

Draft Minutes
EMAB meeting – June 24 & 25, 2008, Lutsel K'e
June 24, 2008

Present:

Doug Crossley, Chair, Kitikmeot Inuit Association
Charlie Catholique, Lutsel K'e Dene First Nation (alternate)
Floyd Adlem, Secretary-Treasurer, Canada
Claudia Haas, North Slave Metis Alliance
Lawrence Goulet, Yellowknives Dene First Nation
Eddie Erasmus, Tlicho Government

Staff:

John McCullum (also minutes)

Meeting started after lunch

Opening Prayer: Charlie Catholique

Item 1 – Agenda and minutes

Agenda

Chair reviews the agenda.

Minutes

Motion

Approve minutes of May 20 - 22, 2008, as amended.

Moved: Claudia Haas

Seconded: Lawrence Goulet

Carried: Unanimous

Motion

Approve minutes of June 3, 2008 conference call.

Moved: Floyd Adlem

Seconded: Claudia Haas

Carried: Unanimous

Item 2 – Strategic plan prioritization

Review of revised plan.

- Change 3rd column in links to community engagement chart to “strategic plan page no.”
- Show DT11 is now TG and RWED is now ENR

Prioritization process

Board reviewed each initiative and categorized as follows (in descending order of priority)

Top priority (very important and urgent)

1. Establish a clearly defined process for DDMI to present its monitoring information to communities and EMAB to present its assessment.
2. Strike a panel to define a relevant role for TK in environmental monitoring.
3. Support and assist Diavik in integrating TK into environmental monitoring.
4. Write a communications plan including updating the proactive media relations plan.

Second priority (important)

1. Conduct an evaluation of Parties' satisfaction with Diavik's role and performance in areas of EA implementation and environmental priorities (speaking with leadership, community, elders and youth).
2. Annual critical review by EMAB of EA implementation.
3. Develop a cooperative work plan with Diavik for EA implementation.
4. Periodically review priorities – currently: water, wildlife, fish, air/dust and reclamation.
5. Advocate for Cumulative effects monitoring Initiatives.
6. Encourage Diavik to participate in Cumulative Effects monitoring initiatives.
7. Monitor and support the development of appropriate environmental training programs (curricula) at Aurora College or MTS, etc.
8. Follow up on Aboriginal Involvement in Environmental Monitoring Workshop recommendations.
9. Develop and administer appropriate plain language mechanism to conduct an evaluation of EMAB's role and performance, including Parties' satisfaction with implementation of EA as part of evaluation of Party satisfaction.
10. Continue public meetings/updates and pass on information in a way consistent with community needs. Report back to communities on actions taken on priority issues.
11. Continue to publish an annual report, maintain a public registry and fulfill other EA requirements.
12. Hold workshops where EMAB has technical experts explain technical issues for Board and community participants.
13. Undertake a review of the effectiveness of EA implementation with the Parties to identify areas needing greater attention and those of highest priority to the Parties
14. Annual governance and team building workshop to clarify roles, responsibilities and conflicts
15. Effective Board orientation materials
16. Measure Parties' satisfaction with EMAB

Third priority (less important)

1. Develop written guidance/criteria for “by exception” process for involvement of EMAB in review of issues.

Fourth priority (least important)

1. Management plan for development of strategic relationships with Diavik executive, regulators, Regulatory Authorities, Party leaders.

It was noted that several of the initiatives can be incorporated into the EMAB calendar as annual tasks:

- EMAB review of EA implementation
- Review of strategic plan to include priority areas (water, wildlife...)
- Annual board governance / team-building workshop
- Community updates and reporting on actions on priority areas
- Existing tasks – annual report, registry etc.

Motion

Approve strategic plan as amended.

Moved: Claudia Haas

Seconded: Eddie Erasmus

Carried: Unanimous

Action Item: staff to prepare draft targets and measures for board review no later than August meeting. Possibly approve through a conference call.

Item 3 – Aboriginal Involvement

Action Item: EMAB to continue monitoring progress of the training committee.

Action Item: EMAB to follow up need for DDMI response to Aboriginal Involvement workshop recommendations.

Noted that there seem to be a number of areas where DDMI response is late and that this may be due to the manager position continuing vacancy. EMAB should encourage DDMI to make every effort to fill this position.

Action Item: include DDMI Environment Dep't. staffing as an agenda item at next meeting. Make a list of actions / responses that have been delayed since the previous manager left.

Action Item: respond to Aurora College invitation to join NRTP advisory committee requesting information regarding honorariums and to be kept informed.

Action Item: prepare letter to DCAB informing them of the Aurora College invitation and asking for a response about their possible interest.

Item 4 – AEMP / AdMP Update

ED reports

Action Item: letter to Aboriginal Parties asking if they have any concerns about WLWB's decision not to continue DTC at this time and presenting EMAB's position from previous correspondence before following up the WLWB letter of June 2, 2008.

Adjourn for the day

Public meeting at six pm. Approximately 12 people attended. Main concerns raised were:

- Diavik hasn't held public meetings in Lutsel K'e for a long time (years)
 - They should bring senior people who can answer questions about the environment
 - More community engagement is needed
- Concerns about health of caribou
- Concerns about mercury in fish – people want to be kept informed on progress on this issue

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Staff:

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Item 5 – Capacity Building Program review

ED facilitates discussion of recommendations. Noted that none of the Aboriginal Parties responded

Recommendations approved as worded except as follows:

6) Funder is EMAB; Aboriginal Parties must make funding requests; board must approved year-end reports and do not provide overall management and oversight ie. remove bullet 3; remove bullet 2 under Staff

7) number 5 – add “year end”

8) para 1 line 6 – change could to should; para 2 note “year end standardized” report

9) note financial statement to be signed by authorized Party rep; note annual report must be approved by board

10) remove this (see 8))

12) remove bullet 2 and 3; 1st bullet to note that funding will be offered to all Parties and allocated based on interest (equally unless they want less)

13) need to define penalty – no funding for x years or partial funding for x years or???

14) include office salaries as administration

15) define COI (board members should not receive honoraria from capacity funds)

Break

Item 5 Capacity review (cont.)

Concern expressed about need for better communication with Lutsel K'e alternate member.

Motion: To approve the capacity building program recommendations as amended.

Moved: Claudia Haas

Seconded: Lawrence Goulet

Carried unanimously

ED to draft policy and procedures for board review.

Agreed that the revised program will come into effect in April 2009 with the exception that recommendation 11, allowing ineligible parties to apply, takes effect for the 2008/09 year. Proposals for 2008/09 will be reviewed and approved by the board.

Action Item: prepare a communications plan and strategy to inform Aboriginal Parties of changes to capacity building program.

Item 6 – Annual Report

ED updates board on status of annual report. One bid for printing is in, waiting for two others. This will likely be approved by conference call.

The board wants to re-confirm that the communications coordinator will be able to complete the annual report by the AGM. Any assistance that may be required should be identified by next week.

Action Item: staff to prepare schedule and milestone deadlines for completion of printing of annual report by AGM.

Item 7 – CBM Camps

ED reviews new camp rules and new issues: need to use consultants for training, issues of transport and payment of honorariums. Six consultants were contacted about availability of water sampler trainers in Yellowknife and none were available. We are now requesting trainers from across Canada.

Suggested that U. of A. might have some people who could do this.

Concern expressed about participants needing to receive honorariums before returning to communities.

Action Item: ED to talk to Gord at Diavik about this.

Participant names needed by June 30.

Item 8 – Air Quality Monitoring update

ED presents item from kit.

Item 9 – Wildlife

Agreed that EMAB recommend that CWS respond to waterfowl component of WEMP 2007 and MSES review.

Motion: To recommend that the Canadian Wildlife Service provide a response to the waterfowl component of DDMI's 2007 Wildlife Monitoring Program Report and respond to the waterfowl related sections in MSES' report for 2007, including the recommendations.

Moved: Floyd Adlem

Seconded: Eddie Erasmus

Carried unanimously

There was a discussion on the WMP revision process mentioned by Diavik during the presentation of the 2007 WEMP report. It was suggested that Diavik should bring together representatives from communities, along with EMAB board members, as a pre-consultation, to ask about the best ways to work with the communities. This would be consistent with the motion from early 2007 that recommended the AEMP preparatory workshop – review that wording. This could take place in the fall.

Once the plan is ready in draft form it would be taken to the communities, following the advice from the pre-consultation.

The review process should also take into account Diavik's EA commitments regarding involvement of Aboriginal People in the design of monitoring programs as well as EMAB's recommendations on Aboriginal Involvement and Diavik's initiative to increase the use of TK at the community based camp.

Motion: EMAB recommends that Diavik's revision of its Wildlife Monitoring program:

- **Be designed to fulfill Diavik's commitment in the Environmental Agreement to use its best efforts to involve members of each of the Aboriginal Peoples in Environmental Monitoring Program design (EA 7.6(a))**
- **Be designed to fulfill Diavik's commitment in the Environmental Agreement that the Environmental Monitoring Programs consider Traditional Knowledge (EA 7.1(d))**
- **Address relevant recommendations from EMAB's June 2007 Aboriginal Involvement workshop conveyed to Diavik in February 2008**
- **include a pre-consultation session with EMAB and participants from the Aboriginal Parties to provide input on the best way to present the information to the Affected Communities and receive and address their input**

Moved: Claudia Haas

Seconded: Charlie Catholique

Carried unanimously

Motion: to support ENR's recommendations regarding continuation of the wolverine DNA studies at Diavik as per amended draft letter.

Moved: Floyd Adlem

Seconded: Eddie Erasmus

Note that the letter should be copied to Robert Mulders.

Carried unanimously

Item 10 – Reports

Executive reports

Financial statement not available since books for 2007-08 have not been closed by the auditor.

ED reviews list of Outstanding Action Items.

Suggested that a long-term action category be created.

Member reports

Floyd – MPEMA steering committee met June 17 and finalized the terms of reference and a strategy to move forward. The mining companies did not attend; neither did KIA or GN. The next step is a meeting of the Aboriginal Caucus, then a meeting of all parties to discuss the ratification process. They plan to have a meeting with the existing monitoring agencies at some point.

Lawrence – Rachel Crapeau will provide names for the CBM camp participants.

Doug – KIA has started its water quality monitoring program in advance of CBM funds – they are in the process of preparing the report and accounting for last year and proposal for this year.

New KIA president may come to EMAB AGM.

There is a new DM of Environment at GN. Doug will provide the name later.

Action Item: send a reminder to GN regarding vacancy in their EMAB seat.

Claudia – Participated in a Bathurst caribou survey with ENR (LKDFN also sent a rep). Shannon Hayden did a preliminary archaeology survey at Old Fort Rae in cooperation with the Tlicho Government. Working on an International Polar Year project – they will visit Artillery, Aylmer and Yamba lakes to collect Metis TK of vegetation. Claudia is now the only technical person at NSMA.

Eddie – nothing to report

Charlie – nothing to report

Next meeting August 26 to 28 with underground site visit to Diavik on Aug 27.

Closing prayer – Lawrence Goulet

Motion to adjourn: Claudia Haas

Meeting adjourned at 2:16