

*Approved Motion # 03-03-12-11*

***October EMAB Teleconference  
October 23, 2003***

**Present at EMAB Boardroom in Yellowknife**

Robert Turner, North Slave Metis Alliance  
Floyd Adlem, Government of Canada  
John Morrison, Government of Nunavut  
Jane McMullen, Alternate/ Member Government of Northwest Territories  
Lawrence Goulet, Yellowknives Dene First Nation  
John McCullum, EMAB Executive Director

**By Phone:**

Doug Crossley, Kitikmeot Inuit Association  
Gord MacDonald, Alternate/Member, Diavik Diamond Mines Inc.

**Absent:**

Doug Doan, Government of Northwest Territories  
Erik Madsen, Diavik Diamond Mines Inc.  
Florence Catholique, Lutsel K'e Dene First Nation  
Johnny Weyallon, Dogrib Treaty 11 Council

**Minute-taker:**

Linda Tourangeau

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Meeting convened at 1:40 pm

**Item 1: Discussion of Agenda:**

Jane McMullen: Discussion of Wildlife Recommendations Item 3 to be handled with at a later date in a face to face discussion with RWED.

Agreed to leave item 3 on agenda for brief discussion.

Add comments on website? Agreed that website is in good enough shape to make public. Executive Director to proceed with setting up the website publicly.

**Action Item:** John McCullum to proceed with setting up the website for public access.

## **Item 2: Fencing issue**

Item 2 was presented from the kit

Have caribou ever fallen into an open pit? This has happened at BHP's PKC facility.

Timing issue – need to get a terms of reference prepared for EMAB review before any of this can move forward.

Three-step process:

Step 1 - Set up TK Panel; Panel reviews situations and makes recommendations

Step 2 – Hold a workshop with community representatives, government agencies, DDMI to review the TK Panel recommendations, Dettah fencing workshop results and other studies

Step 3 – EMAB considers all recommendations, then makes its own recommendations to DDMI and regulators

Question of whether snow might build up over fences in winter.

Time frame

Bob suggests Step 1 concluded by beginning of New Year, Step 2 Spring , Step 3 Summer

A question was asked as to whether any other fencing of pits has been done; question of effects of snow build-up raised again. Colomac mine has been fenced. So has the Yellowknife airport.

It will be important to have a good idea of what would happen at the Diavik site in relation to fencing and snow. Diavik already has fencing around the landfill, so information should be available. It was suggested that snow build-up is not an issue because most caribou will have moved through by the time the snow starts. A concern over stragglers was raised.

Following up on timing, if the recommendations are done by next summer, supplies can be ordered and transported next winter, finish by end of August 2004

The first step is for terms of reference to be drafted. Executive Director to add timeframes to the process and prepare a draft Terms of Reference for a TK Panel.

**Action Item:** Executive Director to prepare a draft Terms of Reference for a TK Panel on Fencing and add timeframes to the process.

## **Item 3: Wildlife recommendations**

It was generally agreed that the discussion would be kept brief, with the main discussion at the next face-to-face meeting. The discussion should include the recent results of the Bathurst Caribou survey and possible responses.

The Bathurst Caribou Management Planning Committee (BCMPC) will meet in November to discuss responding to the survey results.

The DDMI representative said they were writing RWED to obtain a report showing methods, analysis etc. documents showing past years survey. It was agreed that EMAB should also request this, rather than going from a press release. This could be done as a follow-up to the request for a presentation on monitoring caribou migration changes and cumulative effects on grizzly bear and wolverine.

The Chair noted that a reminder was sent to RWED to get outfitters map and stats.

A question was asked about who can attend the BCMPC meeting. Only committee members but that includes all major stakeholders.

The GN rep said that Peter Taptuna's last count of sport-hunting tags showed 2000 had been issued

It was noted that elders are saying the bulls are smaller than they used to be, and have less fat.

It was also noted that the winter road provides a great deal of access for hunting and that better monitoring & control is needed. It was suggested this could be incorporated in the winter road contract; there is already 24-hour security so they could monitor hunting activity.

The discussion from the previous meeting regarding a joint meeting with IEMA on wildlife issues, particularly related to cumulative effects, was raised. It was agreed to come back to this later in the meeting.

There is also a need to bring together people who were involved in the negotiation of the EA to find out the intent of the clauses related to harvesting. This could include David Livingstone and Bob McLeod.

**Action Item:** Executive Director to prepare a letter requesting the report on the 2003 Bathurst caribou census as a follow-up to the request for a presentation on cumulative effects monitoring.

#### **Item 4: Water Quality Monitoring**

Item 4 was presented from the kit. The Final report was sent out to Members on Monday, with changes as suggested by Board members.

Executive Director to take the main points and draft them into specific recommendations for next meeting. The issue of access by community members could be dealt with as part of the analysis of the MVLWB water licence amendment process.

**Action Item:** Executive Director to take the main points from the workshop and draft them into specific recommendations for next meeting.

### **Item 5: TK Panel on No Net Loss Policy**

Item 5 was reviewed.

The DDMI representative indicated that they were only willing to do the community tour with DFO (discussed at July meeting) if it was approved by EMAB. If EMAB prefers the TK Panel approach then DDMI will not support the community tour.

DFO's draft letter in advance of their proposed community tour was raised. DFO is indicating that habitat must be replaced, not providing flexibility to do stocking etc.

The question was raised as to whether DFO should be at the meeting to present the No Net Loss policy. EMAB will contract a facilitator with sufficient expertise to present the policy accurately in a way that the TK Panel will understand.

#### **Motion #01-03-10-23**

*Accept the terms of reference for the EMAB TK Panel on DFO's No Net Loss Policy*

*Moved:* Floyd Adlem

*Seconded:* Doug Crossley

*Carried:* unanimously

This should move ahead as soon as possible

The DDMI representative asked if this was EMAB's preferred approach to the issue. It was suggested that DDMI ask the EMAB members. Direction was given to the Executive Director to canvas each EMAB member and ask whether they prefer that DFO postpone its proposed community consultation until after the TK Panel has made its recommendations. These can be conveyed to DFO.

Doug Crossley indicated he was generally supportive of DFO consulting with communities

The Chair suggested that it might be time to contact the Minister of DFO regarding increasing flexibility in the application of the NNL policy in the north to meet the

priorities of the Aboriginal people with copies to Julie Dahl and George Low. There was some discussion as to whether this should go to a regional DFO official, and whether it should wait until after the TK Panel recommendations.

Executive Director to work with the Executive on the wording of a letter. Once a draft is ready it should be circulated to the Board for review.

**Action Item:** Executive Director to set up TK Panel on No Net Loss Policy according to Terms of Reference approved by EMAB as soon as possible.

**Action Item:** Executive Director to work with the Executive on the wording of a letter to the Minister of DFO on the need for flexibility in application of the No Net Loss Policy in the north. Once a draft is ready it should be circulated to the Board for review.

### **Item 6: Board Effectiveness Workshop Update**

The Board was updated on discussions with Doug MacNamara from the Banff Centre and on arrangements for accommodation, meals and meetings in Wha Ti.

### **Item 7: EMAB Communications Coordinator Update**

Item 7 was presented from the kit.

20 resumes received to date

Floyd: suggestion beneficial for Members and staff to receive First Aid and CPR training. Executive Director to find out where this can take place and costs.

**Action Item:** Executive Director to investigate locations and costs for First Aid and CPR training.

Gord MacDonald said he would pass this on to Erik Madsen

**Motion #02-03-10-23**

*To adjourn*

*Moved:* Jane McMullen

*Meeting Adjourned: 3:15 pm*