

Independent Environmental Monitoring Agency

104th Meeting of the Board of Directors

Yellowknife, NT – September 10-11, 2019

Summary of Discussion

Directors

Jaida Ohokannoak

Emery Paquin

Tim Byers

Ron Allen

Jesse Jasper

Staff

Marc Casas, *Executive Director*

Shannon Moore, *Communications*

Regrets

Bill Slater

Meeting chaired by Jaida.

September 10, 2019. Start time: 9:05am

Tuesday, September 10, 2019

Day 1 – 104th IEMA Board Meeting

Agency Business

Chair/Director Updates

Directors have been reviewing company documents as they've been sent out, as well as the Agency's outgoing letters. Emery and Marc attended a public hearing of the Standing Committee on Economic Development and Environment (SCEDE) on June 27, 2019 on Bill 46, and presented to the Committee regarding mine securities and how they are held. In order to address the current situation that GNWT requires security be split between land and water, IEMA recommended that a new clause be added to the Bill that allows the Minister of ENR to hold security on behalf of the Minister of Lands without limiting or changing the powers or obligations of the Minister of Lands. The Standing Committee supported our recommendation however were unable to endorse this change as it is an authority delegated from federal legislation. They did provide a recommendation asking the GNWT and Federal governments make it a priority to resolve this issue.

Directors Ron Allen and Jesse Jasper, along with staff Shannon Moore, attended a presentation regarding caribou interactions with winter roads in the north. The presentation on caribou movements near Gacho Kue mine was given by University of Northern British Columbia Master's student Angus Smith. The research and analysis could prove useful to Agency discussions on permeability of the Ekati site, and mitigation of road disturbances to caribou using the site and the area surrounding it.

Staff Updates

Staff participated in document reviews and drafting and sending of outgoing correspondence. Efforts are also being made to improve how the Agency communicates with its Aboriginal Society Members. Progress is beginning regarding the digitizing and access of the Agency's resource library. The ED attended the recent Diavik Public hearing for the Environmental Assessment on PK deposition into the pits (within Lac du Gras).

Highlights from communications staff include production of a summary brochure featuring "what we heard" from the winter 2019 Community Information Sessions. The brochure has been sent to communities where info sessions were held. Shannon has also been working with Verge Communications to continue with ongoing updates of the Agency website, including planning upgrades to the home page (news feed widget or latest uploaded documents along the side).

Wek'èezhii Land and Water Board Presentation/Discussion

(Ryan Fequet – Executive Director, Anneli Jokela – Regulatory Manager, Rhiana Bams – Ekati File, Patty Ewaschuk – Senior Tech Advisor [on phone])

Staff of the Wek'èezhii Land and Water Board (WLWB) joined the Agency's Board meeting for an open discussion session to answer Agency questions. Some of the key topics discussed regarding WLWB procedures included the process for the Board coming up with deadline timelines, when to organize workshops or technical sessions, and what happens to decisions when they are deferred to other processes.

Other topics discussed included Ekati security, a final decision on ICRP V3.0, and an informative conversation on the definition of "receiving environment".

GNWT Inspector Presentation

GNWT Inspector – Jamie Steele

- Follow up from last inspection – formal remediation plan on the 100,000 L diesel spill at Sable earlier this year.

- The spilled fuel is contained within the bermed containment area, but there's a lot still there.
- Status of Closure to Koala Underground – Recent inspection report includes a picture of the adit to Koala North underground with minimal fencing to restrict access. The adit has since been filled with rock.

Financial Report

An updated variance report and year to date expenditures as of September 1, 2019 were presented by the Executive Director. During our conversations earlier in the day with the WLWB, the Agency tried to determine what financial needs there may be regarding the next step of the ICRP (will have a better idea toward the end of the calendar year).

Correspondence

Incoming and outgoing correspondence since the last Board meeting was reviewed.

Review of Previous Action Items

Action Items from our last board meeting were reviewed and discussed. Actions were either completed, or carried forward.

Action Item 1: Add completed action items from previous Board meetings to current action items, to provide a record of their completion.

Current Items/Out for Review

- ICRP v3.0
 - Dominion provided responses to more than 50 comments from the Agency
 - Community concerns:
 - Input on wildlife, in particular road closure and WRSAs
 - Would like a workshop instead of written comments
 - Communities would like more input
 - Next Steps
 - Anticipate WLWB Reasons for Decision in late February/early March 2020;
 - Dominion has 6 months to respond;
 - Likely fall 2020 before we see next version of ICRP;
 - When do we next engage the communities on the ICRP?

- Important to continue discussions with communities via
 - Workshop that includes several people from each of as many Society Member communities as possible
 - Staff to send prep documents to communities to get right people chosen/sharing info with others
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Wednesday, September 11, 2019

Day 2 – 104th IEMA Board Meeting

Current Items/Out for Review - Continued

- WL and EA Annual Report Decision
 - IEMA comments to GNWT
 - Technical report - Proponent not in compliance if tables and graphs not included in reports
 - Plain language summaries should give some idea of exceedances for fish tissues
 - WLWB called it “Satisfactory” – Agency also deemed it Satisfactory, but the plain language version needs to be updated
 - Middle to late September for updated version of Reports

Community Communications Options

Quarterly Community Communications Update Options

- Send an e-mail (Agenda style with brief description of each topic) 2 or 3 times a year with “what’s happening at Ekati” to Land Committees and key community people
 - Include upcoming comment periods, projects, news if needed
 - Have a follow up, standing conference call for those who would like to discuss
- Direct to all Society Members with focus on communities
 - Timing – maybe twice a year?
- Revamp the IEMA Ekati Monitor
 - Less “What We DID”, more, “What’s Coming Up”
- Phone Call by staff
 - Standing time for conference call
 - Pre-contact to let people know
 - E-mail an agenda

Traditional Knowledge Elders Group

- With Jay on hold, Dominion has no plans to bring TKEG to the site this year
- During the Agency’s community info session visit to Lutsel K’e this past winter, we met with the community’s wildlife committee
 - A TKEG member mentioned they had not heard IEMA was interested in meeting with them, but would welcome it

Community Visits

- The Agency should plan a community visit for the year
- Mid-February would coincide with next Board meeting
- Ask Wekweètì about best timing, accommodation, venue, etc.

Action Item 2: Move forward with the Community Communications updates as outlined above.

Action Item 3: Make changes to Ekati Monitor based on discussions.

Action Item 4: Ask the TKEG to add IEMA to the agenda for their next meeting.

Action Item 5: Begin inquiries into timing, accommodation, venues for public meeting, etc. for Wekweètì community visit.

Wildlife Data Analysis Options Discussion

Directors and staff reviewed caribou movements, discussed geofencing, and the history of the GNWT's caribou monitoring. GNWT data from collared caribou could be useful to examine potential deflections and delays in movement while caribou are near Ekati.

Things to consider regarding potential analysis:

- Examine sample size to determine if data are sufficiently robust;
- A Zone of Influence analysis is not what we're looking for, but more so an analysis of movements relative to mine infrastructure, especially roads;
- If there are sufficient geofence and other collar data, IEMA should do a comprehensive analysis.
- Kim to take the lead, working with Anne Gunn and a GIS specialist.

Action Item 6: IEMA (Kim) to send a formal data-share request to ENR. An initial analysis will be completed to determine if there are sufficient data to conduct a useful analysis. The Agency would then approach Anne Gunn and GIS support to provide an estimate for a more complete analysis.

Other Business

- Resource Room – Data Cataloguing
 - First step is to digitize relevant documents
 - One box of files to KopyKat for digitizing
 - Meet with a library/catalogue expert to figure out next steps
 - Optics? How to differentiate ourselves from the WLWB if we use their database

- Next Steps
 - Focus on Regulatory Documents for now
 - Contact high schools to see if there are after-school work programs for simple organizing tasks
- Future: Hire a summer library student to work in Agency office to organize our information
- AGM Dates/Workshop/Board Meeting
 - Early December (December 3-5, Tues-Thurs)
 - Board Meeting 3rd- afternoon of 4th
 - AGM half day on 4th
 - Workshop on 5th
 - Workshop with AGM (wildlife and closure)
 - Engage facilitator to help run the workshop
 - Outcomes
 - What do community members want to see happen over the long term? re: wildlife/movement and closure planning

Action Item 7: Marc to discuss with Ryan Fequet (WLWB) to confirm what resources from our library they are willing to upload and host on their online registry, and where our information will be hosted within their registry.

Action Item 8: Meet with library/catalogue expert to determine best practices for resource library organization.

Dominion Update

In Attendance: Lynn Boettger (*Superintendent, Permitting*), Harry O’Keefe (*Superintendent Environment*), Lukas Novy (*Team Leader LOM Environment Planning*) (on phone), Laura Pacholski (Fisheries & Aquatics)

Regrets: Claudine Lee (*Head of Environment*)

- Dominion stated that re-structuring is continuing across all locations. Additional positions in Yellowknife are moving to Calgary (HR and Payroll). Communities Team and Permitting are now reporting to Claudine Lee. Overall, the Calgary office has been reduced by a third.
- **Current Projects**
 - Ongoing development of Pigeon and Sable
 - Misery underground development continues – ore production from Misery very close
 - Production ended in Lynx pit June 2019
 - Jay optimization study is ongoing
 - Meetings with Department of Fisheries and Oceans (DFO) re offsetting work
 - DFO dropped the YK River inconnu restocking project as an Ekati offset

- Submissions for Jay in coming months (amendments or changes in permitting, etc.)
 - Summer exploratory drilling completed across the entire Ekati property - 6 new kimberlite pipes found, with results to be analyzed this fall
 - Permitting applications submitted for work at Point Lake (bulk sampling completed)
 - Latest WROMP with WLWB now
 - Required revisions to version 10.1 for diabase, and new seepage directives
- **Reclamation Activities**
 - Panda/Koala Underground closure (sealing of surface portals under Mine Health and Safety Act) requires sign-off by Lands Inspector
 - No formal closure plan criteria for Panda/Koala UG have been approved by WLWB
 - Despite this, the Lands inspector approved the Panda/Koala UG as officially closed
 - WSCC inspector deals with human health and safety aspects of closure (i.e. closing access to underground from surface)
 - Old Camp – Completion report to be submitted for Annual Report at end of this year
 - Land farm Bioremediation Pilot Project – Testing use of microbes to treat hydrocarbon contaminated soils (cleaning up spills by removal very costly). Preliminary results are available for the biological solution (Biologix, *see Dominion Presentation for more information.*)
- **WEMP Discussion**
 - Dominion will provide a map of caribou crossings on site, including the Sable Road.
 - Using road traffic data to inform road permeability analysis - Sable use ramped up in mid-2019, so a single average annual traffic value isn't sufficiently accurate from a monitoring/mitigation point of view, as hauling wasn't consistent throughout the year. Breaking it down into weekly/monthly averages would be better for documenting annual trends over time. Caribou presence at Ekati in the past few winters makes this much more important. Dominion has the capability to break down their year average to finer time frames.
 - IEMA is proposing to look at fine-scale caribou movements and permeability of the site. If collar data are sufficient, we will examine correlates (habitat, predation, risk windows, weather, insects, and traffic). Dominion agrees to supply Ekati weather data and traffic data.

Other Notes from Dominion:

- Dominion stated that discharge from LLCF will be significantly reduced due to transferring PK deposition into empty Panda/Koala pits.

- Changes in wildlife diversity at the site– moose, including young moose, spotted each year now, as well as birds such as merlins and kestrels.
- Changes in vegetation – willows and dwarf birch getting bigger than they used to be.
- There currently are 14 caribou crossings on Sable Road.
- EnviroKleen was applied to Sable, not Misery (they weren't hauling for Misery, so just used water). The final dust study is currently being written by Christine Rock.

See [Dominion's presentation](#) for further detail and more information.

Meeting Adjourned by Jaida – 4:50 pm September 11, 2019