

# WORKING WITH THE PEOPLE FOR THE ENVIRONMENT



Meeting Notes – May 13, 2025 - afternoon  
Yellowknife Boardroom and by teleconference / Zoom

## Present:

Charlie Catholique, *Chair (by zoom)*  
Marc Whitford, *Vice-Chair (by zoom)*  
Ryan Arta, *Director (by zoom)*  
Baba Pedersen, *Director (by zoom)*  
Tara Marchiori, *Director (by zoom)*  
Sarah Elsasser, *Director (by zoom)*

Łutselk'e Dene First Nation  
North Slave Métis Alliance  
Yellowknives Dene First Nation  
Kitikmeot Inuit Association  
Diavik Diamond Mines  
GNWT-ECC

## Staff:

John McCullum, *Executive Director*  
Allison McCabe, *Environmental Specialist*

EMAB (minutes)  
EMAB (minutes)

## Absent:

Violet Camsell-Blondin, *Secretary-Treasurer*

Tłıchq Government

## Guests:

Tuesday, May 13, 2025	
Meeting started at 1:05 pm at EMAB Boardroom and by teleconference	
Chair opens meeting at 1:05pm	
Opening prayer – Charlie Catholique	
<b>Item 1 – Review of Draft Water Licence Renewal Intervention</b>	
<b>ED presents draft intervention</b>	
<b>Engagement</b>	
Q. Were community visits (e.g.) Kugluktuk done? And should we make a stronger recommendation about community engagements with regard to closure to give communities a chance to provide personal input? Engagement with community governments is not enough.	
A: Diavik did specific engagement on Cultural Use Criteria (CUC) for PK to pits , but that wouldn't have been included in the engagement log for this process.	
<ul style="list-style-type: none"><li>Noted that CUC were developed because of MVEIRB direction because PK to pits was identified as having impacts on cultural use. The engagement noted here is about applying the CUC to pond discharges. Does EMAB want to apply same criteria to discharges on water and/or land?</li><li>EMAB should make a recommendation about engagement</li><li>Noted the use of “should” in many recommendations – EMAB should use stronger wording, like “shall.”</li></ul>	

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- hold off on discussion about recommendation about CUC until next section - there are some draft recommendations in there.
- likes recommendations; haven't had chance to read entire document yet.
- Diavik says NOT FEASIBLE to apply CUC to discharges beyond A418 but did not do meaningful engagement (e.g., mostly emails asking to meet); also made inaccurate comments about discussion on CUC at workshops. TK criteria needs to be same level as science.
- Water at Diavik was drinkable before the mine started; it should be the same when they leave.

Q: is Diavik required to meet DW guidelines or is this whole process determining that?

A: Part of renewal decision.

Q: Diavik is hoping CUC would be included in FCRP and not WL renewal, is that the fundamental position difference here?

A: question is whether CUC should be applied to discharges.

- TKMP is part of this issue
- the licence renewal says Diavik do not think CUC should apply to discharge
- this is runoff, its like the Tin Can Hill runoff...
- issue is whether the water is safe to drink

Q: are CUC already applied in licence?

A: to A418 only. Nat Drainages allowed for only Ponds 2 & 7 to be breached; most Parties wanted CUC to apply to these discharges. So the WLWB asked DDMI to go back and look at how CUC could be applied to discharges.

### **Cultural Use Criteria**

Q: how could this recommendation be strengthened? E.g. "reasonable" may not be strong enough or too subjective. Prefer more clear language.

- "best efforts" – legal definition? Change to "shall".
- There will be uranium beyond DWQG so "shall" is not achievable.
- Another option is perpetual treatment...but there may be other options (source control?)
- if Diavik has specific concerns with any streams, they should identify each one and show us each one at a site visit. Not just say "some" of them. I want 100% usable water. Maybe not feasible in the end but have to ask for it.
- Need to state principle clearly.
- People go on the land, camp or drink anywhere no problem. Now Diavik is saying, we're not allowed. But its their responsibility and they promised. It's Diavik's responsibility to take care of the water. We represent our communities.
- Depends what they agreed with at beginning of water licence – did they say all water will be clean and drinkable? But now we're talking about different levels of the water being fit for consumption. We are now over 20 yrs later, coming up to termination, are asking for potable



water standards. We have to watch ourselves here because in the past, that something was agreed to. And mine could show old memo or decision. Don't want to be a stick in the mud but have to realize.

- Ask DDMI to sample.
- EA stated there might be a couple small lakes where levels of cadmium, etc. wouldn't be okay but the rest would be fine.
- Noted CSR states water is expected to meet DWQG. Check for other references.
- Check wording of MVEIRB measure on CUC and include.
- Strengthen all recommendations – "should" is not strong enough.

### **Pond Decommissioning**

Q: Monitoring of discharges – adequate?

A: there is monitoring; EMAB would like to see more.

- If detailed monitoring needs to go beyond Diavik closure schedule then it should.
- Data is critical; sampling results will determine what needs to be done.
- Diavik could have started controlled discharging and monitoring years ago.

### **BREAK**

#### **North Inlet**

- Originally there were no plans to rehabilitate the North Inlet. Need to engage communities on whether they want to re-connect to LdG.
- Strive to make NI same as before development, then re-connect.

#### **Pit Lakes**

- Use stronger language in recommendations.
- On TSS from dike breaches: note WLWB required Diavik to meet a daily TSS limit and a 30-day average. Refer to this decision.

#### **Sewage Treatment**

- Sewage treatment – if Diavik can't provide specifications, make submission a requirement in licence, for approval, prior to construction.
- Note Recs 7.12 & 7.13 are the same as 12.12 & 12.13 – check and fix.

#### **Closure Criteria**

- Recommendation to postpone review of both SW2-1 and SW2-3 to FCRP review.

#### **SWALF**

- Recommending chronic toxicity trigger at action level 2.
- Noted that GNWT has said turbidity is not enforceable in a licence, only TSS.

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### General Comments

- Strengthen recommendations throughout.
- Important to consult with stakeholders on all aspects of Renewal.
- Engagement must be more than just an email.
- WLWB has discretion for its decisions; careful with use of words like “shall” or “must” – balance needed.
- Engagement so far doesn’t meet WLWB guidelines; needs to be more.
- Concern about what Diavik is trying to do with the Renewal application.

**Motion:** to approve the draft intervention for submission to WLWB, as amended during this meeting

**Moved:** Baba Pedersen

**Second:** Marc Whitford

Carried

- Diavik told communities everything would be fine during the Environmental Assessment
- Concern about fuel remaining in soil after spills; will eventually contaminate area.

### Item 2 - Conditions for lease for possible new office space

- Landlord wants a three-year lease for office across the street. What are Board’s views?
- Expect EMAB will need an office until at least 2029 ie. end of active closure, so three-year lease should be OK.
- Concern about budget disagreement in 2027.
- Planning to have a discussion with Diavik on EMAB after Operations
- Request a commitment/assurance from Diavik, in writing, for 3<sup>rd</sup> year of lease. Remind landlord about problems with current space.

**Action Item:** ED to contact Diavik regarding commitment for 3<sup>rd</sup> year of lease as part of 2027-29 budget.

### Item 3 - Site Visit

- Agreed to propose site visit on July 7 to Diavik, with Board meeting July 8 & 9.

**Meeting Adjourned**

**Next meeting July 7-9’25 with site visit July 7 overnight**