

**APPROVED BY BOARD MOTION # 2-0106-13**

**May 16, 2001 Board Meeting  
EMAB Conference Room  
Yellowknife, NT**

**4**

***Morning Session***

**Participants:**

Robert Turner, Chair

Doug Doan, Secretary Treasurer, Government of Northwest Territories

Alex (Sandy) Buchan

Chris Nichols

Florence Catholique

Johnny Weyallon

Lawrence Goulet

Cindy Gilday

Gina Gasongi - Native Womens Association (observer for AM)

Viola Thomas, Dene Nation - Advisor to Bill Erasmus (observer for AM)

Natasha Thorpe

Djhanine Bautista

Absent: Floyd Adlem, Government of Canada

**9:10 - Prayer was lead by Lawrence Goulet**

**Review of Agenda:**

- No comments

**Minutes of the Previous Meeting:**

- The format of the minutes was improved by being more streamlined but still more detail is required.
- Changes: Doug Crossley should read Doug Doan.
- Request that minutes show: topics, bullets, then action items
- In the future, important to have status reports on the agenda as an opening item. Board could spend 5 minutes updating everybody on current activities.
- Alex moved the changes in the format of the minutes. Chris seconded. Passed by consensus.

9:30 Lynda Comerford arrives

## **Business Arising from the Minutes**

### Press Kit

- Lynda Comerford asked the Board for input on how to design the press kit. She suggested that it should include a “backgrounder” of how the Board was formed, a Q & A sheet, list of Board members. EMAB should consider having a logo before putting together the kit to establish identity.
- Concerns that it might take a while to get logo and that the kit should be put together ASAP. Decision to move forward even though no logo.
- Press kit should include:
  - Backgrounder.
  - How the Board was formed.
  - Who are the Board members.
  - What is the role of EMAB in the regulatory process (authority).
  - Q and A sheets.
    - How will EMAB ensure that community concerns addressed?
    - Other Q and A should be emailed to Holly ASAP for consideration at the next meeting.
  - General information related to the Environmental Agreements.
  - Stress the availability of representatives within communities so that they can be supported by local initiatives as much as possible (e.g. give suggestions on what monitoring could/should be done). Reps should be known as direct channels. IEMA criticized for being too independent, with no communication with parties
  - Explain reasons for EMAB.
  - Highlight independence of EMAB from DDMI yet not so independent that they are inaccessible.
  - The role of EMAB should be made clear and distinct from the BHP IEMA
  - Compare and contrast role of EMAB versus DCAB (SEMA).
  - The mandate should be focused on DIAVIK and not on the future possibility that this Board would serve to review all future mines.
  - Given current mandate, EMAB should be directly associated with DDMI but that the parties to the agreement do the work and not DDMI. Suggest adding “EMAB for the Diavik Project” as a subheader
  - Much confusion about the many Boards (WKSS, IEMA, EMAB, Cumulative Effects, etc) therefore role of EMAB must be made clear.
- Considerable debate about the mandate/role/scope of EMAB followed, and it was pointed out that for the next two years, the mandate was to be focused on DIAVIK. After this point, the role might expand broaden to other operations.
- Lynda agrees to work on putting together a kit and have something ready for May 23, 2001.

Break 10:00 – Lynda left the Conference Room

Other Business

- Procedural issue of how to function when neither the Board member nor alternate can attend and how to approach the participation of guests should be addressed.
- One suggestion was that a member can send another representative but that they would have no voting / decision-making powers.
- Eric Yaxley clarified that Floyd Adlem and David Livingstone sent their regrets that they could not attend. Role of Eric Yaxley is as a resource person in the context of this meeting. David is considering changing his role as an alternate because of other commitments. Further discussion on this important issue is pushed to other business.
- Above moved to other business on the agenda

**Status Reports**

Chris Nichols:

- Chris reported that he was not able to get Boardroom tables.

Doug Doan

- RWED received the wildlife and dust management reports from Diavik and they will have their comments available by June. Will cc to EMAB.
- RWED has conducted site inspections and worked with DDMI on raptor and caribou monitoring. DDMI committed to consulting RWED with any wildlife problems.
- RWED asked for the opportunity to review any ongoing DDMI reports and monitoring. Letter from Deputy Minister of RWED to ECE not yet done. Need clarity on what and to whom the request should be made. Need to clarify with Florence.

Eric Yaxley

- DIAND received reports from Diavik regarding the Environmental Management Plans and Monitoring Programs required pursuant to the Environmental Agreement.

Florence Catholique

- Want a list of documents regarding the monitoring plan so that they can track which reports they have and which reports they need.
- Elders are concerned about
  - Water displacement. May need technical assistance to understand the issue.
  - Impact of fuel emissions on caribou. Suggestion that emissions cause caribou to move further east. Any documents on this would be useful.

## Environmental Monitoring Advisory Board – Meeting Number 4

- When probed on whether the concerns related to DDMI or all industry, Florence responded that their concerns were about DDMI.
- Many elders and people don't understand or have no information at all of TK. Not clear how the TK part will be done. It should be done jointly. Should be a workshop in the near future. EMAB should be involved.

Johnny Weyallon

- Just appointed last Friday to attend the Board meeting, and does not have much to report yet.

Cindy Gilday

- Reported that elders have spent time with the DDMI environmental team from both camps. Complaint that elder women are not involved on enough delegations therefore held a special delegation of only elder women.
- Request that information for meetings be received well in advance. Helps with additional requests for information

Alex Buchan

- Revisiting the Bloody Falls Park master plan. People do not want to highlight the fact that this was a site of fighting between aboriginal groups.
- Department of Sustainable Development has a concept of designating the Coppermine River a heritage river.
  - Main concerns of the people of Kugluktuk are the aquatic effects from cumulative effects of mining (i.e. water quality).
  - If designated, increases community involvement in manner in which river is managed and monitored.
  - One goal of designation is to maintain natural integrity of environment and heritage. Kayaking and tourism are concerns.
  - Ideally, this may provide a framework for community monitoring. Community can take ownership. Currently developing concept and about 7/8 themes about the river.

Laurence Goulet

- Reported that he needs to be involved more. Sends his regrets for missing last meeting.

Doug Doan

- Senate sub-committee is on a fact-finding mission to report on Aboriginal Affairs such as economic benefits resulting from parks in the north. Could pass on recommendation from EMAB to this committee. Meetings being held this week. Contact Cathryn Trumper – Deputy Minister, Sustainable Development, Nunavut

Bob Turner

## Environmental Monitoring Advisory Board – Meeting Number 4

- Staffing of Executive Director for EMAB is progressing. Interviews were held and a short list established. Kirstie Simpson was selected and she has not yet formally accepted the position. Hope to hear from her before the end of the week.

### **Incoming and Outgoing Correspondence**

- Review of Diavik letter of May 14<sup>th</sup> with a request for EMAB to make suggestions on participants at the Annual Bird Watch 2001
  - Decision to have members contact their respective leaderships and communities and have them respond directly to DDMI with suggestions on participants.
- Request that there should be a DDMI representative present in one of the Board Meetings. Suggestion that Murray Swyripa be invited more to be here to answer site-specific questions. Discussions at last meeting concluded that once the monitoring plans and components were established, DDMI would bring people to explain issues on a regular basis.
- Need for experts available at hand so EMAB can make informed decisions.
- Review of letter dated May 11<sup>th</sup> from Diavik regarding Environmental Management Plans and Monitoring Programs pursuant to the Environmental Agreement, EMAB needs to write formal letter to DDMI requesting electronic form of reports as well.
- Bob said that DDMI will send environmental components on a regular basis to have their comments and recommendations

### **Plans for the DDMI Site Visit**

- It was requested that that DDMI Board members' names also appear on the flight manifest as they are Board members and not just DDMI employees
- A brief overview on what to expect at the site was provided

11:30 Break

*Afternoon Session*

Participants:

Robert Turner, Chair  
Doug Doan, Secretary Treasurer  
Alex (Sandy) Buchan  
Chris Nichols  
Florence Catholique  
Johnny Weyallon  
Lawrence Goulet  
Cindy Gilday  
Natasha Thorpe  
Djhanine Bautista

1:30 pm

Bob welcomed the presenters and explained that inviting them here was to start the beginning of a good working relationship as well as for information exchange so that each party can better understand the roles and responsibilities of others.

Presentations

**Julie Dahl, Habitat Coordinator for NWT & Mark Lenge, Alternate DFO, Yellowknife**

No formal presentation but would like to answer questions from EMAB after presenting a short explanation of the role of DFO.

- In the CEAA process, DFO reviews, assesses projects for fish and fish habitat impacts. Must give authorization in order for project to proceed. DFO evaluates compensation plans and enforces the no net loss of fish habitat policy.
- Authorization for DDMI, in draft, was December 1999. Final authorization on August 2, 2000 with requirements in the areas of monitoring and compensation.
- All DDMI studies must undergo pre-study review of proposals by DFO.
- Stress the importance of a stepwise ecological approach/ecosystem approach
- DDMI must use students every 3 years to monitor change in the food chain. If change, increase study efforts.
- Palatability of fish must be monitored every 5 years.
- To date, over 30 studies fall under Fisheries Act. Some better handled under the Water license.

***Palatability Studies***

Questions about baseline for palatability studies were raised and the importance of getting baseline information quickly was stressed.

## Environmental Monitoring Advisory Board – Meeting Number 4

- Currently setting up a formal taste panel. This is an important process. A blind taste test is established in cooperation with the Food Inspection Branch. DFO has current guidelines for establishing such tests.
- First test must be carried out in August 2002. DDMI could propose that it be run through EMAB as a 1-window approach.
- Concern about culturally specific ways of eating and tasting fish may impact results of taste test. What will be the standard for comparison?
  - Difficult to answer but the fact that community concerns about palatability were significant led DFO to make this a requirement. DDMI must develop protocols. Not required by BHP.
  - It is not known yet whether the taste panel will be all aboriginal representatives or not. Important that local people participate and that the fish are not all sent for outside analysis.
  - Question as to whether all future projects will include palatability studies. If so, there should be 'made in the north' protocols and procedures. Perhaps Aurora Research Institute could develop these?
    - Not role of DFO to push palatability studies. Mandate is limited to protection of fish and fish habitat. It is a stretch to have this included here, but not sure where else it fits best.
      - Suggestion made that with EA being catch-alls, that this may be best place for palatability studies to fit.

### ***Environmental Monitoring***

- DFO welcomes the opportunity for EMAB to review any study proposals. This will help with a one-window approach.
- Julie has a schedule of all up and coming reports and studies in a spreadsheet. She will provide this to EMAB.

### ***DFO Inspection Process***

- Unlike DIAND, DFO does not have formal inspectors yet. There are conservation and protection officers who do not look solely at fish habitat. Site visits occur on an as needed basis.
- To date, there have not been any violations to the Fisheries Act logged. Still early.

### ***DDMI Fisheries Program***

- Studies every 3 years, keeping a stepwise ecological approach. Baseline work is already done. Co-ordinated efforts to economize fish loss. All tests/studies done on same fish.

### ***EMAB and DFO Relationship***

- Letter sent to DFO requesting who the main contact person would be. Julie responded but no letter received by EMAB yet. Julie will look into this.
- DFO requests guidance from EMAB on what they would like to be provided with.

## Environmental Monitoring Advisory Board – Meeting Number 4

- Information about what research protocols and the schedules that DDMI is being asked for under the fisheries authorization. If possible, indicate whether or not enforcement personnel would mind accompaniment by EMAB members during inspections.
- This was discussed in Kugluktuk. Cannot occur all the time because inspectors have a legal role with which EMAB should not interfere. However, EMAB may accompany to observe how DDMI interface with inspectors.

**Due to technical difficulties, Steve Mathews was not able to make a presentation. However, he will be presenting at the next scheduled EMAB board meeting.**

3:05

**Steve Harbicht, Head of Assessment & Monitoring – Environmental Protection Branch , Environment Canada**

### **Resources Wildlife and Economic Development (RWED)**

- Steve was designated as the contact person for EMAB.
- Role of EC is to review DDMI information and provide feedback.
- One role of EMAB is to facilitate community input and so need resources to help achieve mandate. Steve will get back to the EMAB on this issue.
  - Concerns about capacity under the sustainable communities section of the EC strategy
- Steve raised a concern about the mandate of EMAB and that we cannot continue to pursue Board for every project. Too divided. Therefore, need to be more holistic. Like to see mandate of EMAB expanded beyond DDMI.
  - Suggestion that members should talk with respective parties to see what their thoughts are.
  - Red Peterson provided recommendation to EMAB on this issue that should be considered.
- Suggestion that thoughts should be given to joint monies to sponsor boards (EMAB and IEMA).
- Steve suggested that some challenges to EMAB include:
  - Communication
  - Incorporation of TK
  - Move to a more regional approach in the future

### ***CEAMF***

- Problem with government funds for CEAMF, IEMA, EMAB co-ordination and consultation process. Meeting -Will be held on this for June 4 and 5.
  - Sandy suggested regarding CEAMF, it would be more beneficial to have Inuit sitting on the board. Water and caribou are shared resources. EMAB should consider being a leader in environmental monitoring.



## Environmental Monitoring Advisory Board – Meeting Number 4

- Transboundary issue discussed at Fort Smith meetings
- CEAMF provides the framework, now it is up to EMAB to implement it.
  - Note that regional versus territorial approach works better.

### ***Site Visits***

Other than site visits for regulatory purposes, an additional need for site visits is to make sure that our people have a feel for the site that they are reviewing. In the future, there is the potential of the Department to be involved or initiate studies. EMAB not allowed on inspections, but on all other visits, there are opportunities.

No issues earmarked as concerns for the EC yet.

Site visits are not incident based, but it is a given that EC will travel to site and investigate more typical to explore certain features, for example, dredging process. Visits are more for information gathering. Join up with DIAND and others where possible. No anticipated trips in near future.

Not know if, under SARA regulations, EC will have regulation responsibility. See when it is promulgated.

3:45

### **Karl Lauten, Manager of Regulatory Reviews, MVLWB**

#### ***Staff Shortage at MVLWB equals Delays***

- Karl spoke at length about the staff shortage at MVLWB that make it difficult to keep on top of numerous projects. The Board is totally overloaded. Difficulties getting comments in on time and digesting information before meetings.
- Many times, clients fulfil their time obligations but we cannot keep up with advisories to our Board. Piling up means that information comes late.
- We have taken the new approach not to accept comments after meetings.
- Overload is one issue for EMAB to consider.

#### ***MVLWB and EMAB***

- Need to ensure close communication with EMAB.
- EMAB could provide advice to MVLWB, especially in the areas of wildlife and fisheries. This would require a procedural and mandate change of EMAB if it were to interject and provide advice to MVLWB.
- One way to enhance the wildlife provisions may be to increase inspection and enforcement efforts.
- Key concern of MVLWB is that the approval process is slow on account of staff shortage.
- Some inspectors are enthusiastic about comments from the MVLWB while others are not.
- In the MV, key concerns include trans-boundary issues, habitat conservation (Bathurst Caribou Management Planning Committee looking into this), and land use planning and management.

## **May 17, 2001 – Diavik Site Visit**

### **Participants:**

Robert Turner, Chair  
Floyd Adlem, Vice-chair  
Doug Doan, Secretary Treasurer  
Alex (Sandy) Buchan  
Chris Nichols  
Florence Catholique  
Eric Yaxley  
Mary Tapsell  
Steve Harbicht  
Johnny Weyallon  
Lawrence Goulet  
Eric Christensen  
Holly Newton  
Djhanine Bautista

### *Morning Session*

- Richard Lock, Construction Manager, gave a brief introduction to the Diavik site.
- Bill Kramer gave a site orientation presentation and presented a video on the dike construction and total suspended solids (TSS) management
- Erik Madsen, Site Environmental Manager conducted the site tour explaining current and future construction and works to occur.

Break for lunch

### *Afternoon Session*

- Erik Madsen continued the site tour of the south camp.
- Richard Lock and Erik Madsen answered any other questions raised by the Board before leaving.

**May 17, 2001 - Continuation of Board Meeting  
EMAB Conference Room**

**Participants:**

Robert Turner, Chair  
Floyd Adlem, Vice-chair  
Doug Doan, Secretary Treasurer  
Alex (Sandy) Buchan  
Chris Nichols  
Florence Catholique  
Eric Yaxley  
Johnny Weyallon  
Lawrence Goulet  
Holly Newton  
Djhanine Bautista

**Other Business:**

**Alternates / Representatives**

- Cindy had previously raised the issue, of what is the procedure for parties sending representatives?
  - When a Board member or alternate can not attend a meeting, another representative maybe chosen to attend bringing the member's comments and opinions but are unable to vote; Holly to draft Procedural Rules stating this.

**Attendance**

- The Board discussed the issue of attendance at Board meetings, and determined that meetings are to be open meetings unless there are Board issues to be discussed; Holly to draft Procedural Rules stating this.
- It was also suggested that community meetings be conducted in the future to introduce the Board to the communities

**Review of Reports**

- Make a flowchart to review documents
- EMAB office – setting up a public library for correspondence & reports
- DDMI to supply reports in CD format as well as hard copies
- Board members are to look at the 4 reports for April included within the incoming correspondence and bring comments to the next meeting

**Press Kit – the Board decided to discuss the following day**

**Annual Bird Watch 2001**

## Environmental Monitoring Advisory Board – Meeting Number 4

- The Board members are to arrange with Murray for each community member to go to DDMI site.
- Suggested to invite Murray or Brenda (DDMI representative) to the next meeting to answer some questions regarding review of reports from April.

### **Honoraria Procedures:**

- Sandy Buchan suggested that development projects is considered to be a suitable procedure on how they will handle project that requires coming from the communities, handling it as a case- by-case basis. May be community driven. Lots of interest in one community, not in others. If not issues, why spend money; Florence added that the issues are needed to be resolved.
- Floyd passed the motion to cover expenses as required at the discretion of the Board member or the Chairman at a cap of 4 days. Doug seconded.

**Next meeting to be 13-14 June, 2001, location to be confirmed, possibly Rae.**

## **Procedure Meetings**

**May 18, 2001**

### **Attendance:**

Robert Turner  
Floyd Adlem  
Doug Doan  
Chris Nichols  
Eric Yaxley  
Sandy Buchan

### **Board Honoraria**

- The Board decided to issue two separate cheques: one for the honoraria and the other for expenses, attaching the invoices to them.
- They also decided to have at least a five minute financial report in each meeting; hire a part time bookkeeper
- Discuss tax issues on the agenda for the next Board meeting.

### **Press Release & Media Kit**

- Floyd said that a Press release and a media kit are two different things; the Board settle on having the press release first to be drafted by GeoNorth giving the initial background of the Board, whom to be sent; then proceed to the budget, printing and making a logo for the Board.
- Some of the Board members decided to get the draft done by Tuesday to let Bob review it by Wednesday and publish it in the News North by Thursday, distribute it to DIAND and Nunavut press office to distribute it as well.

**Action list from Minutes of the Board Meeting – 16 May 2001**

- Press Kit to be put together – Press Release, Backgrounder, Q and As, other information sheets – *Bob and Floyd to do Press Release*
- Florence requires a list of documents regarding the monitoring plan, to track which reports they have and which reports they need – *Djhanine to do*
- Each Board member is to arrange with DDMI directly for community members to attend the Annual Bird Watch 2001 – *Each community representative*
- Murray Swyripa to be invited to attend the next Board meeting – *Djhanine to draft letter for Bob.*
- Letter to Murray Swyripa requesting electronic copies of all reports – *Djhanine to draft letter for Bob.*
- Julie Dahl, DFO to supply Board with schedule of all up and coming reports and studies in a spreadsheet – *Djhanine to chase.*
- DFO requests guidance from EMAB on what information they would like to be provided with – *letter to be drafted to DFO from Board*
- Steve Mathews to be invited to present at the next Board meeting – *Djhanine to chase, arrange equipment for presentation.*
- Procedural Rules to be drafted for Alternates and Guests – *Holly to draft for next meeting*
- Board members are to look at the 4 reports for April included within the incoming correspondence and bring comments to the next meeting – *All Board members*
- Part time Book keeper to be hired – *Djhanine and Holly to find options for Board.*
- Tax issues to be added to agenda of next meeting – *Djhanine to do*
- Next meeting to be in Rae – *Johnny Weyallon to confirm*