



# Who we are. What we do.

NWT Geoscience – November 16, 2016

# Purpose

- Protect Land & Water, including the land-based economy
- Environmental Monitoring of Gahcho Kue Mine
- Ensure that Traditional Knowledge is used to monitor the mine
- Provide formal mechanism for communities to make recommendations
- Build community capacity

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## ARTICLE 1 – OBJECTIVES

- 1.1 This Ní Hadi Xa Agreement is a legally binding agreement which provides for environmental monitoring and management of the Gahcho Kué Diamond Mine additional to such matters governed by legislation, regulations and Regulatory Instruments and for the establishment of and the identification of roles of the Ní Hadi Xa Governance Committee, in order to achieve the following objectives:
- (a) respecting and protecting land, water, Wildlife, Plants and the land-based economy, essential to the way of life and well-being of the Indigenous Parties and present and future generations;
  - (b) ensuring ongoing review of Environmental Monitoring and Management Plans, activities, and reports of De Beers and the Regulators in relation to the Gahcho Kué Diamond Mine;
  - (c) developing and improving the capacity of the Indigenous Parties to participate in adaptive environmental management;
  - (d) ensuring ongoing review of priority issues and monitoring through provision of technical advisory resources and third party review;
  - (e) making recommendations to De Beers with respect to these objectives;
  - (f) integrating and promoting equal use of traditional knowledge in environmental monitoring and management;
  - (g) wherever possible, promoting efficiency through the reduction of costs and coordination of efforts;
  - (h) providing a formal mechanism to confirm De Beers' Commitments in the case of uncertainty or disputes; and
  - (i) communicating to the Parties and the public on activities and achievements of the above objectives.

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# Key Differences

- Despite small overlaps, NHX is not the same as other NWT oversight groups
  - Different purpose (Article 1)
  - Different structure and governance (Article 4)
  - Different ways of monitoring (Article 5)
  - Different priorities & administration (Funding choices)

# Governance

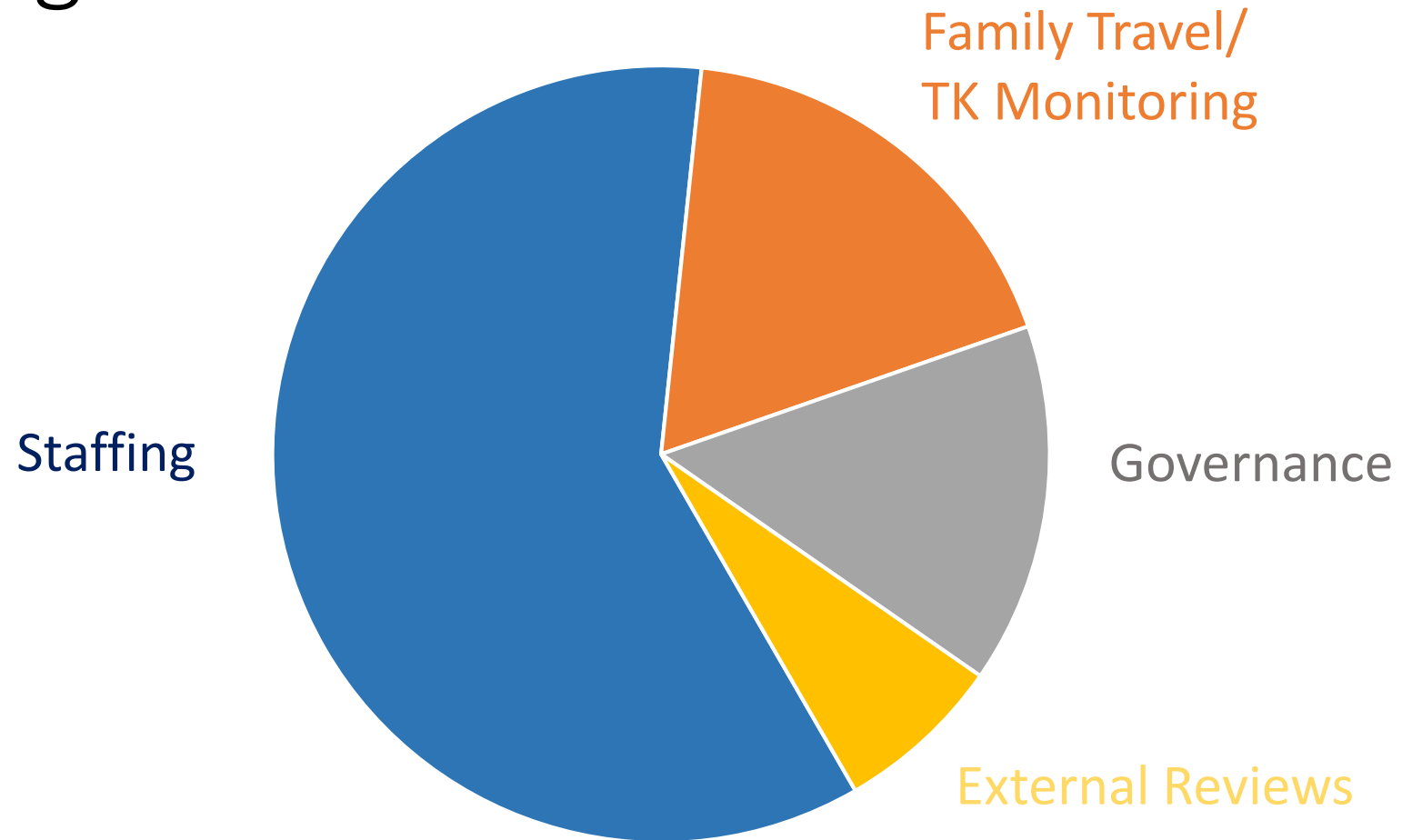
- NHX is, at heart, a cooperation agreement between the company and 5 Indigenous parties.
- The agreement makes resources available, to be administered through a Governance Committee.
- Governance Committee is composed of one environmental staff person from each signatory – 6 in total. Together, they allocate resources, provide guidance for staff and provide reporting back to their nations.
  - Generally this is the Lands & Environment person – agreement drafters hoped to have staff plugged into the regulatory system (ex. Land Mgr in Lutsel K'e)

# Structure

- NHX is not a legal entity – materials are owned by others, paid for by NHX agreement funds. NHX does not hire staff, all staff are hired by communities.
  - Can make things more complicated and has caused additional work and rules development during 2015/16
- Operates as a strong central authority – The Governance Committee retains direct oversight on all projects and the majority of staff.



# Funding Breakdown



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# Environmental Monitoring

- 3 approaches to Environmental Monitoring
  - Technical reviews of monitoring and management plans
  - On-site technician embedded with De Beers' environment team
  - Traditional Knowledge:
    - Monitors (staff) who travel to area adjacent to site regularly
    - Families of the signatory nations who will travel to the Family Cultural Area to exercise their rights and practices.



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# TK Monitoring Concept

- Key plank of the Environmental Monitoring Effort
- Two streams of TK Monitoring:
  - Our staff (> 12 weeks per year)
  - Family Travel Program participants (approximately 15 weeks in 2017)
- TK Monitors provide trip reports, with format to be formalized and key observations as part of 2016-17.
- TK Monitors will interview Family Travel participants, with methods currently under development





# Traditional Knowledge Monitoring

- Focuses on having landusers on the land, observing over time and looking for change.
- In the same way that a thermometer measures temperature, the people are our instrument – their experience is the lens we use to look for change.
- This isn't so much about collecting Traditional Knowledge, but rather having people who hold the TK out on the land observing.
- Acknowledge the limitations – staff not present during freeze-up and break-up.

# Family Travel Program

- Second part of TK Monitoring program involves having families travel to area adjacent to the mine. When there, they live as they normally would – hunting, fishing and practicing their customs.
- Over this time period, TK monitors will work with the families to collect their observations, recollections and expectations.
- Summer program starting in 2017, implementation plan under development, but current approach features families from each community on site for either one or two weeks.

# Where are we now?

- Takes time to build the system – requires resources and structure to move from simple problems to harder ones.
- First year administrative development must be the priority – it's difficult to do everything concurrently – so build the foundation first.
- Implementation and Governance of an agreement of this scope requires dedication. Difficult to prioritize in a world of other priorities – must be room for decision delays.
  - Part time governance needs flexibility, particularly financial - allow programs to advance at the 'right' pace – not on fiscal years
- Environmental monitoring and technical review are comparatively easy compared to the development of the TK Monitoring approach
  - Development of the TK program is incremental – important to provide the resources to allow the program to grow from within.
  - Staff, skidoos, cabin are all requirements for the program start up.

# What's Next?

- Completed the first major technical reviews (ICRP), now need to refine products to provide best value to community staff – improving on delivery.
- TK Monitoring Program re-development in progress. The first concept didn't work – reconsideration in next months, implementation in early 2017.
- Family Travel Program framework underway, to be completed in next months, with implementation starting summer 2017.
- Future refinement of Family Travel Program/TK Monitoring to focus on improving products – similar to the refinement for technical reviews

