

APPROVED BY BOARD MOTION # 1-02-02-26

EMAB Board Meeting - November 20, 21, 22, 2001

EMAB Board Room, Yellowknife

Day 1: November 20, 2001

Present:

Robert Turner, Chair, North Slave Metis Alliance
 Floyd Adlem, Vice-chair, Government of Canada
 Doug Doan, Government of the Northwest Territories
 Johnny Weyallon, Dogrib Treaty 11 Council
 Florence Catholique, Lutsel K'e Dene First Nation
 Angus Martin, Alternate, Yellowknives Dene First Nation
 Cindy Gilday, Diavik Diamond Mines Inc

Staff:

Kirstie Simpson, Executive Director, EMAB
 Holly Newton, GeoNorth (minutes)

Absent:

Alex Buchan, Kitikmeot Inuit Association
 Representative, Government of Nunavut

Agenda Item	Discussion / Recommendation	Action
Approval of Minutes	<p>Cindy Gilday asked what was meant by "draw down on the pit".</p> <p>It was decided to consistently record when members leave and return to meetings.</p> <p>Florence Catholique would like her information faxed through to the Wildlife Office.</p> <p>Kirstie Simpson asked that all Board Members provide up to date contact details to the Office.</p> <p>Motion: #1-01-11-20: The minutes of September 18-20, 2001 were approved with changes. <i>Moved:</i> Floyd Adlem <i>Seconded:</i> Doug Doan <i>Carried:</i> unanimously</p>	<p>Clarify with DDMI on Day 3</p> <p>Lutsel K'e information through the Wildlife Office</p> <p>Board members to provide comments on minutes two weeks prior to next meeting</p>
Business Arising from the Minutes	<p>Letter to DDMI confirming distribution of reports through the Parties.</p>	<p>Letter sent to Murray Swyripa, DDMI (16 Nov 01)</p>
Planning	<p>Discussion of the Budget deferred until the next meeting</p> <p>The draft workplan was distributed and relationship to the EA discussed. A working committee was established, including Florence</p>	<p>ED to review draft budget for the next meeting</p> <p>Meeting Friday 23 November 2001 at 10am in the EMAB</p>

	Catholique, Floyd Adlem, Johnny Weyallon and Angus Martin.	Boardroom.
Fisheries Issues	<p>Board to review briefing prepared by Kirstie Simpson on Fish Habitat Compensation.</p> <p>The Board expressed concerns for the current “no-net-loss” policy and decided to discuss the matter with Julie Dahl, DFO.</p>	<p>Comments to Office</p> <p>Discuss with Julie Dahl, DFO on Day 3</p>
Capacity Building	<p>A draft policy for Board meetings, Community Consultation and Workshops was discussed and it was decided to make the following changes:</p> <ul style="list-style-type: none"> - adopt the standard of \$400/day for translation services - travel time changed to half a day for Rae and Lutsel K'e, and a full day for Kugluktuk - Per diems and Honorarium will be paid at the end of the meeting - airline tickets and hotels will be pre-paid - Remuneration figures will be added to the Policy 	<p>Changes to be made to the Draft Workshop and Community Meeting Policy</p>
Capacity Funding	<p>The Board discussed providing monies to the Aboriginal Parties for capacity building within the community. The figure of \$30,000 per group was decided upon.</p> <p>The Board discussed the requests for funding by Dogrib Treaty 11 Council and Lutsel K'e Dene First Nation. A letter to Dogrib Treaty 11 Council will be written outlining that the Board is unable to fund the proposal, but support the proposal and recommend other funding options.</p> <p>The board also discussed the need for computer support for the members as well as fax communication where none is available. It was agreed that the costs for this equipment would be separate from the 30 K.</p> <p>Cindy Gilday tabled a letter from the Native Women's Association requesting a position on EMAB.</p>	<p>Kirstie Simpson to draft the motion for day 2.</p> <p>Letter to be written to Dogrib Treaty 11 Council. (23/11/01)</p> <p>Lutsel K'e Dene First Nation to resubmit their proposal in line with capacity funding.</p> <p>ED to look into costs of leasing vs. purchasing and request bids from computer businesses in Yellowknife.</p> <p>Native Women's Association letter added to the next agenda. ED to draft a response for the board.</p>
Administration Matters	Kirstie Simpson, Executive Director tabled a Draft Administration and Personnel Policy and	Draft Administration and Personnel

	<p>Draft Board Members Policy on Roles and Responsibilities for discussion at the next meeting.</p>	<p>Policy and Draft Board Members Policy on Roles and Responsibilities added to the next agenda for discussion. Members to review prior.</p>
<p>Communications</p>	<p>The Board approved the logo that was distributed.</p> <p>The Board approved the pamphlet for distribution at the GeoScience Forum.</p> <p>The Board discussed producing a newsletter for distribution within the communities.</p> <p>Motion #2-01-11-20: To renovate the Boardroom to share facilities with the Independent Environmental Monitoring Agency. <i>Moved:</i> Florence Catholique <i>Seconded:</i> Johnny Weyallon Cindy Gilday abstained from voting.</p> <p>The PowerPoint presentation for the GeoScience Forum was shown to the Board.</p>	<p>Pamphlet to be printed for GeoScience Forum</p> <p>Kirstie Simpson to work on newsletter</p> <p>Go ahead with the renovations to the Boardroom based on IEMA accepting costs.</p>

EMAB Board Meeting - November 20, 21, 22, 2001
EMAB Board Room, Yellowknife
Day 2: November 21, 2001

Present:

Robert Turner, Chair, North Slave Metis Alliance
 Floyd Adlem, Vice-chair, Government of Canada
 Doug Doan, Government of the Northwest Territories
 Johnny Weyallon, Dogrib Treaty 11 Council
 Florence Catholique, Lutsel K'e Dene First Nation
 Angus Martin, Alternate, Yellowknives Dene First Nation
 Cindy Gilday, Diavik Diamond Mines Inc

Staff:

Kirstie Simpson, Executive Director, EMAB
 Holly Newton, GeoNorth (minutes)

Guests:

Ray Case, RWED, GNWT (AM only)
 John McCullum, WKSS (AM only)
 Zabey Nevitt, Independent Environmental Monitoring Agency (AM only)
 Anne Gunn RWED, GNWT (PM only)
 Joanne Barnaby, Dogrib Treaty 11 Council (PM only)
 Georgina Chocolate, Dogrib Treaty 11 Council (PM only)
 Anne Gunn, RWED, GNWT (PM only)
 Erik Madsen, Diavik Diamond Mines Inc (PM only)
 Cheryl Wray, Diavik Diamond Mines Inc (PM only)

Absent:

Alex Buchan, Kitikmeot Inuit Association
 Representative, Government of Nunavut

Agenda Item	Discussion / Recommendation	Action
RWED Brief on Legislative and regulatory base for Wildlife management in the NWT	Ray Case presented a brief on the legislative framework for wildlife management in the NWT.	
Independent Environmental Monitoring Agency	IEMA presented information on the BHP Ekati monitoring program.	
Tuktu Nogak Monitoring Study - West Kitikmeot Slave Study	John McCullum presented information on the Tuktu Nogak Project.	
GNWT Presentation on Current Caribou	Ann Gunn, RWED, GNWT discussed the formal monitoring program for GNWT explaining how they monitor:	

Monitoring	<ul style="list-style-type: none"> - trend and size of the Bathurst Caribou Herd through aerial photos - Calf survival - insect harassment and use of mine areas for relief through collar monitoring - Response to concerns raised <p>Monitor resident harvests through tags and feedback from hunters. Monitor commercial harvest through tags and forms from outfitters.</p>	
Sharing of Caribou Monitoring Activities from Existing TK Studies	<i>Dogrib Treaty 11 Council</i> – Historic baseline research of caribou and caribou habitat for cumulative effects. Gather observations from harvesters and discussion with elders.	
	<i>Lutsel K'e Dene First Nation</i> – presented a summary of the subsistence harvest study looking at the effects of Diamond Mining on the subsistence economy.	
Diavik Diamond Mines Inc	<p>Distributed a PowerPoint Presentation on caribou monitoring at the DDMI Project which discussed caribou ground surveys, caribou aerial surveys and caribou mitigation effectiveness monitoring.</p> <p>Cheryl Wray and Erik Madsen discussed how DDMI utilize the collar location maps and what monitoring DDMI is doing in relation to snow core and vegetation surveys.</p> <p>Erik Madsen commented that he was not aware of any feeding problems and all staff / contractors must undergo environmental awareness orientation.</p> <p>Distributed a summary report for the Winter Road Joint Venture.</p> <p>DDMI also distributed a list of regulatory commitments.</p>	
Caribou Monitoring Workshop	Andy Swiderski verbally presented recommendations he prepared to the Board that were adapted from the information gathered at the Caribou Workshop.	Andy Swiderski to further develop recommendations for the Board to consider during day 3.
Community Input into indicator matrix	<p>Lutsel K'e Dene First Nation representative identified issues that were raised in regards to the caribou indicator matrix.</p> <p>Govt of Canada - None of the Government Agencies in the federal government are involved in developing caribou monitoring indicators but agreed that standardized indicators would be preferred and would be prepared to react should the results of the</p>	

	<p>monitoring involve issues that they have jurisdiction over.</p> <p>Dogrib Treaty 11 Council representative presented the community input into the caribou indicator matrix.</p> <p>Yellowknives Dene First Nation distributed written results of their discussions on indicator matrix and on their consultant's summary of Diavik Technical matters.</p>	
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EMAB Board Meeting - November 20, 21, 22, 2001
EMAB Board Room, Yellowknife
Day 3: November 22, 2001

Present:

Robert Turner, Chair, North Slave Metis Alliance (left 1.55pm, returned 2.50pm)
 Floyd Adlem, Vice-chair, Government of Canada
 Doug Doan, Government of the Northwest Territories (AM only)
 Florence Catholique, Lutsel K'e Dene First Nation
 Angus Martin, Alternate, Yellowknives Dene First Nation
 Cindy Gilday, Diavik Diamond Mines Inc (left 10.15am, returned 10.45am)
 Johnny Weyallon, Dogrib Treaty 11 Council (arrived at 10am)

Staff:

Kirstie Simpson, Executive Director, EMAB (arrived at 10.10am)
 Holly Newton, GeoNorth (minutes)

Guests:

Julie Dahl, DFO (AM only)
 Mark Lange, DFO (AM only)
 Georgina Chocolate, Dogrib Treaty 11 Council (arrived 10.35am)
 Craig Broome, DIAND (PM only)
 Gord McDonald, Diavik Diamond Mines Inc. (PM only)

Absent:

Alex Buchan, Kitikmeot Inuit Association
 Representative, Government of Nunavut

Agenda Item	Discussion / Recommendation	Action
Community Input into indicator matrix	Yellowknives Dene First Nation representative distributed the document outlining monitoring indicators.	
Caribou Monitoring Strategy	The draft document developed by Andy Swiderski, "Towards the Development of a Caribou Monitoring Protocol in the Lac de Gras Area" was distributed. A working committee was established to discuss the recommendations, including Florence Catholique, Floyd Adlem, Robert Turner, Johnny Weyallon, Angus Martin and a representative from RWED.	Meeting Friday 23 November 2001 at 1.30pm in the EMAB Boardroom.
Capacity Funding	Motion #3-01-11-20: That EMAB provide a budget of <u>up to</u> 30 k allocated to each aboriginal party to the agreement for the fiscal year ending March 31, 2002, to assist in: *Creating opportunities for community and public input and participation *Facilitating effective communication about the Diavik Project with Affected Communities	Aboriginal Board members are to prepare budgets for consideration from the Board before 6 December 2001.

	<p>*Facilitating effective participation of the Aboriginal Peoples</p> <p>*Providing and implementing an integrated and co-operative approach to achieving the purposes of Article I of the environmental agreement</p> <p>*Promoting capacity-building for the Aboriginal Peoples respecting Project-related environmental matters and to</p> <p>*Allow their respective representative to adequately participate on the board.</p> <p>A proposed budget will be submitted to the EMAB office in Yellowknife for the approval of the board. The budget shall be signed by the Parties and shall clearly reflect the purposes and guiding principles of article 1 of the environmental agreement and the mandate of the board as well as the products or outcome that will support EMAB in fulfilling its mandate and reporting on such in the board's annual report.</p> <p>In preparing the budgets for the use of EMAB capacity building funds, the parties shall ensure that, as per section 4.8(c) of the Environmental Agreement, they will manage and conduct their affairs in a fiscally prudent, reasonable and cost-effective manner.</p> <p>Each recipient will be required to account for the use of the funds and provide an annual report recording the products and outcomes achieved through the use of these funds.</p> <p><i>Moved:</i> Florence Catholique <i>Seconded:</i> Johnny Weyallon <i>Carried:</i> unanimously</p>	
<p>Fisheries Issues</p>	<p>Julie Dahl and Mark Lange explained the fish-out that took place at Diavik and how this information can be used in the comparison of estimated and actual populations.</p> <p>DFO is currently looking into having all the fish data interpreted and produce a state of knowledge report on Northern Lakes and their productivity.</p> <p>Habitat compensation was discussed and defined by DFO as replacing lost habitat and does not include loss of subsistence fishing. The issue was raised that with compensation there is never going to be 100% compensation</p>	

	<p>and that the option to compensate in other areas should be available. DFO tries to adhere to the National Policy which is “like for like” as close to the site as possible to off set the loss within the system.</p> <p>DFO asked for comments and feedback on the Diavik compensation workplan.</p>	
<p>DIAND Status Report</p>	<p>Craig Broome briefed the Board on the happenings at the site:</p> <ul style="list-style-type: none"> - 730 people on site at present but will be reduced to 50 by Christmas. - The dike was closed on 29 October. - Cut off wall operations were closed due to temperature - New system for jet grouting starting Monday, MVLWB has not approved yet. - Have been doing TSS sampling, sediment is settling out - West PKC dam completed, East dam is nearly complete - Most buildings are closed in <p>No indication of wildlife at landfill, good operation of waste transfer</p> <ul style="list-style-type: none"> - Crusher & quarry operation shut down, restart in the new year - 2500 loads of fuel and mining equipment due with the opening of the winter road - sewage treatment plant is an issue with elevated levels of phosphorus, have been given a 45 day extension to meet the license levels. 	
<p>Diavik Diamond Mines Inc.</p>	<p>Gord McDonald gave his GeoScience presentation to the Board, which outlined the impact predictions versus the actual results for the 2001 Dike Construction.</p> <p>The Board expressed concerns that the approval was not in place for the implementation of the re-engineering for the cut off wall. Diavik is waiting for feedback from MVLWB.</p> <p>The Diavik Technical Meeting is on 6 December and will include PKC Operation Plans, Design of the collection ponds for country rock, Modification to 154 and other outstanding reports.</p> <p>The Board asked Diavik for a presentation on the Habitat Compensation plan. Diavik are looking to DFO for an extension on the</p>	<p>Diavik to present the habitat Compensation Plan.</p>

	<p>consultation time for the plan. The Board will also put forward to DFO their interest in extending the timeline.</p> <p>Motion #4-01-11-20: To have a Fisheries Mini-Workshop to discuss fisheries issues. <i>Moved:</i> Johnny Weyallon <i>Seconded:</i> Florence Catholique <i>Carried:</i> unanimously</p>	<p>Board writing to DFO to extend submission timeline for comments.</p> <p>Gord McDonald to check into availability of having Workshop on site.</p> <p>Kirstie Simpson to draft terms of reference for the Workshop for next meeting.</p>
Workshops	<p>Kirstie Simpson attended the Northern Impact Assessment Workshop.</p> <p>DIAND is hosting the CEAMF TK Workshop.</p> <p>Kirstie Simpson has been attending the Diavik Technical Meetings on behalf of EMAB.</p>	<p>Kirstie Simpson to put together a timetable of upcoming workshops and events for the Board.</p> <p>Kirstie Simpson to ask DIAND if EMAB can attend the CEAMF Workshop</p>
Other Business	<p>A Team Building Handbook was distributed to the Board.</p> <p>It is the responsibility of the Board members to get reports from their leaderships.</p>	<p>Matter added to agenda for next meeting.</p>
Incoming / Outgoing Correspondence	<p>Letters have been distributed to:</p> <ul style="list-style-type: none"> - DIAND in support of continued funding for IRMA - Letters to MVLWB - Dogrib Treaty 11 Council regarding research proposal 	
	<p>Next meeting will be a teleconference on Monday 10 December 2001 at 1.30pm.</p>	