

Environmental Monitoring Advisory Board

Minutes – July 8 - 9, 2020

Yellowknife Boardroom and by teleconference / Zoom

Present:

Charlie Catholique, *Chair*

Violet Camsell-Blondin, *Secretary Treasurer*

Laurie McGregor, *Alternate* (by phone, Day 1)

Gord Macdonald, *Director* (by phone)

Sarah Gillis, *Director* (by phone)

Arnold Enge, *Director* (by phone, Day 1)

Lutsel K'e Dene First Nation

Tlicho Government

GNWT

Diavik Diamond Mines

Yellowknives Dene First Nation

North Slave Metis Alliance

Absent:

Jack Kaniak, *Vice-Chair*

Kitikmeot Inuit Association

Staff:

John McCullum, *Executive Director*
(minutes)

Environmental Monitoring Advisory Board

Guests:

Bill Slater, Slater Consulting (Day 2)

Randy Knapp, Knapp Consulting (Day 2)

Sean Sinclair, DDMI (Day 2)

Allice Legat, TG (Day 2)

Liam Case (Day 2)

Dan Coulton, Golder (Day 2)

Wednesday July 8, 2020 Meeting at 9am at EMAB Boardroom and by teleconference	
1. Call to Order	Meeting called to order at 9:30 am
2. Approval of Agenda	Chair reviews agenda <ul style="list-style-type: none">Add item on Independent Review Panel member recommendation
3. Conflict of Interest	No conflicts declared
4. Minutes of previous meetings	Motion: to approve the minutes from February 26-27, 2020 as presented Moved: Violet Camsell-Blondin Seconded: Laurie McGregor Carried

Motion: to approve the minutes from May 19-21, 2020 as presented

Moved: Sarah Gillis

Seconded: Laurie McGregor
carried

Review of Action Items

- Noted that EMAB could propose an amendment to the Environmental Agreement to extend continuation of EMAB through the closure period.

Noted that there are currently no outstanding recommendations

5. Finance

The Secretary-Treasurer reviews EMAB's Variance Report. Noted effect of COVID on Board meetings and community updates. Also noted that EMAB is waiting on data on mercury in lake trout from Diavik in order to move forward with mercury review.

The Secretary-Treasurer reviewed the draft audit. Clean audit and finances are in good shape. Noted that EMAB did not identify amortization as an expense, resulting in a deficit on statement of operations.

Action Item: ED to check with auditor on how to include amortization in budget.

Discussion on updating computer equipment. Secretary-Treasurer notes that ED should not need to take up Board's time with these kinds of administrative discussions. Spending authority should be increased for ED.

ED presents item from kit on replacing or upgrading computer equipment.

Motion: to accept Global Storm quote to replace computer equipment for EMAB office and Board members at estimated cost of \$17,868.

Moved: Sarah Gillis

Seconded: Arnold Enge
Carried

Noted that Dinah Elliott recently resigned, so EMAB has lost a signing authority. It is helpful to have a signing authority based in Yellowknife to sign cheques. Sarah Gillis has agreed to put her name forward as a replacement signing authority.

Motion: to approve Sarah Gillis as an EMAB signing authority

Moved: Charlie Catholique

Seconded: Arnold Enge
carried

6. Draft two-year budget

Secretary-Treasurer reviews draft two-year budget. ED notes that there is a more detailed budget description document that accompanies the budget. Noted that uncertainties related to COVID-19 could affect a number of budget amounts; budget assumes back to normal by April 2021.

This is a draft document presented with the intent of seeking Board input. Draft will not be finalized until September meeting. EA requires recommended budget be presented to Diavik by September 30.

No comments.

Independent Review Panel member recommendations

ED presents item from kit.

Motion: to recommend Independent Review Panel members to WLWB as per recommendation in meeting kit.

Moved: Violet Camsell-Blondin

Seconded: Sarah Gillis

carried

Meeting adjourned for the day at 10: 30 am

Thursday July 9, 2020

Meeting at 1 pm in EMAB Boardroom and by teleconference/Zoom

Chair opened the meeting at 1 pm

Chair reviews agenda

7. ICRP Ver 4.1 updates and discussion

Randy Knapp and Bill Slater joined the meeting

ED presents item from kit:

- Updates to review documents following additional information on mixing zones required by WLWB after conformity check
- Discussion on next steps
- Security estimate updated again to take progressive reclamation on north WRSA into account

Discussion on next steps for ICRP review

- Diavik wants objective to be to come to agreement/disagreement on each comment
- Does Board want to hear details of discussion on each comment?
- Some kind of summary of discussion at next meeting
- Diavik will provide responses to the consultants` comments by next week, then consultants can review and any clarifications can be made.
- Staff to summarize results of discussions for Board

ED requests Diavik do a quick run-through of presentation on ICRP Ver 4.1 that was made at May meeting.

Gord Macdonald ran through the powerpoint presentation on ICRP Ver 4.1.

- Diavik feels updated mixing zone modelling has advance discussion a lot; may still need some tweaking
- Still investigation wet or dry cover options for PKC
- Revegetation has been updated
- Hydrocarbon contaminated soil – Diavik will make best efforts to treat it
- Have expanded closure criteria a lot
- Acknowledge need for a TK monitoring program post-closure
- Security – RECLAIM has been updated again to take into account progressive reclamation on north WRSA. Meeting with GNWT today to discuss.

Randy Knapp presented the updated part of his ICRP review

- Diavik has done a good job with re-doing the information and the modelling
- Current AEMP description does not assess post-closure mixing zoned; need to change locations of Near-Field sites so the size of the mixing zones can be monitored.

Diavik will respond during the review of comments.

Bill Slater presented his updated review

- Agrees that mixing zones need to be monitored
- Mixing zone sizes range from a few hundred meters to close to 2000
- There is no critical fish habitat in the mixing zones and effluent will not be acutely toxic
- There will be approximately 237 hectares of mixing zone area after closure. This compares to a current mixing zone of about 1 km at the outlet for the water treatment plant
- There will likely be no major effects as a result of the proposed mixing zones.
- Also update section about onsite disposal based on discussion at May meeting
 - Noted onsite disposal of inert waste has been accepted by WLWB, although this is contrary to the CSR
 - For hydrocarbon contaminated soils Diavik has not made any commitment to meet Agricultural Standards
 - Currently proposed standards Diavik will meet are to prevent flow of hydrocarbon to adjacent, non-contaminated areas
 - EMAB might wish to consider tougher required standards for PHC soils than proposed by Diavik

ED summarizes next steps:

- Diavik will provide written responses to Randy and Bill's comments
- Bill and Randy will review these and make any changes they believe are justified. May need to be discussion between EMAB, consultants and Diavik to clarify.
- A summary of discussions will be provided at the next Board meeting
- EMAB staff will review outstanding EMAB comments from WLWB decision on ICRP Ver 4.0 for review with Diavik at a Board meeting
- EMAB staff will review TK Panel recommendations regarding closure to present to Board at a meeting for consideration

BREAK

9. Annual Report Review Process

ED presents item from kit. Draft Annual Report to Board by week of July 27. Board will review and approve draft annual report at following meeting.

Board agrees with this process.

11. Round Table

Violet – briefed Resource Management Working Group (RMWG) recently. Hadn't met for a few months due to COVID. RMWG will involve lawyers in the engagement plan that Diavik has proposed. Diavik should not set the engagement policy for TG

Sarah – took issue with the way Diavik was trying to engage with YKDFN. Diavik wanted to talk only to TK Panel members; engagement needs to be broader.

Charlie – Chief and Council want an update on EMAB. Gathering will happen at Reliance July 31 – August 7

Violet – TG Gathering will be virtual. August 11-12.

Sarah – YKDFN meeting July 18, following Akaitcho Assembly July 16-17. Not sure about YKDFN Gathering – difficult to provide transportation under COVID restrictions. Updated Chief and Council on PK to Pits Project about two weeks ago.

Charlie – noted that Marc Whitford has replaced Arnold Enge as NSMA Board member.

Action Item: have a plaque made for Arnold to recognize his service to EMAB.

BREAK

8. Draft WMP Program Description

Sean Sinclair presented item

- Will submit WMMP along with responses to EMAB comments
- WMMP summarizes current wildlife monitoring program
- Include concordance tables to show how it fits legislative and Environmental Agreement requirements
- Based on GNWT Guidelines for WMMP's

Q: were EMAB's recommendations included?

A: most have been included. Diavik had some questions about some of EMAB's TK recommendations. Query about comparison tables; not sure how to compare scientific vs TK methods

Noted that the tables were meant to show what is done using science and TK methodologies. Only comparison is to see that side-by-side.

Sean – EMAB recommended the TK Panel make recommendations. In general the TK Panel sets its own agenda; Diavik doesn't decide what they will discuss. It would be useful to focus on TK monitoring during closure rather than current monitoring. Diavik sees about 20 years of post-closure monitoring.

Allice – would that be the closure or post-closure period?

Sean – both: active closure from 2025-30 and post-closure from 2030 to 2050.

Allice – tables could show how scientific and TK monitoring complement each other

Sean – Diavik has been getting lots of input from the TK Panel, and hope to get more over time.

- Diavik would like specific recommendations

Gord – something like the fish palatability testing where it's repeatable over time

Sean – caribou behavior monitoring is hard to do under current reduced populations

Allice – suggests wildlife monitoring include habitat monitoring; the state of the plants that the various animals eat. This would require indigenous monitoring and techniques/methods, not just bringing TK holders on a scientific monitoring trip

Q: what about the existing recommendations from the TK Panel?

A: Diavik has incorporate many of these.

Q: when will we see a draft document?

A: it's mostly done; likely by July 24.

Q: how will you work with elders under COVID?

A: Diavik has cancelled TK Panel session for this year

Q: what will be done until Panel meets again?

A: trying to involve communities by bringing elders together in community and engaging by phone with Diavik
Noted that will be hard to do. Agreed this is very challenging – the elders want to be at the mine when they are discussing it.

Q: will fish palatability testing be included in post-closure monitoring?

A: Diavik hasn't committed to that. They want to define a post-closure TK monitoring program with communities and fish palatability testing might be part of that.

10. Lake Trout Mercury Data

Sean Sinclair presents. Diavik has filled in most of chart from NSC. Don't have 2004 mercury data from fish palatability testing camp – hopes EMAB has this. Also couldn't get raw lab reports.

EMAB will check with NSC and see if they need anything else.

Action Item: EMAB to convey revised lake trout mercury table to NSC

Next meeting: August 18-19 mornings (note Gord available after 10:30 on August 19)

Meeting adjourned at 3:45 pm