

**Inter-Agency Coordinating Team (IACT) for the Ekati Diamond Mine
Summary of Discussion
October 24, 2013**

Revised:

In Attendance

Lionel Marcinkoski (AANDC)	Eric Denholm (DDEC)
Veronique D'Amours-Gauthier (DFO)	Paul Mercredi (AANDC)
Ryan Fequet (WLWB)	Patrick Clancy (GNWT-ENR)
Kevin O'Reilly (IEMA)	Claudine Lee (DDEC)
Marty Sanderson (AANDC)	Paul Green (AANDC)
Sarah Lacey-McMillan (EC)	Jessica Simpson (IEMA)

Meeting commenced 1:30 pm.

INTRODUCTIONS AND SELECTION OF CHAIRPERSON

Round-table introductions were made. Lionel Marcinkoski served as chairperson for the meeting. The last meeting was held on March 4, 2013 although there was a site visit on June 12, 2013. A summary of the March 2013 meeting was circulated earlier in the day. Eric suggested one change (the Cell A and C roads have not yet been completed).

BHPB UPDATE ON EKATI ENVIRONMENT AND PERMITTING PROJECTS

➤ **Misery Area**

The Misery Road realignment was completed in September. Areas where there were blind corners and steep sections were straightened. The road is now ready to haul ore from Misery pit to the processing plant. The road areas that are no longer being used can be reclaimed. Ryan Fequet pointed out that this could be a good opportunity to see how long it would take for revegetation to occur in the unused stretches where scarifying methods could be tested.

Monitoring of raptor nesting in the Misery Pit was done in conjunction with GNWT-ENR, who set the buffer zones and boundaries (200 m for peregrines and rough-legged hawks, and 100 m for ravens). Nesting in the pit was a rough-legged hawk, a raven and a peregrine falcon. Because of the location of the nests and the buffer zones around them, there were some production issues because it restricted the work in one area of the pit. Monitoring of each nest was carried out before and after blasts. The results will be reported in the 2013 Wildlife Effects Monitoring Program (WEMP report). DDEC is now looking at the monitoring program for next year and how they can prevent nesting from occurring in the pit.

➤ **Grizzly Bear DNA Program**

The grizzly bear hair snagging program was carried out for the second year of this past summer. Last year the program was conducted in conjunction with Diavik but this year, each mine carried out its own sampling. The report, for the 2012 season is currently in final draft and will be available on November 15.

The program was slightly modified to avoid some of the problems that occurred last year. Last year, DDEC found that there was some slight degradation of the DNA from the hair samples being left out in the field. To avoid the degradation, DDEC conducted the program in 6 sessions, 9-13 days between the sessions. All together, there were 4,705 samples, of which there were 42 males and 70 females. DDEC does not intend to do the sampling again for another three years.

The sampling area will be expanding by 30,000 hectares, as De Beers is conducting the same study around Snap Lake and Gahcho Kue.

➤ **Desperation Pond Fish Out**

The original fish-out of the pond happened in 2001. The pond was not completely fished out and the fish that remained flourished and multiplied. This summer, DDEC fished the pond for 23 days beginning July 29 to August 20, 2013. 571 Grayling, from size small to adults, were relocated to Mossing Lake. This was done with DFO. Waste rock is now being placed into Desperation Pond as part of the Misery pushback and updated Waste Rock and Ore Storage Management Plan.

➤ **Beartooth Fine Processed Kimberlite**

In June, DDEC shut down the line depositing processed kimberlite into Beartooth pit. There has been no FPK deposited into the pit since. The line will be turned back on in the next couple of weeks and will be used throughout the winter.

DDEC was asked why deposition into Beartooth had been stopped. Some spigot extensions were built into the LLCF to allow for deposition into some areas that were not quite full. This is why the processed kimberlite had been diverted away from Beartooth.

DDEC was also asked whether the water in Beartooth had been sampled. One set of samples was taken during the summer but there are some areas of instability that require further work. The ramp below the current discharge point is also unsafe. Rising water in the pit should pass the current discharge point next spring which should make sampling easier.

➤ **Pigeon Stream Diversion and Habitat Enhancement**

In late 2012, DDEC installed a fish screen to keep fish from going into the Pigeon Stream Diversion which is not completely constructed. A number of habitat enhancement features have been constructed including transplanted willows, "till plugs" (made from glacial till from the original excavation) and more. This winter, the company will be completing the "tie-in" so water and fish will flow through the diversion channel instead of the old stream bed. Mining at Fox will end next summer and Pigeon will be brought into production. DDEC has finished a pipeline from Pigeon test pit as it will be dewatered into Cell B of the LLCF

There will be a Pigeon Stream Diversion (PSD) performance monitoring program. This report will be separate from the annual report prepared by the company. There will also be staged monitoring of fish, probably by a graduate student. Financial security for the PSD is held by DFO.

➤ **Incinerator and Stack Test**

The incinerators on site have been fully operational since late 2012. Stack testing for both the north and south incinerators occurred in June 2013 and was conducted by Maxxam consultants. The test sequence ran in the morning, the afternoon and the next morning. The results of the test were quite good as the results for the dioxins and furans was well below the Canada Wide Standards.

Although the tests were quite good, there were some metals in one of the sampling periods that may have reflected improper separation, most likely batteries.

A report on the incinerator and the stack testing will be available later in 2013. In response to a question, DDEC stated that the ash from the incinerators is taken to the landfill.

➤ **Community Engagement and Traditional Knowledge Summary**

As a part of the Air Quality Monitoring Program in June, DDEC had 14 participants from all of the IBA (Impact and Benefit Agreement) communities.

DDEC also had a student from each IBA group work on the grizzly bear program for a week. One of the students worked out especially well and is now working with DDEC for the next 3 months.

The caribou behaviour monitoring program was done in collaboration with Diavik. Diavik worked with NSMA and the Tlicho, DDEC worked with Akaitcho and KIA. The program was divided into two parts; for 3-4 days the participants reviewed the program advising how to incorporate TK, and the second part where the participants monitored caribou behaviour figuring out what the stressors might be. A report on this work will be incorporated into the 2013 WEMP report.

On August 2, DDEC held a revegetation workshop at Ekati. Advisors and experts were identified by the communities in July and 22 people participated in the workshop including youth, elders and interpreters. This will be reported on in the 2013 Annual Progress Report on reclamation.

One person from the Yellowknives Dene First Nation and one from the Tlicho region participated in the archaeological surveys carried out in the summer of 2013.

➤ **Panda Diversion Channel**

The widening of the channel on the north side of the canyon has been completed. A crane was used to bring in some rocks and clusters of vegetation into part of the channel that was widened. There is no timetable for the completion of the widening on the south side of the channel in the canyon area. This is because equipment is needed at the Misery pushback. As there is no imminent risk, DDEC will work in the widening when it can.

➤ **Upcoming Projects**

Eric reviewed a number of upcoming projects. There will be an updated Waste Rock and Ore Storage Management Plan to deal with the waste rock from Pigeon. The company looked at Panda pit but decided to go with on-land storage. It will be located in the Reynolds watershed and be placed on top of Big Reynolds Pond. The Pigeon waste rock contains some meta-sediment with the potential to oxidize so there will be a 3 m till cover with another 1 m of granite. An EBA Engineering study proposed this design and its report will be filed with the updated Plan. There will also be seepage monitoring and possibly thermistor cables.

The company carried out a series of baseline studies in and around Lac du Sauvage over the summer. There will be no construction in the area of the narrows between Lac du Sauvage and Lac de Gras. The company may be able to submit some of these baseline studies before the anticipated Developer's Assessment Report.

The 2013 Annual Progress Report on reclamation will contain a closure plan for the Old Camp, results of the 2013 winter drilling on the LLCF, an updated pit flooding study, the LLCF pilot study for revegetation, and preliminary pit lake water quality predictions.

Eric was asked whether seasonal discharge from the LLCF was now finished. He did not know but Marty indicated that pumping was still taking place.

➤ **Lynx Project**

Eric introduced the Lynx project describing how the pipe has been known about since 1997, but was never incorporated into the mine plan. It would be a small pit, about the size of Beartooth

and there is some diamond value. The pipe is also shallow and therefore not conducive for underground mining.

The baseline report describes that there is a small catchment area and boulder outflow areas to the south and north. When there is high water, in the spring, it may overflow into Fisher Lake, which primarily drains into Lac de Gras.

Lynx Lake has a depth of approximately 30 m. To access the pipe, the lake will be pumped out. For closure, the pit will be filled to become a pit lake and could be designed for overflow to the north or south. It will be decided in closure plan if the water will be connected to the North or South ends of the lake. There could also be deflection berm built to the north. At closure, the pit water quality should be good as the pit would be wholly within the permafrost zone.

It is planned that the waste rock will be added to the Misery waste rock pile. It is also clean rock and non-acid generating, so it could be used for construction, such as the road to Jay and Cardinal pits. The stripping at Misery pit will not necessarily end before the Lynx stripping begins. It is important for the company to be able to begin mining at Lynx while the Misery camp is still in operation to allow for a smooth transition of the work force and equipment.

Eric was asked about whether the waste rock from Lynx could be put into Misery. This could be done but there are some operational and safety issues in putting waste rock into a pit. SRK Consultants also advised against backfilling Misery.

The water licence application for this project was discussed. Eric described Lynx pit as “business as usual” for Ekati and therefore would not need to be referred to environmental assessment. The work required will also not significantly impact the environment or the social - cultural integrity of the area. DDEC believes that the application does not need to be referred to environmental assessment. It is also possible that the existing water licence could be amended to include Lynx pit, or there could be a separate water licence. The company discussed the two options with WLWB staff. Ideally, DDEC would prefer to have one water licence that covers the whole mining operation.

ROUND TABLE UPDATES AND DISCUSSION

Wekeezhii Land and Water Board (WLWB): DDEC’s a land use permit for exploration within the mineral claims block was approved and the documents for this will be issued next week. For the Lynx Project, comments on the application are due October 28th. The dates for the Tlicho Assembly were moved so the WLWB had to update the workplan for the Lynx Project, which will be circulated soon. Some changes to the workplan include: the technical sessions are now December 3 and 4, 2013. There will be a pre-hearing conference for the public hearing January 31, 2014 and the hearing is to be held on February 6 and 7, 2014. The land use permit application for Lynx has also been put on hold.

The next WLWB meeting is currently scheduled for November 25, 2013. A Preliminary Screening decision on Lynx is expected shortly after this meeting.

The Jay and Cardinal applications were submitted on October 18. A workplan for this project will not be generated for another few weeks.

Other upcoming Ekati submissions include the Waste Management Plan and Annual Progress Report on reclamation. The 2013 Seepage Report is also before the WLWB for its November 25 meeting.

Department of Fisheries and Oceans (DFO): The Ekati file has been transferred from Stu Niven to Veronique D’Amour-Gauthier.

Aboriginal Affairs and Northern Development Canada (AANDC): Marty Sanderson, the AANDC Inspector for Ekati, was recently at the site. He reported that the inspection went well. It is expected that an underground tour and inspection will be organized for later in the winter.

Devolution implementation day is April 1, 2014. Robert Jenkins is the Director for the Renewable Resources and Environment at least until Devolution. There have also been a lot of new hires in the Environmental and Conservation section since September 1. People who have been offered positions with GNWT have until December 2, 2013 to decide if they accept. Lionel Marcinkoski and Paul Mercredi are now sharing the Ekati file. Paul will be mainly working on the financial securities.

Independent Environmental Monitoring Agency (IEMA): Kevin described the Agency's recent activities. A Request For Proposals was generated for a document management overhaul in the office. In September Kevin attended a reclamation conference in Whitehorse. Agency staff and Directors had a site visit September 16-17. The Directors visited the incinerator, the Pigeon Stream Diversion, the revegetation project at the north end of the LLCF, Beartooth Pit and a helicopter tour of the Lynx Pit area and Lac du Sauvage (including a stop at the narrows).

Kevin discussed the financial security meeting held between AANDC, GNWT-ENR, DDEC and the Agency held on October 7. Now that the WLWB has set the global security for the ICRP, the amounts to be held under the different instruments needs to be decided. DDEC will be submitting a proposal at the end of the month, and the signatories to the environmental will be meeting regularly to have a resolution by December 31, 2013.

Yesterday, the Agency submitted its comments on the Lynx Project. The Agency did this before the deadline for the Aboriginal Society Members to know our views. The Agency believes that there is likely to not be any significant environmental impacts, but there is not much site specific information on baseline conditions, impacts, mitigation or monitoring, and closure at the site.

In November, the Agency will be sharing a booth with EMAB and SLEMA at the Geoscience Forum. In December, the Agency will be holding its next board meeting, annual general meeting and an environmental workshop with a wildlife theme. The Agency is working with DDEC staff and other possible presenters.

NEXT MEETING

Next meeting is scheduled for January 20, 2014. This meeting will be "back-to-back" with the Environmental Agreement implementation meeting.

Meeting concluded 4:00 pm.