

Draft Minutes  
EMAB Meeting – September 24, 2008, Yellowknife

Present:

Doug Crossley, Chair, Kitikmeot Inuit Association  
Florence Catholique, Vice Chair, Lutsel K'e Dene First Nation  
Floyd Adlem, Secretary Treasurer, Canada  
Grant Beck, North Slave Métis Alliance  
Lawrence Goulet, Yellowknives Dene First Nation  
Gord Macdonald, alternate, Diavik  
Eddie Erasmus, Tlicho Government (afternoon only)

Staff:

John McCullum, Executive Director, EMAB  
Michèle LeTourneau, Communications Coordinator (also minutes)

Guests:

Claudia Haas (GNWT)  
Mark Woodside (NSMA)  
Rachel Crapeau (YKDFN) – afternoon

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Meeting Started at 10:59

Chair notes Board member changes.  
Claudia no longer works for NSMA and will be appointed alternate for GNWT.  
Grant Beck is now the NSMA member.

Diavik has also changed members: Erik Christensen is replaced by Tom Biddulph, Manager of Business Improvement for Diavik

**ACTION:** Write a letter of appreciation thanking Erik Christensen for his time on the Board, and to NSMA for Claudia Haas' contribution on their behalf.

**Item 1: Agenda & Minutes**

Agenda

Agenda items 3 & 4 will be moved to 10:30 on day 2, to be replaced by items 5, 6, and 7.

Add-ons to agenda:

- Joint community visits: after item 7
- ICRP – Closure – item 6
- No underground tour on Friday
- Surplus added to work plan proposal
- Under financial: Martha’s training
- Relook at calendar: parties meeting with EMAB

***Motion***

***Approve agenda, as amended.***

***Moved: Floyd Adlem***

***Seconded: Florence Catholique***

***Carried: Unanimous***

Minutes

***Motion***

***Approve August 26, 2008 minutes as presented***

***Moved: Florence Catholique***

***Seconded: Floyd Adlem***

***Carried: Unanimous***

**Item 2: Aboriginal Involvement Workshop follow-up**

A: Status of training discussion

John gives a brief overview of the training issue for the new Board members. Updates Board. (See minutes of training meeting in binder.)

Discussion on training:

On October 22-23 there will be a review of training criteria and requirements related to the BEAHR.

BEAHR is Canada-wide. There needs to be a program tailored to the North – there are environmental differences but also human/cultural differences. If the program requirements are too stringent there is the possibility that TK will be left out of it. Driving is an example of adaptation – Diavik had its own driving certificate for the site. TK holders might not be “qualified” if they don’t speak English or whatnot. Example: certification of teachers vs. Aboriginal instructors.

One day there will be a person with TK and western knowledge, and the education. But until then we need to be adaptable.

The Mine Training Society is open to parallel TK programs; if it stalls Denise would be a good advocate.

EMAB has a unique opportunity to advise from a community perspective – re: curriculum input. Diavik has committed to four apprenticeships per year. EMAB should continue to be involved in the training committee.

There are a myriad of organizations that are looking after training – is it in our strategic plan? We can encourage. It's not in the EA to play that kind of involved role.

It doesn't mean participating fully, as in developing curriculum but it could mean some watchdogging to make sure the process is happening and to see that TK is addressed.

**ACTION: John will continue to attend training meetings, as an observer.**

B: Update on progress – workshop recommendations to DDMI

The letter was not written as the issue has become broader than what was originally envisioned for this response letter to Diavik. It would be better dealt with through the strategic plan and joint work planning.

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Break at 11:55  
Resumed at 1:20

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### C. Brainstorming proposal to use Traditional Knowledge in monitoring (Alicce Legat)

John gives an overview of the situation for new Board members.

Noted that TK is different for each Party and that they may wish to submit individual proposals, or as a group.

Generally agreed that the shared priority for TK monitoring would be caribou and fish, although there are a number of other interests among some Parties.

Alicce facilitated the brainstorming to arrive at an example of a possible TK monitoring proposal. Her report will be available in October.

Noted again that TK research/monitoring is a very time-consuming process. The Board needs to discuss how it wants to be involved – there are many possibilities:

- EMAB leads the study,
- EMAB facilitates development of a study proposal, and communities do the monitoring,
- EMAB gives direction to Diavik,
- EMAB sets up a TK Panel that would finalize a study design

Meeting ended at 4:05

Draft Minutes  
EMAB Meeting – September 25, 2008, Yellowknife

Present:

Doug Crossley, Chair, Kitikmeot Inuit Association  
Florence Catholique, Vice Chair, Lutsel K'e Dene First Nation  
Floyd Adlem, Secretary Treasurer, Canada  
Grant Beck, North Slave Métis Alliance  
Lawrence Goulet, Yellowknives Dene First Nation  
Tom Biddulph, Diavik  
Gord Macdonald, alternate, Diavik  
Eddie Erasmus, Tlicho Government

Staff:

John McCullum, Executive Director, EMAB  
Michèle LeTourneau, Communications Coordinator (also minutes)

Guests:

Claudia Haas (GNWT)  
Mark Woodside (NSMA)

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Meeting resumed at 9:25

**Item 5: Wildlife update**

Info in binder.

1. Responses to WEMP and MSES recommendation.

Letter of response from Diavik

Regarding 2<sup>nd</sup> last paragraph of final page: Diavik alternate rep explained Diavik's proposal that the WEMP program be broken up into components that will be done alternating years. The key will be how to break it up into components that make sense. ENR, Ekati, and communities (at proposed joint public meetings) need to be taken into consideration.

Noted that communities will need advance notice and info, otherwise community people won't know what to say if it's simply presented without the advance info.

ED notes that this letter assumes that everyone agrees that there is enough data to make that kind of decision. The first stage is to achieve

agreement that this is the right way to go. Not much justification in the letter. He has asked for comments from EMAB's consultant, Petr Komers.

Meeting between ENR on 2007 WEMP won't happen until November. Likely proposed changes to the program will be raised then.

Noted that some of the monitoring involves coordination with Ekati; Diavik doesn't know if BHPB will cooperate.

Timelines will be tight. Need to figure out what we'll do next year. DDMI doesn't see the WEMP being carried out in its current form in 2009. At the same time it is unlikely there will be agreement on a new version before April 2009.

Q: until a new program is in place, the old WEMP will be carried out?

A: Not envisioned that way.

ACTION: ED will informally request to attend meeting on WEMP between ENR and Diavik.

ACTION: Gord Macdonald will send a separate letter to EMAB that addresses this issue (proposed changes to WEMP) specifically.

ACTION: This item (proposed changes to WEMP) to be on a future agenda for discussion to lead to a recommendation.

ACTION: Board members will take Gord's letter on proposed changes to the WEMP to their Parties.

### 3. Plain language summary of statistical report

Diavik says there won't be a plain language summary on the statistical report. Colleen English will look at ways to incorporate some of that into the WEMP report itself.

Q: This is for taking to communities... Should EMAB get our consultant to do this work?

ACTION: Follow up with Petr Komers on possibility of doing a plain language summary of statistical report.

### **Item 6: AEMP/AdMP update (and ICRP)**

DDMI water licence amendment request

Info in binder.

Adaptive management plans and 2007 AEMP report  
Info and draft letter in binder.

**ACTION: Send the draft letter, with Floyd's changes.**

**ACTION: Follow-up with EC and DFO expressing disappointment in EC's lack of engagement and DFO's lateness in commenting on the AEMP report. (Note importance of issue, Board relies on expert opinions...)**

ICRP

Draft schedule/process for review of ICRP circulated.

This was discussed with WLWB staff. The preference was to put the 2006 draft aside and go through a process of consultation. They also want to create a more consistent template for all mines and have Diavik re-draft the ICRP. That document would then go out for review.

Timing seems to be right to have a process that involves everyone: EMAB (as representing communities), WLWB, and Diavik.

Diavik suggests that EMAB empower ED to meet with Kathy of the WLWB and Gord to develop a process and take it back to respective organisations. Once ratified, this process document could then be sent out to all the groups including Parties for review. If all that work is done up front there will be more agreement.

Proposing to do something like with the AEMP.

EMAB should take the onus on the technical review.

Noted that there needs to be a workshop in the community itself – not just a two-day workshop at Diavik like AEMP workshop.

EMAB has in its workplan a workshop on closure. The workshop could also include asking how the communities want to be consulted. Could this be done in the next 6-8 weeks?

EMAB could then be involved in the process from the beginning all the way through to completion.

Diavik asks EMAB: Can EMAB, WLWB and Diavik get together and develop a process to completion?

ED is uncomfortable speaking for EMAB.

Noted that it doesn't have to be ED.

Noted that the process document could be used at EMAB's closure workshop.

Q: Does this serve EMAB or not?

There is a time/financial pressure related to Diavik's security. INAC hasn't and won't reduce the security until the ICRP is updated.

**ACTION:** ED will write a scope for a workshop on closure including community input on a review process.

Noted that this process suggestion might take away from the Parties the opportunity to be involved in decision-making. We don't want to get into a situation where EMAB speaks for the Party.

EMAB is not prepared to participate on the draft work plan until after EMAB's closure workshop.

Oct 21-22 are the dates for INAC's AEMP guidelines workshop. John will attend with a Board member.

Q: What is the message from EMAB?

A: This is an opportunity for commenting on TK inclusion. There is very little on TK.

**ACTION:** ED to review the information package and consult with the Executive. EMAB may wish to request a delay until the TK issue is better addressed.

### **Item 7: Air Quality Monitoring Update**

Nothing new.

### **Item 8: Capacity Funding update**

Info in binder.

### **Joint Community Visits**



Discussion on Diavik and EMAB, plus regulators doing community updates together.

Noted that it is important to have involved Diavik staff who are “in the know” about environmental issues.

There is a need for group updates in terms of answering questions the communities might raise.

It is critical to ensure joint updates don't undermine the community perception of EMAB's independence.

The amount of time required for presentations is an issue with regard to both EMAB and Diavik fully updating without losing the attention of the audience.

EMAB could still do a solo presentation before or after a group update.

Q: If we can't cover all the monitoring in one go, can we focus on one aspect of the monitoring? Diavik would like to focus on a specific topic each year rather than covering all the monitoring programs.

**ACTION:** Diavik staff and EMAB's CC to work on proposed process/agenda, and community reps for scheduling. CC to contact regulators and see if they would be on board. Process/agenda to be brought back to the Board at the next meeting.

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12:15 break for lunch  
1:30 meeting resumed

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### **Item 3: Strategic Planning – discuss draft measures**

Discussion on measures. Draft measures (changes and additions) included in kit. These are also in the two-year funding submission, so need to be reviewed and approved now if possible.

Agreed that the plan is a living document so can be revised if needed. Once the measures are approved they are not cast in stone.

A number of changes were proposed to the draft – these will be brought back to the Board for approval. Some measures remain to be developed or fleshed out, and this can be ongoing.

### **Item 4: Two-Year Funding Submission**

Floyd Adlem updates Board on meeting with Diavik President and staff.

Noted: Regarding the unrestricted net assets, EMAB has always spent over 600,000, which is the amount Diavik provides. The submission provides for EMAB to use the unrestricted net assets to cover any shortfalls and anticipates using up the unrestricted net assets by the end of the budget submission period ie. March 2011.

Diavik notes that funds allotted for projects should be broken down i.e.: list projects.

Floyd notes that it was nice to meet with Diavik's president, Kim Truter. It was informal and cordial.

Gord agrees.

***Motion:***

***Approve the two-year funding submission.***

***Moved: Floyd Adlem***

***Seconded: Eddie Erasmus***

***Carried: Unanimous***

ACTION: Include in cover letter of DDMI submission: make clear that measures will continue to evolve.

Action: Review the strategic plan measures at next meeting.

Noted that there has been no response to EMAB's support for using the DNA method for monitoring wolverine. This is in ENR's hands and they have not discussed it with Diavik yet.

CC request that the promotional items budget line be doubled for this year, to \$10,000.

***Motion***

***Approve the addition of \$5,000 to the current \$5,000 promotional items budget line.***

***Moved: Floyd Adlem***

***Seconded: Eddie Erasmus***

***Carried: Unanimous***

**ITEM 11: IEMA update**

- The uncontrolled discharge earlier this year has been largely cleaned up, but charges may be laid.
- The Sable/Pigeon/Beartooth water licence renewal hearings are December 8 and 9.
- BHPB is making improvements to its air quality monitoring and lichen monitoring.
- IEMA supported continuation of the wolverine DNA study.
- Closure plan – where BHPB cannot specify closure criteria they will have a research plan to fill the gap.
- IEMA's AGM to be held Dec 3- 5.
- Environmental workshop:
- Annual report distributed.
- Sean resigned effective Oct 22
- Water – BHP discharges tailings into long lake.
- BHP wants to join their two water licences.
- Air: agreed to make changes and improvements to their air quality monitoring program: better distribution of snow collection and lichen collection sites.

Next meeting: November 5-7

Tom Biddulph requests that there be a set time when meeting binders would be available to Board members at least a few days in advance of the meeting.

November meeting will include a facilitated governance workshop, which will involve roles and responsibilities.

***Motion***

***ED will get three quotes for a board governance workshop facilitator.***

***Moved: Grant Beck***

***Seconded: Lawrence Goulet***

***Carried: Unanimous***

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| ACTION: Meeting kits to be ready by Oct 31. |
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The final meeting of 2008 will be held December 9-10-11.

***Motion***

***Adjourn the meeting.***

***Moved: Grant Beck***

Closing prayer: Lawrence Goulet