

The EKATI MONITOR

Newsletter of the Independent Environmental Monitoring Agency

Issue 14, October, 2014

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Community Visit to Lutsel K'e

The Community Open House was held at the Z'ah Lockhart Community Hall. A feast began at 5:30 pm followed by an Agency Presentation. Several people joined us for dinner or to hear an Agency presentation about us and Ekati Mine.

Tim Byers, the Akaitcho Treaty 8 appointee to the Agency, gave an update about the Ekati Mine covering many issues such as water, air quality, the new proposed pit developments, wildlife, devolution, and planning for closure.

The Agency heard that the community had never heard of the Lynx Pit. The Agency explained that it is a small development intended to extend the mine life from its current development until Jay can be started. To develop Lynx Pit, Lynx Lake will need to be fished

out and drained. The community was concerned about this because fish are stressed when moved from one lake to another. The Agency heard that the community members would like to be there when this happens to see how it is done.



People wanted to know about caribou. Elder Madeline Drybones spoke about how her community has not seen any caribou since the mines were developed on the barren lands. She also spoke about eskers. Eskers are important places for wildlife, they are also important culturally as many ancestors are buried along them.

Overall, the Agency was pleased with the turn out, and will be reporting what we heard to the company and to the territorial government.

2013-2014 Annual Report



In September, the Agency completed the annual reports and distributed them amongst the Society Members

and other interested people and organizations.

The annual report is available in a technical, plain language and a summary version. It can also be viewed online at www.monitoringagency.net.

For a copy, contact Jessica at 867-669-9141 or monitor2@yk.com.

Up Coming Events!

In December, the Agency will be hosting a series of events.

December 2: Agency Board Meeting.

December 3: Environmental Workshop on Dust and our Christmas Open House.

December 4: Annual General Meeting.



Site Visit



In June, the Agency staff and Directors visited the Ekati Mine. Areas viewed included the Misery Camp, Fox Pit, the Old Camp, the LLCF Cell B revegetation area, the Fay Bay Spill area, and the diesel spill site

and caribou crossings along the Misery Haul Road. There was also a helicopter tour of the Jay and Lynx development areas.

DDEC committed to study dust suppression in the summer of 2014. To reduce dust from the Misery Haul Road, the road would need to be redesigned using smaller rocks that will hold dust suppressant better. New equipment can monitor dust results continuously which could allow for better testing of alternatives. The Agency looks forward to learning more about the dust study.



Ekati Expansion: Update

In the fall of 2013, DDEC announced that they were going to expand the current mine to include kimberlite pipes at Lynx, Jay and Cardinal, which will extend the mine life by 15-20 years.

DDEC then submitted their land use permit and water licence applications to the Wek'eezhii Land and Water Board in September for Lynx Pit and October for the Jay and Cardinal, which was then referred to environmental assessment.

DDEC's current water licence was amended to include Lynx Pit. In June 2014, DDEC announced that Cardinal Pit was being dropped, partly as a result of public concern over the extent of draining Lac du Sauvage.

The Jay Project is now before the Mackenzie Valley Environmental Impact Review (Review Board). Initially the Developers Assessment Report was expected to be submitted to the Review Board in July, but because of the change of plans, the DAR is now expected on, or before, October 31, 2014.

For more details on the progress of the environmental assessment, please visit www.reviewboard.ca.

Financial Security Review: Update

Under the Environmental Agreement, Dominion Diamond Ekati Corp. is to provide financial security to ensure compliance with the obligations under the Agreement. Following approval of the Interim Closure and Reclamation Plan, a process to review the financial security began in February 2012.

In July 2014, DDEC sent its proposal for financial security to the Agency. In August 2014, the Agency met with DDEC and GNWT to discuss the proposal. GNWT will be retaining a consultant to provide advice and the Agency has offered to assist in whatever way possible. The Agency prepared its own proposal covering obligations under the Environmental Agreement and analyzed DDEC's proposal. GNWT expects to get the report from its consultants at the end of October and there will be an opportunity for the Agency and DDEC to submit any final comments. It is hoped that the process will be completed by the end of 2014.

The Agency also remains concerned that full security has still not been posted for the Ekati water licence by DDEC, more than 14 months after the WLWB set the amount at \$263 million.

Misery Power Line



In May 2014, DDEC submitted a land use permit application to construct a power line along the north side of the Misery Haul Road, from the Main Camp to the Misery site. The Mine uses a diesel generator at the Misery Camp and the company says a power line will lead to a cost savings.

There will be over 250 poles installed along the Misery Road about 90 m apart. Each pole will have three wires strung from it. Some double poles will be required on road corners and for water crossings. Rock pads (10 m X 10 m) will be built off the road and will cover about 3 ha in total.

The Agency, the Lutsel K'e Dene First Nation, the North Slave Metis Alliance, and GNWT all requested details regarding monitoring of the impacts of the power line on wildlife, particularly to caribou.

The WLWB approved the land use permit and issued it on August 12, 2014. The company has since installed 3 of the power line poles and are on track to complete the construction in summer 2015.

It remains unclear to the Agency what the impacts will be on caribou. The Agency is working with GNWT to meet with the company to discuss how the power line will be monitored when it is in operation to determine the effects on caribou.



DDEC's 2013 Annual Report

Each year, DDEC is to submit an annual report under the Environmental Agreement and Water Licence. The 2013 Annual Report was submitted in April 2014.

An opportunity to review was given to the Agency, the Aboriginal governments, and others. With devolution, GNWT is now coordinating the review of the annual reports and making the final decision on whether the requirements of the Environmental Agreement have been met.

The Agency found the 2013 annual report by DDEC to be satisfactory but requested that responses be prepared to our comments on the 2012 annual report. We also recommended that the company should report how audits improve environmental management at Ekati and that lessons learned from spills should be provided. A number of other concerns were noted and can be seen in the Agency's letter of July 21, 2014.

On August 11, 2014 GNWT determined that the 2013 Annual Report was satisfactory but directed DDEC to respond to the comments from both the 2012 and the 2013 Annual Reports.

Aquatic Response Framework

An Aquatic Response Framework is a document and system where the results of monitoring programs for water, fish, plankton, and bottom dwellers are tracked and used to make sure that significant and irreversible effects do not happen. The first Aquatic Response Framework document by DDEC was submitted in February 2014. The Agency reviewed it and found that it did not meet the requirements of the water licence because thresholds for the protection of aquatic life were not set, action plans were not clearly identified with enough time to prevent environmental damage, and details on reporting were not provided. The WLWB agreed with

many of our concerns and sent the company a long list of areas that need to be revised. Another version of the document is expected in November 2014.



Independent Environmental Monitoring Agency

CONTACT US!

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Jessica Simpson
Communications and
Environmental Specialist

The Agency is a public watchdog for environmental management at the Ekati Diamond Mine. The Agency was set up in 1997 under the Environmental Agreement. It requires Dominion Diamond Ekati Corp. (DDEC) and the federal and territorial governments to protect the environment and land-based way of life of Aboriginal peoples of the area.

The Agency reviews DDEC's environmental reports and plans for the Ekati Mine, visits the mine site and listens to community and public concerns. We make recommendations to DDEC, government and regulators on how best to protect the environment at Ekati.

We are set up as a non-profit society in the Northwest Territories. The Agency's Board has seven Directors appointed by our Society Members:

- Akaitcho Treaty 8 (Łutsel K'e and Yellowknives Dene First Nations)
- Tłıchq Government
- Kitikmeot Inuit Association (KIA)
- North Slave Métis Alliance
- Government of Canada (AANDC)
- Government of the Northwest Territories
- Dominion Diamond Ekati Corp.

Our Directors are independent of the appointing parties and work together in the best interests of the environment and the people affected by Ekati.

We have two staff members and a resource library filled with information about Ekati in our office in Yellowknife. Please do not hesitate to contact us if you have questions or concerns about the Ekati Mine.

Please visit our website at
www.monitoringagency.net
to see photos, meeting
minutes, correspondence,
the Ekati Timeline and other
information about Ekati.

Director Profile: Arnold Enge

Appointed in September 2012 by the North Slave Métis Alliance, Arnold has 30 years of experience working in the North with the federal and territorial governments, as well as Rio Tinto.

Arnold is of North Slave Métis ancestry and represents the North Slave Métis on several boards monitoring the environmental impacts of northern projects.



Upcoming Staff Changes

This winter, Jessica Simpson, the Agency's current Communications and Environmental Specialist, will be welcoming her second baby. To fill her position, the Agency has hired Tee Lim, who will be coming to the Agency from the Pembina Institute's Yellowknife Office. Here he focused on Northern issues related to environmental management, including: the sustainable development of both the traditional/land-based and industrial sectors (especially minerals, oil and gas), community climate change impacts and adaptation measures, and youth engagement. Tee can be contacted at monitor2@yk.com, or 867-669-9141.

