

Our File: EA1819-01

July 26, 2019

## Note to File

To: Parties

**Re: List of interveners for the Depositing Processed Kimberlite in Pits and Underground public hearings**

The Review Board required all parties who wanted intervener status in this environmental assessment to apply for it. The Review Board received and accepted intervener status applications<sup>1</sup> from twelve groups.

Interveners are expected to submit written interventions and attend the technical hearing in Yellowknife on September 5 and 6, 2019. At the hearing, interveners will present their interventions, be available for questioning, and have the opportunity to question other interveners and the developer. For more details on being an intervener, please see the Notices of Proceeding on [preparing interventions](#) and [the hearing phase](#).

### Interveners for this environmental assessment are:

- Deninu Kue First Nation
- Fort Resolution Métis Council
- Lutsel K'e Dene First Nation
- North Slave Métis Alliance
- NWT Métis Nation
- Tłı̨chǫ Government
- Yellowknives Dene First Nation
- NWT Treaty 8 Tribal Corporation Akaitcho IMA Implementation Office
- Environmental Monitoring Advisory Board
- Government of the Northwest Territories
- Environment and Climate Change Canada
- Fisheries and Oceans Canada

For questions or more information on this environmental assessment, please contact Catherine Fairbairn (867-766-7054, [cfairbairn@reviewboard.ca](mailto:cfairbairn@reviewboard.ca)) or Kate Mansfield (867-766-7062, [kmansfield@reviewboard.ca](mailto:kmansfield@reviewboard.ca)).

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<sup>1</sup> Please see the application forms appended to this Note to File.



## Mackenzie Valley Environmental Impact Review Board

### Request for Intervener Status

**Name of Organization:**

Deninu Kue First Nation

**Name of Proceeding:**

EA1819-01 - Diavik: Depositing Processed Kimberlite in Pits and Underground

#### Reasons for requesting Intervener Status in these proceedings:

The Diavik Diamond Mine is within the current and traditional socio-economic use areas as identified in the Deninu K'ue First Nation (DKFN) Ethnohistory Report. The area north of Great Slave Lake is home to an abundant amount of wildlife, fish and plants that have meaningful and spiritual use to the DKFN. The project area have been used by the DKFN since time immemorial for hunting, fishing, trapping and gathering. Water is life, to the DKFN, therefore it is imperative that we protect all water sources within Akaitcho Territory and that our recommendations, commitments, and actions reflect that.

#### Participation in the hearing phase:

Please describe how you or your organization intends to participate in the hearing phase, such as what information, witnesses, or presentations you plan to provide.

The DKFN will prepare an Intervention and participate/present at the technical and community hearings. We will also prepare and present closing statements and recommendations.

#### Representation:

If you represent a responsible minister please list the licenses, permits or authorizations issued by your organization relevant to this proceeding.

#### Contact Information:

Please confirm your organization's contact information and the name of the primary contact person for Board correspondence purposes.

DKFN Contact:  
Mr. Richard Simon  
Deninu Kue First Nation  
Resource Management Coordinator  
ima@dkfn.ca  
867-394-4335

Technical Contact:  
Dr. Marc d'Entremont  
Technical Advisor to the DKFN  
LGL Limited  
mentremont@lgl.com  
250-656-0127


Date: July 9, 2019



## Mackenzie Valley Environmental Impact Review Board

### Request for Intervener Status

<b>Name of Organization:</b>	Fort Resolution Métis Council
<b>Name of Proceeding:</b>	Depositing Processed Kimberlite in Pits and Underground, Di

<b>Reasons for requesting Intervener Status in these proceedings:</b>
We are an Indigenous organization seeking intervenor status because we wish to ensure that any potential future impacts to our members, wildlife important to our people such as caribou, and our traditional territory are meaningfully considered as part of this EA process which cannot be achieved without our full participation. FRMC members.
<b>Participation in the hearing phase:</b> Please describe how you or your organization intends to participate in the hearing phase, such as what information, witnesses, or presentations you plan to provide.
Fort Resolution Métis Council intends to fully participate in all stages of the hearing process and plans on submitting an Intervention report as well as making presentation(s) at the hearing. At least one FRMC Knowledge holder will be in attendance in person at the hearing. Priority issues for FRMC include but are not limited to lack of consideration of FRMC Indigenous Traditional Knowledge, lack of assessment of
<b>Representation:</b> If you represent a responsible minister please list the licenses, permits or authorizations issued by your organization relevant to this proceeding.
Not Applicable
<b>Contact Information:</b> Please confirm your organization's contact information and the name of the primary contact person for Board correspondence purposes.
Fort Resolution Métis Council P.O. Box 137, Fort Resolution, NT X0E 0M0, Phone: 867-394-4151, secretary@frmcnwt.com. Primary Contact: President Lloyd Cardinal, Email: president@fortresmetis.ca. Secondary Contact: Katy.Dimmer@thefirelightgroup.com
Date: 15, July 2019 



## Mackenzie Valley Environmental Impact Review Board

### Request for Intervener Status

Name of Organization:

Lutsel K'e Dene First Nation

Name of Proceeding:

EA1819-01

#### Reasons for requesting Intervener Status in these proceedings:

The proposed depositing processed kimberlite into pits and underground mine workings is located in the asserted territory of the Akaitcho Dene First Nations. The potential socio-economical and ecological impacts could be profound on the Lutsel K'e Dene First Nation.

#### Participation in the hearing phase:

Please describe how you or your organization intends to participate in the hearing phase, such as what information, witnesses, or presentations you plan to provide.

Written intervention and presentation at technical hearing

#### Representation:

If you represent a responsible minister please list the licenses, permits or authorizations issued by your organization relevant to this proceeding.

#### Contact Information:

Please confirm your organization's contact information and the name of the primary contact person for Board correspondence purposes.

Shonto Catholique, Interim Lands Manager  
Lutsel K'e Dene First Nation  
Wildlife, Lands and Environment Department  
Email: lkdfnlands@gmail.com  
Phone: 856-370-7012

Date: July 10, 2019



## Mackenzie Valley Environmental Impact Review Board

### Request for Intervener Status

**Name of Organization:**

North Slave Metis Alliance

**Name of Proceeding:**

Diavik EA1819-01- Deposit of Processed Kimberlite

#### Reasons for requesting Intervener Status in these proceedings:

The North Slave Metis Alliance ("NSMA") represents those indigenous Metis people of the Great Slave Lake area who have s.35 Aboriginal right to harvest caribou, including in the area around Lac de Gras. Natural resource extraction projects, such as Diavik Diamond mine constitute threat to the health and integrity of our members' lands, resources, community, economy, and culture. NSMA participates in the Environment Assessment proceedings to ensure that the impacts are assessed, understood and properly managed. Provided that the environment impacts are well-managed, Diavik has the potential to create jobs, diversify local economies through secondary industry and bring wealth to our people at minimal cost to our community and the land and animals upon which we depend for physical, social, cultural and spiritual survival. If the impacts of the Diavik mine are not properly assessed, monitored and mitigated, it has the potential to destroy our lands and resources, our way of life and our people.

#### Participation in the hearing phase:

Please describe how you or your organization intends to participate in the hearing phase, such as what information, witnesses, or presentations you plan to provide.

NSMA intends to participate in the following ways:

- Attend technical and public hearings;
- provide information (orally, written, and by presentation) about the impacts of Diavik Mine on NSMA members and their priorities for the environmental assessment.

#### Representation:

If you represent a responsible minister please list the licenses, permits or authorizations issued by your organization relevant to this proceeding.

#### Contact Information:

Please confirm your organization's contact information and the name of the primary contact person for Board correspondence purposes.

North Slave Metis Alliance - general@nsma.net - 867-873-6762

Primary contact: Jessica Hurtubise - Regulatory Analyst - jess.hurtubise@nsma.net - 867-446-4480

Date: July 19, 2019





## Mackenzie Valley Environmental Impact Review Board

### Request for Intervener Status

**Name of Organization:**

Northwest Territory Metis Nation (NWTMN)

**Name of Proceeding:**

EA1819-01 Depositing Processed Kimberlite in Pits and Underground, Diavik Diamond Mines Ltd.

#### Reasons for requesting Intervener Status in these proceedings:

The NWTMN represents Indigenous Metis. The Indigenous Metis have traditional land use and harvest wildlife, particularly caribou, throughout the North Slave region, including the area around the Diavik mine and as such have an active interest in these proceedings.

#### Participation in the hearing phase:

Please describe how you or your organization intends to participate in the hearing phase, such as what information, witnesses, or presentations you plan to provide.

We have recently provided a written submission as well as provided a detailed reply to the Board's Information Request. We intend to participate in the hearing by providing a presentation regarding our concerns.

#### Representation:

If you represent a responsible minister please list the licenses, permits or authorizations issued by your organization relevant to this proceeding.

Not applicable.

#### Contact Information:

Please confirm your organization's contact information and the name of the primary contact person for Board correspondence purposes.

Northwest Territory Metis Nation, Box 720, 25 Camsell Street,  
Fort Smith, NT X0E 0P0.

Contact: Mr. Tim Heron, Land and Resource Manager  
tim.heron@nwtmetis.ca  
867-872-2770

Date: July 19, 2019



## Mackenzie Valley Environmental Impact Review Board

### Request for Intervener Status

**Name of Organization:**

Tlicho Government

**Name of Proceeding:**

DEPOSITING PROCESSED KIMBERLITE IN PITS AND UNDERGROUND - EA1819-01

#### Reasons for requesting Intervener Status in these proceedings:

Tlicho Government holds right in the region through the Tlicho Land Claim & Self-Government Agreement.

#### Participation in the hearing phase:

Please describe how you or your organization intends to participate in the hearing phase, such as what information, witnesses, or presentations you plan to provide.

In every hearing phase, as information provider, witnesses, and in each phase of the Environment Assessment.

#### Representation:

If you represent a responsible minister please list the licenses, permits or authorizations issued by your organization relevant to this proceeding.

#### Contact Information:

Please confirm your organization's contact information and the name of the primary contact person for Board correspondence purposes.

Violet Camsell-Blondin, Manager  
Lands Regulation Department  
Department of Culture, Language & Lands Protection  
Tlicho Government  
P.O. Box 412  
Behchoko, NT X0E 0Y0  
Phone: 867-392-6381 ext 1336  
Cell: 867-444-0006  
Email: violetcamsell-blondin@tlicho.com

Date: July 9, 2019



## Mackenzie Valley Environmental Impact Review Board

### Request for Intervener Status

**Name of Organization:**

Yellowknives Dene First Nation (YKDFN)

**Name of Proceeding:**

Depositing processed kimberlite in Pits and Underground

#### **Reasons for requesting Intervener Status in these proceedings:**

YKDFN is an indigenous government, who traditionally exercise its aboriginal and treaty rights (Section 35 Canadian Constitution) within the area of the proposed project activity. We propose to be an intervener because the effects of whatever proposed will affect us.

#### **Participation in the hearing phase:**

Please describe how you or your organization intends to participate in the hearing phase, such as what information, witnesses, or presentations you plan to provide.

KDFN will present Traditional and cultural knowledge, to highlight the significance of the area to our culture and also express opinion on the proposed project activities

#### **Representation:**

If you represent a responsible minister please list the licenses, permits or authorizations issued by your organization relevant to this proceeding.

N/A

#### **Contact Information:**

Please confirm your organization's contact information and the name of the primary contact person for Board correspondence purposes.

Machel Thomas  
867-766-3496 ext. 1006  
email: mthomas@ykdene.com

Date: July, 15, 2019



FAX TO: 867 766 7074  
c/o Catherine Fairbairn

OR

	<b>Mackenzie Valley Environmental Impact Review Board</b> <b>Request for Intervener Status</b>
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<b>Name of Organization:</b>	NWT Treaty 8 Tribal Corp. Akaitcho IMA office
<b>Name of Proceeding:</b>	EA1819-001 DIAMK

**Reasons for requesting Intervener Status in these proceedings:**

Akaitcho Territory

**Participation in the hearing phase:**  
Please describe how you or your organization intends to participate in the hearing phase, such as what information, witnesses, or presentations you plan to provide.

TBD

**Representation:**  
If you represent a responsible minister please list the licenses, permits or authorizations issued by your organization relevant to this proceeding.

**Contact Information:**  
Please confirm your organization's contact information and the name of the primary contact person for Board correspondence purposes.

screeningofficer@eastarm.com  
Stephanie Poole  
867 370 3217

Date: July 19, 2019

email to cfairbairn@reviewboard.ca

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JUL 22 2019  
MACKENZIE V.  
REVIEW BOARD



## Mackenzie Valley Environmental Impact Review Board

### Request for Intervener Status

**Name of Organization:**

Environmental Monitoring Advisory Board (EMAB)

**Name of Proceeding:**

Diavik Diamond Mines Depositing Processed Kimberlite in Pits and Underground

#### Reasons for requesting Intervener Status in these proceedings:

EMAB is the independent environmental watchdog for the Diavik Diamond Mine, established under the Environmental Agreement for the Diavik Diamond Project (2000), which also sets out EMAB's mandate. EMAB is concerned with the effects of the mine on the environment. EMAB has participated in this process since Diavik first applied to amend its water licence in June 2018, providing technical comments to the WLWB as well as participating in scoping and development of IR's for the MVEIRB.

#### Participation in the hearing phase:

Please describe how you or your organization intends to participate in the hearing phase, such as what information, witnesses, or presentations you plan to provide.

EMAB will provide an intervention addressing potential concerns related to water quality and effects on Lac de Gras, fish and aquatic health. EMAB's Chair and staff will participate in the hearing along with technical consultants with expertise on the above topics.

#### Representation:

If you represent a responsible minister please list the licenses, permits or authorizations issued by your organization relevant to this proceeding.

n/a

#### Contact Information:

Please confirm your organization's contact information and the name of the primary contact person for Board correspondence purposes.

Please contact John McCullum, EMAB Executive Director at:

phone: 867-766-3682

email: emab1@northwestel.net

address: 204 - 5006 Franklin Av, Yellowknife, NT X1A2P9

Date: July 9, 2019




Mackenzie Valley Environmental Impact Review Board

FORM 1

Request for Party Status

Name of Organization	Government of the Northwest Territories
Name of Proceeding	EA1819-01 Diavik Diamond Mines Inc. PK to Pits and Underground

Reasons for requesting Party Status in these proceedings.
Ministers from the GNWT will be responsible ministers as defined in s.111 of the <i>Mackenzie Valley Resource Management Act</i> .
<b>Participation:</b> Please describe how you or your organization intends to participate in this proceeding, such as what information, witnesses, or presentations you plan to submit.
The GNWT will participate in all phases of this EA and will provide expert advice, witness testimony and/or presentations on the various EA topics that fall under the GNWT's mandate. The GNWT's mandate includes, but is not limited to, biophysical components of the environment (e.g. water, wildlife and contaminants) and socio-economic components (e.g. community wellbeing, employment, archaeology).
If you represent a Responsible Minister or Responsible Authority please state which one. List the licences, permits or authorizations issued by your organization relevant to this proceeding.
The GNWT ministers take action and provide authorization for permits and licences pursuant to various territorial legislation and regulations. Territorial legislation includes, but is not limited to, the <i>Waters Act</i> , <i>Wildlife Act</i> , <i>Scientists Act</i> , <i>Environmental Protection Act</i> , and <i>Public Health Act</i> . The GNWT also has legislated and delegated authorities under the MVRMA.
Should the development be approved to proceed to the regulatory phase, the Minister of Environment and Natural Resources would be required to approve an amendment to the developer's Type A water licence.
<b>Contact Information:</b> Please confirm the organization's contact information and the name of the primary contact person for Board correspondence purposes.
Primary contact: Katie Rozestraten, Project Assessment Analyst, Lands at <a href="mailto:Katie.Rozestraten@gov.nt.ca">Katie.Rozestraten@gov.nt.ca</a> or (867) 767-9180 ext. 24022.
Secondary contact: Melissa Pink, Manager, Project Assessment, Lands at <a href="mailto:Melissa.Pink@gov.nt.ca">Melissa.Pink@gov.nt.ca</a> or (867) 767-9180 ext. 24021.
Dated at Yellowknife, Northwest Territories, on (MM/DD/YY) <u>05/24/2019</u>
 (Signature of Party's Representative)



## Mackenzie Valley Environmental Impact Review Board

### Request for Intervener Status

**Name of Organization:**

Environment and Climate Change Canada

**Name of Proceeding:**

Diavik - Processed Kimberlite to Mine Workings Environmental Assessment (EA1819-01)

#### Reasons for requesting Intervener Status in these proceedings:

This EA has issues that fall within our mandate regarding water quality and wildlife.

#### Participation in the hearing phase:

Please describe how you or your organization intends to participate in the hearing phase, such as what information, witnesses, or presentations you plan to provide.

ECCC will provide science based advice on issues relating to our mandate. We will have experts available for questions via teleconference.

#### Representation:

If you represent a responsible minister please list the licenses, permits or authorizations issued by your organization relevant to this proceeding.

#### Contact Information:

Please confirm your organization's contact information and the name of the primary contact person for Board correspondence purposes.

Russell Wykes - A/Senior Environmental Assessment Coordinator  
Russell.Wykes@Canada.ca  
1(867) 669 4743

Date: July 9, 2019



## Mackenzie Valley Environmental Impact Review Board

### Request for Intervener Status

**Name of Organization:**

Fisheries and Oceans Canada

**Name of Proceeding:**

EA1819-01

#### Reasons for requesting Intervener Status in these proceedings:

Responsible Minister/Authority: Currently an authorization in place for Serious Harm to Fish. Board decision may dictate a change to original authorization.

#### Participation in the hearing phase:

Please describe how you or your organization intends to participate in the hearing phase, such as what information, witnesses, or presentations you plan to provide.

Presentation on DFO mandate, existing authorizations and existing no net loss plan

#### Representation:

If you represent a responsible minister please list the licenses, permits or authorizations issued by your organization relevant to this proceeding.

Fisheries Act Authorization SC98001

#### Contact Information:

Please confirm your organization's contact information and the name of the primary contact person for Board correspondence purposes.

Fish and Fish Habitat Protection Program  
Central and Arctic Region  
Fisheries and Oceans Canada  
Suite 301, 5204 50th Ave  
Yellowknife, NT X1A 1E2

Daniel Coombs  
8676694927  
Daniel.Coombs@dfo-mpo.gc.ca

Date: July 19, 2019