

**EMAB Board Meeting Minutes
April 13, 2004
EMAB Board Room Yellowknife, NT**

Present:

Bob Turner, Chair, North Slave Metis Alliance
David Livingstone, Government of Canada alternate
Doug Doan, Secretary-Treasurer, Government of the NWT
Johnny Weyallon, Dogrib Treaty 11 Council
Florence Catholique, Lutsel K'e Dene First Nation (by telephone)
Erik Madsen, Diavik Diamond Mines Incorporated
John Morrison, Government of Nunavut
John McCullum, Executive Director

Cheryl Wray, Diavik
Scott Wytrychowski, Diavik
John Virgl, Golder, for Diavik
Adam Smith, Golder, for Diavik
Anne Gunn, RWED
Stephen Matthews, RWED
Ray Case, RWED
Petr Komers, MSES
Paul Latour, Environment Canada

Absent:

Lawrence Goulet, Yellowknives Dene First Nation
Doug Crossley, Kitikmeot Inuit Association (delayed by weather)

Minute taker:

Michele LeTourneau, Communications Coordinator

Opening prayer: Florence Catholique

Meeting started at 9:25.

Quorum verified.

Opening prayer:

ITEM 1

Approval of agenda

Joe Carrabba not able to make it to the meeting. Item struck from the agenda.

Motion # 01-04-13-04

Accept agenda as amended.

Moved: Doug Doan

Seconded: John Morrison

Carried: Unanimously

Approval of minutes

Motion # 02-04-13-04

Accept minutes of March 25 & 26, 2004 as presented.

Moved: Erik Madsen

Seconded: John Morrison

Carried: Unanimously

Item 2 – Wildlife Effects Monitoring Program (WEMP)

Petr Komers of MSES Consultants went over his comments on the WEMP for EMAB.

Komers noted that the biggest question that comes out of the report is:

- Now that we have all this data – what does it mean? Author needs to provide first cut on implications.
- How does data compare to pre-construction? What are the trends from before to now? There is no interpretation in the report.

Komers noted that Diavik has said interpretation is not in the scope of what it needs to do, that there isn't enough data collected to make a meaningful analysis.

Komers added that:

- The data collection methodology and data collected so far is good – the issue is lack of analysis
- analysis of data is important to verify accuracy of predictions and environmental assessment.
- there is a disconnect between foundation of the program and reports, that there are inconsistent time frames as to when an analysis will take place and the kinds of analysis to be done are not shown. There is no framework – one is implied but not specified.
- it doesn't hurt to do analysis all along – it doesn't have to be terribly in depth – but it can give some indications of trends and comparisons to baseline data.
- such analysis is not hard for scientists – it would mean an extra handful of hours for each of the tasks. (Komers says he doesn't understand the reluctance to interpret data.)

Erik: Biologists have different opinions as to how to interpret data. EMAB has to determine how it wants that presented and get on with it. Adds that there are some comparisons to baseline.

Komers agreed that there are different methods, which are fine as long as an overall trend is the result. The report does not have a very strong comparison to baseline. For behaviour, for example, Diavik says data is not good enough to be used for comparisons, that the data is being collected differently now than at the start of the WEMP. That means previous data is being forfeited. Even if you have different data, it can still be used to look at overall trends. In their response, Diavik stated that now is not the time to do it. Komers says he is not harping on a better way of collecting data but is, rather, emphasizing analysis.

Erik noted that consistent methods and analysis needs to be devised. Could Petr make some recommendations?

It was noted that that could be done by Diavik. Suggests sending Komers, Diavik and RWED off to discuss and bring something back.

Florence noted that it was better for Board members to be in on that discussion to better understand methodology. That if the community asks questions about these issues, the Board members needs to understand. Also agreed with Komers that data collected isn't being analyzed. She doesn't understand why. During Environmental Assessment it was said analysis would be dealt with later. It's now up to EMAB to decide when analysis should be done.

Gord MacDonald joined the meeting

Regional Caribou Monitoring Report, done this year for Diavik and BHP
presented by Adam Smith (Golder for Diavik)

These are the result for the first two years.

ACTION: John Morrison would like Board to have copies of Regional Caribou Monitoring Report and presentation.

Some scientific discussion on the way the study area is divided. Might be better to follow the shoreline.

Issue arose again about analysis of data. Where there are estimates, there should be error bars to show the precision.

Anne Gunn noted that the overall objective for regional surveys is to address cumulative effects.

John Virgl noted that this was a presentation of the data that does not yet include analysis on cumulative effects. This report provides the data for the assessment of cumulative effects for anyone that wants to do it.

Wildlife Effects Monitoring Program Report overview
presented by Cheryl Wray

It was noted that designating the East Island as a separate survey block is not useful because the graph compares data from that very small area with three large areas. That's not useful and creates a problem of scale. Suggestion to use density instead.

Discussion on who analyzes data:

- how Diavik can know that there is enough information so that it's worthwhile to analyze data?
- Diavik is trying to collect consistent data year after year.
- In some areas it find be useful to analyze, in others maybe not.
- Is it of use to people? Not really of use to Diavik in managing the site.
- Diavik is the information provider – not up to Diavik to analyze data for cumulative effects.
- How do you know if there's enough data if you haven't done any analysis at all?
- There's a lack of leadership on how and who does cumulative effects. The mine doesn't think it's their job to analyze the data. It's not ONE proponent's job to analyze the data for cumulative effects – but a government agency's job.
- Diavik must analyze their data so it can be used to look at regional cumulative effects.
- EMAB's job to give leadership.
- Predictions need to be tested; this is part of the purpose of the WEMP and can only be done by analyzing the data
- What are the communities' views on this analysis or data collection? That question should go to the Parties

Gord MacDonald indicated that Diavik will work on developing analysis.

Caribou on East Island:

- The graphs seem to show that the caribou have abandoned East Island.
- Gord noted that if caribou are not on East Island, that's an effect but maybe a "good" effect.
- Scientific talk on testing the possibility that caribou have abandoned the East Island. What are the implications for mitigation?

Diavik agreed that without analysis it is difficult to assess whether data collection is working properly.

Petr Komers said that by analyzing the data it is possible to find out the strength of the data. Diavik needs to do statistical tests of the EA predictions.

It was pointed out that this discussion does not really address community concerns. The Parties should be asked about any concerns they have regarding the WEMP and results.

Separate reports from all sources including Diavik need to be brought together and integrated.

Summary: no criticism on data collection itself. Generally, data collection seems adequate. There seems to be a need for analysis on project specific data and a need to address who analyzes cumulative effects data.

List of issues that have come up:

- 1. Analysis of project-specific effects**
 - 2. Cumulative Effects– data, analysis – how to move forward**
 - 3. Report timing – ability for people to comment in sufficient time to affect program**
 - 4. Specific monitoring – wolverine hair-snagging, caribou outside of regular period, basis of zone of influence related to dust**
 - 5. Community presentations**
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Break for lunch at 12:55

Back at 1:35

Discussion on nature of meeting and report:

- Some people have not had time to thoroughly review the report.
- Is this meeting to make changes to the report or to this year's program?
- The report for 2003 is concluded. Any review would be looking to the future.
- Diavik will start doing data analysis. Possibility of data analysis report by Diavik separate from their annual report.
- Bottom line is we have this great source of data – let's use it to get some great information.
- Changes to the program would be based on a likely interpretation of data as presented.
- The comments need to be made in light of this year's program not in light of a report that won't be changed.

Point 1 – analysis of project-specific effects

Back to caribou discussion:

- RWED noted that unpredicted effect should be investigated – caribou abandoning East Island, if it's true, is unpredicted. Diavik added that it was noted in the EA that this may occur.
- Need to make better use of data – don't waste opportunity to follow up caribou issue this year with field work and more adequate analysis.
- Is caribou abandoning the island an unpredicted effect?
- Data picked up so far could look at that -- restructure the data.
- Importance of this example is noted – if we can resolve what's happening on this scale, we can resolve what's happening on the larger scale.

- Looking at specifics – like a band of inhabitable habitat perpendicular to the mines.

ACTION: Gord/ Diavik will sit down with Anne Gunn and discuss possible steps that can be taken this summer. Petr will be involved in conversation.

Discussion on dust study:

Dust sampling is in its third year.

Suggestion to sample lichen every few years – if there is an increase in ammonia, then there's a decrease Ph, which make lichen more susceptible to sucking up ammonia.

That's what's happening at Ekati, let's learn from BHP.

Need to establish more control plots.

ACTION: Gord and Anne agree that Diavik should consider studying the same lichen Ekati chooses to study.

Gord notes that the whole issue of getting communities informed should be dealt with.

Doug Doan comments on reports: A protocol for report review was agreed to and was not followed by Diavik. Deputy Minister should have gotten these reports (WEMP/AEMP) He did not. RWED has only 60 days to submit written comments.

The **process** has not been followed.

Point 2 – Cumulative effects

Discussion on cumulative effects:

- How compatible is Diavik data with Ekati data? Diavik is now standardized with Ekati, such as: raptor, bear, aerial.
- All data fed into RWED.
- What is regional and what is site specific?
- Regional cumulative risk assessment is needed.
- These are biological vs. political issues.
- Caribou are integrating these effects – rather than Diavik doing their own risk assessment – pool and work as a cumulative thing with Colomac and BHP. That's only one example of cumulative effects.
- Also consider all the other activities affecting the caribou.
- Everybody together – industry and government (federal and territorial), is responsible for cumulative effects.
- Need to identify knowledge gaps related to CE
- Issue of regional agency raised – either we're all part of a solution or individually part of the problem.
- Transboundary participation.
- WKSS mentioned as a mechanism that could be used to move these issues, a way to flow money, provide governance. A mechanism for regional studies. A

successor organisation was supposed to take over. WKSS was never intended to manage CE.

- We can't just keep talking about cumulative effects – we have to get on with it.

Noted that EMAB has to deal with this and should make a recommendation to get the regional monitoring agency up and running within a year.

The decline of the Bathurst caribou herd was also raised as an issue needing more attention.

Bob noted that RWED will be fully reviewing report and will have in writing all their comments.

Gord asked when Diavik would have community response and comment as to what level of analysis communities want done, that they consider useful to them. He wants that in the process.

Bob said that would be taken care of later.

Point 3 – Report timing

Diavik says March 31 is fine. Their research program ends December 31 and it takes three months to write it up.

Discussion on reports:

- Multiple mines, multiple reports to review – it would be helpful to bring the process into a period where all could be reviewed in a timely fashion.
- Would like to have seen those reports sooner.
- All companies have different year ends.
- Raptor study is over in September – waiting for April to report is going too far the other way.
- Reviewing the report and involving everyone, as well as involving community – in order to change the current field year – it's not practical.
- How does Diavik plan field season – could there not be a discussion with this board?
- Passing out draft chapters discussed – big review audience. It would get confusing to have a draft, a final version, a revised final version.
- DDMI can update EMAB throughout the year on the monitoring.

2:30 break

3:10 back

4 specific monitoring

Wolverine hair-snagging – this is the second field season assessing this methodology. RWED is not prepared to make a recommendation yet.

RWED recommends monitoring caribou outside season, to keep monitoring in the fall if warranted by number of caribou in the area.

Discussion of collars, costs, helicopter sitting there not being used.

Basis of zone of influence – dust monitoring. Pick lichen that BHP picks. Need to do a power analysis on the vegetation plots.

ACTION: Gord MacDonald says Diavik will take this as a recommendation to consider.

One of the strongest community concerns is dust in relation to caribou.

Some science discussion between Anne and Scott on specific types of studies.

Item 6 to be added to list of issues: Doug Doan noted that it's important to commit things to paper, it improves communication. And as noted in last month's minutes, we need to talk about distribution.

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April 14, 2004
EMAB Board Room Yellowknife, NT

Present:

Bob Turner, Chair, North Slave Metis Alliance
David Livingstone, Government of Canada alternate
Doug Doan, Secretary-Treasurer, Government of the NWT
Johnny Weyallon, Dogrib Treaty 11 Council
Florence Catholique, Lutsel K'e Dene First Nation (by telephone)
Doug Crossley, Kitikmeot Inuit Association
Erik Madsen, Diavik Diamond Mines Incorporated
John Morrison, Government of Nunavut
John McCullum, Executive Director

Julian Kanigan, Inspector, DIAND
Gord MacDonald, Diavik
Scott Wytrychowski, Diavik
Anne Wilson, EC
Julie Dahl, DFO
Dave Balint, DFO
Eric Denholm, Gartner Lee Limited, for EMAB
Bart Blais, DIAND

Meeting started at 9:00.

Item 4 – Aquatic Effects Monitoring Program (AEMP)

presentation by Gord MacDonald.

One leftover item of wildlife – deferred until afternoon.

Eric Denholm asked a number of questions regarding the AEMP. He noted that discharge levels were much higher than predicted for the stage of the mine, and that the diffuser dilution factor was quite a bit lower in some cases. Diavik indicated this was because they had not counted on having to dilute mine water with sed pond water to reach ammonia limits, and that the diffuser is less effective when large amounts of discharge go through it.

Question: In Diavik's four-step response to sample results – where does adaptive management fit in? A positive response in step three or four?

Answer: Diavik looks at it after step three. Definitely mitigate if it failed step four, even step three or two. It also depends on whether problem is readily solvable or difficult.

A couple of examples – total suspended solids at sites where baseline levels were low, and arsenic at one site.

Zooplankton: biomass of sample was OK, but did not measure volume of water it came from - procedural error. With zooplankton a positive change and a negative change are both recorded as an effect. Noted that zooplankton is not separated from algae in this test.

Diavik will propose changing test for benthic invertebrates to reflect more complicated nature of invertebrates vs chemicals.

Three main recommended changes to AEMP:

- Water quality: use of baseline stats from combined sites.
- Develop SOP for lab for zooplankton analysis.
- benthic invertebrates – statistical analysis every three years.

Questions:

Would it be possible to add the EA prediction to each table? Such as on page nine and page 34? Diavik agreed to do this.

Effluent volumes appear much greater than EA prediction – this is because of discharge of sed pond water. Diffuse performs less effectively under ice.

Q: Is the water diffused naturally or mechanically?

A: They use a diffuser on the lake bottom; a big tube closed at the end with jets for mixing.

Dilution is not an AEMP requirement so is not dealt with in this report. In winter samples are taken at about 100 metres from the discharge point because the ice isn't safe any closer. Diffusion effectiveness is calculated based on 60m. so the diffuser may be even less effective under ice than was thought.

Q: Arsenic is leaching from the dike. Describe/explain?

A: Arsenic is not leaching from the dike. It's reporting in dike seepage water – where everything that comes through is collected. The arsenic is probably coming from the till that was used to create artificial spawning shoals for fish habitat. Volume of dike seepage is low compared to predictions. The groundwater from the pit is probably four times the amount predicted.

Break 10:00

Back at 10:25

Q: From EMAB's expert – on two "extra" far-field sites, sites that are part of the BHP AEMP, are results used?

A: They are part of BHP's AEMP – we get their data on those two collection sites for information purposes and comparison if something comes up.

Trout embryo test – an uncommon test – Diavik is having trouble getting it to run successfully. There is a high level of effects on controls. It's valid, but just on the edge of valid, so questionable result. Problem is the availability and viability of gametes.

Q: Is it a useful test?

A: Still deciding. If eggs don't survive, it's hard to figure out if the effluent kills the eggs or if there was something wrong with the eggs.

Q: The zooplankton and phytoplankton... do you break it down by species composition?

A: They take samples and store them in the archive. Diavik will only analyze them if there appears to be a problem. They have tested the shelf life and it won't be a problem.

Q: Regarding step 2 of process – the question "Is Diavik responsible?" Gradient between near-, mid- and far-field (higher levels in near, lower in far) – is the data supporting that?

A: At best, high at the discharge. But there isn't enough information yet.

Q: If something is happening in near field and with flow pattern that could express itself far-field – currents, or a plume moving along the bottom?

A: That's not plausible.

Q: What's the problem with the AEMP? Quite a bit of concern from DTC and Aboriginal members of mediation group. about some aspects of the AEMP, baseline reports and special studies.

A: Diavik came up with it, do it, continue to defend it. Keep making changes. It is meeting requirements.

Q: Is it possible to design an AEMP to satisfy everyone?

A: Diavik won't change the program just because the people attending DTC change. Original people in the room were satisfied.

Gord: Would prefer to have an "upstream" control site but this is not possible. Near-, mid- and far-field is the best alternative to upstream/downstream. best theoretical design.

Control numbers can't be used anymore because Lac du Sauvage impacted.

Need to find a regional control site for all mines to use.

ITEM 5 – Blasting Effects Study on lake trout egg incubation by Sean Faulkner

Sean Faulkner from U. of A. made the presentation. They had trouble catching spawning females to get eggs. Incubators were put in last September and half were collected after 20 days – rest will be check after ice-off this spring. Very little deformity in the collected eggs. No statistical difference between blast sites, reference site and lab. Blasting did not exceed the DFO guidelines during the 20 day period.

Q: Was there any aboriginal involvement?

A: Besides Florence's involvement in study design, as board member, no.

Q: Who was consulted in regards to fishing methods?

A: DFO and for the licence to do the study.

It was noted that Diavik needs to work harder to involve the Aboriginal people.

Bob Turner noted that is not right that it took a week to realize that you don't catch a spawning female with a hook. Diavik knows that Aboriginal people are opposed to catch and release fishing.

Item 6 – Update on Fisheries Authorization reports

There are outstanding Water Board and DFO reviews. Executive Director outlines.

DFO has a number of problems with several Diavik reports, as outlined in a letter from DFO that have not been solved. These are baseline reports that would be used to detect environmental changes and now that construction is complete and effluent is being discharged the baseline conditions have changed. DFO indicated they had sent another letter overnight indicating that two of the reports are out of compliance with the Fisheries Authorization. Diavik feels that some of the requirements cannot be achieved. DFO says that these requirements stem directly from predictions in the CSR that Diavik had indicated were achievable.

Following discussion, EMAB stressed that DFO and Diavik have to work out the problems and conclude these matters ASAP so as to take advantage of open water season to re-do studies in a different way. DFO and Diavik should jointly provide a report to EMAB as to how this will be resolved.

DFO notes that there are a number of possible responses to non-compliance with the worst being a court case. Conditions not intended to be punitive. They are there as a protection system, to verify predictions and ensure that impacts greater than predicted aren't happening. DFO wants answers rather than enforcement.

Lunch at 12:10.

Back at 1:45.

Colleen English environmental coordinator for Diavik joined the meeting.

More discussion on the AEMP.

Eric Denholm:

Assessment of cumulative effects was queried in a letter from the MVLWB from July 17 2001

DDMI: Sampling site at outlet of Lac de Gras is used to assess cumulative watershed effects from Diavik and Ekati....

Eric: Same letter indicates the annual report is to include evaluation of flushing flows based on previous years monitoring data.

Gord: This was not addressed. There was a big flow year that made conditions different. [EC] was looking for a paragraph about whether conditions were normal, abnormal. It is an omission.

Eric: Plume delineation study?

Gord: Insufficient concentration gradient – problem is that discharge water is so similar to Lac de Gras water that they can't find the plume. They hope there will be sufficient difference by this summer. They plan to measure conductivity to delineate the plume. Right now they are using total barium to get an idea.

Eric: You predicted residual water and seepage in... are the volumes of pit inflows and mine water and discharge last year as anticipated in the original water licence application?

Scott: Discharge is higher than anticipated because there is more inflow to the pit and because they are running the sed pond water through the treatment plan. They had expected sed pond water would clarify naturally – it didn't. The water meets all water quality standards except for turbidity levels.

Back to Wildlife issue deferred from the morning (from Gord MacDonald):

Scott Wytrychowski met with Chris Hanks of BHP and BHP said they will not do aerial surveys of caribou this year. Others are saying that's not the case. This is a yellow flag: if BHP cancels their aerial surveys that will put a kink in the regional caribou monitoring.

The Executive Director spoke with Carole Mills of IEMA and she says BHP has committed to not making changes this year. Aerial will go ahead this year.

Scott W. noted that all the rest of Diavik's programs will stay the same. All are done separately from BHP. The only glitch may be that Golder, which has been doing the regional caribou monitoring, is no longer affiliated with BHP. This may also affect joint raptor studies.

John Morrison noted that there is a major concern with caribou in the North. This is an issue.

Bob Turner noted that RWED is planning on building on the shore of Lac de Gras. That's another potential effect on the environment. They want to build a camp to use as station to do monitoring and have it open for anyone that wants to use it.

Diavik staff and consultants leave.

Eric Denholm was asked to provide his opinions about the presentations. He noted that there doesn't seem to be any significant impact on the water of Lac de Gras.

He notes that there are some discrepancies and variances between what the water licence said should be in the AEMP and what is actually in the AEMP, as well as the 2003 AEMP report.

There were 8 issues identified in the 2001 letter from MVLWB when it gave conditional approval for the AEMP. These have not all been implemented. For example, periphyton – the licence includes periphyton monitoring but the AEMP doesn't show this.

There are also some technical issues such as providing some basic analysis of the Quality Assurance/Quality Control data.

Good on the technical side, but there are a few things. Gartner Lee will write up a brief report for the Board, with recommendations.

On Diavik/DFO issue Eric Denholm suggests:

- Diavik/DFO might profit from a mediated discussion, because of defensive comments from both sides.
- it would be an all around bad idea to have a prosecution.
- Metal analysis on benthos is technically tricky. A typical benthic sample is not usually enough to do a metal analysis.

Florence noted that from 2001 to 2002 to 2004 requirements are not being met. Compliance is not being met. I don't see any authority doing anything. EMAB's role is to say something is not being done. What role is MVLWB playing in all this?

Doug Crossley noted that there seems to be a lack of communication to find an effective solution. EMAB should make a recommendation that there should be a means to ensure effective communications to address Fisheries Authorization issues.

Erik Madsen suggested that EMAB be careful not to mix up AEMP and Fisheries Authorization.

Discussion followed:

- What sort of mediation process could EMAB be involved with?
- Someone should be involved in this process with Diavik and DFO who knows the topic of water.
- This is a responsibility of the regulatory body; somebody needs to address that.
- What is the deficiency according to DFO as regards the Fisheries Authorization and how is that affecting the AEMP.

- EMAB should not let it go assuming Diavik/DFO will deal with it.
- If DFO wanted to enforce in this situation, they could. Maybe they don't even know what to do. Once you start enforcement you are on a track that you can't get off.
- Don't want EMAB to push the button that would start a "bad" something but rather have EMAB be part of mediation and dialogue.
- Notion of a mediator or third party review of the issue raised again.
- EMAB needs a fisheries expert. Then EMAB can send a letter to parties.
- EMAB needs to send a letter to Diavik and DFO saying: you need to get together in the next two weeks to move forward to start in summer season.
- EMAB needs two things: the board needs expert advice (cost attached to that) and make recommendation for mediation.

Motion # 03-04-14-04

Preamble: open water season.

EMAB recommends that problems related to approval of the following studies:

- *Slimy Sculpin Baseline Metals Study*
- *Lake Trout Habitat Utilization Study*
- *Lakebed Sediment Water Quality and Benthic Invertebrate Baseline Study for the A154 Dike and Mine Water Discharge*
- *Sediment Deposition Study*

be resolved by DDMI and DFO by June 15, 2004. EMAB recommends the use of a mediator jointly appointed by the two parties to ensure that solutions be identified and implemented for the 2004 open water season.

Moved: Doug Doan

Seconded: Doug Crossley

Q: Should EMAB add in dealing with other reports in the future?

A: Later. Making a longer, more general recommendation would complicate the issue.

Carried: Unanimously

Break at 2:50.

Back at 3:05.

More discussion on Diavik/DFO situation:

Issue a ToR for a specialist to review the reports. (Deadline tomorrow at 4 p.m. for Monday paper.)

Put something in the ad to the effect that they would be included for recurring needs as a standing offer.

With the documents to be reviewed, at 10 days maximum/\$15,000 budget limit.

Motion # 04-04-14-04

Issue an RFP for a specialist to review documents of previous motion in news/north, not to exceed \$15,000.

Moved: Florence Catholique

Seconded: David Livingstone

Carried: Unanimously

Motion # 04-04-14-04

To renew standing offers of 2003-04 for the fiscal year 2004-05 for fisheries, wildlife, water and facilitation.

Moved: Erik Madsen

Seconded: Johnny Weyallon

Carried: Unanimously

ACTION: Send letters to each pre-approved company indicating their standing offer will be renewed and asking if they are interested in continuing this.

Item 7 – Reports

Erik informed the Board that BHP confirmed it will participate in the caribou aerial survey for this year.

There is a need for continued cooperation for wildlife efforts. EMAB needs to reinforce that.

Eric Denholm noted that the report/review on the AEMP will be sent to Diavik.

Financial Report

presented by: Doug Doan. Looking at a \$50K surplus for 2003-04 with a few more invoices to come in. No report for 04-05 yet.

Review of Outstanding Action Items

Deferred to teleconference in May.

Report Tracking Chart

It was noted that some reports are taking ages to clear. They are the basis for monitoring. EMAB should say speed up your turnaround. Proposed that it should be two months for DFO and three months for MVLWB – that's long enough for them to deal with a report.

ACTION: Write letters to DFO and MVLWB recommending they set deadlines of two months and three months respectively for reviewing reports and either approving or rejecting them.

Q: Who gets copied and who is the letter addressed to.

A: Executive Director has list of Ccs: Parties, Julie Dahl, Andy Mitchell and DFO minister.

Letter to MVLWB should go to Melody McLeod with copies to Parties and Bob Wooley. No need for copies to EMAB members. Letter to DFO should go to Ron Allen with copies to Parties, Julie Dahl, Min of DFO and Min. of DIAND.

Executive Director noted that of all the EA-required plans and programs, some are missing from the EMAB office and there are a few where it is not clear which is the most recent. This list will now be included in Board meeting kits. Erik will sit down with John to make sure everything is accurate on the list, and that EMAB has copies of all current plans and programs - **ACTION**

New Diavik ISO program will facilitate dealing with documents.

Issues arising from Diavik mediation

E.D. presented a memo in the kit raising some issues. There was a lot of criticism by the Aboriginal Parties to the EA of some key documents related to monitoring effects of the mine and how the approval process by MVLWB/DTC

- EMAB needs to think about what a watchdog involves.
- Government looks to this board to identify technical issues. This relates to the proposed science panel.
- Government resources are getting smaller.
- Can't do anything unless you're resourced to do it, so a broader brush approach, focusing on larger issue rather than focusing on just one issue like the one EMAB just committed to.
- Technical issues are not wrestled to the ground yet.
- Clause 4.8f – getting more money from Diavik.
- Add as a regular agenda item DTC minutes. EMAB doesn't look at those. We need to acknowledge in our minutes that we have seen DTC minutes.
- We need community input re: the watchdog role as part of strategic planning.

Board members will consider memo and provide direction at next meeting. **ACTION**

Strategic Planning Committee report

Committee has not considered draft documents from E.D. Committee should meet to go over them and send out to members for next meeting's agenda.

When the Community Engagement process starts, EMAB will need a basic presentation about what we've been doing.

ACTION: Strategic Planning Committee must meet and put together a draft mission statement and community engagement plan.

ACTION: Committee will meet and Executive Director will send out drafts of mission statement.

ACTION: Communication Coordinator must discuss with Aboriginal Board members, and Parties if requested by Board members, on how best to gather information from communities on Diavik-related environmental priorities and priorities of EMAB mandate.

Q: Should Communications Coordinator fly in?

A: That's not the best way – start by making phone calls.

Item 8 – Inspector's Report

Julian presents Inspector's report for February and March.

Other Business

TK Camp Proposals

Draft proposals are in the kit.

Erik goes over TK Camp proposals. All 3 look good generally but will need some revision:

Fish Palatability study

need to involve a fisheries biologist for consistency – suggests Matt from Jacques Whitford who has been involved in previous studies. Scott can provide contact and rates.

Water Sampling Training

- water sampling where and what are you sampling for?
- KIA responsibility for cooking at fish palatability
- TK Camp a great way to involve communities
- excellent training opportunity on how to collect, preserve, and analyze
- could involve DIAND and Taiga Lab for analysis end – maybe a tour of the lab

Caribou Monitoring

Proposal will need to include access to aircraft

Erik will contact Doug and John to revise the proposals as necessary and they will be on the agenda for the May conference call - ACTION

Comments on Scientific Review Panel

No comments received. Deferred to next meeting.

Report on CARC meeting by Florence

Deferred to next meeting.

Diavik Site Visit by Board

Full-day visit at Diavik in June with 2-day meeting in Lutsel K'e week of 21st. Dates set for 22-23-24.

RWED land use permit – does EMAB want to get involved? RWED has used the mine as a base in the past and there is lots of infrastructure there. Identified EMAB concern: cumulative effects. Florence asked if the Parties had seen the application and whether it was in the kit. Bob will provide a copy to the EMAB office. Florence said she thought EMAB should allow the Parties to reply to the application. She didn't want to say one way or the other what she would support until she'd read the information. Noted that there is a 42 or 45 day response deadline.

Next meeting:
Tuesday, May 18 at 1:30 – conference call.

Meeting Adjourned.

Closing prayer: Florence Catholique