country, I will tell you exactly what I -- we are do -  
25 - we are doing it for your benefit, to tell you about

1 the bad things.

2 One (1) person said you're on he  
3 island. Ekati, Misery, they're on the mainland. If  
4 you put that waste kimberlite on -- on the land, on  
5 the mainland, and if you do a good job, even the land  
6 heats -- it heats up, you can tell.

7 If you look (INDISCERNIBLE), you could  
8 see in the ocean that they're gone. The big winds  
9 coming up on the lands there, maybe a (INDISCERNIBLE)  
10 will happen in the future.

11 So, if you get a big -- big waves, it  
12 moves everything. Water moves everything. I could --  
13 I travel on the water with my children. I see it. I  
14 -- I work on the site Denena (phonetic). I watch the  
15 land.

16 I -- watch the thing. I wa -- I watch  
17 what -- what's happening out there. And then I talk  
18 about it. That's -- that's what I want to say. Thank  
19 you.

20

21 (INTERPRETATION CONCLUDED)

22

23 THE CHAIRPERSON: Public comments...?

24

25 (BRIEF PAUSE)

1 THE CHAIRPERSON: Could someone help  
2 her, please?

3 MS. STEPHANIE POOLE: My name is  
4 Stephanie Poole. I work for the NWT Treaty 8 Tribal  
5 Corporation in the Akaitcho interim measures agreement  
6 office. I am Lutsel K'e Clutche (phonetic) Dene First  
7 Nation member. I live in the community of Lutsel K'e  
8 with my family.

9 I do have a question for Diavik about  
10 their presentation on their proposal to deposit mine  
11 waste into the underground pit. And I haven't heard  
12 you answer Doris when she asked, and so I just wanted  
13 to ask again.

14 As part of your presentation were these  
15 examples of mine waste, or you refer to them as  
16 processed kimberlite or fine or extra fine or -- or  
17 whatever, your mine waste in the jar there, it seems  
18 to have settled quite a bit since the start of the  
19 Hearing today, and so will you drink that water, Sean?

20 THE CHAIRPERSON: Diavik...?

21 MR. SEAN SINCLAIR: So, if I could get  
22 up, maybe I can clarify why I'm not going to drink  
23 this right now. I think I can -- I -- I actually  
24 think I can provide a helpful explanation, hopefully.

25 So -- sorry. Okay.

1 (BRIEF PAUSE)

2

3 THE CHAIRPERSON: Could he have a  
4 portable mic?

5

6 (BRIEF PAUSE)

7

8 MR. SEAN SINCLAIR: So, hopefully,  
9 most of you saw this earlier. So, as -- as the  
10 processed kimberlite settles and consolidates, you end  
11 up with this pore water. So, this is what we call  
12 pore water. And this is -- this is the model results.

13 So, I had mentioned there was that --  
14 that high -- sort of high total dissolved solid water  
15 that sinks and floats on the bottom, sort of that  
16 brown layer. So, that's -- that's exactly, you know,  
17 essentially what you're looking at here.

18 So, below -- below this model, that's  
19 all just processed kimberlite, the solid material.  
20 And then this layer of, you know, beige on the model,  
21 that's that pore water that's squeezed up.

22 So, what we would on top of this pore  
23 water, we would have -- well, in -- in the case of the  
24 A418, we'd have 150 metres of clean lake water. So,  
25 yeah, I mean, when -- when you asked me to drink this



1 water, this is the water we're talking about being 150  
2 metres below the surface.

3 All the water above that, the dark blue  
4 water here, would be, like, very, very low in total  
5 dissolved solids, very similar to just the normal  
6 lake, and certainly I would drink that water.

7 So, does that help?

8 MS. STEPHANIE POOLE: No.

9 MR. SEAN SINCLAIR: Okay.

10 MS. STEPHANIE POOLE: How full does  
11 that jar have to be before you'll drink that water?

12 MR. SEAN SINCLAIR: So, if you think  
13 of it -- so, there's a scale here. So, this is about  
14 -- looks like about probably 7 metres, let's say,  
15 thick of -- of water. That would be like this -- this  
16 pore water. And then above it we would have about 45  
17 metres of that clean lake water above.

18 So, I mean, it would -- basically, I'd  
19 need a really tall jar. And I'd fill the -- fill the  
20 jar up with clean lake water.

21 MS. STEPHANIE POOLE: Or maybe you  
22 could just put less mine waste in that jar --

23 MR. SEAN SINCLAIR: Yeah.

24 MS. STEPHANIE POOLE: -- fill it up  
25 with water --

1 MR. SEAN SINCLAIR: Yeah. What I  
2 could do is --

3 MS. STEPHANIE POOLE: -- leave it  
4 overnight. And then tomorrow you can drink it for me.  
5 How about that?

6 MR. SEAN SINCLAIR: We'll make a --  
7 make a miniature one. But -- but, hopefully, that --  
8 that makes sense though. Do you understand? Like,  
9 this -- this water is that -- that stuff at the  
10 bottom.

11 MS. STEPHANIE POOLE: The pore water?

12 MR. SEAN SINCLAIR: The pore water at  
13 the bottom.

14 MS. STEPHANIE POOLE: And you don't  
15 want to drink the pore water because why?

16 MR. SEAN SINCLAIR: Well, because it  
17 has a higher amount of total dissolved solids because  
18 it -- it's squished up.

19 MS. STEPHANIE POOLE: Because it's a  
20 risk to your health if you were to drink that water  
21 right now?

22 MR. SEAN SINCLAIR: Yeah. So, the --  
23 so -- and -- and our whole goal is to make sure that  
24 all the water near the surface is -- is clean. And  
25 this phenomenon where you have this higher

1 concentration water that sits on the bottom, that's  
2 that thing called meromixis.

3 MS. STEPHANIE POOLE: Oh, I'm so glad  
4 you mentioned that. I think we'll have a good couple  
5 of days ahead of us to -- to get into great detail  
6 about the phenomenon known as meromixis.

7 MS. STEPHANIE POOLE: I look forward  
8 to it.

9 MS. STEPHANIE POOLE: Yeah. So,  
10 besides that, are you going to fix that jar so you can  
11 drink that water for me tomorrow? I didn't hear you  
12 answer my question.

13 MR. SEAN SINCLAIR: I'll need to find  
14 a really tall jar to fill with -- to fill with that  
15 much water.

16 MS. STEPHANIE POOLE: Or just less  
17 sediment in that jar. You all are good at models,  
18 right? I'm sure you can handle it.

19 THE CHAIRPERSON: Stephanie, is there  
20 another question that you would like to ask?

21 MS. STEPHANIE POOLE: No. Thank you.

22

23 (BRIEF PAUSE)

24

25 THE CHAIRPERSON: Public comments...?

1 (BRIEF PAUSE)

2

3 MR. HENRY BEAULIEU: Yeah, my name is  
4 Morris Henry Beaulieu. You're talking about the --  
5 the bottom where the kimberlite's going to be --  
6 settle. You're going to have problems with the fish  
7 that live in the water, the bottom feeders.

8 I think the Review Board and Diavik  
9 should seriously have a look at that. Just by  
10 listening to the question of this young lady, it's not  
11 a foolproof.

12 What I see in the -- in the diagram,  
13 it's almost similar in a way with Giant Mine. I mean,  
14 you know what? It's going to take about a hundred  
15 years, whatever.

16 You know, I think you should use a  
17 different type of material, the same type of material  
18 that you would have, you know, before the diamond mine  
19 extracted the diamond. I think you should use the  
20 same type of sediment instead of what you have shown  
21 us so far because that small little white area -- you  
22 know, as the fish goes in there, it's going to  
23 eventually contaminate the fish.

24 And when there's a big waves, I'm quite  
25 sure that -- that the bottom is going to be -- you

1 know, it's going to bring up the sediment where you  
2 store the -- the kimberlite, the waste.

3                   So I have a problem with that in terms  
4 of harming the fish. If this is sound a hundred  
5 percent foolproof to me -- I mean, you're holding up  
6 the jar, and you're not willing to drink it. So  
7 obviously, it's telling me that it's not safe for even  
8 a human consumption.

9                   So, you know, I think we have a -- a  
10 big work ahead of us to do, you know, before the  
11 closure of the diamond mine.

12                   You know, as it is right now, I'm not  
13 very too pleased with it. You know, I know you guys  
14 are expert. I'm quite sure that you could probably,  
15 you know, do a better job than -- than your  
16 presentation. Thank you. Masi.

17                   THE CHAIRPERSON: Okay. Thank you for  
18 your comments. Public comments?

19                   MR. MACHEL THOMAS: Machel Thomas,  
20 YKDFN. I have a question for Diavik.

21                   In your presentation earlier today, you  
22 stated that your idea for putting this was backed by  
23 consent from our TK panel. And in saying that, you  
24 also said that their consent was given based on their  
25 review of a toxicology report.

1                   So my question is: What expertise does  
2 that TK panel to analyze that toxicology report?

3                   THE CHAIRPERSON: Diavik...?

4                   MR. GORD MACDONALD: Gord Macdonald,  
5 with Diavik. I don't know that they have the  
6 expertise to critically review that -- the report. It  
7 was prepared by the University of Saskatchewan.

8                   And they looked at the results, which I  
9 think they could -- they could understand on survival  
10 and reproduction of aquatic organisms and understand  
11 it from that perspective.

12                   I wouldn't say that they critically  
13 reviewed it. We didn't imply that they did as an  
14 expert review.

15                   MR. MACHEL THOMAS: Thank you,  
16 Madam Chairman.

17                   THE CHAIRPERSON: Okay. Thank you.  
18 Public comments...? Public comments...?

19                   We're getting close to the end of this  
20 hearing, so I would like to give another opportunity  
21 for public comments.

22                   And there might be a public comment  
23 coming up from the youth? Did you want to speak? No?  
24 Okay. All right.

25

1 (BRIEF PAUSE)

2

3 THE CHAIRPERSON: Okay. This is the  
4 final call for public comments. Chief Sangris...?

5 CHIEF EDWARD SANGRIS: Chief Sangris,  
6 Yellowknives Dene. Now, Diavik, when you ask that --  
7 when you said that at the beginning when you met and  
8 you got this recommendations and one of the  
9 recommendation was you're going to have a non -- a  
10 non-signatory group.

11 Why -- beginning close -- close to  
12 the -- the letter of the mine that you're going to  
13 allow non-signatory groups to be part of the -- the  
14 process. That's one question.

15 The other one, you said you couldn't  
16 remove -- remove off A21 open pit from the -- from  
17 this review. Now what I am thinking and have the  
18 experience from other mines is that the tailings that  
19 processed kimberlite from A21, you're telling me that  
20 it's not going to go underground to A418? Masi.

21 THE CHAIRPERSON: Diavik...?

22 MR. GORD MACDONALD: Gord Macdonald,  
23 with Diavik. Thank you, Chief. I think there were  
24 two (2) questions there. There was one: Why did  
25 we -- our response on the non-signatory Indigenous

1 groups?

2                   And what our commitment there was was  
3 to meet with them once a year to advise them on how  
4 the project's going and to receive their input on  
5 the -- on the project and on the TK panel  
6 recommendations.

7                   We thought we could -- we could benefit  
8 from their -- from their involvement, and then we  
9 thought it would be helpful for them to keep involved  
10 with the project.

11                   On A21, it's not that the ore from S21  
12 wouldn't be deposited into 418. It definitely would  
13 be. That -- fifty (50) percent of the ore that would  
14 go -- be deposited would come from A21. What we're  
15 saying is we wouldn't use it as a place to deposit.

16                   So we're -- our preference is to go to  
17 418. And we kept the options of being able to go into  
18 A21 or into A154, and we've removed that option of  
19 being able to deposit into A21. Sorry if it was  
20 confusing.

21                   CHIEF EDWARD SANGRIS: Yeah. Just  
22 ensuring that, you know, what happened to one pit  
23 won't happen to another.

24                   And then we're going to have a problem  
25 of, you know, agreeing to -- to all these pits being



1 loaded with processed kimberlite when you didn't  
2 mention it at the beginning of the mine consultation  
3 period.

4 And I hope we have a closing comment  
5 after this. Masi.

6 THE CHAIRPERSON: Thank you. Public  
7 comments...? Public comments..?

8 And just a reminder that tomorrow is  
9 another day of hearings, and there'll be an  
10 opportunity -- I think it's around 5:00 -- yes -- 5:00  
11 for public comments. So there'll be an opportunity  
12 again as well.

13

14 (BRIEF PAUSE)

15

16 THE CHAIRPERSON: Okay. Well, thank  
17 you so much for the comments that people have made  
18 today. And at this time just before we close, I would  
19 like to ask Chief Sangris if you have closing comments  
20 or statements.

21

22 CLOSING COMMENTS BY CHIEF EDWARD SANGRIS:

23 CHIEF EDWARD SANGRIS: Thank you.  
24 Chief Edward Sangris, of Yellowknives Dene First  
25 Nations. Thank you, Madam Chair, for allowing me to

1 do the final comment at this hearing in Detah.

2                   As you heard, there's a lot of  
3 compassion from Dene people on how you're going to  
4 remediate the site after and all the kimberlite are --  
5 are done.

6                   And as you can tell, they are really  
7 concern, not only in this living world but in the new  
8 world, the next generation that's coming on 'cause we  
9 have that experience. We know how it's going to  
10 affect our people.

11                   The one (1) thing that we haven't talk  
12 about -- it's a social issue in doing what is proposed  
13 by Diavik. What I mean is that the global market --  
14 how will it affect the people that are living on this  
15 land from pursuing or having done what they have done  
16 before since time memorial to sustain themself  
17 economically?

18                   That's what we have to look at -- at  
19 everything, not only the caribou, the water, the fish.  
20 We have to look at how people going to make a living  
21 off the land after all is said and done. It -- you  
22 heard my cousin Fred. When he was growing up, he was  
23 living off the land. So was my dad. I travel with  
24 him.

25                   They didn't care if they have any

1 monetary things in -- in their backyard. All they're  
2 doing is survive -- making living for their family,  
3 surviving for their family.

4                   Those kind of things that we have to  
5 think about. It's hard today because if we tell our  
6 grandkids how we grew up in the past, they won't  
7 believe us 'cause they haven't experienced it.

8                   Same thing with government and the  
9 mining industry. We tell them about all these worries  
10 and our -- and our concerns and how to survive out --  
11 out there.

12                   But they wouldn't understand because  
13 they never grew up that way. They never chase a  
14 caribou on their snowshoes. No. They never drank the  
15 water or make tea from the lake that's in -- in the  
16 process of dumping kimberlite.

17                   Whatever you put underground, it's not  
18 going to stay there forever 'cause it's water -- it's  
19 going to be mixed with water. It's going to seep out  
20 no matter what.

21                   And our ancestors have lived on the  
22 land. They were never told that their lake is going  
23 to be polluted in the past.

24                   Now you're telling our future -- us and  
25 the future generation that our water's going to be

1 polluted after you finish mining. Not as devastating  
2 as some places, but we don't know, because at the  
3 beginning, you didn't plan to have the processed  
4 kimberlite dumped underground. You never planned for  
5 that so you don't know what the results going to be --  
6 the end results going to be.

7                   So we have to think really good and  
8 hard, and I wish the Board would take that into  
9 consideration on how it's going to affect our way of  
10 life.

11                   And it's not only us. You know,  
12 there's people from Kugluktuk, from Nunavut that are  
13 going to use that land. You know, I -- I read in --  
14 in a report that when they when they did a experiment  
15 at Ekati, the -- they had some ammonium nitrate in  
16 Grizzly Lake.

17                   And they were fishing out of the lake,  
18 and they grew bigger than, you know, the other fish in  
19 Lac de Gras. So there's going to be some effect  
20 'cause what you're dumping underground is mixed with  
21 ammonium nitrate that they use for blasting.

22                   And I wish I could go along with --  
23 with the proposal, but I have my doubts 'cause I've  
24 been working in the industry since '83, and I know  
25 what that does to the environment.

1                   It's really hard for me to -- to  
2   comfort and -- you know, knowing that these -- some of  
3   these people -- they do not understand what is going  
4   to -- how it's going to affect, you know, all the  
5   wildlife, the environment, and everything else that  
6   goes along with -- with, you know, the effect of  
7   having the dumped Kimberlite in -- in the underground.

8                   And one of the things that you jokingly  
9   told him is that maybe you should freeze it  
10  underground, like Giant, you know, but you can't  
11  freeze it up -- still frozen.

12                  But the climate change now, the  
13  weather -- the changes, it's going to be different up  
14  in the tundra a number of years from now.

15                  So now I'd like to thank the Board,  
16  everybody involved in this hearing, you know, to give  
17  us the opportunity to express our concerns and our --  
18  you know, look at how the process of those stored and  
19  processed kimberlite waste -- processed kimberlite  
20  underground, how it's going to affect, you know,  
21  our -- our way of life. Masi cho.

22                  THE CHAIRPERSON:   Thank you,  
23  Chief Sangris.

24

25  CLOSING COMMENTS BY THE CHAIRPERSON:

1 THE CHAIRPERSON: And closing  
2 statements for this hearing, we have come to the end  
3 of this community hearing in Dettah.

4 And we'd like to thank the Yellowknives  
5 Dene First Nation for coming and speaking to us and  
6 giving us the opportunity here to hear from all in  
7 regards to the public comments that were made at  
8 tonight's hearing.

9 As I stated earlier, tomorrow there's  
10 another opportunity for public comments. But  
11 tomorrow, we start at 9:30 in the morning, and it's  
12 the more formal part of the hearings that will happen  
13 at The Explorer Hotel.

14 So with that, I'd like to say thank you  
15 for the presentations. Thank you to the speakers.  
16 Thank you to the community for hosting us.  
17 Chief Sangris. And we'll see everyone tomorrow  
18 morning.

19 And with that, I would like to ask the  
20 Elder Modeste if he would have closing prayer for us.  
21 Masi.

22

23 (CLOSING PRAYER)

24

25 --- Upon adjourning at 8:51 p.m.

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Certified Correct,

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Sean Coleman, Mr.

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