

# The EKATI MONITOR



Newsletter of the Independent Environmental Monitoring Agency

Issue 10, December 2012

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## Agency Visit to Whati

The Agency met in the community of Whati from September 18-20. During our visit we hosted a community open house, where we gave a presentation on our work and environmental management at the Ekati Diamond Mine and heard concerns from community members. Over 40 people attended.

Participants had an opportunity to ask questions. A resident asked if we work with Elders and on the Diavik Mine. We told the group that Elders often attend our annual general meetings and workshops and provide us with helpful insights. A different group watches the environment at Diavik, but we work together regularly. Concern was expressed that caribou may not want to go through the mine site. We told the audience about measures BHP Billiton has taken to better protect wildlife. We



heard another resident's concern about the health effects of dust on mineworkers. Worker safety is beyond our mandate, so we told the Government of the Northwest Territories (GNWT) about this resident's concern. Community members also told us they would like to see more Dene people working at Ekati and in the environmental field.

The next day we visited Mezi Community School. We gave a presentation to several high school students on our role in monitoring Ekati. We encouraged the students to finish school and to pursue interesting and rewarding careers.

## Financial Security Review

The next step in closure planning is deciding how much money (financial security) BHP Billiton must set aside for the reclamation of the Ekati Mine.

The discussion around the calculation of the reclamation liability and financial security required for Ekati is currently on hold. Aboriginal Affairs and Northern Development Canada (AANDC) tried to clarify how it will estimate

reclamation costs for all mines as part of the financial security review for a different mine (Diavik). BHP Billiton has not yet circulated its cost estimate.

We encourage BHP Billiton to complete its estimate as soon as possible and to work with the Agency and the federal and territorial governments to ensure the security review for Ekati is completed in a timely manner.

# Agency Communications

Our **2011-12 Annual Report** is now available! The report is available in both technical and plain language and as a summary brochure. In the report you will find updates on environmental plans and programs at Ekati as well as on the Agency's activities, work plan and budget, our assessments of BHP Billiton and government agencies and recommendations for making improvements at the mine.

We told you about our new **Communications Plan** in our last newsletter. We recently

completed several projects that we hope will improve our communications with the public and our Society Members. We have produced brochures and posters about the Agency and our work in the Tłı̄chǫ, Weledeh, Chipewyan, Inuinnaqtun, French and English languages! We hope to post sound files to our website soon as well!

The reports, posters and brochures are available on our website. Or we would be happy to mail them to you!



# 2012 Environmental Impact Report

BHP Billiton must prepare an Environmental Impact Report (EIR) for the Ekati Mine every three years. It released its latest EIR in October 2012. The 2012 EIR is a much improved document from the last one.

Before BHP Billiton sent out this EIR, it took the time to talk to interested parties about the priorities and layout.

Many of the Agency's suggestions were incorporated in the 2012 EIR.

Changing water quality downstream of the mine and better monitoring of caribou are top priorities in the 2012 EIR.

We agree with the priorities, but we took issue with BHP Billiton's use of proposed contaminant limits (not yet ap-

proved for the water licence) to assess the effects and risk to the downstream environment. Also, we would like to see the lessons learned from internal and external reviews of environmental management at Ekati and how BHP Billiton has used Traditional Knowledge.

Although we are glad that caribou are a top priority in this EIR, we disagree with BHP Billiton that roads at Ekati do not act as barriers to caribou movements. Evidence indicates some animals are deflected from some road crossings.

We are also concerned about large gaps in air quality monitoring data at Ekati. BHP Billiton has said it will improve the maintenance of equipment and training of staff.

The company has agreed to deal with our comments through a follow-up report or changes to the EIR.



# Water Licence Renewal Application

The water licence for the Ekati Mine will expire in August 2013. BHP Billiton submitted its application for the renewal of the water licence in May 2012.

BHP Billiton has proposed several changes to the water licence in its application for renewal. The company proposes to remove limits for some contaminants (ammonia, arsenic, copper and nickel) and how some other items of concern, including chloride and nitrate, should be managed. It wants to manage these under a “Response Framework”.

## What is a “Response Framework”?

**ANSWER:** A process and plan where monitoring results are carefully watched to act on early warning signs to prevent harmful effects to the environment. Specific studies and actions are taken when monitored changes to the environment reach levels of concern.

We have concerns about the company’s proposed approach to managing certain contaminants, particularly nitrate. Over the past several months, we have met with BHP Billiton and other interested parties to discuss our concerns. These discussions have been helpful and encouraging.

We are in the process of reviewing BHP Billiton’s water licence renewal application and supporting documents. BHP Billiton has done a good job predicting water quality to the proposed end of mine life in 2020. While we don’t always agree with the company, we recognize that it has done a lot of work to better understand the effects of specific contaminants and to set levels that are protective.

The Agency will submit its final recommendations to the Wek’èezhii Land and Water Board by January 7, 2013. A public hearing on the water licence renewal application is scheduled for February 12-13, 2013.

# Agency Site Visit

Agency Directors and staff visited the Ekati mine site and met with BHP Billiton staff in June 2012. During our tour of the site we visited the following:

- Panda Diversion Channel (widening project);
- Pigeon Stream Diversion (new access road);
- Long Lake Containment Facility;
- Misery Road and Camp (wildlife cameras and planned expansion to the waste rock pile);
- King Pond; and
- New incinerators.



A number of issues were discussed informally during our site visit, including:

- Water quality downstream of Ekati;
- Processed kimberlite deposition planning;
- Wildlife management, including grizzly bear and caribou monitoring;
- Renewal of the company’s water licence;
- Closure planning;
- Air quality; and
- Waste management practices.



# Independent Environmental Monitoring Agency

## CONTACT US!

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## DIRECTORS

**Bill Ross** (Chairperson)  
appointed by BHP Billiton/  
Canada/GNWT

**Tim Byers** (Vice-  
Chairperson) appointed by  
Akaitcho Treaty 8

**Jaida Ohokannoak**  
(Secretary-Treasurer)  
appointed by  
Kitikmeot Inuit Association

**Tony Pearse**  
appointed by  
Tłı̄chq̄ Government

**Kim Poole**  
appointed by BHP Billiton/  
Canada/GNWT

**Laura Johnston**  
appointed by BHP Billiton/  
Canada/GNWT

**Arnold Enge**  
appointed by  
North Slave Métis Alliance

## STAFF

**Kevin O'Reilly**  
Executive Director

**Allison Anderson**  
Communications and  
Environmental Specialist

The Agency is a public watchdog for environmental management at BHP Billiton Canada Inc.'s Ekati Diamond Mine. The Agency was set up in 1997 under the Environmental Agreement. It requires BHP Billiton and the federal and territorial governments to protect the environment and land-based way of life of Aboriginal peoples of the area.

The Agency reviews BHP Billiton's environmental reports and plans for the Ekati Mine, visits the mine site and listens to community and public concerns. We make recommendations to BHP Billiton, government and regulators on how best to protect the environment at Ekati.

We are set up as a non-profit society in the Northwest Territories. The Agency's Board has seven Directors appointed by our Society Members:

- Akaitcho Treaty 8 (Łutsel K'e and Yellowknives Dene First Nations)
- Tłı̄chq̄ Government
- Kitikmeot Inuit Association (KIA)
- North Slave Métis Alliance
- Government of Canada (AANDC)
- Government of the Northwest Territories
- BHP Billiton Canada Inc.

Please visit our website at [www.monitoringagency.net](http://www.monitoringagency.net) to see photos, meeting minutes, correspondence, the Ekati Timeline and other information about Ekati.

Our Directors are independent of the appointing parties and work together in the best interests of the environment and the people affected by Ekati.

We have two staff members and a resource library filled with information about Ekati in our office in Yellowknife. Please do not hesitate to contact us if you have questions or concerns about the Ekati Mine.

## Director Profile: Jaida Ohokannoak

Jaida has lived and worked in the north for more than 20 years. KIA appointed Jaida to the Agency in 2003. She has been our Secretary-Treasurer since 2004.

Jaida has experience in environmental assessment, renewable resource management, research, monitoring and working cooperatively with government, Aboriginal peoples, public interest groups, co-management boards and industry. She is keenly aware of the challenges of trying to balance economic development with preserving the ecological and cultural integrity of the landscape. She believes mining can be conducted responsibly to the benefit of industry and local peoples without long-term adverse impacts on the environment.

Jaida currently lives in Cambridge Bay, Nunavut with her husband and young twins. Jaida and her husband have traveled to all seven continents of the world. When at home she loves to sew and to go out on the land.

