

**Summary of Discussion from the Annual General Meeting
of the Society of the
Independent Environmental Monitoring Agency
held on
November 5th, 2004
at the
Agency Boardroom**

Feb 15, 2005 DRAFT

Participants

Society Members

Lutsel K'e Dene First Nation (Akaitcho Treaty 8):	J.B. Rabesca Monica Kreiger
Yellowknives Dene First Nation (Akaitcho Treaty 8):	Alfred Baillargeon Lawrence Goulet Rachel Crapeau
Dogrib Treaty 11 Council:	Chief Archie Wetrade Zabey Nevitt
Kitikmeot Inuit Association:	Geoff Clark Lynn Carter
North Slave Metis Alliance	Chris Johnson Fred Turner
Government of Canada:	Tamara Hamilton, DIAND Jennifer Mackay, DIAND
Government of the NWT	Gavin More, RWED Jason McNeil, RWED
BHP Billiton Diamonds Inc.:	Chris Hanks

Agency Directors

Bill Ross
Tim Byers
Dave Osmond
Tony Pearse
Jaida Ohokannoak

Agency Staff

Carole Mills
Sean Kollee

Meeting Commenced at 1:15 pm

Opening Prayer

Alfred Baillargeon delivered the opening prayer.

Welcome and Chairperson's Address

Bill Ross (Chair) welcomed the Society Members to the meeting and mentioned that a quorum of Aboriginal Members was in place. His opening address included a statement of 'good news and bad news' from Ekati.

The bad news included notification of the Society Members of ongoing disagreements with BHPB, usually financial, in nature such as a request for the Agency to reduce its budget by 20% and the claw back of carryover funds from an earlier Agency budget surplus. The Agency believed this was a strong challenge to its independence; BHPB disagreed. The Agency is trying to resolve these matters, but they are distracting for the Agency and the company

The good news reported was that environmental management at Ekati has been very good with no significant problems to report on. This has been achieved through adaptive environmental management involving collaboration with stakeholders. The Agency hopes to be able to report that there are no significant environmental problems at the mine at future Annual General Meetings.

Annual Report Summary

Tim Byers (Vice-Chair) presented the Agency 2003-04 annual report.

(copies of the annual report and annual report presentation are available by request to the Agency and on the Agency website at www.monitoringagency.net)

Questions and comments from the audience occurred throughout the presentation. These included:

- A suggestion that cumulative effects cannot be examined solely by looking at diamond mines. The Agency responded that information and research have led to consideration that development from mines may be causing harm to caribou. That appears to contradict the high quality information collected by monitoring done by BHPB. It may be possible the BHPB monitoring program may not be sensitive to some impacts that are occurring.
- The Agency was questioned as to how it has increased community contact in 2003-04. The Agency replied that it hosted an Aboriginal caucus workshop on regional monitoring, environmental workshops to report environmental

information from Ekati to community members and the regulators, visited communities frequently, provided updates at Dogrib Land and Environment meetings and hosted a board meeting in Kugluktuk.

- **Chris Hanks (BHPB)** discussed the Bearclaw Lake unintentional drawdown issue and BHPB attempts to resolve the question of the amount of fish habitat harmed.
- Chris Hanks responded to some of the Agency recommendations in its annual report relating to wildlife monitoring and use of traditional knowledge. He indicated that regardless of the recommendation to reduce bird monitoring, BHPB would continue at the same level, that its traditional knowledge work involves snow tracking of wolverines, that it was investigating the sources of molybdenum and that it will be developing mine closure criteria.

Agency Financial Report

Dave Osmond (Director) reported on the Agency finances for 2003-04.

(copies of the annual financial report and annual general meeting finance presentation are available by request to the Agency and on the Agency website at www.monitoringagency.net)

Motion: To approve the summary of discussion from the 2003 AGM.

Moved: Tamara Hamilton

Seconded: Chris Hanks

Carried without opposition

Motion: To approve McKay and Partners moved as the auditor for the Agency 2004-05 fiscal year

Moved: Chris Hanks

Seconded: Zabey Nevitt

Carried without opposition

Agency Work Plan and Core Budget 2005-06 and 2006-07.

Bill Ross presented the proposed Agency workplan and core budget for 2005-07.

(copies of the annual general meeting workplan and core budget presentation are available by request to the Agency and on the Agency website at www.monitoringagency.net)

Zabey Nevitt (Dogrib Treaty 11 Council) commented on the Agency approach to engaging communities and requested the Agency be more active in seeking out invitations to the Dogrib communities. **Rachel Crapeau (Yellowknives Dene)** agreed with Zabey and added that she would like to determine how the Agency expertise could get into to the communities through access to Agency board meetings. She also requested more information on the use of TK at the site. **Archie Wetrade (Chief of Rae**

Lakes) proposed that the Agency attend annual Dene Assemblies and make a presentation there.

Annual Environmental Workshop:

Following a request for feedback, the Aboriginal Society Members were unanimous in stating that BHPB should continue to host the annual environmental workshops.

When asked to explain the rationale for BHPB ending the annual workshops, **Chris Hanks** replied that he was ordered by the company to reduce its environment expenditures but do the same work. It could either do the monitoring programs and cut the workshops, or cut the workshops in order to retain the monitoring programs. When the monitoring programs were being put together the workshops were more valuable, over time the monitoring programs became more stable and the feedback was less valuable. BHPB staff was also less willing to stand up and deliver presentations because of the criticism they receive. BHPB offered to do the workshops every three years linked to the *Environmental Agreement* mandated Impact reports and visit communities to deliver the annual results from its environmental programs. It will also hold forum where it perceives there to be benefit, such as the changes to the *Long Lake Containment Facility*.

Following the statement by BHPB, there was considerable agreement among the Aboriginal members that this was not acceptable. **Geoff Clarke (KIA)** indicated that when BHPB visited Kugluktuk to present its environmental program results, the presentations were short and curt, not well-attended and did not replace the annual workshop. **Fred Turner (NSMA)** questioned the cuts to the environment programs, yet company profits had increased. **Monica Krieger (Lutsel K'e)** stated that BHPB's answer indicates that the company values technical science over traditional knowledge and communications which are also part of their mandate. **Kris Johnson (NSMA)** stated that the workshops built capacity in the Aboriginal society members and confidence in the mine's programs.

The Government of Canada was asked to comment on the workshop cancellation. **Tamara Hamilton (DIAND)** replied that BHPB is not legally obligated to conduct the workshops and that DIAND would consider providing financial assistance to have the workshops conducted by the Agency. BHPB considered this favourably.

Other Comments:

Tamara delivered a short presentation on the DIAND response to the Agency annual report and performance in 2003-04. She noted that the annual reports are very informative and useful to DIAND. She indicated that the TK comments were discussed by DIAND senior management. She suggests that an action plan be developed to improve the use of TK in Ekati management and that a steering committee be formed to help guide this. She noted that the process for appointing a Director to fill the vacant position on the Agency board is nearing completion and requested clarification of a technical detail related to the Aquatic Effects Management Program (AEMP) included in the Agency annual report. The Agency promised to respond the DIAND comment.

Monica Krieger (Lutsel K'e) thanked the Agency for its assistance throughout the past year. Especially helpful was the Agency technical review related to the Ekati water licence renewal. Monica noted that technical review is key because each community cannot hire experts to review the large volume of consultant reports. She also forecast an inability for her community to review material related to mine closure at Ekati. She viewed the Agency Annual report to be excellent and appreciated in the communities. Lutsel K'e also does not appreciate cutbacks to the environment department at BHPB considering the large profits and expanding footprint of Ekati.

Chris Hanks (BHPB) noted that the Agency was created knowing that providing individual communities the necessary technical resources was not possible. The comments of the Aboriginal Members at the AGM show the company that Agency is functioning as it should.

Closing Comments

Bill thanked the Society Members for their valuable input into future work for the Agency and announced that **Carole Mills (Manager)** is returning to DIAND in February of 2005 so the Agency will be advertising for a new manager. The Agency thanked Carole for two years of excellent service.

The meeting was adjourned at 4:45 pm.