

NORTH SLAVE MÉTIS ALLIANCE

PO Box 2301 Yellowknife, NT X1A 2P7



November 24 2020

Joseph Mackenzie
Chair
Wek'èezhii Land and Water Board
1-4905 48 Street
NT X1A 3S3
Canada
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Dear Mr. Mackenzie,

**RE: North Slave Métis Alliance's intervention in the DDMI Water License W2015L2-0001
Amendment Application**

Thank you for providing the North Slave Métis Alliance ("NSMA") with the opportunity to intervene in the amendment request for the deposition of Processed Kimberlite to Mine Workings (PKMW) at Diavik Diamond Mine.

NSMA is the only Indigenous group in the Northwest Territories (NWT) that has received judicial recognition of its members' common law Aboriginal rights as Métis. NSMA's very raison d'être is to advocate for the rights of the Métis of the Great Slave Lake area. NSMA members are a distinct constituency of the contemporary Métis collective of the Great Slave Lake area, a constituency which aspires to exercise and protect its Métis practices and customs on traditional Métis lands. The historical record is clear that the community of Métis of the Great Slave Lake hunted and trapped over a wide-ranging area of the NWT. For centuries the Métis people of the North Slave have been stewards of their traditional lands which includes the Lac de Gras watershed.

NSMA is pleased to submit the attached comments for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Bill Ehge". The signature is written in a cursive style.

William A. Ehge
President

CC: Gord MacDonald, DDMI

North Slave Métis Alliance Intervention to the
Wek'èezhìi Land and Water Board on the Diavik
Diamond Mines' Water License W2015L2-0001
Amendment Proceeding Deposition of
Processed Kimberlite into Mine Workings

November 24, 2020

Submitted to:
Wek'èezhìi Land and Water Board
1-4905 48 Street
Yellowknife
NT, X1A 3S3

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Contents

Introduction.....	2
Issue 1: Water Quality objectives.....	2
Issue 2: Monitoring program.....	2
Summary of Recommendations	3
List of Acronyms.....	3

Introduction

North Slave Metis Alliance (“NSMA”) represents s.35 Aboriginal-right bearing Indigenous Metis people of the Great Slave Lake area of the Northwest Territories (NWT). NSMA is the only Indigenous group in the NWT that has received judicial recognition of its members’ common law Aboriginal rights as Métis. NSMA’s very *raison d’etre* is to advocate for the rights of the Métis of the Great Slave Lake area. NSMA members are a distinct constituency of the contemporary Métis collective of the Great Slave Lake area, a constituency which aspires to exercise and protect its Métis practices and customs on traditional Métis lands primarily to the north of Great Slave Lake. The historical record is clear that the community of Métis of the Great Slave Lake area hunted and trapped over a wide-ranging area of the NWT. NSMA members continue to exercise their collectively held, unextinguished Aboriginal rights as Métis people to the north and the south, east and west of Great Slave Lake, including in the Lac de Gras area.

NSMA would like to acknowledge our collaborative relationship with DDMI for the past twenty years. NSMA has been an active participant since the inception of Diavik Diamond Mine. NSMA was an intervener in Rio Tinto’s Diavik Diamond Mine project’s original Environmental Assessment in 1998, and has continued its active engagement with the project as a signatory to the Environmental Agreement, as well as through various regulatory processes over the years including participating as an intervenor in 2019 respecting the EA1819.

NSMA is a member of the Environmental Monitoring Advisory Board (EMAB) and supports the Board’s deposition of processed kimberlite to mine workings comments and recommendations that the Board submitted respecting the aforementioned amendment application. However, in addition to those comments, NSMA wishes to reiterate its outstanding concerns and recommendations respecting the deposition of PKMW. Please note the following:

Issue 1: Water Quality objectives

NSMA members have consistently expressed their desire to have the Diavik mine site returned to pre-development conditions as much as practical. We urge the Wek’èezhii Land and Water Board (WLWB) to ensure that Diavik meets the water quality objectives at closure with a view to ensuring that the water in the pit lake is safe for people, wildlife and aquatic life. We reiterate that the dikes between the pit lake and Lac de Gras should not be breached until the water quality thresholds are the same.

Issue 2: Monitoring program

NSMA acknowledges DDMI’s commitment to work with NSMA as an Indigenous partner on the Traditional Knowledge Panel as well as working with NSMA on the establishment of Diavik’s mine reclamation engagement protocol. With that in mind, NSMA believes DDMI could develop a more effective monitoring program. NSMA would like its members and affected

members of Indigenous groups to participate in a post closure monitoring program. The benefits are two-fold:

- northern human capacity building is increased:
- confidence is enhanced in the safety of the water contained in the pit lake.

Summary of Recommendations

- Review Board should ensure that the water quality thresholds are the same in the pit lake and Lac de Gras before the dikes are breached.
- NSMA recommends that the Review Board require DDMI to facilitate and fund a community-based monitoring program of the closure operations and post-closure progress of the mine site.

List of Acronyms

DDMI: DDMI Diamond Mines Inc

EA: Environmental Assessment

EMAB: Environmental Monitoring Advisory Board

NSMA: North Slave Métis Alliance

NWT: Northwest Territories

PKMW: Processed Kimberlite to Mine Workings

WLWB: Wek'èezhii Land and Water Board

