

Summary of Discussion from the Annual General Meeting
of the Society of the
Independent Environmental Monitoring Agency
Held on
November 18, 2010
at the Agency Boardroom

Revised: December 13, 2010 (DRAFT until approved at the 2011 AGM)

PARTICIPANTS

Agency Directors:

Bill Ross
Tony Pearce
Kim Poole
Audrey Enge
Tim Byers
Jaida Ohokannoak

Agency Staff:

Kevin O'Reilly
Monica Krieger

BHP Billiton (BHPB):

Eric Denholm

Indian and Northern Affairs Canada (INAC):

Lionel Marcinkoski
Lorraine Seale

Government of the Northwest Territories (GNWT):

Patrick Clancy

Akaiicho Treaty 8 - Łutsël K'e Dene First Nation (LKDFN):

Irene Catholique
Joseph Catholique

Kitikmeot Inuit Association (KIA):

Luigi Torretti
Wynter Kuliktana

North Slave Métis Alliance (NSMA):

Robert Mercredi
Ed Jones

Tłıchq Government (TG):

Harry Apples
Marvin Apples

Interpreter:

Margaret Mackenzie (Tłıchq)

Meeting opened at 9:10am.

An opening prayer was given by Harry Apples.

WELCOME AND AGENDA REVIEW

Chairperson Bill Ross welcomed everyone to the AGM and gave an overview of the agenda. No additions or changes were suggested. There was a round of introductions by all participants.

CHAIRPERSON'S ADDRESS

Bill noted that this year an additional item on Communications was added to the agenda, and welcomed Monica Krieger as the new Communications and Environmental Specialist. The Agency is focusing more on communications due to recommendations from the SENES Consultants independent review (presented at the 2009 AGM) as well as other feedback from Aboriginal Society Members.

APPROVAL OF THE SUMMARY OF THE 2009 AGM

*Motion to approve the Summary of Discussion from the 2009 AGM.
Moved by Eric Denholm. Seconded by Lionel Marcinkoski. Carried without objection.*

PRESENTATION OF ANNUAL REPORT

Director Tim Byers presented a summary of the Agency's 2009-10 Annual Report. The presentation was included as a handout in the participants' folders, and is also available on the Agency website. Many participants had also attended the Agency's environmental workshop on air quality the previous day, and a number of questions and concerns were raised about this issue.

Ed Jones noted that air quality is a global issue, with contaminants coming from all over the world and not just the local mines. Tim said it is possible to identify specific types of dioxins and furans to "fingerprint" the source. He once studied seals in the Beaufort Sea which had a particular dioxin with a marker from China. Kevin O'Reilly added that the Environment Canada study discussed at the workshop clearly showed that dioxins and furans were higher in Kodiak Lake than the control lake.

Robert Mercredi said BHPB needs to get the new incinerator operational, and noted that the company should view it the same as money spent on haul trucks and other equipment. Eric Denholm responded that mistakes were made when the building was first constructed and the incinerator installed, and it has been frustrating for BHPB as well. However, parts have been ordered and the company is committed to get it operational. He added that a similar incinerator (smaller size) is planned for the Misery camp next year.

Harry Apples said that snow monitoring is important because contaminants travel far in the air. He has noticed changes in the snow when melting it for water out on the land. Snow now has a light gray colour on top, there are more particles in it, and it tastes different. Meat also tastes different than it used to. Harry believes this is because of what animals are eating, contaminants from industrial activities and airplane fuel and emissions. Irene Catholique agreed, saying she has noticed when you melt snow for water now, you get a black rim around the pot. Whatever is on the snow will melt in the spring and get into the lakes, rivers and soil. Tim noted that the Agency is watching and has encouraged the company to properly sample the snow. Tim also mentioned some recent research that substantially cutting vehicle speeds on roads can lead to a 65% reduction in fugitive dust, and offered to share this with BHPB.

Irene Catholique asked if BHPB hosts any Traditional Knowledge (TK) camps like Diavik has in the past on water, fish or dust. Eric replied BHPB does not do this but the company does try to visit communities once a year to give an environmental report, and BHPB was pleased to participate in the environmental workshop the previous day. Sometimes the company brings community people together for meetings as was done for the 2009 Environmental Impact Report. Irene also requested that the Agency visit Łutsël K'e in the new year, and Tim agreed to work with staff on a suitable time.

TREASURER'S REPORT

Jaida Ohokannoak (Secretary-Treasurer) presented the Agency financial report. The presentation was included as a handout in the participants' folders, and is also available on the Agency website. Jaida noted the Agency had a small deficit in 2009-10 (\$464). This was due to uncertainties in the actual amounts BHPB paid for contributed services (office lease, photocopier lease, cleaning, etc.) until the final audit reconciliation; the new timeline website project delayed due to staff turnover and not yet available to the public (therefore unable to be amortized as per required accounting rules); and the Agency overspent on the Separate Fund due to the cost of legal proceedings related to the Interim Closure and Reclamation Plan (ICRP) and should, perhaps, have asked BHPB for more funding for that purpose. Jaida noted the Agency will be taking over the management of contributed services from BHPB.

Motion to appoint MacKay LLP as the Auditor for the 2010-11 fiscal year.

Moved by Lorraine Seale. Seconded by Luigi Torretti. Carried without objection.

2010-2012 WORK PLAN AND BUDGET

Chairperson Bill Ross presented the Agency's work plan and budget for 2010-2012. The presentation was included as a handout in the participants' folders, and is also available on the Agency website. There were no questions or discussion specific to this item.

MEMBERS' PRESENTATIONS AND DISCUSSION

Ed Jones stated he recently attended the North American Caribou Workshop in Winnipeg, and feels that resource development is a major cause of the decline in caribou populations. He acknowledged that the Agency had also sent a representative (Tim Byers) to the workshop. Bill Ross noted the Agency agreed with BHPB that aerial caribou surveys should be dropped in part due to the impacts of over-flights. However, it was on the condition that BHPB would focus more on regional monitoring to get the necessary information for management decisions.

Ed Jones said if the pits are filled with water, there should be no restocking with fish because of concerns about contaminants in the water. He also mentioned that it will be difficult to trust governments after the recent decision not to renew an existing ban on subsurface mining at Edézhzié (Horn Plateau, a proposed NWT protected area). Tim assured Ed that no restocking has been proposed, but the Agency would like to see fish barriers removed after water quality objectives have been met (i.e. the water in the pits is safe) and then let the fish decide if they want to go back into the pit lakes.

Both Ed Jones and Harry Apples asked why the pits were not being filled with processed kimberlite (PK) and/or waste rock instead of water. Eric Denholm replied that BHPB is awaiting a decision on the Interim Closure and Reclamation Plan (ICRP) from the Wek'èezhìi Land and Water Board (WLWB). The company is committed to making sure the water is safe for people and animals. Bill added that the approved ICRP will specify water quality criteria that must be met before the company is allowed to leave. Ed felt that refilling the pits with PK would save the cost and impacts of transferring water from other lakes, and that this should have been decided years ago. Eric noted pits cannot be filled now because the company is still mining underground. BHPB would consider filling pits with PK only if some problem arose with the Long Lake Containment Facility (LLCF) that could not be resolved. The LLCF with its dykes and dams was designed to be the PK containment area.

Harry asked about the volume of water required to fill the pits, and where the water would come from. Eric responded the biggest pits will take about 12-14 years to fill because the water will be pumped in very slowly. This is done to protect the shorelines and aquatic life in the lakes where the water is being taken from, and to monitor water quality in the pits as they are filling. Most of the pits will be flooded with water pumped from Lac de Gras, except for Sable and Pigeon where water will come from Ursula Lake and Exeter Lake. Harry asked if pit lakes will be monitored after closure, who will be responsible, and if Aboriginal and community people will be involved. Eric replied that the same monitoring programs in place now will continue, with some changes as necessary to make them appropriate for closure. BHPB will be responsible while the pits are filling and for at least 10 years after that. It is the company's aim to have as many Aboriginal and northern employees as possible. The WLWB will set the final standards for what the pit lake water quality should be and how it will be monitored before the company can walk away.

Luigi Torretti asked whether monitoring could extend beyond 10 years, and whether the Agency would continue with funding throughout that time. Bill replied that the company is committed to monitor until all closure criteria are met, which could be longer than 10 years if necessary. According to the Environmental Agreement, the Agency will continue to exist until all post-closure monitoring is completed. The level of funding will be reviewed at closure but is to be adequate to do the job required.

Patrick Clancy noted there are proposed revisions or amendments to the *Mackenzie Valley Resource Management Act* (MVRMA) and land use permit regulations. It may be helpful to make a distinction between the terms "reclamation" vs. "restoration". Eric agreed that if "restoration" means the land will look exactly as it did before mining, this is unrealistic and the term should not be used.

AGENCY COMMUNICATIONS

Monica Krieger gave an overview of Agency communications initiatives, designed to keep Society Members and the public informed about what is happening at Ekati and about the Agency's work. The Agency currently produces an Annual Report in three different versions (technical, plain language, and a summary brochure). Summary brochures are also produced after community visits, providing photos and details on topics discussed. Brief meeting summaries are distributed to Society Members and the full summaries are posted on the website. The resource library in the office has records of all meetings, copies of the Environmental Agreement, incoming and outgoing correspondence, inspection reports, BHPB documents, maps, photos, and much other Ekati-related information.

Monica showed participants the improvements being made to the main Agency website, including reorganization and adding more photos and visual aids. A potential issue was raised about the volume of material on the website, and Monica noted at some point information may need to be archived. As well, she tries not to duplicate information that is available on other websites (e.g. there is a link to the WLWB website for documents related to BHPB's water licence). Kim Poole recommended that BHPB should have its own reports available on the company website, particularly the Wildlife Effects Monitoring Program (WEMP) reports as he often gets requests for copies. Kevin mentioned that the Agency gets requests for BHPB documents several times each year. He provides copies and suggests that contact be made with BHPB for any additional information.

Monica demonstrated the new Ekati timeline project, which is still being developed but will be accessed via a link from the main Agency website. It will be a visual way to present historical documents and descriptions of significant project-related, regulatory and environmental events. It was suggested that BHPB could potentially provide photos and video footage, particularly of early operational events, and Eric Denholm expressed an interest in reviewing the timeline before it is released. Kevin suggested that a note would be sent to all Society members allowing a reasonable period of time for a review and comments on the timeline before it goes 'live'. Eric suggested a disclaimer might be a good idea and Agency staff indicated that wording has already been sent to the website developers but not yet posted.

Monica presented the new issue of the Ekati Monitor newsletter. This was distributed by the Agency from 1998-2001, and will now be published again twice yearly. The newsletter was included in the participants' folders, and will be emailed to Society Members and posted on the Agency website. Printed copies will also be available at the office.

Monica emphasized the Agency tries to have a variety of communications tools, so if people are not comfortable using the internet they can get paper copies from our resource library or talk to someone in person. Staff are always available at the office to help and answer questions.

Luigi Torretti said that summary brochures for the Annual Report were not received in Kugluktuk mailboxes either this year or last year. Agency staff will investigate this further. There was some discussion of making the newsletter available in printed form at appropriate distribution points in communities.

It was noted that the Christmas Open House (held jointly by all three diamond mine environmental monitoring agencies) will be held in the IEMA/EMAB boardroom on December 7, 2010 at 4:30pm.

OTHER BUSINESS

No other business was raised.

CLOSING REMARKS

Bill Ross thanked everyone for their participation and advice.

Harry Apples emphasized the importance of planning ahead and making sure things are done properly, and gave a closing prayer.

Meeting adjourned at 2:30pm, followed by the opportunity for Aboriginal Society Members to meet with Directors.