

Environmental Monitoring Advisory Board

Annual General Meeting – September 11, 2018

EMAB Boardroom – 50/50 Mini Mall, Yellowknife, NT – 9:00 a.m.

DRAFT Minutes

Present:

Napoleon Mackenzie, <i>Chair</i>	Yellowknives Dene First Nation
Charlie Catholique, <i>Vice Chair</i>	Lutsel K'e Dene First Nation
Julian Kanigan, <i>Secretary-Treasurer</i>	Government of the Northwest Territories
Adrian D'hont, <i>Alternate</i>	North Slave Metis Alliance
Gord Macdonald, <i>Director</i> (by phone)	Diavik Diamond Mines Incorporated
Sean Richardson, <i>Director</i> (by phone)	Tlicho Government
Jack Kaniak, <i>Director</i>	Kitikmeot Inuit Association

Absent:

Staff:

John McCullum, <i>Executive Director</i>	Environmental Monitoring Advisory Board
Allison Rodvang, <i>Env. Specialist</i>	Environmental Monitoring Advisory Board

Guests:

Sean Sinclair, <i>Alternate</i>	Diavik Diamond Mines Incorporated
Loretta Ransom, <i>Manager</i>	Government of the NWT, ENR
LeeAnn Malley, <i>Analyst</i>	Government of the NWT, ENR
Celestino Oh, <i>Auditor</i>	Crowe MacKay LLP

1) The Chairman called the meeting to order at 9:05 a.m.

2) Remarks from the Chair

Napoleon Mackenzie, Chair, opened the meeting at 9:05 a.m.

Charlie Catholique, Vice-Chair, said the opening prayer.

Chair reviewed the agenda and listed some highlights of the previous year. He circulated a draft copy of the annual report.

Secretary-Treasurer also reviewed some highlights of the previous year.

3) Introductions and comments from the Parties

Chair asked if there were any comments from the Parties.

Loretta Ransom, GNWT

<ul style="list-style-type: none"> Described the role of the Environmental Impact Assessment team in coordinating reviews and providing liaison between EMAB and GNWT. <p>LeeAnn Malley, GNWT</p> <ul style="list-style-type: none"> Noted that EMAB has been helpful in answering questions and providing history/background information Noted she was not able to find a few report in EMAB's online library <p>Discussion</p> <p>Q: How are wildlife and air quality issues related to closure being reviewed by GNWT</p> <p>A: still evolving.</p> <p>Noted EMAB will be sending a letter requesting GNWT input on closure criteria related to wildlife and air quality</p> <p>Gord Macdonald, Diavik</p> <ul style="list-style-type: none"> Noted value of consistent Board and staff members. Improvement in clarifying differences of opinion; this improves the value of the review process eg. Closure criteria Appreciates EMAB fiscal responsibility Need to improve coordination with communities, especially leadership.
<p>4) Approval of the Agenda</p> <p>The 2018 AGM Agenda was presented. Noted that audit has been approved so item 7 is to review audit.</p> <p>Motion: <i>To approve the agenda for the 2018 AGM as presented.</i></p> <p>Moved: Adrian D'hont</p> <p>Seconded: Julian Kanigan</p> <p>Motion carried.</p>
<p>5) Conflict of Interest</p> <p>No conflicts declared.</p>
<p>6) Approval of Minutes</p> <p>The minutes for the September 12, 2017 Annual General Meeting were presented.</p> <p>Motion: <i>To approve the September 12, 2017 Annual General Meeting minutes as presented.</i></p> <p>Moved: Gord Macdonald</p> <p>Seconded: Julian Kanigan</p> <p>Motion carried.</p>
<p>7) March 31, 2017 – Audited Financial Statements</p> <p>Auditor presented audited financial statements for 2017-18 and answered questions.</p> <p>Agreed to send RFP for 2018-19 audit</p> <p>Action Item: ED to initiate an RFP for EMAB audit for 2018-19</p>

Break

8) Election of Officers

Executive Director assumed the Chair for this item.

Motion: to open nominations for position of Chair of EMAB

Moved: Julian Kanigan

Seconded: Charlie Catholique
carried

Noted that some organizations rotate the Chair among the Aboriginal members.

Napoleon agreed to stand for Chair

Jack nominated Charlie. Charlie expressed some concerns about availability during his two week shift but allowed his name to stand.

Julian nominated Jack. Jack declined

Motion: to close nominations for position of Chair of EMAB

Moved: Jack Kaniak

Seconded: Julian Kanigan
carried

Following voting, Napoleon Mackenzie was re-elected as Chair

Motion: to open nominations for position of Vice-Chair of EMAB

Moved: Julian Kanigan

Seconded: Charlie Catholique
carried

Charlie agreed to stand for Vice-Chair

Julian nominated Jack. Jack declined

Julian nominated Sean. Sean accepted

Charlie nominated Julian. Julian declined.

Motion: to close nominations for position of Vice-Chair of EMAB

Moved: Adrian D'hont

Seconded: Jack Kaniak
carried

Following voting, Charlie Catholique was re-elected as Vice-Chair of EMAB

Motion: to open nominations for position of Secretary-Treasurer of EMAB

Moved: Jack Kaniak

Seconded: Sean Richardson
carried

Julian noted that he may be quite busy in the new year so does not think he can stand for Secretary-Treasurer
Charlie nominated Jack. Jack declined.

Charlie nominated Sean. Sean declined.
Julian nominated Arnold. Arnold declined.

Julian agreed to accept the nomination but may have to re-consider in December.

Motion: to close nominations for position of Secretary-Treasurer of EMAB

Moved: Jack Kaniak

Seconded: Charlie Catholique

Carried

Julian was acclaimed as Secretary-Treasurer.

9) Environmental Agreement Amendment/Review

Loretta Ransom updated Board on status of Environmental Agreement (EA) Review process. GNWT/INAC focused on the Ekati EA first; a new agreement is almost complete.

LeeAnn Malley noted she has been doing background work on amendments to the EMAB EA, and is preparing a rough draft. These are strictly changes related to devolution. GNWT will use the same process as for the Ekati amendments. She asked if EMAB has any feedback. She noted that these are administrative changes being made under section 2.2 of the EA, which relates to transfer of authority related to the mine.

Discussion

- Does this affect securities
- Securities are beyond the scope of these administrative changes
- Diavik would like to do a full review of the agreement; they are willing to break it into two parts with a written commitment to do the second part.
- Noted that GNWT made such a commitment in its March 26, 2018 letter

Q: Seems like amendment process for IEMA Environmental Agreement took longer than expected. Any sense of a timeline on when the review process with Diavik will start?

A: It did; had to work out some issues. GNWT expects EMAB amendment will go faster since there are precedents for decisions.

Noted there are more Parties to EMAB EA, so this might extend the process. GNWT is optimistic about timing.

If Parties have suggestions for amendments they should bring them forward. GNWT prefers Parties forward proposals to them.

Diavik has a list of proposed changes; the main issues are security and funding arrangements.

Q: are these documented in letters?

A: yes, not sure of specifics

Discussion on whether EA is required to be reviewed

- Possible update to definition of Aboriginal Peoples
- Diavik would like to see the process speeded up
- GNWT agrees
- GNWT will get the blacklined document to legal team for review, then provide a timeline to the Parties

- Should be done this year
- Have all Parties been contacted? No.
- Good to avoid surprises. Not sure if Parties are expecting this. Some communities not happy about devolution.

GNWT noted that no concerns were raised at the 2017 AGM regarding these amendments.

GNWT will be very clear about the purpose of the amendments.

Q: did Parties meet during the IEMA amendment process

Diavik noted that this would be a good idea for the EMAB EA amendment process

10) Five-year Action Plan

Suggestions from Parties

GNWT – develop working relationship with EMAB; emphasize communications

Diavik – focus on closure and closure criteria; connecting with communities

11) Adjournment

Motion: *To adjourn the 2018 AGM*

Moved: Adrian D’hont

Motion carried.

Meeting adjourned at 11:55 a.m.