

## Yellowknives Dene First Nation Concerns about Potential Environmental Impacts of the JERICHO Diamond Project

May 25, 2001.

Yellowknives Dene First Nation are concerned about potential trans-boundary (Nunavut - N.W.T.) environmental impacts from the proposed Jericho Diamond Project. These we can summarize in 2 categories:

1. cumulative impacts from accidental spills on the Lupin winter road; and
2. effects on the Bathurst caribou herd.

### Winter Road:

We are not clear as to the number of truck loads from Yellowknife that Tahera estimates will be required to supply the minesite during mine construction and operation.

Annual # loads during construction (2002 - 2003) = 441

But Tahera's consultant's Aquatic Impacts Report gives the figure of 361 (p. 89)

Annual # loads during operations (2003 - 2005) = 312

But the Draft Summary p. 55 states that the max. # of truckloads during operations will be 320.

We understand that 157 will be needed during underground mining in 2006-2008 and 179 during closure of the mine in 2011.

These estimates represent a 5 - 7% increase (during the first half of the Jericho mine life) in truck traffic on the ice road over what Diavik estimated the total will be for all users of the road<sup>1</sup>.

Yellowknives Dene want to maintain the high quality of water and fish habitat found in all lakes and rivers in our traditional lands. This is a strongly held belief that should not be compromised, as a healthy land has nourished and provided for our people over countless generations.

This is why we are concerned over the possibility of accidental contamination of these waters. A possible source of such contamination is the Lupin winter road that will service the Jericho mine and currently services the Lupin, Ekati and Diavik mine sites. Three quarters of the length of this road runs over water. Tahera's aquatics consultant,

RL&L, states that a spill of hazardous goods into a small lake on the scale of Lynne Lake (an area of 16 ha) would have a high ecological impact which would be irreversible during the life of the mine.

Tahera's EIA states that the potential for an accidental spill on the winter road is "remote". (*Draft Summary p.78*) Yet they state that one spill can be expected to occur at any time during the life of the mine. This hardly seems to be a remote possibility.

We note that Tahera has included in their quantitative assessment of cumulative effects only the probability of accidental spills (0.003) occurring on the Lupin - Jericho extension of the winter road (*Draft Summary FIS p.79*). No estimates are given of what increase in probability of accidents along the whole length of the road from Yellowknife north arises from the extra 441 truckloads during Jericho mine construction.

If we take DIAVIK's estimates that their 2300 loads during construction of their mine will add 0.6 potential accidents per year to the total probability existing on the winter road "pre-Diavik", then the same accident rate would add an extra 0.1 once construction of Jericho began. During Jericho operations, this accident rate would decline to an extra 0.08. So, during the life of the Jericho project (9 years), we could expect one more accident. But where is that one accident likely to occur? Taking into consideration the fact that >75% of the winter road's length falls within the N.W.T., can we expect this one extra accidental spill to most probably occur on Dene lands rather than in Nunavut?

According to Diavik's estimates, we can expect a total of about 15 to 17 truck accidents on the winter road over a 10 year period<sup>1</sup>. Adding the extra one attributable to the Jericho project yields a cumulative expected total of 16 to 18 accidental spills on the winter road between Yellowknife and Jericho. Assuming that accidents are not distributed evenly along the road, but will probably tend to concentrate at certain places where risks are highest (at corners and at shoreline entrances/exits of water bodies where ice is often thinnest), might we expect that some points on the road would be subjected to multiple accidental spills over this 10-year period? If so, this could change Tahera's evaluation of cumulative effects ("negligible") of the winter road on the environment, due to an amended estimate of the probability of serious water quality degradation or fish habitat destruction for some sensitive water bodies on the route.

Tahera's consultant reminds us that of all the truck traffic that will service Jericho, "not all truck loads contain materials that are hazardous to the aquatic environment."<sup>2</sup> This is undoubtedly correct. However, we should not let this obscure the fact that over the 16 year period from 1983 -98, 87% of accidental spills on the winter road (13 of 15) were

petroleum products (diesel and gasoline).

Tahera downplays the potential for negative environmental impact of an oil tanker truck going through the ice by stating that the lighter-than-water petroleum would keep the truck afloat. This may be true for the tanker, but what about the cab and its own fuel, lubricant and coolant contents? Also, are there possibilities of puncture of the tanker by the ice as it goes through?

Perhaps just as important as single spill incidents is the more incremental build-up of smaller amounts of contaminants that could be spilled on the road over prolonged periods due to leaks of fuel, lubricants and coolant from poorly-maintained trucks onto the road. Two of 15 spills along the ice road from 1983-98 were from leaks of 90 and 464 liters<sup>1</sup>. Is Tahera taking steps to ensure that trucks servicing their minesite will not contribute to such a problem?

#### **Caribou:**

Northward migration through the project area begins by mid-April, after ice road transport from the south is finished. But haul road between Lupin and Jericho will be active for 1-1.5 months during this migration.

Tahera's EIS states that no part of the project area can be described as "key habitat" for any wildlife species, based on a definition of the habitat supporting  $\geq 1\%$  of a population. (*Draft Summary p. 49*) However, in 1 of 6 years (17% of Jericho study years), >10% of the Bathurst herd (1996) were observed resting and feeding in the area for over half a day. This indicates that at least in some years, the Jericho Project area provides important habitat for migrating caribou. This would refute Tahera's contention that the loss of this habitat would not be detectable at a population level (*Draft Summary p. 59*) Further to this, it is our contention that any area that is used only as a migration corridor, especially when it provides a route around large obstacles like cliffs or large bodies of open water, should also be considered as important habitat. When caribou access to a corridor is impeded and they have to detour many extra kilometers to eventually link up with their main migration route, this could force them to use up valuable energy reserves before arriving at calving grounds.

The EIS also states that it will be "unlikely that caribou cows passing Lupin/Jericho on spring migration would also have passed through the Ekati and/or Diavik diamond projects.." <sup>3</sup> However, the caribou telemetry maps in the same report show that in 1997, one cow (#B15b) traveled through both the Lupin - Jericho area and Lac de Gras. Since only one of 23 collared cows did this (4% of sample population), it may indicate a small proportion of the population migrate through the 2 areas, but in our opinion, this does not rate as an "unlikely" occurrence.

If the Jericho Project gets authorization to go ahead , then we would encourage Tahera to continue its funding of research on caribou migration and energetics.

We also wish to remind Tahera that sustainability is not the only aspect of our caribou harvests that we do not want to see deteriorate, but also accessibility. We will not be pleased if, as a result of mining activity and the winter road traffic that Jericho will contribute to, caribou migrations are deflected to routes far away from our communities and traditional hunting areas.

#### Noise:

In addition to the above concerns, we would also like to direct the Board's attention to a failure of the EIA in the discussion of noise impacts.

To more fully understand the magnitude of the noise zone of impact around the mining activities, it would have been useful to have seen a map showing the areas that receive noise in gradations of dB contour lines around the point source(s). This was done quite effectively in Diavik's EA report.

Similarly, a map showing the "disturbance footprint" of aircraft flight noise in and out of the airstrip would have been helpful in evaluating the effects of aircraft noise on migrating caribou and staging/nesting waterfowl. Will all portions of the landing approaches and take-offs  $\leq 500$  m above ground level be oriented north-south, or will some, by necessity, be circling in from the east or west ?

Thank you for giving us this opportunity to to bring the above concerns to the Board's attention.

Sincerely,

Rachel Crapeau \_\_\_\_\_

Tim Byers \_\_\_\_\_

(Original copy signed by the above)

<sup>1</sup> Table 7-11 of Diavik Diamonds Project Environmental Assessment Submission: Environmental Effects Report, Fish and Water, 1998

<sup>2</sup> RL&L Environmental Services Ltd. 2000. Jericho Diamond Project Environmental Impact Assessment: Aquatic Biota. Report for Tahera Corp. RL&L Report No. 857bF:101 p.+1 appndx

<sup>3</sup> Hubert & Assoc. Ltd. 2000. 1999 and Y2000 Wildlife Field Studies Data Report, and Project Environmental Effects Assessment on Wildlife, November 2000, p.67

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