***Inter-Agency Coordinating Team (IACT) for the Ekati Diamond Mine***

***Summary of Discussion***

***March 4, 2013***

*Revised: May 30, 2013*

In Attendance

Lionel Marcinkoski (AANDC) Eric Denholm (BHPB)

Velma Sterenberg (AANDC) Helen Butler (BHPB)

Brett Wheler (WLWB) Bruce Hanna (DFO)

Kevin O’Reilly (IEMA) Claudine Lee (BHPB)

Nicole Spencer (BHPB) Jason Brennan (AANDC)

*Meeting commenced 9:30 am.*

**INTRODUCTIONS AND SELECTION OF CHAIRPERSON**

Round-table introductions were made. Lionel Marcinkoski served as chairperson for the meeting.

**BHPB UPDATE ON EKATI ENVIRONMENT AND PERMITTING PROJECTS**

* **Traditional Knowledge Projects**

BHPB is continuing with the community-based projects. Lutsel K’e is digitizing some old maps and tapes and is getting close to s functioning database for use in the community. BHPB helped to bring the project to the attention of Diavik and DFO (Department of Fisheries and Oceans). Some support has been provided under the Diavik Fisheries Authorization.

The site-based projects involve elders and youth who are invited to the site to spend time with the wildlife technicians. This will be continued this year (June and in the fall) with a focus on caribou. The visitors spend about a week at site and get involved in whatever may be going on. The plan is also to do some workshops this fall on reclamation planning. No dates or topics have been set but work is advancing on the Long Lake Containment Facility (LLCF) so that may become the focus.

* **Water Licence Renewal**

BHPB’s reply to closing arguments is due next Wednesday. Brett indicated that this correspondence should be addressed to the Wek’eezhii Land and Water Board (WLWB). Eric was of the view that the public hearing on the water licence renewal had been helpful. Brett said that the draft licence is to be sent out on March 20, 2013 with some direction on the scope of comments. Eric mentioned that the licence does not expire until August 13, 2013 so there is still some time for the process.

* **Pigeon Pipe**

Eric said that there may need to be a change to the Pigeon waste rock pile management as there is no clear distinction between granite and meta-sediments in this pipe. There is unlikely to be enough clean granite to build a traditional waste rock pile at Pigeon. Jason mentioned that he had recently completed a course on potentially acid generating rock and that the best option is often to keep the rock under water so it is not exposed to air. Eric said that there are several options being examined at this very early stage including placing the Pigeon waste rock into the Panda-Koala-Beartooth waste rock pile in special cells. BHPB will come up with some options and probably put on a workshop to discuss them, possibly in the summer.

Some humidity cell tests are also under way using Pigeon rock and will require about 40 weeks to complete. Velma asked whether there is any pegmatite content in this waste rock. Claudine offered to get back to Velma later on this issue.

* **Pigeon Stream Diversion and Habitat Compensation**

Eric said that there would be a Pigeon Stream Diversion (PSD) performance monitoring report but it will not be a regular, annual report. There will be staged monitoring of fish, probably by a graduate student. Financial security for the PSD is held by DFO.

BHPB still has some work on habitat compensation under the Carrie-Desperation stream that is to be covered by the Misery waste rock pile. Bruce Hanna had identified a potential project at the Stagg River near Edzo where there is a perched culvert that is preventing fish movement. A Bailey bridge will be put in and there will be some community-based monitoring of the changes.

* **Financial Security Review**

BHPB has completed its financial security estimate and will submit it to the WLWB on or before March 22, 2013. That submission should kick off the review process. Lionel mentioned that John Brodie would be doing an estimate for AANDC. Stratos Consulting is conducting a review of the Environmental Agreement for AANDC to provide advice on any supplemental financial security requirements. That report is expected at the end of March 2013. Helen asked whether John Brodie still wanted to come up the Ekati mine site. Lionel was not sure that was necessary and that it would depend on how large and/or significant the differences in cost estimates may be. Brett indicated that once the WLWB receives the company’s submission, there would likely be further timelines for review and comment. An AANDC estimate or review of the company’s work would be helpful.

* **Permit Assignment**

Eric said that the sale of the Ekati diamond mine is expected to close in early April. There will be an interim stage where BHP Billiton creates a separate subsidiary with a different name, which will then be sold to Harry Winston. Work is being done with the federal and territorial governments to ensure there is a smooth transition and that all approvals, permits and licences are assigned to the new owner.

* **Mine Operations**

No Misery production is expected until 2014, although some ore is being stockpiled now during the pushback operations. The Misery road will be straightened in a few places where there are blind corners and steep sections. The work will take place this summer and is completely within the surface lease for the road.

Pre-stripping will take place at Pigeon during the winter of 2013-14. Processed kimberlite is now going into the Beartooth pit. This is not continuous at this point. The Cell A south and Cell C west roads are both being worked on. Claudine said she would make sure that the Agency has a 2012 satellite image of the Ekati mine.

The incinerators on site are now fully operational. Stack testing has been booked for the middle two weeks of June 2013. Maxam consultants were at the site last week to participate in a workshop to plan for the stack testing. The company has also made some improvements in its internal waste management. Plastics have been removed from the kitchen waste stream including stir sticks and food utensils. Bamboo and sugar cane based materials are used for these functions now. Velma asked about ash from the incinerators. Jason said that any waste was taken to the landfill on the waste rock piles.

* **Major Environmental Projects**

The Aquatic Effects Monitoring Program (AEMP) Re-evaluation is coming to end. BHPB comments are due on March 28. On the Pigeon Stream Diversion, more flushing of sediments is to be done this season. The regular annual monitoring program reports are on track, including the revegetation research. Monitoring of the Panda Diversion Channel has now been completed. Some vegetation mats and rock structures still remain to be done in the canyon section once the widening has been finished. This work will be checked and that should be it for this structure. Discharge from Cell E into Leslie Lake took place until around Christmas 2012. With the additional fall and winter discharge, the storage capacity of the LLCF has been increased to the satisfaction of the company.

* **Reclamation Planning Projects**

Helen said that the source and placement of rock are two of the biggest issues for the LLCF pilot study. Winter drilling is about to begin at the LLCF to assist in understanding what may be possible.

The pit lake water quality model report should be done in a couple of months. There have been some delay in the literature review on wildlife closure criteria but it should be finished in the middle of the summer. The pit flooding optimization work is looking at Long Lake as a potential source. Updates on the reclamation research are to be provided to the communities and a workshop is likely to be held in the next couple of months.

Helen said that would be getting back to the Agency on a date to meet to discuss the 2012 ICRP Annual Progress comments complied by the Agency. This meeting will likely be open to others too. Kevin asked the WLWB staff what was the plan for dealing with the Progress Report. Brett responded by saying that the document would likely be sent out for comment.

Velma asked how long it takes for kimberlite to weather, what impact this may have on revegetation and possible links to the pilot study. Helen said that filed studies continue on these questions. Velma also suggested that an organizational chart showing how the reclamation research plans relate to each other would be very helpful. She also asked how the data are being managed. Helen responded by saying that the linkages are found in the plans themselves and that for the larger projects the process is mapped out well.

Kevin asked about progressive reclamation at the Old Camp and Phase I Tailing Containment Area. Helen responded by saying that as there is little or no risk posed by these areas, there is no priority or need for immediate work. The new owner of Ekati will decide what the priorities may be and that it was unlikely that a reclamation plan for this area would be prepared with the next year.

Velma asked whether data collected thought the TK projects involves archiving of digital data. Eric said that the projects are short-term in duration, usually 1-3 years, and that the communities themselves often would like the information collected to be stored in a more secure manner. BHPB is simply trying to assist with project management. Velma asked whether there are any intellectual property rights issues that have arisen. Eric replied that it is really up to the communities to decide how their TK is to be shared. Kevin mentioned that the Kitikmeot Inuit Association has indicated that it would like its Naonayaotit Traditional Knowledge Project to be used in regional schools. He also suggested that it would be a good idea if a workshop was held amongst the communities doing the TK projects with the Prince of Wales Northern Heritage Centre on date management and use. The Environmental Management Advisory Board (EMAB) Traditional Knowledge panel has also done some interesting work on mine closure.

**ROUND TABLE UPDATES AND DISCUSSION**

***Department of Fisheries and Oceans (DFO):*** Bruce mentioned that DFO is working with the community of Lutsel K’e on its concerns with fish in Stark Lake, the site of an advanced uranium exploration property that was not remediated very well. Twenty trout were caught last summer and analysis is being conducted. A fish health study will be carried out in the Coppermine river and there is strong interest from the community of Kugluktuk. A stock assessment on char is to be conducted.

***Aboriginal Affairs and Northern Development Canada (AANDC):*** Jason said that he had been to the site on February 26, 2013 and spent a fair bit of time looking at and discussing the incinerators. He has a better understanding of what is involved in the stack testing and the work that is needed to modify the units and piping to allow for the testing. Further details are available in his inspection report.

Claudine mentioned that the company had gone from opaque to clear garbage bags to ensure better separation of material going into the incinerator. The move to corn-based plastic at site was also accomplished and cost about twice as much as regular plastic. Jason noted these were good developments and that the scrubber unit on the incinerators would be cut off. A probe has to be inserted into the stack inside the building for a four-hour measurement period. More than 1,000 kg of equipment is needed to carry out the stack tests. He noted that less soot appears to be emitted from the incinerator compared to his previous visit in the winter. Claudine mentioned that BHPB would be meeting with Diavik to compare incinerator procedures and that Meadowbank in Nunavut has the same units working quite successfully.

Lionel said there are approximately 143 people working for AANDC in the region and headquarters on NWT issues. A devolution agreement is expected soon with GNWT and the implementation date is said to be April 1, 2014.

***Independent Environmental Monitoring Agency (IEMA):*** Kevin discussed the Agency’s

recent activities including the recent appointment of Arnold Enge as a Director by the North Slave Metis Alliance. The Agency’s Communications and Environmental Specialist resigned on February 2013 and recruitment is under way. In September 2012 the Agency visited Whati where a regular Board meeting was held and an open house and school visit. The Agency has been involved in the water licence renewal, the AEMP re-evaluation, contracted an external review of the 2011 Air Quality Monitoring Program report, participated in the March GNWT wildlife monitoring workshops and prepared comments on the 2012 ICRP Progress Report. A May 2013 meeting is being planned to begin preparations on the Agency’s 2012-12 Annual Report.

**NEXT MEETING**

Next meeting to be scheduled for June 2013, possibly including a site visit.

*Meeting concluded 11:00 am.*