

Date: December 16, 2013

To:

Northern Region
Permit To Take Water Coordinator
Ministry of the Environment
Operations Division Northern Regional Office
435 James Street South Floor 3 Suite 331
Thunder Bay Ontario P7E 6S7
Phone: (807) 475-1734

**Re: Application for renewal and amendment Permit to Take Water for Mine Dewatering, EBR
Registry Number 011-9596**

Thank-you for the opportunity to comment on DeBeers Canada's proposal for a renewal and amendment to its Permit to Take Water for Mine Dewatering at its Victor Diamond Mine.

Here are my questions and concerns on De Beers Victor Mine extension permit to take water (PTTW).

1. I am disappointed there have not yet been any community consultations with member's of Attawapiskat to comment on the six month extension PTTW. It is clear to me that the Ministry of the Environment (MOE) continues to accommodate De Beers Victor Mine in permitting but has not yet accommodated Attawapiskat First Nation as it is constitutionally obliged to do. I am aware the many people in Attawapiskat, me included, have major concerns about the impacts the Victor Diamond Mine is having on water quality and quantity in our territory.

2. There are sinkhole formations appearing and adverse environmental effects on the ecosystem due to the dewatering program that has been occurring to date. Water flows have been impacted and so has water quality (as discussed further below). This is something that needs to be reviewed and fully addressed before dewatering can continue and certainly before any additional diamond mining can be added to this project. The proponent has all the information where all the sinkholes are located; pictures, gps, maps.

3. It is my understanding that methyl mercury, chloride and arsenic levels continue to increase and may exceed the Canadian Environmental Quality Guidelines (CEQG). Additionally, it is my understanding that DeBeers has used the wrong CEQG in its application and has minimized its impact on the environment as a result. This will have an impact on Attawapiskat's river downstream, way of life, fishing, hunting and possibly our drinking water. I stress that

Attawapiskat members continue to live off the land and depend on a healthy environment for their livelihood and well-being and will into the foreseeable future. We need guarantees that any dewatering will not impact water quality in our territory.

4. There is no mention in the EBR Registry posting relating to how mitigation of any adverse environmental effects from dewatering such as sinkholes, drying of ponds and muskeg, increased mercury, arsenic, and chloride, or minimizing impacts to fish and wildlife will actually be accomplished.

5. There has been insufficient time for Attawapiskat and members of the public generally to review the application and also to analyze the permit to take water, mercury, and chloride reports. I do recognize that the Ministry has informally allowed an extension of time for Attawapiskat to provide comments but that is not reflected on the EBR Registry. I ask that the deadline for comments be extended

6. The application for the permit to take water is scoped down. For example on tables provided 1-5 only show data collected from 2009 - 2011 for mercury concentrations on Nayshkootayaow River and Granny Creeks. 2012, 2013 and Attawapiskat River are not included on the tables provided in this application and in my view, intended for the interest of Ministry of Environment approval and not the concerns of Attawapiskat First Nation.

7. I am concern as the victor pit deepens, it is expected from the proponent high-salinity water will begin to seep through into the dewatering wells with high chlorides levels in that water. This will have an impact on the aquatic life and the water quality on Attawapiskat river.

8. The proponent is on the Tomagatick family's traditional land and on their trap line. Has this family been notified specifically and provided with an opportunity to comment? I note that they are not able to access the Registry online without significant hardship. I believe they ought to be consulted specifically as individuals impacted so they can submit any concerns or information relevant to this Application. They will have some of the best knowledge on the ground in terms of current impacts from dewatering in the area.

9. I believe the proponent has failed to comply with the permit to take water (PTTW #5521-8CZSNK) that requires the Permit Holder to notify the local District Office of any impacts of the Water Taking to its current Permit to Take Water.

10. How will cumulative effects in the Attawapiskat watershed be assessed in this application for the permit to take water? Downstream of the Victor site are multiple other proposals for mining operations. For example, Metalex Ventures Ltd. is conducting exploration activities less than 100km downstream and the Ring of Fire is located in the Attawapiskat headwaters. Additionally, DeBeers is expected to build multiple mines in close proximity to the Victor mine. Has the Ministry considered whether there is a maximum impact that the Attawapiskat

Rivershed can withstand in terms of impacts from mining projects? Without this knowledge, I believe this permit is being improperly considered in a vacuum.

11. Has the fact that mercury levels in fish in the Attawapiskat Rivershed been fully considered? I note that the Ministry of Natural Resources' sport fish guide has changed since the De Beers mine has been operating such that fish consumption should decrease. This has a direct impact on Attawapiskat members who rely on consumption of fish in order to live.

In closing, I must stress that my comments do not constitute consultation in any way. I am speaking as a member of Attawapiskat but I do not represent the community. I sincerely hope that my community will be consulted fully as Attawapiskat continues to depend on the land and water down river of Victor Mine site.

Sincerely,



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