

***Independent Environmental Monitoring Agency
Conference Call of the Board of Directors
Yellowknife, Northwest Territories
December 1st, 2003
Summary of Discussion***

Directors

Red Pedersen Tim Byers
Bill Ross Tony Pearse
François Messier

Staff

Carole Mills Sean Kollee

The conference call was called to order by the chairperson at 11:00 am on Monday December 1st, 2003. The agenda items were reviewed and accepted:

Agenda

1. Update on meeting with Akaitcho Treaty 8.
2. Potential Joint Meeting with EMAB.
3. Change in the Agency Chairperson.
4. Agency response to cancellation of annual sessions and public workshops.
5. Regional Monitoring Agency update
6. Office closing dates and upcoming events.

1. Update on meeting with Akaitcho Treaty 8 - The Agency received a letter from the Akaitcho Impact Benefit Agreement (IBA) committee requesting the BHPB Environmental Agreement (EA) be modified to grant Lutsel K'e a seat on the Board of Directors. The Chiefs agreed to redirect the letter to the Signatories of the EA. At the meeting a variety of topics were discussed including:

- Carole indicated that although the Agency's mandate is provided by the EA and not the IBA, the Agency welcomed the opportunity to present to the IBA committee as a means of keeping the Akaitcho leadership informed
- Carole highlighted differences between IEMA and EMAB EA's and discussed some of the provisions of BHPB's EA .
- Support for independence and technical capacity were expressed by the Chiefs.
- The Chiefs discussed room for improvement among EA's created so far and the watchdog agencies that have been formed.
- The Chiefs were supportive of the concept of combining the monitoring agencies to create one window to deal with environmental issues and a place for Snap Lake to join into once it is approved.
- Carole was asked to work with Shirley Tsetta (staff for IBA office) to develop an information package on the regional monitoring agency (RMA) models that have been discussed to date.

Directors felt the invitation to attend Akaitcho IBA meetings to discuss Agency related matters is a sound approach to increasing interaction with Agency Aboriginal Members.

Action Item # 1 – Staff will review the Agency position paper from 2001 that deals with principles for the makeup of a regional monitoring agency.
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2. Possible Joint Meeting with EMAB

John McCullum was welcomed into the conference call. He mentioned that EMAB is meeting December 11th and 12th but has yet to discuss a joint meeting. However, EMAB is interested in discussing potential cumulative effects related to wolves, wolverine and grizzly bear. EMAB has not met to consider the Diavik reaction to the BHPB RMA proposal. EMAB has asked for RWED presentations on outfitters, the winter road, mining, the recent Bathurst caribou herd census and RWED's plans to mitigate effects on wildlife. EMAB will attempt to coordinate its board meeting around the times when RWED is available some time in January. EMAB is less concerned with discussing monitoring, cumulative effects or harvesting on caribou due to the existing joint wildlife effects monitoring program between BHPB and Diavik for caribou. Directors advised John to request coordination with Nunavut regarding harvesting numbers to better understand effects on fur bearers in the entire region.

3. Change in the Agency Chairperson

Action Item #2 - A note will be sent to members outlining the change to the Executive.
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4. Agency response to BHPB's cancellation of its annual technical sessions and public workshops - Ian Goodwin (BHPB) has requested a discussion with the Agency Chair. The Agency feels the cancellation of the technical sessions and public workshops is a large step backwards as these sessions have played a large role in enabling adaptive management.

BHPB attributes the lack of success of the public environmental workshops to poor effectiveness of the translation. BHPB appears to reject the opinion of the Agency and others that the effectiveness of the workshops was hampered because of the quality of the presentations and ignores the Agency annual report comments on how to improve the effectiveness of its workshops. The public workshops are more important to the community members than the technical sessions and provide the only opportunity for Aboriginal groups to meet together at the same time. If all parties are not around the table the consultation does not work properly. If reallocation of resources in the form of cutbacks must occur then the workshop is needed to decide where appropriate program cuts can be made.

An alternative would be for the Agency to host the public environmental workshops itself. Attendance of the regulators would provide the sort of 'give and take' discussions that are most valuable. Hosting a workshop of this nature would set an unwise precedent that may not be sustainable in future years.

Directors agreed that the cancellation of the technical sessions may be covered through written submissions to BHPB but the Agency must be copied on all bilateral discussions between regulators and BHPB. IACT does not provide a suitable replacement for the workshops because it does not have the Agency Directors or aboriginal peoples in attendance. The Agency now has a greater responsibility to provide written comments early and copy them to Society members.

Action Item #3 - Staff will raise the cancellation of the technical workshops at the upcoming IACT meeting to gather feedback from the regulators.
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Action Item #4 - The Agency will request that BHPB reinstate the public environmental workshops.
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5. *Regional Monitoring Agency update* - The Directors agreed that Agency Aboriginal members should contribute to developing a model for the make-up of the RMA. DIAND has funding for this and has advised formation of an Aboriginal caucus. Carole mentioned that David Livingstone (DIAND) has suggested DIAND could provide money to the Agency to host a caucus workshop since the Agency is one of the main organizations affected by the RMA and has a consultation mandate. David's preference would be for this meeting to occur in January 2004. Key to the success of the workshop would be to have the right people attend. This would provide an opportunity to discuss how to proceed with a RMA model that incorporates independent technical expertise. It was also suggested to hold the meeting at an impartial venue. Red mentioned that in discussions with Geoff Clark (KIA) he was advised that the KIA is concerned that a RMA may not have the same technical independence that IEMA currently has.

6. *Office Closure Period and Upcoming Events* - The office will be closed from December 24th through January 6th for the Christmas holiday. Tim added that the NIRB hearings are scheduled for the first week of January 2004 for Tahera's Jericho project and the De Beers Snap Lake public hearing is scheduled for January 27th and 28th, 2004.