

Inter-Agency Coordinating Team (IACT) for Ekati Diamond Project

May 01, 1998
Meeting #8

Attendance:

Mary Tapsell (Chair)	DIAND -Env. & Conservation
Kelly Robertson	RWED
Julie Dahl	DFO
Scott Williams	BHP
Chris Hanks	BHP
Anne Wilson	EC
Darren Unrau	DIAND -South Mackenzie District
Greg Cook	DIAND - Waters
Hal Mills	Independent Environmental Monitoring Agency

Regrets: John Ramsey, NRCan

Round Table Updates:

Anne Wilson: nothing new to report . . . review of OEMP is underway. Looking forward to a future opportunity to get up to Ekati site.

Kelly Robertson: review of the OEMP is underway. The comments on the Wildlife Monitoring Program will be submitted under the OEMP review.

Mary Tapsell: Brought to the attention of the group that there seems to be some variation of the term “Annual Report” as it relates to the BHP Project. The Environmental Agreement states: “Reporting Year” means, with respect to an Annual Report, January 1 to December 31.

The Monitoring Agency has received additional funding from governments for its first two years of operation. Government requires reporting on a fiscal year (April 01 - March 31) basis. The bylaws for the Agency also define the fiscal year of the Society to end on March 31 of each year. The Monitoring Agency is developing their Annual Report on a fiscal year basis.

This shouldn't be a huge issue, but Mary just wanted to bring it to everyone's attention. The BHP Annual Report will be produced on a calendar year basis, while the Independent Environmental Monitoring Agency's Annual Report will be on a fiscal year basis. If this is of concern to anyone, it could be addressed at the Monitoring Agency's AGM the 3rd week in June.

Mary brought up for general discussion some observation she has made in the reporting

requirements for an Abandonment & Restoration Plan as stated in the Environmental Agreement, and as stated in the Water Licence. There seems to be some misinterpretation of words and reporting requirements. Mary mentioned that in informal conversations with all agencies, it is clear that no one is expecting 2 A&R Plans. A suggestion was made that BHP should review the requirements of an A&R Plan as written in the EA and the Water Licence. If they can show that all items in the EA are being met through the Water Licence requirements, then there should be general agreement from all parties that only ONE A &R Plan is required.

Once we have agreement that only one A&R Plan is required, we need to agree on the review process for the A&R Plan. The Water Licence has an annual review of September 30 while the A&R Plan is reviewed annually as part of the OEMP in the Environmental Agreement (Apr 14).

ACTION: GNWT(RWED), CANADA(DIAND), and the Monitoring Agency will write a response to the letter from BHP (April 15, 1998) stating that we understand there is some confusion about the requirements for the A&R Plan as stated in the Water Licence and the EA. We will wait to hear back from BHP with a response to how the A&R Plan requirements in the EA are covered off in the Water Licence, as well as a recommendation for review times for the plan.

ACTION: Scott Williams will oversee a review of requirements for the A&R Plan in the Water Licence and Environmental Agreement. BHP will send a letter of suggestion to GNWT, Canada (DIAND), and the Monitoring Agency of how the requirements of both can be met through one document as well as a suggestion for review times, keeping in mind the requirements of both.

Mary also mentioned that the three signatories to the EA (GNWT, Canada and BHP) met informally to discuss the role of the Monitoring Agency as it relates to cumulative effects and the proposed DIAVIK mine. A letter will be coming from DIAND in response to the Monitoring Agency's letter (April 8, 1998), addressing this and other questions the Agency had. Mary will try to have a response to the Agency before their next meeting - May 9 & 10.

Greg Cook: The Aquatic Effects Monitoring Plan is out for review with a deadline for Technical Advisory Committee (TAC) comments of May 15/98. The Water Board met April 30/98 and conditionally approved the Acid/Alkaline Rock Drainage and Geochemical Characterization Program with minor changes. The Waste Rock and Ore Storage Management Plan was sent back for changes before it is approved. This brings to light another example of poor timing for receiving comments from the Monitoring Agency (see letter to Scott Williams, April 30, 1998, regarding these two documents).

Mary said that she has put out a reminder to people that when deadlines for review of BHP documents are set for TAC members, the Monitoring Agency should simultaneously be informed of these deadlines. This will ensure a timely review and allow the Agency's comments to be used in a more effective manner.

Greg said that he is still reviewing the BHP Annual Report produced as part of the Water Licence requirement. He is in the process of making some minor modifications to the Water Licence. Some of these modifications involve the SNP (Surveillance Network Program). Scott Williams explained that some monitoring stns no longer have much value and they would like to move these stns to somewhere more appropriate and place the surveillance where it can provide better monitoring.

Greg told us that the Spill & General Contingency Plan has been approved in principle, with recommendations to be put in place for next year's review - Scott informed us that these changes have already been made and are incorporated into the OEMP.

There was a somewhat (how else do I describe it?) confusing discussion centred about the QA/QC Plans required by the Water Licence and the Environmental Agreement. The Water Licence has requirements for two QA/QC Plans . . . one that looks at non-biotic measurements and is associated with the SNP, and one that examines biotic components and is associated with the Aquatic Effects Monitoring Program. The approval for both these plans was deferred by the Water Board until approved by the Analyst. BHP is currently working on having both QA/QC Plans rolled into one document. Scott was going to look into which version was submitted with the OEMP. It appears that approval of the QA/QC Plans in the EA will be subject to approval by the Water Board.

Darren Unrau: Still visiting Ekati site on a two week basis. Last visit was April 29 and Julie Dahl (DFO) went along. Still reviewing the Annual Report for the Water Licence. Also reviewing the OEMP. Sending reports and providing spill updates to the Agency.

Scott Williams: mentioned there is a slow down trend to allow visitors to the Ekati site. Any future visits would best be coordinated with Darren's visits to site and limited to one person.

Darren Unrau: Currently conducting a review of the BHP Water Licence and there will be some minor changes to the body of the licence. One of the proposed changes involves the SNP changes to the Koala sump. BHP wants to discharge directly to the environment (Kodiak Lake or Long Lake) as long as the water meets discharge standards. Darren said he needs comments on this. Hal Mills asked if the DIAND representative on TAC could speak to the Agency about this.

Hal Mills: The Agency has received the OEMP and is currently identifying what sections they will review. They are trying to coordinate their review to coincide with the government reviews. The next Directors' meeting will be May 9 & 10. The Annual Report is almost complete and will be at the printers in early June so it will be available for the AGM the third week in June.

The Agency sent a letter to DIAND (April 8/98) regarding potential involvement with the DIAVIK project - as it results to cumulative effects. The intent is not to expand the mandate of the Agency, but rather to address our mandate - or at least our interpretation of the

Environmental Agreement. Red & Hal were at the DIAVIK public meeting (April 29) as observers. Happy to announce that Janice Traynor has safely deliver twin girls (April 29). The Agency expects they may have a brief staffing shortage in the near future.

Julie Dahl: OEMP in office for review - our efforts will be concentrated on the Aquatic Effects Monitoring Plan. Recently was up at the Ekati site with Darren.

Scott Williams: Scott gave an update of activities on site:

- Wildlife Monitoring is underway (Golder Associates)
- Grizzly Creek remediation should be completed by Monday
- silt protection for Kodiak Lake should be completed next week, also putting in fish trap
- the fish trap is part of a long-term 10 yr monitoring device, a second trap will eventually be put in north of Panda
- in April we finished our Bear Awareness Program
- the Aquatic Effects Monitoring Program will be underway shortly and are negotiating with Dillan and ResCan
- have been working on implementing two 3yr scholarships in conjunction with the University of Alberta. The scholarships would fund a Biologist and a Hydrologist to conduct studies on the Channel.
- have a call out for proposals to Aboriginal groups for proposals to fish out Cell C at Long Lake
- will be taking a trip with a staff from the Environmental section to New Mexico to examine their Waste Management Program for the purpose of gaining beneficial advice and techniques.
- in the process of developing an “Elders Program” where BHP will invite each Aboriginal group to send an Elder and youth to the site for a two week period during caribou migration. They would be observing the movements of caribou near the runway/pit and would put together a report of their observations and recommendations. In the future, this approach could also be used on the tailings pond to observe how animals move around it.
- there will be a spring clean-up at the site in early June
- BHP is in the process of hiring a Wildlife Specialist to add to their Environmental staff
- will be speaking to DFO in the near future about changing a small culvert to a larger culvert at the north end of the diversion channel. The reason for this change is a safety matter.

NEXT MEETING : THURSDAY, 1:00pm, MAY 28/98
RWED's boardroom - 6th Fl Scotia Centre.