

Notes from the
Inter-Agency Coordinating Team
September 28th, 2001 Meeting

Participants:

Allison Armstrong	BHP Billiton
Derek Chubb	BHP Billiton
Mary Tapsell	DIAND Environment & Conservation
Marc Lange	Department of Fisheries and Oceans (DFO)
Ernie Cambell	GNWT – RWED (North Slave Office)
Albert Bourque	GNWT – RWED (North Slave Office)
Zabey Nevitt	Independent Environmental Monitoring Agency (Agency)
Robin Staples	Independent Environmental Monitoring Agency (Agency)

Meeting began at 1:30

Round Table Updates:

Derek started by giving a permitting update. He mentioned that the Mackenzie Valley Land and Water Board (MVLWB) has received BHP Billiton’s application for a class ‘A’ water licence and associated land use permits for the Sable, Pigeon & Beartooth and the MVLWB have sent it out for formal review. Derek also noted that a response to MVLWB’s information request regarding the amendment of BHP Billiton’s existing class ‘A’ water licence to include Fox pipe has been sent to the MVLWB. Discussions are also ongoing with DFO on fisheries authorizations for Carrie and Desperation ponds associated with the Misery development. A preliminary screening by DFO has been completed for this aspect of the development. Research permits have also been used to carry out fish transfers for Carrie and Desperation as well as for summer fish outs in Sable and Two-Rock Lakes.

Marc noted that there are two new fisheries officers in the YK office (one senior level and one junior). He also mentioned that he has visited the mine site a number of times recently and will continue to do so in order to maintain improved communication with the company and provide advice on certain aspects of the development dealing with fish and fish habitat. In regards to the fish outs, Marc noted that the habitat assessment protocol developed with BHP Billiton seems to be working well to date. Marc also mentioned that he is working on the draft fisheries authorization for Carrie and Desperation ponds and will provide a copy to the Agency when it is completed in an attempt to have a more open process for issuing permits. In addition, copies of the information response and requests during the preliminary screening for Carrie and Desperation were provided to the Agency as were the “no net loss plan” and a report entitled “Fish Habitat Compensation Concepts - Planning and Design Document 2001 - 2020 Ekati™ Diamond Mine”.

Ernie noted that he is sitting in for Raymond Bourget today, as he could not make it to the meeting. Ernie noted that he is specifically interested in setting up guidelines for reporting dead or injured wildlife found at mine sites or exploration camps. He was also interested in initiating a procedure where industry would report significant wildlife incidents (e.g. high numbers of Caribou on site, Caribou on the airport strip). A draft wildlife sampling protocol for exploration camps and mines was also mentioned and the notification procedures, specifically when to report dead wildlife, what information should be collected and who should be contacted were all discussed. Ernie noted that public perception of wildlife issues up at the mine are important and the more information RWED receives from the company the better equipped RWED will be to appropriately address public concerns.

Albert also followed-up on Ernie's comments by stressing that public concerns regarding wildlife must be addressed and thus RWED staff would like to improve communication and cooperation with industry to better pass on accurate information to concerned members of the public. In response to a previous request by BHP Billiton, Albert noted that he is more than willing to put together some courses / training sessions for BHP Billiton staff regarding how to treat wildlife at site.

Allison began by addressing concerns with Caribou on the airstrip. She noted that the electric fence was not working well due to long grass contacting it and causing it to ground out. With the aid of an electrician, the fence has been redesigned so that the bottom two rows are not electrified. In response to wildlife sampling protocol, Allison noted that the protocol was being adopted into BHP Billiton's wildlife sighting reports. Allison also responded to Zabey's question regarding the reporting of other wildlife incidents than death by noting that weekly wildlife incident reports are being sent to RWED. Allison also expressed a desire to meet with a number of personnel from RWED to improve cooperation and wildlife reporting.

Allison continued her update on recent activities at the mine site and noted the following:

- Fox lake fish out is winding down due to weather and safety issues. The remaining nets will be removed from the lake the first safe day that is available. Dewatering of Fox Lake will be ongoing during the winter.
- The first fish out season at Sable and Two Rock Lakes is finished. The fish out will be completed next summer for these two lakes. The same fish out team is being used at Sable, Two Rock and Fox Lakes.
- The fish transfer program at Carrie and Desperation ponds has also been completed.
- The environmental department using the helicopter is determining caribou crossing locations on the Sable road. Approximately 15 crossings are planned.
- BHP Billiton has been working closely with DFO on stream crossings and the company has had a fisheries biologist at site helping with the Sable road stream crossings.
- The fuel tanks for the Fox development are almost ready to be used. Hydrostatic testing on the tanks is almost complete.

- Reclamation will soon begin at the old camp and part of the old camp will be used as a nursery for plants.
- A three-year benthic invertebrate study has begun in Long Lake in cooperation with the University of Saskatchewan, DFO and Environment Canada. The study is focusing on the impacts of kimberlite on benthic invertebrate re-colonization.
- Sampling has been completed for the aquatic effects monitoring program and hydrology stations have been removed. The wildlife effects monitoring program will be completed in late October.
- A second re-vegetation plot has been placed on Cell B of Long Lake.
- The freshet in the Panda diversion channel was very high this year and the fish boxes were not effective as water flowed over them. Therefore, the fish spawning data this year for the channel will not be very accurate or comparable to previous years.
- An ecological risk assessment has been recently completed for copper in the Koala watershed, specifically Kodiak Lake and the Panda diversion channel. A report will be distributed shortly and an information meeting will be held at the end of October.
- Environment and site services departments at Ekati™ are working closely together on issues of food management and acceptable disposal at landfills. Food waste and disposal improvements have been noted and further staff and contractor training on these issues is ongoing and has been well received.
- Thermistors have been placed in waste rock piles at Panda and Misery and data to date shows that Panda has been frozen through the whole summer, while the Misery waste rock dump is not as cold and a couple of areas have had temperatures of approximately +1 degrees centigrade. Layering does appear to be working well. This information will be in the fall seepage survey report.
- The spring seepage survey has been sent to the MVLWB. The focus of next year's seepage survey will be on the kimberlite course rejects area. A seepage meeting will also be held in the spring as in past years.
- Misery ore is now being hauled to the process plant. A Dogrib – Yellowknives joint venture has the contract for hauling misery ore as well watering Misery road.

Robin noted that he is currently reviewing the water licence and land-use permit applications for the Sable, Pigeon and Beartooth development. He also mentioned that he is reviewing BHP Billiton's response to the MVLWB information request for amending water licence N7L2 –1616 to include Fox pipe. His review includes the two reports titled "Prediction of water quality for LLCF" and "Preliminary environmental effects of predicted water quality from the LLCF" that were attached as supporting documents to the response to the information response. In addition, Robin noted that he attended an acid rock drainage / metal leaching course in Smithers B.C. in August.

Zabey began by requesting from Allison a copy of the terms of reference for the benthic invertebrate study that has been started in Long Lake and a copy of the literature review done by Dillon consulting on the young of the year grayling in the Panda diversion channel.

Allison noted that she would provide the requested documents to the Agency.

Zabey continued his update by noting that the Agency recently had a board of Directors meeting and our two new directors were present. Akaitcho Treaty 8 has appointed Tim Byers and Bob Turner has been appointed as an interim director by the North Slave Metis Alliance. He noted that at the board of Directors meeting, the Agency and the executive from the Environmental Monitoring Advisory Board for the Diavik project met and a good discussion took place regarding regional monitoring and opportunities for future cooperation. Zabey also noted that the Agency is reviewing the Sable, Pigeon and Beartooth applications and additional information on the fox amendment as noted by Robin earlier. Zabey mentioned that the Agency is sending an information request to the MVLWB regarding the water licence and land use permits for Sable, Pigeon and Beartooth. This request will be sent later in the day and will also be placed on the Agency's web site. The sixth issue of the Agency newsletter "The Ekati Monitor" will be printed and distributed in October. Zabey also asked for a brief clarification on how mine water is handled at the mine site.

Derek responded to Zabey's question by noting that mine water is transported to Long Lake via a separate pipe and is treated with coagulants / flocculants through a positive feedback loop that measures turbidity.

Mary began by noting that she is attending on behalf of Tamara who is away in Whitehorse attending a mining reclamation workshop. Mary presented Tamara's update and noted the following:

- Eric Yaxely (DIAND) has contacted a variety of stakeholder groups to participate in the review of project specific environmental agreements. Steve Kennett from the Canadian Institute of Resource Law has been contracted to conduct the study. The study is focusing on the north slave region and the final discussion paper will be distributed to participants.
- The NWT technical practitioners workshop was recently held in Yellowknife and attendance was good. The workshop brought together people who deal with preliminary screenings. There was good dialogue at the workshop and it was recognized that there are differences in the way the MVRMA is interpreted. A paper will also be coming out of this workshop.
- Tamara has set a tentative date of October 30th for a meeting to discuss the cost variance report. She would like to know if this is acceptable to BHP, GNWT and the Agency. John Brodie, DIAND's consultant, is currently reviewing the cost variance report and the phase II review will be completed shortly and distributed to the meeting participants before October 30th. The meeting will focus on whether the present security deposit is adequate for the current liability of the mine site.
- Tamara has met with the MVLWB and DIAND operations to discuss how security will be handled on the new land use permits that BHP Billiton has applied for.
- Tamara is also working on arranging a site visit to Ekati™ for interested DIAND staff.

Mary noted that a board relations unit (BRU) is being set up to more effectively communicate federal interests related to the various resource management boards in the NWT. Copies of the draft terms of reference for the BRU are available to those who are interested.

Derek questioned how the NWT technical practitioners workshop would feed into the MVEIRB guidelines for Environmental Impact Assessment in the Mackenzie Valley and the Rules of Procedure for Environmental Assessment and Environmental Impact Review Proceedings.

Mary responded by noting that the workshop results wouldn't directly feed into these draft guidelines, but stressed that she hoped there would be more opportunities in the future to comment on these MVEIRB draft guidelines.

Next meeting will be held in the Agency boardroom on Friday October 26th at 1:15pm.

Meeting finished at 2:45pm