

# WORKING WITH THE PEOPLE FOR THE ENVIRONMENT



Minutes – October 10-12, 2023

Yellowknife Boardroom and by teleconference / Zoom

## Present:

Charlie Catholique, *Chair*

Violet Camsell-Blondin, *Secretary-Treasurer*

Marc Whitford, *Director*

Sean Erasmus, *Director*

Kelly Fischer, *Director* (in person Day 1 & 3, phone Day 2)

William Aglukkaq, *Alternate* (by phone, Day 2&3)

Gord Macdonald, *Director* (by phone)

Łutselk'e Dene First Nation

Tłı̨chǫ Government

North Slave Métis Alliance

Yellowknives Dene First Nation

GNWT

Kitikmeot Inuit Association

Diavik Diamond Mines

## Absent:

## Staff:

John McCullum, *Executive Director*  
(minutes)

Allison McCabe, *Environmental Specialist*

Environmental Monitoring Advisory Board

Environmental Monitoring Advisory Board

## Guests:

Shauna Morgan, *Facilitator* (Day 1)

Mark Nelson, *Diavik* (Day 2)

Imran Maqsood, *GNWT* (Day 2)

Nancy Njerere, *GNWT* (Day 2, in person, Day 3 by phone)

Wasef Jamil, *Arcadis* (Day 2, by phone)

Brian Kopach, *MSES* (Day 2, by phone)

Dan Coulton, *WSP* (Day 2, by phone)

Kyla Gray, *Diavik* (Day 2, by phone)

James Hodson, *GNWT* (Day 2)

Sean Sinclair, *Diavik* (Day 3, by phone)

## Tuesday October 10, 2023

Meeting started at 1:00 pm at EMAB Boardroom and by teleconference following AGM

Chair opens meeting.

### Item 1: Approval of Agenda

Chair reviews agenda.

Item 16: Inspector's Report cancelled.

Item 6 & 7: switch order

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**Motion:** to approve agenda for October 10-12, 2023 meeting as amended

**Moved:** Violet Camsell-Blondin

**Seconded:** Marc Whitford

Motion carried

## Item 2: Conflict of Interest

No conflicts declared

## Item 3: Minutes of Previous Meeting

Board reviewed minutes of previous meeting.

**Motion:** to approve June 26-29, 2023 meeting minutes as presented

**Moved:** Marc Whitford

**Seconded:** Kelly Fischer

Motion carried.

Email motions read into minutes

Review of Action Items

- Resolution process with Diavik is intended to provide a way for Diavik to answer EMAB questions before comments are submitted to the WLWB or other agencies.

Outstanding recommendations

- Follow up request for observer status on TK WG
- Follow up recommendations for future TK Panels with Diavik
- Note to let Mark Nelson know about Diavik commitment to provide NPRI and GHG calculations for EAQMP report.

## Item 4: Finance

ED presents item

**a) Variance Report** – noted that the Community Updates budget is too low; TG has 4 communities. Need to ensure budget is reasonable for current costs

- TG can provide actual costs for a community tour based on Rayrock mine update
- Noted that there may be a surplus due to the evacuation

**Action Item: ED to contact Violet regarding actual costs for TG update.**

**b) AGM Support Budget Line**

- Proposal to increase AGM Support budget to include honoraria
- Where would money come from?
- Need to ensure representative was appointed by the Party



Q: Can EMAB apply for additional funds for AGM Support?

A: the budget for 2023-25 has already been approved

- Party leadership could make request to Diavik
- Great to have Elders at AGM
- Why does EMAB need to fight with Diavik for small amounts?
- Elders are the most important; good for them to see what EMAB is doing
- Company should make it easier for Elders to attend
- Diavik would like Party leadership to attend AGM, but this hasn't worked. Diavik feels it's good for Elders to be involved
- Unrealistic to expect Chiefs to attend AGM. They have many high priorities
- EMAB can decide year-by-year to provide honoraria instead of increasing budget
- Consider at a later meeting

**c) Roll-over from 2022-23 budget**

- Recommendation from ED to roll over funds from Oversight budget to 2023-24
- This is not the right mechanism; should be done by a request for Additional Funding
- Request should clarify why request is a roll-over
- Noted that CIRNAC allows roll-over for three years

**Action Item: ED to draft two letters; one for roll-over of funds from 2022-23; another for additional funding for 2023-24.**

**BREAK**

**Item 5: Review of Report from Workshop on Future Role of EMAB**

Shauna Morgan presents report

- Report based on workshop discussions
- Four recommendations:
  - EMAB to continue on mutually agreed schedule
  - Focus on improving engagement and two-way communication
  - Be more pro-active in assisting Parties to find cooperative approaches
    - Consider support for TK WG
  - Support Parties to establish TK Monitoring Plan

Q: where would resources come from to establish TK Panel

A: negotiate with Diavik

- There is a big gap where TK Monitoring should go
- Noted that TK WG has a charter and is advertising for an ED. Struggling to hold meetings.
- EMAB observer status on TK WG is still an open question

Next Steps

- Get feedback from Parties/Affected Communities
- Present report to EA Working Group & Minister
- Follow and support TK WG

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## Action Item: Board members to submit comments on draft report to EMAB ED by end of October

- Environmental Agreement Working Group requested report from EMAB. They represent the Parties.
  - No need for consultation beyond EMAB Board at this point
  - Parties can consult with communities once they receive the report.
  - Communities need to be aware.

## Item 4: Finance (cont'd)

### d) Jack Kaniak Memorial

ED presents item

- ED waiting for family to contact EMAB regarding contribution to a headstone for Jack.
- Proposed Diavik/EMAB Scholarship
  - No budget for this. Diavik won't provide new money to EMAB
  - Need to know details of proposed scholarship
  - At this point Diavik needs to know whether EMAB agrees in principle

**Motion:** EMAB agrees in principle to Diavik proposal for KIA Scholarship in Memoriam of Jack Kaniak

**Moved:** Marc Whitford

**Seconded:** Gord Macdonald

Motion carried.

**Action Item:** Request details of Diavik proposed Scholarship in Memoriam of Jack Kaniak

### e) ED Evacuation Expenses

Board should cover outstanding ED expenses as outlined in meeting kit.

**Motion:** to pay ED outstanding evacuation expenses of \$738.96

**Moved:** Marc Whitford

**Seconded:** Kelly Fischer

Motion carried.

### f) Environmental Specialist Salary Range Review

**Action Item:** ED to review current salaries for similar positions for Board consideration by next meeting

- Noted salary may not be the key tool for encouraging retention. Compile exit interview responses.

**Action Item:** ED to compile exit interview responses.

## Item 7: Revised PKC Closure Design

Sean Sinclair to present design. Unable to call in, so delay until Thursday morning

# WORKING WITH THE PEOPLE FOR THE ENVIRONMENT



ED raises request to Diavik for funds to do a geotechnical review of the new design. Recommended by Randy Knapp. Proposal from Dr. Jean-Marie Konrad

- This is part of EMAB's mandate
- Diavik rep noted that the Water Licence requires an independent body to review PKC designs. Diavik Geotechnical Review Board has reviewed the design. EMAB's proposal is redundant, and this is how Diavik would respond to a request for funds. Note this is not a suggestion that EMAB should not review the design.
- Request for a copy of the Geotechnical Review Board report on the PKC Closure Design
  - It is not ready yet
- EMAB had comments on the PKC Closure Design in the FCRP. Many parties had concerns. EMAB should review but doesn't have the funds in the budget.
- Diavik rep suggests ED look at clause in Water Licence related to the Geotechnical Review Board. WLWB required this kind of review after the Mt. Polley tailings dam failure.
- Defer item to Thursday to review. ED to develop recommendation on how to proceed

## **Item 6: Water Licence Proceeding Update**

ED presents item from kit.

Water Stewardship Conference on October 25-26.

- Chair suggests someone from the Board should attend.
- Sean Erasmus?
- Check whether GNWT has funding
- Noted there is transportation from the Explorer Hotel

Sean is willing to attend.

Meeting adjourned at 5:00 pm

## **Wednesday October 11, 2023**

### **Chair opens meeting at 9:05 am (EMAB Boardroom and by teleconference)**

Chair reviews the agenda.

### **Item 10 – GNWT Air Quality Guideline Update & EAQMP Collaboration Proposal**

Mark Nelson from Diavik, and Imran Maqsood and Nancy Njerere from GNWT join meeting. Kyla Gray from Diavik online.

ED introduces item

Imran Maqsood from GNWT Air Quality presents on GNWT Air Quality Guideline

- Guideline released April 21'23
- Applies to current and future mines
- Not intended to change existing, accepted, plans.

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- Large range of comments – changed data completeness requirement from 90% to 75% to take remoteness into account
- Monitoring must occur as long as there are emissions
- ECC Minister’s Investigation has determined Diavik EAQMP is unsatisfactory
- ECC waiting for EMAB to make a decision on whether to collaborate with Diavik on revising EAQMP

Discussion:

Q: what happens if EMAB decides not to collaborate?

A: EMAB should communicate this to ECC; ECC will then respond

Q: what was unsatisfactory about Diavik’s EAQMP

A: lack of TSP monitoring, TSP data doesn’t meet 75% completeness requirement for 3 years in a row

- Noted that Minister’s report would close the investigation process

Q: is a 3-way collaboration with GNWT possible?

A: GNWT could provide input on proposals. If a proposal doesn’t meet the Guideline it would have to be justified

- Noted Guidelines apply to all diamond mines and that it is important that all organizations be involved
- Guideline does not include yellow haze – this is a failure
- The company should address yellow haze.

Q: does the Guideline include any stack monitoring?

A: no. Just outdoor air quality

- On yellow haze issue, the Guideline requires NOx monitoring. The yellow haze is likely related to NOx.
- Board is concerned about lack on answers regarding yellow haze.
- There is a lot of dust at the mine – noted BOTG participant had to shake dust off his shirt after a day in the area.
- Yellow haze, and potential effects on water, vegetation, fish and wildlife are a concern
- Guideline should have been released earlier
- Need technical people to review Guideline.
- Yellow haze visible after blasting at mine
- Water levels are lower all over the north; this concentrates chemicals in water

Q: does ECC collect air quality data in the area?

A: no – mines collect the data. ECC has Purple Air small scale monitors covering 93% of NWT

Noted that the Guideline is final now.

**BREAK**

## **Item 10 – Air Quality (cont’d)**

Mark Nelson from Diavik presents on Diavik’s proposal for collaboration with EMAB on revising EAQMP.

- TSP data is not required for adaptive management because Diavik controls dust on roads as much as possible. Water trucks are running all the time in summer.
- Three main questions for EMAB:
  - Where would EMAB like to see a single TSP station located?



- How much data completeness would satisfy EMAB?
- How many years of monitoring would satisfy EMAB?
- Wind is omnidirectional at Diavik with some SE predominance, based on windrose

Q: more useful to break down wind by season. Has this been done?

A: not aware of whether this is available

- Noted that no single location would receive 100% of wind
- Useful to analyze by season over several years
- TSP data was collected since 2014; dust has been collected since mine started
- Concern during EA was about effect of dust on receiving environment, not dust on its own

#### **Question 1 – where to locate TSP monitor?**

- Shouldn't be right next to a source but not too far from a road
- Objection to approach; this is a technical decision. EMAB not in a position to respond right now
- Diavik should propose location

Q: how many TSP monitors is Diavik proposing?

A: one. Suggested locations: near wind farm, near emulsion plant, near communications bldg., near underground portals

Q: do SNP stations collect dust?

A: Diavik study showed main effects on water are from the treatment plant discharge

Q: which dust collectors have highest amounts

A: at Shallow Bay and near A21

Q: how much variability?

A: a little

Q: what month is windiest?

A: not sure – sometime in fall?

#### **Question 2 – how much data completeness would satisfy EMAB**

- TSP monitors require maintenance so 100% completeness is not possible
- US EPA requires 75% completeness
- Discussion on level of completeness from 2014 to 2018
- Monitors calibrated every 3 months
- noted that for periods when TSP monitors were not working for a full year Diavik has shown a dash rather than 0%. This skews the statistical analysis. CCME and EPA are not as relevant as GNWT Guideline
- It would be better to have more than one monitoring station
- Diavik is proposing to use Scintinal technology; can accommodate a range of probes. There is no manual calibration; probes are replaced annually. Company can troubleshoot online

Q: is Scintinal approved by ECC?

A: It is used in northern BC by Teck Resources. Much cheaper than ThermoScientific monitors

Q: Did Diavik consider Teledyne T640?

A: Diavik is looking for devices that don't require maintenance

- Scintinal can also detect NOx and SOx



- Diavik proposing to monitor NOx and SOx for one year then discontinue if within guidelines
- Elders would like to see filters for exhaust emissions

Q: how good is this new Scintinal technology

A: approved by US EPA for monitoring dust, NOx and SOx

Q: how long does Diavik propose to monitor

A: start next year through closure, until power sources are removed, roughly 2029.

### Question 3 – monitoring duration

- how many years of data would give EMAB confidence?

Q: is there a commitment to install a TSP station?

A: yes

Q: what would GNWT recommend for monitoring duration?

A: GNWT will respond once EMAB provides its response. GNWT completeness requirement is 75%.

- Need solutions that meet EMAB and GNWT needs
- Positive step forward. Timeline?
- Note no reference in proposal to GNWT Guideline
- Timeline depends on Diavik discussions with EMAB
- Need to talk to consultant.

**Action Item: Follow up with EMAB consultant and GNWT staff on Diavik proposal for collaboration on revisions to EAQMP and advise Board.**

## LUNCH

### Item 9 – 2022 WMMP Report Review

James Hodson from GNWT joins meeting. Dan Coulton from WSP and Kyla Gray from Diavik online.

ED introduces item

Dan Coulton presents WMMP report

- Mine footprint still less than predicted
- Caribou movement patterns are slightly different outside the 30 km range compared to inside. Movement is slower and less directional closer to mines.
  - Could relate to habitat availability
  - Similar finding to results of behavior scans
  - Unable to assess differences due to differences in data types
- No grizzly mortalities
- Wolverine mitigation working
- Raptor mitigation limits effects
- Minimal mis-directed waste
- Caribou movement and behavior changes with proximity to mine
  - Seems to be more feeding and resting near mine
  - Differences unlikely to have population level effects





## Discussion

Q: observed health of herd? Any increases in sick caribou?

A: Diavik doesn't collect that kind of information

Q: does collar data show feeding and resting?

A: no, but patterns are similar to behaviour scan information. Both help show behaviour change near the mine

- It would be good to describe what the different types of data show
- Noted that collar fix rate changed during the analysis period. Describe the difference in information between one fix per day vs. one fix per hour
- Diavik used collar data from 2010 to 2022

Q: were all the collars geofenced?

A: no – geofencing started in 2015. Diavik followed Poole and Gunn's approach in assessing effects of Ekati's Misery Road.

Q: After 2015 were all collars geofenced?

A: Beverly/Ahiak collars are not geofenced

Q: what was the sample size in 2021-22

A: Geofence is triggered at 30km. In 2021 the focus was on caribou within 3 km of Diavik. There were about 70 collared caribou. Will have to get back on how many caribou in 0-3 km zone and 0-30 km zone

- Power analysis showed that to detect a 10% change in behavior would require 65 scans in each zone. Diavik has never achieved that, even when there were much higher numbers of Bathurst caribou
- Slower movement and more hard turns is associated with feeding and resting.

Q: are all collars coded so you can tell which caribou go near the mine?

A: yes

Q: how many times does each caribou go near the mine?

A: don't know

- People want to know how healthy the caribou are. Noted that there were caribou lying down near the NCRP during EMAB's site visit in June 2023.
- The 2021 WMMP looked at which collars were 3 km from the mine, but not how many times they were near the mine. Some caribou were near the mine for 2 weeks.

Q: report on what is done with incidental wildlife observations (action item from June meeting).

A: Mark Nelson explained that all staff are told to report wildlife sightings. Wildlife staff will go and observe animals and issue instructions. All sightings are logged and reported in WMMR. If grizzlies are sighted there is an announcement to warn staff.

Q: Do caribou hang around the mine, compared to other areas?

A: 2-4 caribou stayed at the site for most of the summer. Collars show both male and female

Q: what is the minimum time period between fixes for the collar data to be useful in predicting behaviour

A: for behaviour in a small area might need more detail than once every 8 hours.

Q: what about use of accelerometer attachments to collars?

A: Might be useful; provides higher frequency of locations

Brian Kopach from MSES presented his review

- Methods largely the same as previous; some new methods for caribou
- Caribou ZOI – no analysis done; Diavik waiting for approval of methods



- Caribou Behaviour – problem of collecting enough group scan data. Believes group scan data is valuable, and looking forward to collaborating with Diavik on behavior data.
  - Recommending research partnerships to develop new ideas/methods for monitoring behavior
- Findings for grizzly, wolverine, raptors all similar to previous years.

Q: will GNWT release geofence collar data to the mines real-time so they know when a geofence is tripped?

A: this is likely feasible – need to talk to GIS people. ECC doesn't like to distribute recent raw data until it's confirmed. The data is already 2 days old when ECC receives it.

## BREAK

### Item 10 – WMMP Status

ED introduces item.

GNWT will send Diavik a status update on the WMMP conditions attached to their approval.

- Will send a letter to Diavik on ZOI methods with comments from GNWT, EMAB and TG by next week.
- GNWT will request evidence of collaboration between EMAB and Diavik on caribou behavior monitoring. ECC is hoping to arrange a discussion on this among the Parties.
- GNWT will post Diavik's 2022 WMMP report through the WLWB Online Review System, so comments should be submitted through that. There will be a 30-day review period.

Q: will GNWT send questions for Diavik to respond to?

A: GNWT will send a letter on the status of the WMMP approval

- Direction to Diavik to respond to comments on ZOI analysis methods
- Convene a meeting on caribou behavior studies.

Noted that MSES will be submitting comments on the 2022 WMMP report in the WLWB table format. These will be circulated to the Board with an email motion to approve.

**Action Item: circulate MSES comment table to Board for review and approval by email motion.**

### Item 15 – Diavik Solar Farm Project

Gord Macdonald presented for Diavik

- Installing solar panels for period from 2024-2029, when active closure will be complete
- Expected to reduce diesel consumption by one million liters.
- They will be placed on top of the PKC cover. No permanent foundation
- These panels have a 30-year lifespan so will be usable for about 25 years after closure is complete. Opportunity for communities to take them.

Q: direct input or batteries

A: direct; batteries don't work well in the cold

Q: who will install the panels

A: mostly Diavik staff

Q: any environmental effects analysis



A: there is room for movement around the panels

- Noted that similar solar panels have been set up in Gjoa Haven and they work really well

## Item 11 – 2022 EAQMP Report Review

Wasef Jamil from Arcadis joins

Mark Nelson presented the report on behalf of Diavik.

- Dustfall slightly higher in 2022 compared to 2021; largely due to placing cover on NCRP and moving rock from SCRCP
- Aluminum higher in closest snow station; likely due to higher dustfall
- Greenhouse gases and air pollutants similar to 2021. SO<sub>2</sub> decreased due to less blasting and incineration

Wasef Jamil presented Arcadis' review

- Request that Wasef provide a slide presentation in future, not just verbal
- Noted increase at Dust station 3 of 29%
- Diavik provide better information this year on likely sources of dust.
- Diavik provided some information on NPRI and GHG calculations but not enough to verify.
  - Their values appear to be reasonable
- Conclusions are similar to previous reviews
  - Dust collectors are in good locations
  - Good QA
  - Diavik should provide a workbook of NPRI and GHG calculations to allow verification
  - Good job in this year's report and responding to previous comments.

**Motion:** to approve Arcadis recommendations on 2022 EAQMP report for submission to Diavik

**Moved:** Marc Whitford

**Seconded:** Violet Camsell-Blondin

Motion carried.

Adjourn for the day

**Thursday October 12, 2023**

**Chair opens meeting at 9:05 am (EMAB Boardroom and by teleconference)**

Chair reviews the agenda. Added PKC Design presentation

## Item 7 – PKC Design Presentation and Review

Sean Sinclair presented the design for Diavik (by phone)

Nancy Njerere joined by phone

- Final PKC Closure Design submitted in August, following comments on the PKC Design in the FCRP
- Key features:
  - Better water quality
  - Solid surface
  - Lowest risk of PK entering Lac de Gras

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- Less complex construction
- No maintenance required.
- Design includes a response table
- 42% of PKC cover has been placed
- Doing cover trials pushing rock into the center of the PKC where the Extra-fine PK is located (Zone 2)
- New plan for Zone 2 is to place geotextile over the surface, then put the rock cover over it.
- Main components
  - Zone 1 rock cover
  - Zone 2 geotextile and rock cover
  - Inlet channel leading to spillway
  - Spillway
  - Chute from spillway to Pond 3
  - Dam buttresses
- Diavik is expecting the PK will settle, especially in the center, so it has lowered the spillway
- Diavik has added dam buttresses – this is a climate change mitigation
- Construction process
  - Pushing roads (trial strips) toward center of PKC to the point where the rock starts to sink
  - Fill in area between roads
  - Expecting the last ¼ to 1/3 will be challenging. They will wait until the ground is frozen before pushing rock further.
  - Cover is 1.5 m. thick; this will prevent erosion
  - Design drawings are at “issued for construction” stage.

### Discussion:

Q: what will happen with seepage?

A: the cover is sloped towards the centre, so no water will collect on the outside of the PKC

Q: what will happen to water overflowing?

A: Any water will flow through the spillway to Pond 3. Once water quality is OK Diavik will breach Pond 3 and water will flow into LdG

Q: how long will Diavik monitor?

A: planning to monitor to 2050, maybe a little after

Q: what is the planned completion timing?

A: Zone 1 will be complete by end of 2023. It will take several years to complete cover on Zone 2. Diavik estimates by 2027-28.

Q: will any PK be added to PKC?

A: no, it is all going into A418. A little coarse PK is being used for the cover; all the wet PK goes underground.

Q: Effect of frost heaving, seepage and permafrost on PKC surface? Notes road from YK to Behchoko. An uneven surface will lead to ponding.

- Would like surface to look more natural, not just bare rock.
- Concern about what happens after monitoring ends.

A: Diavik has submitted a monitoring plan. They will monitor the cover for 5 years and the dams for 25 years. Diavik will need to submit a Performance Assessment Report, for review and approval, before they stop monitoring.

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- Dry cover addresses Elders concern that caribou might get caught at the edge of the central pond.
- Noted that until WLWB signs off Diavik must continue monitoring
- Diavik rep notes that they are not sure how relinquishment (of responsibility and security) will work.
- Good to avoid soft areas in PKC since caribou go all over. Seems like a better plan than before.
- Concern about potential effect of climate change on PKC.
- Arctic construction is always a challenge; need to be able to mitigate.

Q: slope of surface of PKC?

A: expecting the centre to sink by about 5m, so slope toward centre will increase. Small puddles on surface are not a concern, no permanent ponds

Q: slope of drainage channel?

A: about 5:1 – shallower slope than NCRP. Spillway is 3:1.

Q: when does Diavik expect to be able to push rock onto Zone 2

A: Not sure – modelling says 0-12 years, or longer. Need to keep the middle dry. Will monitor until the centre can support rock. They can work on the channel before then. Noted that the trial strips are instrumented at the end – that is where they get the data from.

Q: provide more information on buttresses.

A: Some are just re-sloped. The foundation of the dams is frozen till; this may thaw due to climate change. The till will be stable when thawed but ice-rich till may be a little unstable during thawing. The buttresses will address this small window of risk. The buttresses are not required by dam regulations.

Q: what about monitoring of the dams. Regulations require dams to be monitored as long as they are holding something.

A: There is uncertainty about whether dams need to be monitored. Dams can be declassified so they are no longer considered a dam. Diavik is not sure if their dams will get there. Diavik is hoping to have a safe design. In the meantime GNWT holds security for Diavik to do monitoring, so there could be a holdback for monitoring dams.

Q: Revised design seems to say that the Independent Tailings Review Panel won't need to review the final PKC Closure Design because the design of the dams hasn't changed since they were approved.

A: the question is whether covering the PKC is an engineered structure. Diavik has done the required engineering. They are working with the Diavik Geotechnical Review Board to review the design but the review is not available yet.

- The WLWB needs to clarify the role of the ITRP
- It would be appropriate for EMAB to recommend the WLWB provide a review from the ITRP before any approval of the design.

Q: Effect of an earthquake?

A: Design has considered that.

- Noted that EMAB plans to review the PKC Closure Design. EMAB would like to do a geotechnical review.

## BREAK

### Item 7 – PKC Design Presentation and Review (cont'd)

ED presents recommendation for geotechnical review of PKC Closure Design

- Noted that ED gets technical reviews done, then puts them in front of Board for review and approval
- Reviews are a duty of EMAB; EMAB represents the interests of NWT communities

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- Part of contribution repayable could be used to cover cost of senior geotechnical engineer review. EMAB needs resources to do this.
- EMAB's expert has expressed concern about the need for a geotechnical review.

**Motion:** to send a letter to Diavik requesting Additional Funds to proceed with a technical review of the PKC Closure Design by a senior geotechnical engineer

**Moved:** Marc Whitford

If Diavik doesn't provide funds, EMAB should look internally

**Seconded:** Sean Erasmus

Discussion:

Q: Did Randy Knapp know the Diavik Geotechnical Review Board would be doing an independent review when he recommended EMAB do a geotechnical review?

A: no, this was not mentioned in the package provided by Diavik

- EMAB should do its own review
- Diavik is following GISTM and doing an independent review
- Can check with Randy but it would still be good to get the ball rolling.
- Proceed with motion while consulting with Randy.

Motion carried.

Gord Macdonald abstained

### Item 12 – TK Working Group Update

ED presents item from kit

Discussion:

- Two-day meeting of TK WG on Oct 23-24
- Request to EMAB is pending a response
- TK WG is having trouble moving forward until its relationship with EMAB is finalized
- Question is should TK WG fall under EMAB? Proposal is that TK WG is independent; EMAB would provide administration. EMAB should not take this on.
- Noted the TK Panel was a creature of EMAB at one time, then Diavik took it over.

Q: what would EMAB provide? Letter says TK WG would have its own Executive Director.

A: Question relates to EMAB incorporation. May be hard to maintain EMAB independence from TKWG if under EMAB, or appearance of EMAB being independent.

- Not a good idea to have TK WG under EMAB
- Noted that the EA provides for a TK Panel under EMAB.
- The TK Panel is in the mandate, but not a requirement.
- EMAB has a role in assisting the Parties
- EMAB is independent.

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- EMAB is not in a position to take this on.
- How long will EMAB exist after Diavik closes?
- Each organization would have its own funds.
- Need details: where will TK WG have its office? How many staff? Can Diavik take this on?
- Diavik will go through phases. TK WG will need to have a home.
- EMAB ED could provide advice on administration if helpful
- EMAB's future role includes more community connection. TK WG might fit in. EMAB needs a more detailed proposal
- At this point TK WG needs to know if EMAB is saying "no" If EMAB might consider some arrangement then we should say so.
- Need to ensure EMAB is seen as independent.
- Not a hard "no" at this point.
- Could invite TK WG to speak to EMAB.
- Need to know TK WG's vision
- Need to be sure that this activity doesn't take away from EMAB's regular activities. Might need more funds.
- Noted EMAB can establish a TK Panel that reports to it.
- EA doesn't require TK Panel to be independent.
- TK should be included under EMAB

## LUNCH

### Item 12 – TK Working Group Update (cont'd)

**Action Item: ED to prepare a draft letter summarizing the discussion as a response to TK WG request for Board review and approval**

- Provide letter to TK WG by Friday Oct 20 so they can consider it at their next meeting

### Item 13 – TK Fish Camp Proposal

ED introduces item.

- Diavik's letter is clear that it doesn't support the Fish Camp Workshop proposal

Q: will there be any more fish camps?

A: required by AEMP, next one is in 2024.

- EMAB to send a letter to Diavik clarifying what it expects from the 2024 fish camp
- Sounds reasonable
- Continuing concern about health of fish at Diavik
- Have a fish camp every year until mine closes
- Does fish tasting continue during closure
- Could include a suggestion to Diavik to hold fish camp every year
- Should include other animals: arctic hare, ptarmigan ..
- Is fish tasting part of EMAB mandate?
- Also include testing of medicine plants

# WORKING WITH THE PEOPLE FOR THE ENVIRONMENT



- Put science and TK together under EMAB
- Small animals were harvested as part of Colomac closure. Example for Diavik.

**Action Item – ED to prepare a draft letter to Diavik and TK WG on the TK Fish Camps based on the discussion for Board review and approval.**

## **Item 17 - Site Visit Update**

Reviewed pictures from site visit.

Discussion:

- Concern about landfill – tires, plastic
- Noted that open pit mining at Diavik is now finished. All mining is underground.
- Most of the activity at Diavik now is reclamation work.

## **Item 18 – Round Table**

GNWT – nothing to report

TG – mostly Violet and Brett involved in EMAB issues

- Shares EMAB technical reports with TG technical staff for use in reviews
- Monthly meetings with TG Executive Ctee.
- Communication with members through radio, Facebook
  - Community tour was effective
- Conferences are useful ways to get information: Geoscience Forum, Abandoned Mines etc.
- Hiring a water specialist

YKDFN – would like to acquire some buildings from Diavik

- 60,000 tonnes of material going into Diavik landfill
- YKDFN did not want any landfilling at Diavik

LKDFN – new SAO

- James Marlowe elected as new Chief
- Council elections coming in early November

Meeting adjourned

Closing prayer – Charlie Catholique

Next meeting December 5-6, 2023