

Independent Environmental Monitoring Agency 15th Meeting of the Board of Directors

September 11th to 13th 1999

SUMMARY OF DISCUSSION

Directors

Red Pedersen
Fikret Berkes
Peter McCart

Tony Pearse
Kevin O'Reilly
François Messier

Staff

Hal Mills
Janice Traynor

Matt Bender
Alex Thomson

Saturday, September 11, 1999

The Chairperson began the meeting by introducing Alex Thomson, the Agency's future Manager. Director Bill Ross was unable to attend as he is out of the country, although he did send an email regarding innovative ways of negotiating budgets with BHP.

Review of Agenda:

The following items were added to the Agenda:

The Agency's national/international presence under Communications on Sunday morning.

Information that is not being sent to the Agency from the NWT Water Board.

Environmental impacts (Ekati's cumulative effects with Diavik, should it proceed)

The hiring of staff, in particular the second staff person

Information Updates

The Agency Directors:

Red Pedersen has been having regular discussions with the Kitikmeot Inuit Association (KIA). The Land Manager, Stephanie Briscoe, will be leaving KIA to join Nunavut Tunngavik Inc. (NTI) as Environmental Manager. Jack Kaniak will take over the Land Manager's

responsibilities. Furthermore, BHP came to Kugluktuk and did a community presentation on its plans for expansion. They did not discuss the annual report. The meeting was well-attended by 70-80 people. Public concerns identified were in regards to the safety of drinking water and caribou herds. Red Pedersen has distributed the Agency's annual report in the community and has been receiving positive feedback, especially from the schools.

François Messier has been working with Hal Mills on finalizing the budgetary agreement with BHP and working out details regarding the office move. He will update the Directors under the Treasurer's report.

Tony Pearce has been examining the SNP data and has entered it into a spreadsheet for monitoring the key stations over time. No conclusions are available as of yet. He noted that three amendments have taken place to the water licence (sewage discharge, end of pipe discharge & impervious dam at Misery) which the Agency was not aware of. He is concerned that significant amendments are being made to the water license without Agency input.

Kevin O'Reilly attended an informal dinner in Yellowknife with then Minister of Fisheries and Oceans, David Anderson, who has since been appointed Minister of Environment. He was able to give him the Agency's Annual Report. Kevin O'Reilly has been trying to meet with Fred Sangris since early August but has not been successful. He worked with Matt Bender on a distribution list for the annual report and they are in the process of finalizing the list. He did not have a chance to talk to BHP regarding follow-up to the TK workshop. He would also like to go through the transcripts of the water board hearings in order to find out what commitments were made and by whom.

Peter Mc Cart wanted to ensure that more time was spent talking about the environmental issues at the site instead of the housekeeping items that have been occupying the Agency's time as of late.

Fikret Berkes would like to increase the Agency's profile nationally through the National Roundtable on the Environment and Economy, as well as internationally. Further discussion on this item took place later in the meeting.

Staff:

Alex Thomson thanked the Agency for giving her the opportunity to participate in the Board Meeting although she is not officially with the

Agency until September 27th. She is currently finishing her duties with the Nunavut Impact Review Board and working out the details for her move to YK.

Hal Mills attended the North Slave Metis Alliance Assembly in Fort Rae on behalf of Agency. He gave a presentation and distributed Annual Reports to a small audience (25 people) on Sunday afternoon. The questions raised concerned the health of children, as a result of the Ekati project.

Hal Mills reported that the Agency had good cooperation from BHP on the office move and as a result, it went smoothly. Since BHP has certain budgetary provisions and contractual agreements in place, which facilitated the move, many things were paid for directly by BHP, such as the moving company, signage, etc. The Agency will continue to pay for its own phone, fax and modem lines, as well as, other operating costs. Hal is keeping track of moving expenses, as well as those related to staff recruitment in order to invoice BHP for these items. BHP is supposed to be supplying the Agency with furniture from its surplus supplies but it has not yet happened.

Hal Mills also reported that BHP offered to help with the hiring of the administrative assistant by providing northern and Aboriginal resumes they have on file. The Directors and staff discussed the appropriateness of these hiring procedures for the second staff person. It was decided that the responsibility for hiring an administrative assistant should be left to the new Manager, Alex Thomson, through an open advertising competition. The urgency for hiring the second person was identified and the possibility of hiring someone casually as an interim measure will be considered. Kevin O'Reilly has someone working part-time for him and this individual may be interested in some additional hours.

It was agreed that GeoNorth will pro-rate the invoice for their services to the Agency in September according to the days worked for this month. He also reported that letterhead and business cards will arrive shortly and the newsletter is nearing completion.

Matt Bender passed on Lisa Hurley's appreciation to the Board for a second summer of work and he thanked Lisa for her hard work at coordinating the office move.

BHP Meeting:

Denise Burlingame, Scott Williams, John Witteman of BHP Diamonds attended.

Scott Williams reported that BHP will conduct an external audit of its safety program in October. The external audit of the environmental program was supposed to be early September but will occur during spring break-up, when the hydrologist is available. Activities for this field season included site cleanup and beautification, Long Lake Dyke B construction and exploration. The exploration program is comprised of till sampling, airborne geophysical, core drilling, bulk samples (Gazelle, Piranha, and Phoenix). BHP will make an announcement by the end of month on the summer results. Ekati diamond production is at expected levels.

DIAND completed its site inspections for the summer and nothing of concern was identified. Construction was completed on 9 km (at 21 m width) of the Misery Road. Paul Lake to Misery (18-29km) is contracted for next spring. Materials for next springs constructions are being stockpiled at Paul Lake Bridge up until freeze up.

In response to a request from the Agency on which of the pipes are still considered mining possibilities, BHP agreed to put the Agency on the distribution list for press releases and Scott Williams will ensure that the Agency receives the background information.

John Witteman reported that the aquatic effects monitoring on the lakes have been completed, although more work is needed on the streams. Cell D is fished out. Kodiak Lake did not drop in enrichment so aerators will be used this winter. Little Lake and Cujo Lake have been added into the AEMP. Baseline work is occurring at Two Rock Lake and Ulu Lake as a part of the Sable/Pigeon/Beartooth expansion. Rocky or Horseshoe Lakes may be added as AEMP lakes.

As far as wildlife management is concerned, more caribou were present than last year. There were no reported bear incidents at the site but the surveyors did have a run-in with bears. He identified the need for more staff training in this area.

Simone de Rosemount from University of Saskatchewan (USask.) is doing kimberlite toxicity sampling and BHP is waiting to see her results. John

Rennie, a hydrologist from the USask, is looking at spawning success in the Panda diversion channel.

Finally, the Waste Management program is a success in that the landfarm is working well. Oil/water is separated and the waste water is used on to the coarse kimberlite pile.

BHP committed to sending the Agency results from the esker survey conducted by ResCan. The Agency is interested in the parameters of the long-term indicators.

In response to a question regarding traditional knowledge work, BHP responded that it is having difficulties getting Elders on site to complete the TK work. Chris Hanks will get back to the Agency with information concerning follow-up to the traditional knowledge workshop.

John Witteman informed the Agency that the North end of Cell B is green with moss-like vegetation. The plant will be sent for identification. The Agency noted that the vegetation may act to diminish the presence of dust.

Further discussion concerned BHP's plans regarding placing waste rock from Misery into Lac de Gras to create shallow habitat for fish. BHP is still considering the options but they will have to talk to DFO about what is best. Peter McCart suggested that BHP review the potential cadmium issue, as it has been identified in a report by Don Macdonald during the Diavik comprehensive study. Generally, if the waste rock is kept under water, the problem may not occur but it is something to be careful about.

Cumulative impacts at outlet of Cujo Lake, near Misery pit, were also discussed. John Witteman stated that there is an impact but questioned whether it is significantly adverse. He emphasized the need to keep sewage out this system and decrease the amount of sewage entering King Pond, since phosphorous is undesirable. The issue of phosphorous at the outlet of Long Lake was also discussed. John Witteman will provide the data on this matter.

Scott Williams continued his presentation by describing some of the areas of improvements that have been made this past year. They are as follows:

- An in house EA annual report
Waste management program.

Wildlife and Aquatic EMPs – stakeholder acceptance and support through the annual forum.

TK – Elder’s visits: Positive feedback regarding programs and mine employment

Communications with the Agency improved

Positive team attitude.

Other things:

Waste Management building.

BHP hired a staff member, Tina Markovic, to be dedicated to permitting. EA guidelines for the Sable, Pigeon, Beartooth are in progress with government and MVEIRB.

Studies and Reports:

Annual reports – The water licence/EA annual report were combined and should be completed by the end of March
EIR 2000

OEMP Update

Scott Williams asked for comments from the Agency on the New Environmental Handbook that is being drafted.

Scott explained that Ekati is following the waste management model from one of BHP’s mines in New Mexico. The focus is to get it up and running in next 12 months. He suggested to John that the waste management plan be added to the OEMP report.

Discussion also took place on including the Misery traffic plan in the updated OEMP. Scott Williams explained that the hauling will not start until next year therefore it will be included in the following OEMP update. A proposal for decreasing the amount of hauling from Misery is still being worked on.

Scott Williams explained that the Expansion project description was issued to DIAND, DFO and the Mackenzie Valley Environmental Impact Review Board (MVEIRB). BHP will be answering some of their questions as an addendum by end of month but will not be producing a new project description.

Peter McCart asked about the aquatic effects baseline monitoring associated with the Sable expansion. John Witteman suggested that Horseshoe Lake can be included as an AEMP lake next year in order to compile adequate baseline data since they are not expecting permits until early 2001.

BHP and the Agency discussed the reason for low pH in the Panda area. **John Witteman** explained that it may be due to the tundra ecosystem and the low buffering capacity of Panda Lake. He took samples in the stream moving upstream and they ranged from 4.9 downstream to 7.1 at the face of the kimberlite. In the spring, the pH is 5.8 during snowmelt. The Agency asked for information about the reasons for the acidity, including the snow survey, and would like an opportunity to investigate whether it is indeed naturally occurring.

Hal Mills thanked Charlie and Dale for their cooperation during the move and requested a supply cabinet be sent right away.

François Messier informed BHP that he will finalize the budget with the Directors and send confirmation to BHP. He asked about having a contingency fund available should the Agency require extra funds at year end. Scott Williams explained that he can write a cheque in 15 minutes if funding difficulties arise at the end of year. François Messier expressed concern over the lack of security for the Agency and suggested that overdraft protection be contemplated.

Discussion on Correspondence

The Agency has not been receiving important information on the proposed expansion of Ekati and other activities occurring at the mine. The Directors reviewed the letters that were sent by the Agency and BHP on this matter and discussed options for increasing communications with the NWT Water Board and MVEIRB on this matter.

Action item: The staff will work on getting information from agencies regarding the proposed expansion at the site or any further amendments to Ekati's authorisations, either by improving communications or requesting the information through MVEIRB's project registry. Weekly visits to the MVEIRB, NWT Water Board or CEEA public registry should be conducted until a more cooperative arrangement can be negotiated.

Improved communications is warranted with Nunavut in order to leave the door open to discuss the project's transboundary and cumulative impacts. A letter was sent to Minister of Sustainable Development, The Honorable Peter Kilabuk of the Government of Nunavut.

Action Item: Send a copy of the minutes of last meeting to Peter Kilabuk, Minister of Sustainable Development for the Government of Nunavut.

Lunch

The Treasurer's Presentation:

François Messier reported that, as per September 1st, the estimated expenditure for the Agency is approximately 32% of the budget. All of the items in the new core budget and agreement with BHP are consistent with the previous fiscal year except the following items:

A) Rental Arrangement:

The rent for this year is 10.8K over a five month period only. Since BHP will be paying the rent directly out of their O&M budget for the remainder of the year, the rent will not appear on the Agency's budget.

Concern with this arrangement was expressed by some Directors. It was explained that as a part of the budget negotiations, BHP was given permission to negotiate the rent with the landlords as it has more bargaining power as a renter of numerous office spaces in town. Furthermore, if the Agency is not satisfied with the space then they can discuss their dissatisfaction with BHP and move. Other Directors felt that since this issue does not in anyway affect the Agency's decision-making regarding their mandate, the arrangement did not compromise the Agency's independence and integrity. It was also pointed out that the other benefits, like greater support for Board meetings, were gained through the negotiations on this issue.

Action Item: François Messier will investigate changing the office's insurance because of the change in the rental arrangement.

B) Staffing:

The other substantive change to the budget is in the area of service contract and staffing, as the contract with GeoNorth will end as new staff take over. The Directors and staff discussed the duties of the second staff person and felt an Administrative Assistant should be hired, rather than simply a receptionist. The Directors decided to allocate more funds for this position in order to attract candidates who have skills, such as letter writing, database and some financial background.

It was decided that the employee benefits portion of the Agency's budget should remain at 20% of the employee salary for all benefits, including the Agency's contribution to payroll tax, CPP and EI.

C) Contingency Fund

An end of year contingency fund was discussed. BHP has yet to commit to this type of arrangement. Other options discussed included overdraft protection or the Agency accepts Scott William's suggestion to allow BHP to write a cheque when and if it is needed.

The Directors chose to have overdraft protection with the assurance that the Agency remains liable for any overspending of their budget.

Action Item: François Messier will draft a covering letter to BHP which identifies the need for overdraft protection and stipulates that the equipment/rental arrangement is not a part of the core budget. Once this letter is approved by the Directors, it will be submitted to BHP with the final core budget in order to complete negotiations with BHP.

Clarification was requested from Alex Thomson concerning what she expected in terms of benefits and education leave. Alex Thomson explained the potential benefits of completing a Master's degree by distance education to both the Agency and herself. Depending on the relevance of the Masters to the Agency and its mandate, various options for supporting this goal could be considered ranging from salary support to leave without pay. In absence of human resource policies, Alex Thomson suggested that the Agency discuss their position on education leave and decide what it is generally willing to offer its employees in terms of benefits.

The Directors agreed to discuss the issue among themselves and inform Alex of their decision later in the meeting.

Budget Negotiations

The discussion on the process for negotiating budgets was tabled until the next board meeting in order for Bill Ross to present the ideas that were put forth in his email.

Action items: Discuss Bill Ross' email on budget negotiations at the next Board meeting

Staffing of the Agency

François Messier suggested that a clear job description be written which outlines the duties of the Administrative Assistant in order to justify the salary to BHP.

Action item: Janice Traynor will work with Alex Thomson in order to draft an appropriate job description and qualifications list for the Administrative Assistant position.

Sable/Pigeon/Beartooth Expansion

The Directors reviewed correspondence from meetings between the MVEIRB and the expert agencies who were included in the drafting of project description guidelines. The Directors felt that the Agency's role could be extended to assisting in drafting of EA Guidelines and steps need to be taken to ensure that the Agency is included in the process. The Agency has not yet been made aware of how they will fit into MVEIRB's process, although a letter had been written by Hal Mills, which requested that the information about the expansion be sent to the Agency. The MVEIRB had yet to respond.

Action item: Alex Thomson will meet with MVEIRB and get more information about the environmental assessment process for the Sable/Beartooth expansion project and how the MVEIRB is hoping to include the Agency.

September 12, 1999

Staff Benefits Package:

RRSP:

Not to be included in Alex's package.

Vacation Leave:

The Agency agreed that employees would be granted 3 weeks holiday over and above statutory holidays. Lieu time could be banked on a 1:1 day basis for hours worked above the 37.5 hour week. All other leave would be according to NWT Labour Standards. At the request of the employee, the Agency may contribute to the employees personal Retirement Savings Plan, but would not consider a registered retirement savings plan.

Action Item: Francois will meet with the Chamber of Commerce on Monday with Alex to discuss the employee benefits packages available. As long as the cost of the option chosen is within the Agency's budget for this item, it may be purchased immediately.

Education Leave:

The Directors discussed the education leave proposed by Alex Thomson. Concern was expressed by Directors with regards to the length of time she would be absent, considering it is only a two person office. Directors were also concerned that the leave would come so soon after Alex started in the position. Discussion was held concerning whether such leave would be paid or unpaid.

The Directors agreed to offer education leave with the following stipulations:

- Education leave may be taken after at least one year of work.
- The Agency is open to consider covering some of the costs if the work is related to the Agency.
- For the 5 weeks she will be absent for her course work, unpaid leave will be granted.

Action item: Francois Messier will discuss the position with Alex Thomson and write a letter to her summarising the Agency's stance on the human resource issues and education leave.

Personnel Policy:

The need to have a personnel policy was discussed. The Board agreed such as policy would provide clarity for both the employees and the Board.

Action Item: Kevin to obtain several models of personnel policies and come up with some options for the next Board meeting. Until the policy is drafted the NWT Labour Standards Act will apply.

Workers Compensation:

It was agreed this must be paid by Agency.

Communications:

Agency's National and International Profile

The Directors discussed the need for the Agency to have more contact with organizations like the National Round Table on Environment and the Economy People from the LEAD program are coming through

Yellowknife next month. They should be invited to visit the Agency. The Agency should consider getting involved with the Aboriginal Communities and Non-Renewable Resource Development program.

Action Item: Send NRTEE the Agency's annual report and make some contact with them.

Other things the Directors could do include presenting papers or posters at conferences like the Geoscience Forum, etc. The Directors should also be participating in other key activities in the NWT, like the upcoming DIAND workshop on cumulative effects.

A poster display to take to events such as the GeoScience forum was discussed.

Action Item: Janice will work on the design and content for a poster display. After discussing content of the display with Directors, Canarctic will proceed with the final design, printout and mounting.

Mailing List for Annual Report:

Kevin and Matt will continue to work on this list, recognizing that it is a priority to complete soon.

Website:

New information concerning monitoring programs has been added to the web site, although it is not yet complete. This should be indicated on the web site.

Newsletter:

Action Item: staff to get costs for distributing the newsletter through newspaper inserts and bulk mailing to affected communities, including numbers for a newspaper print run and bulk mailing per community. Check with Board at next meeting.

In the meantime, the current newsletter will be distributed as in the past.

Preparation for EIR 2000 Meeting:

The Directors discussed a number of points to be raised at the meeting with regulators and BHP concerning the Environmental Impact Report. Generally, the Board will ask BHP to stick to what is required in the Environmental Agreement and review the predicted impacts as they are considered in Volume 4 of the Environmental Impact Statement.

Lunch

Information Exchange:

The Directors identified the need to get all information on the project at all stages of the assessment. Amendments to the water licenses were provided to the Agency on request after the approvals were granted. The Directors discussed proactive approaches for getting the information in a more timely manner, which included discussing the issues directly with DIAND and RWED Ministers.

Action Item: Talk to regulatory agencies in order to solicit support for the Agency's need to get information sent to the Agency directly at the time of distribution to other parties. Discuss the information exchange issue and need to discuss the Agency's needs with the DIAND and RWED Ministers at the next meeting.

Workplan and Core Budget:

François Messier presented the draft letter to BHP regarding the final core budget negotiations. The letter was approved with a few minor revisions and will be submitted to BHP along with the core budget figures.

Fish Habitat Compensation Fund:

Peter McCart expressed concerns that the terms of the Fish Habitat Compensation Fund are being broadened by including more parties as potential recipients of the funds, as well as, stream compensation instead of just lake habitat compensation, as was agreed upon originally. After rereading both the transcripts from the Water Board hearings during the regulatory phase of BHP's project and the DFO's *No Net Policy*, the Agency determined that the Compensation Fund should remain consistent with its original purpose by compensating "like for like habitat" (p.22 of the No Net Loss Policy), which does not include stream habitat. The Agency would also recommend that the advisory committee and recipients of the fund be restricted to those groups affected by habitat loss in the 12 lakes at the Ekati mine. The Directors also discussed their role in the compensation fund discussions and felt that they could best fulfill their mandate by ensuring that the appropriate terms of reference for the project proposals are developed that promote the ecological integrity of the area.

Action Item: Communicate the Agency's concerns regarding the expansion of the Fish Habitat Compensation Fund's terms of reference in the meeting with regulatory agencies on Sept. 13th.

Next Meeting:

The 16th Board Meeting will occur Dec 6th & 7th in order to allow Agency Directors to attend the Cumulative Effects Workshop which will take place from Dec. 8th to 10th.

Monday September 13th, 1999

Meeting with Regulatory Agencies:

Marie Adams, David Livingstone, Shannon Pagotto & Darren Unrau of DIAND, Krista Domchek of DFO attended.

Report from DIAND, Environment & Conservation:

Marie Adams began the meeting by describing the process by which the regulatory agencies were able to input on the drafting of guidelines for the Ekati expansion project. The regulatory agencies met with the MVEIRB on August 25th in order to discuss the MVEIRB workplan and the project description. Several deficiencies were identified by DIAND, as a result of the meeting.

The MVEIRB is in the process of asking BHP for more information and would ask other affected parties to help draft guidelines. These guidelines will not be finalized before community consultations are conducted. BHP will have to prepare an environmental impact statement (EIS) and it will hopefully be submitted in December. One month has been scheduled for the review of the EIS.

Marie Adams explained that the role of the Agency in the assessment will be determined by the MVEIRB and DIAND can only input into the process by making recommendations. The Agency may direct their questions regarding their input into the process directly to the MVEIRB. Marie Adams will forward the draft guidelines to the Agency and include the Agency's comments as a part of DIAND recommendations. Although there is no legal requirement on the part of MVEIRB to invite the Agency to its meetings on the project, DIAND will solicit the Agency's recommendations.

The Directors also mentioned the difficulty of getting timely information on new applications and amendments proposed by the proponent, particularly from the Water Board but also from other regulatory authorities.

Action: David Livingstone will ask Vicky Losier to prepare a weekly package of incoming/outgoing correspondence on the BHP public registry for pick-up, as is done for BHP. Marie Adams will ask Anne Wilson of Environment Canada about the flow of information to the Agency.

Report from DIAND, Operations:

Darren Unrau explained that no visible signs of seepage are evident from the coarse tailings stockpile but small ponds formed. Cloudiness at these ponds indicated seepage from the stockpile. A seepage survey station was created from one of these ponds and results show elevated Aluminum and Ammonia. Samples were taken in the immediate area, as well as the downstream runoff. The pH was low at the stockpile, most likely as a result of natural run-off. Tundra water tends to have a pH under 6. Only one sample was taken and more testing will be necessary to verify this result. Samples taken from the pond show pH of the tailings above 6. Further investigation is needed in this area.

Discussions occurred on the effectiveness of using test wells in the area. Darren Unrau suggested keeping an eye on the defined channel. Tony Pearse suggested determining whether the fines are going into Long lake or not, in order to determine how severe the impact could be.

Methods of moving caribou from the site were discussed. BHP resorted to chasing the caribou off the runway with a helicopter on July 12th in order to ensure the safe passage of air traffic. DIAND was at Ekati on July 13th and quite a few caribou were on-site. Discussions occurred regarding the legality of clearing the runway with helicopters as a last resort, as well as alternative management techniques, including fencing.

Action Item: Marie Adams will ask GNWT's Kelly Robertson if RWED had any concerns over caribou management on the airport runway.

Fikret Berkes suggested that fencing be considered as a mitigation for caribou movement on roads. Although this option may not be necessary or viable, the Agency expressed the need to revisit berming on-site.

Action Item: Marie Adams will ask GNWT for air photos and information on the bermed infrastructure in support of the Agency's formal request to BHP.

Darren Unrau reported that erosion has occurred and fish habitat was disturbed as a result of the flooding along the diversion channel during break-up. Better management options are being investigated with DFO in

order to deal with the freezing of culverts. Currently, the plans include covering the culverts and periodic snow removal.

In terms of exploration, Darren reported that BHP completed 14 holes. Their land-based activity was scattered around the eastern portion of the claim block. The proponent may plan to bulk sample in the Misery area via recirculation drilling, although no formal request has been made to date under the land use permit.

The Long Lake system has all the piping in place to run at both ends of Cell B. It will be going back to South end of Cell B for the winter. Sewage is going out of main tailings line. They are talking about reclaiming the North end of Cell B by farming legumes and grasses. The geotechnical inspection report came out in July. Phase 1 tailing pond was used and decanted into Larry Lake.

The Agency expressed concerns over use of coarse tailings for reclamation due to the probability of acid generation over time. A multistage year testing program is necessary in order for the possible impacts to be gauged.

Darren Unrau noted that dust has been a problem and the suppressant, Ammonia Lignosulphate, is being tested. It will be necessary to report on run-off and contamination, including toxicity test, in order to determine the effectiveness of this suppressant. Waste oil and water, for the summer months, have also been used in the north for dust suppression. Darren also noted that the large presence of rock flour may be contributing to high aluminum found in the samples near the waste rock dumps.

Results from the revegetation program show that the willows have done well, although rabbits have entered the plots. The area will be fenced and indoor experiments will be done.

Report from DFO:

Christa Domchek has been hired on contract to administer the BHP compensation fund. The first meeting of the advisory committee on August 13th consulted representatives of the affected parties and discussed the terms of reference. The Inuvialuit, Gwich'in and Sahtu will be included in consultations in order to ensure that there are no transboundary fish stock issues. Most concerns were with respect to the clean up sites which were identified as a part of the Action on Waste Program. As a result, the \$1.5 million will be divided by the 4 affected

parties, and used to fund projects which meet DFO's criteria. DFO will make the final decision on the project proposals, once all the comments have been received from the Advisory Group and a technical scientific evaluation has been completed. Currently, the Advisory Group is working on its goals and objectives, as well as, the Terms of Reference for the project proposals.

Kevin O'Reilly suggested that DFO may want to consider inviting Jeff Stein to attend the next meeting of Advisory Group since the BHP Water Board hearing transcripts are quite clear on the purpose of the fund.

Peter McCart explained that cleaning up of habitat will not meet goals of the Policy. The Monitoring Agency would like to see the improvement of "Like for Like" habitat. Projects should not be funded which deal solely with streams. He suggested that DFO investigate examples of lake habitat improvement projects that have occurred across Canada.

François Messier asked about how the fund was held and how it will be accessed in the future. Christa Domchek believes it is held in a consolidated fund but will have to get back to the Agency with more information.

Report from Renewable Resources and Environment:

David Livingstone updated the group on the Diavik Comprehensive Study Report (CSR). The responses to the CSR are on public registry and he does not know what the next steps will be.

DIAND did a site visit of the Winspear property at Snap Lake, which could potentially develop in the next 2-3 years. The kimberlite is in a sheet formation, 3 m. under Snap Lake. A small open pit mine, followed by an underground operation, is being contemplated.

David Livingstone explained that BHP believes that the Koala North pipe was approved with Panel review. He's of the opinion that no detailed discussion occurred on Sable and cumulative effects were not considered adequately.

David Livingstone asked if the Agency had considered a self-assessment, as the information would be valuable to many interested parties. The Agency Directors responded that they have talked about it amongst themselves but not yet made a decision.

The Cumulative Effects Conference will be occurring in December. Andy Swiderski will be in touch regarding the workshop agenda. A two day CEA training session is planned for November in order to increase community awareness through Aurora College. Kevin O'Reilly suggested that the Monitoring Agency could make a presentation at the CEA workshop.