

# Workshop Report

*Traditional Knowledge Monitoring Workshop*

*March 12 - 14, 2003*

*In Yellowknife at Air Tindi (Latham Island)*

Co-hosted by

The Environmental Monitoring Advisory Board (EMAB)

and

The Independent Environmental Monitoring Agency (IEMA)



Independent Environmental  
Monitoring Agency



## Executive Summary

The Traditional Knowledge Monitoring Workshop, co-sponsored by the Environmental Monitoring Advisory Board (EMAB) and the Independent Environmental Monitoring Agency (IEMA), was held in Yellowknife on March 12 – 14, 2003. Representatives from both BHPB and Diavik diamond mines, from each Aboriginal group involved in the Environmental Agreements, and from each Board, took part in the proceedings.

The Aboriginal Caucus, comprised of all Aboriginal groups present at the workshop, met during the afternoon of Day One and the morning of Day Two. Florence Catholique acted as Chair for the discussions, which focused on developing a set of recommendations for the development of a Regional Traditional Knowledge (TK) Panel. A draft of the “Recommendations from the Aboriginal Caucus for a Regional TK Panel” was initially produced, and subsequent discussions revolved around revising and finalizing the content and wording of the Recommendations.

In order to avoid confusion among the four drafts of the Recommendations produced over the course of the workshop, and to highlight the Recommendations produced, the final draft is included below.

### **Recommendations from the Aboriginal Caucus for a Regional Traditional Knowledge (TK) Panel March 14, 2003**

#### **Preamble**

On March 12-14, 2003, representatives of Yellowknives Dene First Nation, Dogrib Treaty#11 Council, the North Slave Metis Alliance, the Kitikmeot Inuit Association, Lutsel K'e Dene First Nation, the Environmental Monitoring Advisory Board (EMAB) and the Independent Environmental Monitoring Agency (IEMA) met together to discuss the use Traditional Knowledge in the monitoring and management of the BHPB and Diavik diamond mines. There was general agreement among all the representatives that an integrated TK panel is required to deal with the monitoring and management of the Diavik and BHPB diamond mines.

Some opportunities for establishing such an integrated TK panel are provided for under the current BHPB and Diavik Environmental Agreements. In both agreements, there is a mandate to give full consideration to TK in monitoring and management. Under the Diavik Environmental Agreement, there is also explicit reference to an integrated approach to TK (Section 4.2 vi) and to a TK Panel (Section 4.9). References to TK in the BHPB Environmental Agreement are found in section 11. 2. A motion supporting a TK Panel to

assist in the monitoring of the BHPB diamond mine was also made at the Annual General Meeting of the Independent Environmental Monitoring Agency (IEMA) in 2002.

The Aboriginal groups represented at the meeting also agreed that a broader regional approach to TK is required. A transitional clause in the Diavik Environmental Agreement (Section 4.11) provides an opportunity for developing the current Environmental Monitoring Advisory Board (EMAB) into a more regional monitoring agency. This regional agency could build on the successes of the West Kitikmeot Slave Study Society and continue its high standard of quality traditional knowledge studies.

### **Recommendations of the Aboriginal Groups:**

Yellowknives Dene First Nation, the North Slave Metis Alliance, the Kitikmeot Inuit Association, Dogrib Treaty #11 and Lutsel K'e Dene First Nation agree to work together to establish a Regional Traditional Knowledge (TK) Panel under the current Environmental Agreements. This Panel would play a coordinating role to ensure that TK is appropriately and meaningfully incorporated into the planning and management of the BHPB and Diavik diamond mines and other development activities in the region.

The following recommendations have been made by representatives of the Aboriginal groups:

#### Structure

1. A **Regional Traditional Knowledge Panel** should be established under the Environmental Monitoring Advisory Board (EMAB). The Panel would be made up of TK experts (elders and others) from each of the affected Aboriginal groups. Panel members may change, from time to time, to ensure that the most knowledgeable and appropriate people are involved.
2. The **Regional TK Panel** should have the following functions:
  - Assess what TK research has been done in the past to determine research gaps;
  - Work with local communities to define what TK research needs to be done in the future including:
    - baseline TK studies;
    - TK studies needed to address community concerns related to the environmental impacts of the BHPB and Diavik projects;
    - other TK studies defined as important by communities (e.g cumulative effects related studies);
  - Share information and provide coordination related to regional studies including guidance on how, when and where studies may be carried out;
  - Provide funding to communities to carry out these studies;
  - Assist with the communication and interpretation of results including the integration of TK and scientific information;

- The Aboriginal groups should retain ownership over their TK. The agreement of the Aboriginal groups providing the TK shall be necessary before information is made public.

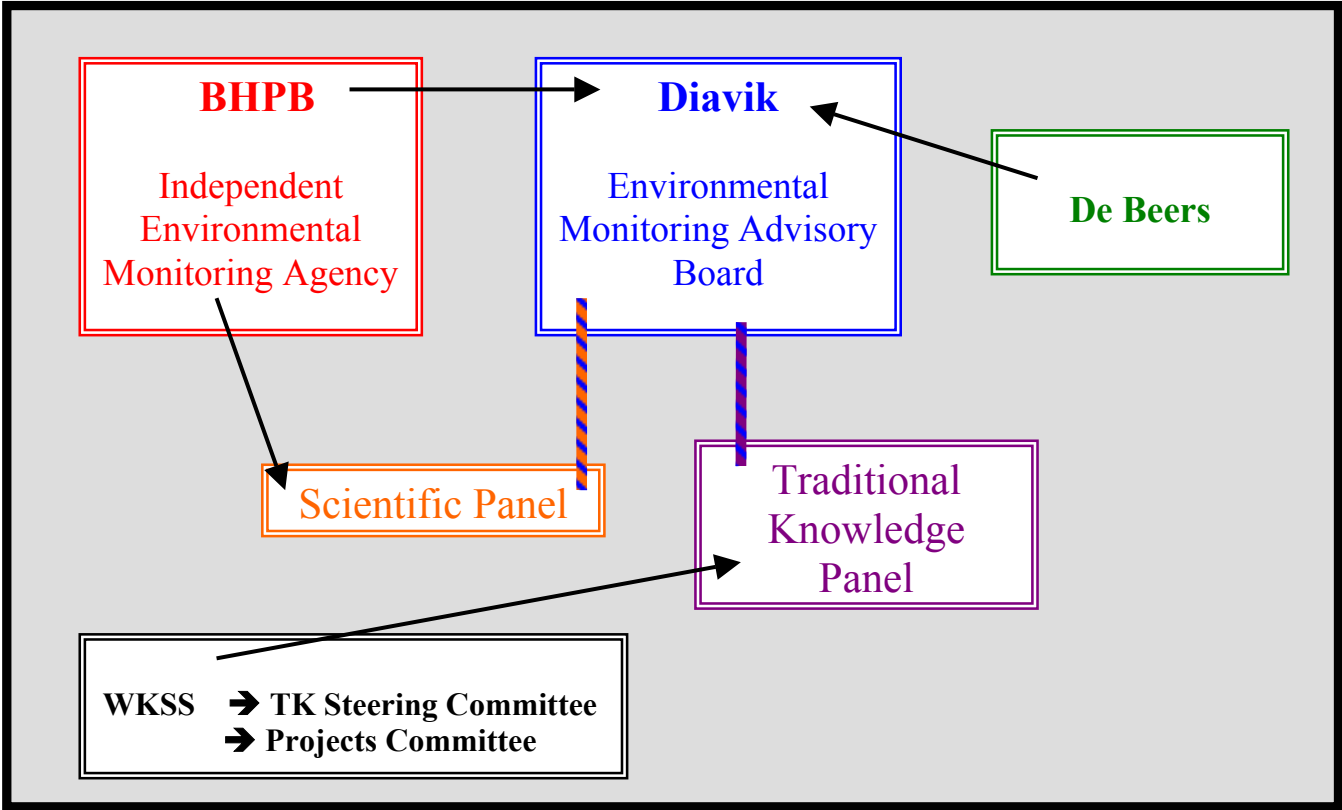
### Funding

3. The TK Panel should determine the funding required to carry out its mandate. Communities should determine the level of funding required for community-based projects.
4. Core funding for the TK Panel should be provided. Initial administrative support for the Panel may come from the Environmental Monitoring Advisory Board (EMAB) and the Independent Environment Monitoring Agency (IEMA). Once established, core funding for the Panel should be provided by BHPB, Diavik, the Government of Canada, GNWT, GN and other relevant parties.
5. BHPB, Diavik, other industries, the Government of Canada, GNWT and GN should provide funding for TK studies identified as important by the affected communities.
6. The funding arrangement for the Panel should be flexible enough to allow for a broader geographic or project scope.

### Coordination Traditional Knowledge and Science

7. The Regional TK Panel may consult with scientists from BHPB, Diavik, government and elsewhere to develop and design methodologies for TK studies to ensure that results are useful for decision-makers.
8. The Environmental Monitoring Advisory Board (EMAB), being represented by all the affected Aboriginal Groups, should play a central coordinating role to oversee the work of the Regional TK Panel.
9. The Independent Environmental Monitoring Agency (IEMA) should play a supportive role to EMAB with respect to the sharing and interpretation of scientific information, much like a scientific panel. Conversely, the Regional TK Panel should share information and work cooperatively with the IEMA with regard to environmental issues specific to the BHPB mine.
10. In future, the current Environmental Agreements should be amended and future agreements be developed to avoid duplication and ensure that monitoring is carried out in the most cost effective and efficient ways.

Figure 1. Schematic diagram representing the possible functioning of the proposed Regional TK Panel (Concept: Ted Blondin). This schematic was developed prior to the discussions of the Aboriginal Caucus, but was used during the discussions.



## Morning

As outlined in the Final Draft Agenda circulated at the beginning of the workshop, the workshop objectives were as follows:

### *Objectives*

1. To bring the Environmental Monitoring Advisory Board and the Independent Environmental Monitoring Agency together with people having an interest in involvement of Aboriginal peoples and the incorporation of Traditional Knowledge (TK) in community-based monitoring programs for Diavik and Ekati.
2. To highlight TK and Aboriginal involvement requirements of Environmental Agreements (EAs) of the two projects and how the two EAs differ.
3. To collectively work on strengthening relationships.
4. To recommend processes and/or steps to take in order to answer the following:
  - a. How will Aboriginal involvement and TK be used at Diavik and Ekati?
  - b. How will Aboriginal involvement be enhanced?
  - c. How will TK be accessed and gathered?
  - d. How will communities monitor Aboriginal involvement and use of TK?

### **Welcome and Introductions**

An opening prayer was given by Joe Michell, Elder from Lutsel K'e. Hal Mills, co-facilitator of the workshop, led a round of introductions, asking participants to briefly speak to their goals for the three-day workshop. A full list of workshop participants can be found in Appendix D.

### **Opening Remarks**

Floyd Adlem of EMAB gave opening remarks on behalf of Chair Bob Turner. He welcomed workshop participants, and expressed EMAB's wishes for a productive and interesting session. Floyd outlined the workshop objectives, with special attention to the fact that participants were meant to discuss the use of Traditional Knowledge (TK), and not the collection of it. He also expressed Bob Turner's hopes to focus on Objective 3, to cooperate and strengthen relationships between communities and boards.

Francois Messier of IEMA gave opening remarks on behalf of Chair Red Pedersen. He outlined some of the history behind the creation of the Agency. He indicated that two of its functions are to facilitate the incorporation of TK into environmental management and monitoring, and to bring concerns of the communities to BHPB's attention. Based on a motion from the last IEMA-AGM to consider the

formation of a TK Advisory panel, IEMA decided to host this workshop in collaboration with EMAB. Francois pointed out key challenges of the workshop: to determine how to develop consensus with communities, and to determine how to best involve communities in environmental management. He reiterated the Agency's open invitation to visit any community or attend meetings upon request.

Hal pointed out that the Agenda shows an Aboriginal Caucus for the afternoon of day one, the outcomes of which will help to direct the remainder of the workshop. He then familiarized the participants with the contents of the resource binder provided (Appendix A), and asked participants to share relevant experiences which may not have been captured in the resource binder. There was some discussion regarding clarification of the contents of the binder. A request was made to review the different Aboriginal groups' involvement in TK studies to date, in order to give all participants an idea of the work already done, and what needs to be done. Comments were made about the importance of recognizing TK as having equal value to scientific information in monitoring studies, and how Aboriginal groups must work together in order to do effective TK monitoring that is valued as an information source. The necessity for regional, rather than site-specific environmental monitoring was also brought up, in light of the fact that existing monitoring programs through BHPB and Diavik are only concerned with the mine sites, but the impacts on wildlife can be distributed on a much larger area.

### **Presentation and Discussion: Traditional Knowledge and Monitoring**

Brenda Parlee of GeoNorth gave a presentation entitled "Traditional Knowledge and Monitoring" (Appendix A). Her presentation covered the following items:

- ✧ A description of her own work in this field, done in Lutsel K'e;
- ✧ A summary of important points from the morning's discussions;
- ✧ The importance of cooperative, community-based and forward-thinking monitoring programs;
- ✧ Definitions of monitoring and TK;
- ✧ The importance of expanding the context of TK use, and looking at it as more than just historical information;
- ✧ The importance of including TK holders in the decision-making process, and not just as information collectors or providers;
- ✧ A comparison of the BHPB and Diavik Environmental Agreements, with the overall emphasis to integrate TK and science, and the importance of capacity building;
- ✧ The challenges and benefits of using TK in monitoring;
- ✧ Different visions for TK monitoring; and
- ✧ Next steps.

Following the presentation, discussion centered around the issue industry's ability to use and share TK information, given its confidential nature, and whether this is a legitimate concern; the necessity for Aboriginal organizations, government and industry to develop a consensus on the best process of using TK in company management plans; the need for a TK research panel to be created under both BHPB and Diavik's environmental agreements, so that standardized policies and procedures for the use of TK can be designed and implemented, as with scientific information; the concern of Aboriginal groups over the interpretation of TK by industry, and the need for community control over who uses the

information and how, and the need for TK studies to be long-term and to address cumulative effects of development, extending corporate responsibility beyond the mines sites.

### ***Incorporation of Aboriginal involvement and TK to date***

#### **✧ Presentation and Discussion: Fish Palatability Study**

Florence Catholique and Erik Madsen, both members of EMAB, gave a presentation about a project funded by Diavik and aimed at assessing the palatability of fish caught near the mine site. The project was based on both TK and science, and involved participation from all of the affected Aboriginal communities. (Appendix B). Florence went through the study requirements and design, which changed considerably between the time it was originally conceived and carried out. She gave background information on the study location and the different traditional and scientific methods. She highlighted the fact that youth and Elders were involved in the study, which allowed the opportunity for Elders to transfer knowledge to youth, and will provide for project continuity over the next few years. Florence pointed out that each group involved in the study had an opportunity to make suggestions for improving the study in following years, and went through their recommendations and ideas for changing the methodology of the study.

Erik commented that the recommendations made this year will be incorporated into next year's study design. He also shared news that Diavik is setting up a permanent community-based monitoring camp near the mine site where groups can base themselves for TK studies. He emphasized the importance, and the success, of incorporating community suggestions into the design of other studies like the fish palatability project. He explained that the study was a learning experience for all involved. It brought people from different communities together with scientists. The study is planned every year for the next five years, and then every second year after that, and Diavik is very happy with the cooperation achieved as part of this study.

Workshop participants asked questions about the methodology of the study, and there was some discussion about the need to have the most knowledgeable community members involved, and to keep certain factors in the study consistent over the years so that the palatability of the fish can be compared accurately. The possibility of using this model for other studies was introduced.

#### **✧ Presentation and Discussion: Special Elders Session: Caribou, Fences and Diavik**

Carole Mills of IEMA made a presentation on Diavik's 1999 Special Elders Session in Dettah to address community concerns about the effects of the mine on caribou (Appendix C). Aboriginal groups, as well as Diavik, GNWT-RWED and DIAND, were brought together to discuss their concerns, and the session was unique in that it allowed Elders lots of time to talk about caribou behaviour. Many different issues were raised by all parties involved, and in the end, a process by which to address contentious issues was developed, and the recommendations made were based on the issues that were agreed upon. In the end, it was agreed to fence off the most dangerous areas, but to let the caribou pass through the rest of the mine site. It was also agreed that regular monitoring is important, and management must be adaptive. Lessons learned at the session included the need to properly credit Elders for their TK; the importance of knowing the site well before discussing its



management; not splitting into smaller groups to discuss issues, and that cooperation is necessary for all to trust each other's information.

There was some discussion following the presentation, including the final decisions on the fencing itself, and other issues discussed during the Special Elders Session.

#### ✧ **Presentation and Discussion: TK Camp at Diavik**

Floyd Adlem, Erik Madsen and Bob Turner, all of EMAB, gave an update on the TK Camp. It was pointed out that Diavik feels that having permanent facilities for further studies around the mine site was necessary, so that communities can do their own monitoring. Diavik has acquired a land use permit for the camp, which will be used in summer and fall, and construction materials are being taken to the site at the moment. The camp will be ready for use early this summer, starting with this year's fish palatability study. In general, Diavik wants communities to put studies and budget together, and to approach EMAB and themselves for funding and use of the camp; they will fund two or three studies each year, provided that groups report their study results to Diavik.

Discussion on the validity of the camp followed: most participants were in agreement that Diavik has taken a good first step in initiating Aboriginal groups' involvement in monitoring at the mine site, and should be applauded for providing this opportunity. This will pave the way for further involvement and encouragement of Aboriginal groups, especially youth, in monitoring; it was pointed out that Aboriginal people have a lot of knowledge about the land, and if given opportunity to learn about science, it will be powerful for communities.

IEMA has indicated to BHPB that a request for additional funds to address TK issues may be forthcoming based on the results of this workshop.

Many workshop participants were not aware of past TK projects funded by the mining companies, and asked that they be summarized during the workshop.

Some ideas for topics of discussion in the afternoon's Aboriginal Caucus were discussed, with special attention paid to the necessity to be creative with the stipulations of BHPB and Diavik's Environmental Agreements, and what is possible to do in terms of incorporating TK into monitoring.

### **Afternoon**

The Aboriginal Caucus was struck, with all Aboriginal groups present at the workshop participating in discussions. The discussion and recommendations made were synthesized into a series of draft documents, which eventually became the document entitled "Recommendations from the Aboriginal Caucus for a Regional Traditional Knowledge (TK) Panel", found in the Executive Summary above.

## Morning

For the first part of the morning, the Aboriginal Caucus reconvened to review the *draft* “Recommendations from the Aboriginal Caucus for a Regional Traditional Knowledge (TK) Panel”. Florence Catholique resumed as Aboriginal Caucus Chair. Ted Blondin and Brenda Parlee worked together to summarize the Aboriginal Caucus’ recommendations from day one of the workshop (see Final Draft, above).

Methodology for developing the recommendations was reviewed and summarized as follows:

- ✧ The TK Panel is not a new idea, and should not raise concerns for industry or government. The intention of the recommendations is simply to formalize a TK Panel, a body with the goal to ensure that TK will help provide the best information to enable decision makers to make the best decisions. The TK Panel could coordinate TK information and provide one location for people to obtain TK information;
- ✧ The first recommendation regarding structure, recommends that the TK Panel be established and details its make-up. The recommended structure is flexible (increasing capacity) allowing for optimal use of existing specific expertise;
- ✧ Meaningful use of TK is essential and will make certain that researchers have covered all bases. Rules will be put in place (i.e. review of TK accuracy prior to public use) to secure meaningful use of TK;
- ✧ The values incorporated in the WKSS corresponded with the values of the people involved. The WKSS sets a good example to follow and studies of that nature should continue; any gaps not yet covered should be identified and taken into consideration for future studies;
- ✧ It needs to be determined how communities can retain ownership of TK studies and the information that goes out. TK information should be shared at the owners’ discretion;
- ✧ Core funding may happen through EMAB, which has the authority under their Environmental Agreement (EA) to put together a TK Panel. To make the TK Panel function would be the initial ‘next step’;
- ✧ Funding for studies in the future may come from the Territorial and Federal governments and industry. The GNWT could contribute specifically to address community concerns at a broader scale;
- ✧ Many projects to date have been funded by mining companies that have specific study objectives. There is a need to shift interests back to addressing community concerns. The TK

studies conducted should fit with the methodology of the mines and scientists but it should work both ways; scientific-mining studies should also seek ways to best incorporate TK;

- ✧ There is a need for adequate baseline data to measure the changes in quality of environment (animals, fish, water and land);
- ✧ The TK Panel will give Aboriginal parties the authority necessary to determine the level of funding necessary and to ensure quality study results. This will help affected communities to ensure their grandchildren enjoy the health and quality of land, water and animals that are enjoyed today.

A CD copy of the West Kitikmeot/Slave Study (WKSS) was distributed to workshop participants.

Discussion followed regarding revisions to be made to the Draft Recommendations. Issues discussed included:

- ✧ The need to retain ownership of TK and preventing industry from having exclusive rights over information collected;
- ✧ Scope should be widened to involve more than just the Diavik and BHP projects;
- ✧ The TK Panel should be responsible for applying for funding and deciding how the monies are spent;
- ✧ Community concerns are not site specific. Industry and governments should assist monetarily to make sure that community concerns are addressed;
- ✧ The overall regional monitoring approach, proposed by the Federal government, has been met with reluctance from industry; there is an opportunity with the TK Panel for a win-win solution in that government and industry can contribute to a body whose mandate is already agreed upon.

It was agreed Brenda would make the changes agreed upon at lunch for final review that afternoon. IEMA and EMAB were requested to comment on the proposed TK Panel.

#### **IEMA Comments:**

Red Pedersen, Chair of IEMA, stated that he agreed with the concept of the paper; it should be presented to industry as a 'golden opportunity' to 'do it right' and improve the overall structure and be a great asset to projects to come. As an additional note with respect to monitoring and collecting baseline data, value would be increased if monitoring started at the exploration stage rather than at the production stage.

### **EMAB Comments:**

Florence Catholique invited other EMAB members to comment and stated a need for EMAB to review the EA and to act on what has not been done. She added that the community of Lutsel K'e supports the TK Panel initiative.

The rest of the participants joined the group.

Ted Blondin recapped the morning events and led the rest of the group through a review (similar to above) of the Draft Recommendations. The review of the recommendations was completed with the suggestion that in the future, there may be a need to amend the BHPB and Diavik EAs. And, with new mines like De Beers coming into play, the timing may be most appropriate, in terms of structuring the De Beers EA similarly. The structure of the De Beers EA could be married with that of BHPB and Diavik to make the process more united, efficient and cost effective.

The floor was opened for comments regarding the Draft Recommendations; discussion and questions raised included the following:

- ✧ How will the integration of science and TK take place? Working to identify future scientific/TK studies needs to complement existing TK/scientific studies (i.e. WKSS); making information more useful to communities by finding ways to mitigate negative effects. The 'how' regarding integration is dependent on the subject matter of the study. The TK Panel may play a role in sharing and discussing results of science and TK studies. Some sort of forum for discussion needs to be in place in order to integrate TK and science.
- ✧ How is the scope of the TK Panel related to social impacts? Studies need to be done on the effects of a variety of issues (e.g. mining in areas where people depend on wildlife; two weeks in/out rotation; alcohol and drug impacts). Studies could be done on how people are changing and adapting. At this point, study options are being left open.
- ✧ Did the TK Panel consider addressing mitigative actions in addition to monitoring studies (this would expand the role into management, solving and fixing things)? So far, the TK panel is seen as managing research projects. It is EMAB's and IEMA's role at this point to initiate mitigative measures.
- ✧ Would the TK Panel also provide input into socio-economic work? There is a socio-economic board required under Diavik, funded with a significant amount of money each year. There are clauses in the EA to discuss how EMAB and the socio-economic board could share resources and work together, but the TK Panel wouldn't just deal with EMAB. Certain details for the TK Panel have yet to be outlined; it will be a working relationship, and may be a unique partnership with mining companies.
- ✧ What are the options for cost sharing for the TK Panel with respect to IEMA and EMAB? The BHPB and Diavik EAs could be amended to incorporate funding for the TK Panel to prevent duplication and increase efficiency. This option needs to be discussed further with a small group of people to refine these and other details.

- ✧ RWED-GNWT is looking for specific direction in the sense of how GNWT can participate in the projects.

## Afternoon

The second draft of the ‘Recommendations from the Aboriginal Caucus for a Regional Traditional Knowledge (TK) Panel’ was distributed to workshop participants. Ted Blondin opened the floor to comments regarding the participants’ willingness to support and incorporate the recommendations, which are summarized as follows:

Diavik commented that the intention of this workshop was to see how TK could be incorporated into the management of the mines. There is much talk about the possibility for working towards a regional monitoring agency. Diavik’s position is that since EMAB is working well (i.e. community based monitoring camp on site, fish palatability study), they don’t support the regional monitoring agency in theory because they don’t want to ‘mess with a good thing’; regional monitoring is a government role.

Both EAs have references and requirements with respect to TK. This is an opportunity to develop a required TK Panel. We have agreed to work to develop a process as to how to deal with the EA in the monitoring and plans at sites. Monitoring programs should be based on TK; most at the moment are based solely on science.

There has been talk of putting together a TK panel since 1998, and the communities support it. The TK Panel could implement some much-needed rules.

The recommendations which all Aboriginal representatives worked together to draft appear to be an excellent piece of work. A TK Panel for EMAB may be a first step.

The purpose of this meeting was to make recommendations to the two boards. Those boards will make and refine the recommendations and put them forward to industry. Industry may feel that they are being saddled with more than they committed to, and may be worried about costs, but all we are doing is setting up something that should already be there. A Regional TK Panel will be more efficient (just one panel instead of two) and less costly. This is an opportunity for industry to show their support for studies, especially TK studies.

Diavik fully agreed that there is a clause in the EA to set up a TK Panel. When words like ‘regional’, ‘outfitting camps’ and ‘harvester’ impacts are mentioned, there is a problem with the scope of Diavik’s and BHPB’s responsibility. Things should proceed in a step-by-step fashion.

The recommendations are impressive and meet expectations. There will be issues with the support of BHPB and Diavik, and it seems that they understand the importance; here is an opportunity to set up a TK Panel. The mandate could be broad enough to deal with more than just BHPB and Diavik. Past comments from Diavik regarding the regional monitoring issue suggested the opportunity for EMAB

to put money towards it. A set structure needs to be in place; a regional agency is in demand from Aboriginal groups. We came a long way to get this document in front of us, and it could be something for IEMA and EMAB to deal with further.

The bigger objective of the regional monitoring agency is important. Both agencies support a TK Panel. If a TK Panel was funded by both IEMA and EMAB, it could later fit into a regional monitoring agency; there may be a bit more comfort to companies that IEMA's and EMAB's mandates are not expanding.

Amending EAs is easier said than done, and will take time. However, implementing these recommendations may act as a catalyst for these changes.

A regional monitoring agency and amending the EAs will take much more time and there are a lot of details to work out. The TK Panel could be put into place and become functional fairly quickly. This could be a win-win situation in terms of saving community resources by dealing with their concerns directly, and for industry by providing greater efficiency.

RWED-GNWT took the recommendations as 'specific direction' which could be presented to their organizations.

We should support the recommendations and establish the TK Panel, after a full IEMA board meeting is held to get full approval and support for this TK Panel. We need to agree on supporting the recommendations. How we implement it once established is a general thing. We could do a better selling job; that can be developed later. The key points are covered within the recommendations.

Discussion also revolved around amendments to the second revision of the "Recommendations from the Aboriginal Caucus for a Regional Traditional Knowledge (TK) Panel". A short session at the end of the day was held to clarify amendments to be made to the recommendations. Brenda agreed to revise the recommendations for the final day of the workshop.

## Morning

Hal began the day's proceedings with an introduction to the 3<sup>rd</sup> Draft of the Aboriginal Caucus' Recommendations. He commented that this is an exciting occasion given the desire of all groups to work together to move forward on this issue. He said that these recommendations will provide good direction to government and industry, and could be a potential turning point in the use of TK in adaptive management of the mines. He said that Diavik should be given assurances that they will be given credit for what they have done, and that they won't be asked to fund the proposed Regional TK Panel alone. The proposed panel, as well as EMAB, will have an obligation to engage in fundraising for their activities, with contributions from industry and government; it will help to put these recommendations into actions if there is a commitment to contribute funds themselves.

Brenda then introduced the revised Recommendations, outlining the revisions made since the previous day. She explained that the members of the Aboriginal Caucus have agreed to work together, which is a very positive and exciting outcome of the workshop, and was identified as a goal in the pre-workshop questionnaires. She then opened up the floor for comments and questions.

There was some concern over the inclusion of "scientists from elsewhere" in Recommendation #7. Assurances were made that this wording was only meant to allow the panel flexibility in accessing and consulting with whatever expertise they see necessary for developing study methodology, including other companies active in the area, and experts from other provinces. This recommendation was also meant to include cooperation with the mine, to make sure TK is used in the right way. BHPB had issues with the wording "may consult... with BHPB", pointing out that this doesn't necessarily include them.

Discussion about the wording of the preamble and whether it captured the essences of the Aboriginal parties' goals for a broader, regional and integrated approach to TK studies then followed. It was agreed that the onus for a regional approach to TK monitoring lies on the Aboriginal groups, industry and government together, and that this is captured in the Recommendations, and that sources of funding must be flexible.

Erik Madsen of Diavik brought up the fact that the Recommendations document was comprised a single recommendation (i.e., to set up a Regional TK Panel), when the goals of the workshop were to figure out ways for meaningful aboriginal involvement. It was pointed out that this possibility of this recommendation was identified from the outset, and that the Aboriginal Caucus decided that it could best and most quickly integrate and address all of the workshop objectives through the concept of a regional panel. The Aboriginal Caucus recognizes that there is not a lot of money available for this work, but that the Regional TK Panel may have the opportunity to utilize the capabilities of EMAB and IEMA, especially with start-up administration costs and resources. A comment was made that BHPB's environmental agreement allows for this kind of regional monitoring; that getting a joint panel



off the ground may be expensive at first, but costs will decrease quickly as monitoring itself won't be as expensive.

Chris Hanks of BHPB identified that their environmental agreement was designed around the specific effects of Ekati, to deal with issues not covered by policy/legislation at the time, but that BHPB agreed with DIAND to discuss needs of regional monitoring agency under s. 6 of the MVRMA at the time of the five-year review of their environmental agreement. He stated that BHPB will not fund a Regional TK Panel in addition to what it's currently paying for IEMA. However, BHPB will consider changes to IEMA as part of the implementation of s. 6 of the MVRMA. BHPB understands the need for discussion around the effects of Ekati on the land and regional monitoring, and have supported regional monitoring under the WKSS and other TK studies in the past. It will continue to fund Aboriginal groups working on environmental management related to the mine, including several ongoing commitments for funding. BHPB will work with those willing to work with them, but cannot be responsible for the effects of the mine through arms' length agencies. BHPB is committed to working on improving the relationship between IEMA and communities, including consideration of changing IEMA's mandate to address regional TK concerns. Surprise over the recommendation of a regional panel was expressed, as the understood goals of the workshop were to figure out how IEMA and EMAB could better work together. BHPB thinks these recommendations are suitable to go to DIAND to talk about regional monitoring under s. 6 of the MVRMA, and is committed to being at the forum, and working on these issues.

The importance of not alienating Diavik and BHPB over the idea of a Regional TK Panel was also brought up, given that they are part of the solution, and support many things in our communities, including education, training, employment, individual projects and community development; they don't publicize what they do, and don't get enough credit for it. Many of the things they do aren't included in their agreements, but are done anyway to improve relationships and benefit communities. This new approach can be considered a golden opportunity for Diavik and BHPB to do things right in the North, and to have Aboriginal groups on side for future developments in the North and internationally. This would let them say "we're doing things right here" around the world, which would be invaluable to them. BHPB and Diavik should not have to change their environmental agreements to increase funding, but new projects' agreements haven't been written. There is nothing to stop governments from incorporating a clause that requires them to support these Recommendations. There is a need to look forward, and consider this a special project to do right; perhaps it can influence those who make financial decisions about development in the future.

BHPB was asked to speak to the successes they have had in participating in TK studies, and how they see this moving forward, given the Recommendations made. It was pointed out that BHPB has funded each Aboriginal group in undertaking community driven studies to develop baseline data, based on phase two TK work and including some WKSS work. However, BHPB has a mandate to monitor and mitigate the effects of the mine, and don't have regional monitoring capability, although regional monitoring provides valuable background for screening. BHPB prioritizes working with groups who will work within their mandate, and are distressed to not see any provision to work with companies in the Recommendation document. BHPB has worked with Diavik on studies with mutual overlap, and will continue to fund these and other TK efforts, recommendations from which have been implemented at the mine site. They will continue to fund regional TK and science work cooperatively, through their



commitment under the s. 6 framework of the MVRMA, and don't see anything in the Aboriginal Caucus' Recommendations that can't be accomplished through s. 6 of the MVRMA.

A request was made to include WKSS in the preamble of the Recommendations, as an important and valuable example of the inclusion of TK in monitoring; a high standard that can be built on in establishing a Regional TK Panel, which must address community health as well as biophysical impacts. It was requested that BHPB's environmental agreement and responsibilities be included in the preamble, as some participants felt that mining companies view the inclusion of TK as an additional cost, and along with government don't realize the value of Elders' knowledge, and the pressing need to collect that knowledge. There was some question as to whether changing the term "traditional knowledge" to "traditional scientific knowledge" would make it more palatable to decision-makers. The wording of agreements was brought up as an issue, as communities' intent behind agreements can be lost in semantics. These Recommendations may help with that; the intent of these words to provide information to decision makers can be seen, although the document doesn't include feelings and concerns of Elders. Wording can be problematic because it allows the companies to only fund what is explicitly outlined in their agreements, but they have a responsibility to address regional effects, considering their profits are worldwide, and reach beyond the mine sites. Aboriginal communities need to express what they really want to companies, in terms of protection of resources and community concerns. If companies can create partnerships and show their willingness to contribute to a coordinated effort, then we have a good thing to sell in these Recommendations.

Dogrib Treaty 11 Council will fully support these Recommendations publicly if all parties can agree on their intent; they will help to define sustainable development in the NWT, but must have adequate funding for addressing community concerns to do so. Government and industry are responsible for addressing the regional issues that result from development on a regional scale. Federal and Territorial governments must work together with Land claims and other Aboriginal groups and mining companies to provide money to address the changes that communities are experiencing. The cooperation and contributions of all parties involved will allow us to continue the legacy given by our grandparents for future generations, and give us the foresight for what we're trying to do and the power to make the right decisions for the right reasons.

Hal invited workshop participants to give closing comments. An Elder closed with the following comments:

*This meeting that's happening is right... this is our life, how I grew up; born and raised in barrenlands, until I was 16 was the only time I came into the community. Where the mines are now, those are my traplines for 5 years. Good land, winter, summer, lots of animals and caribou; everyone lives off the caribou. Some of the caribou are sick, and I know it's because of the mines. The kimberlite stockpiles are in the open and the caribou are eating it and even if you see a caribou you can't understand by looking at it – you have to determine it's behaviours; a caribou is the same as a person, even if it's sick, it will still behave the same, just like fish and people and water. Even in this bay we used to set nets, and I visited it recently and cooked fish on a fire, and the fish tasted like gas and so I left it. This Yellowknife Bay, this island, before there was good fish*

*here and a lot of people lived here – my family is from this side; my area is being destroyed by the mines, I have toured the sites. Old abandoned mine from 1940 – Mackay Lake. There's garbage everywhere, the caribou there seemed to be sick; they couldn't get up. They would fall down. We wanted to shoot it so it would not suffer but the pilot said not to shoot it. People from Diavik with us, told us to tell game warden. Told game warden at home; even that animal was suffering. I live off the caribou, that's why I'm talking. The way you're having the meeting here is straight and true. All you're saying is true – the mines always have excuses about funds for us. Us Elders don't have much money to travel much, only 2-3 people travel with Chief. Everyone living around here, we all know you travel lots, but this doesn't happen. I'm very happy to be here and I want to thank you all for being here.*

Discussion about the value of the Recommendations, as well as setting an example for Canadians and other Northerners as to how to include TK in monitoring took place. The Recommendations put governments and industry on the hook, as well as the monitoring agencies, in terms of buying into the concepts, and their intent to forge good working relationships between industry, government and Aboriginal organizations. All parties must meaningfully contribute to this process or a huge opportunity will be missed.

There was a question about how a Regional TK Panel would handle concerns or reports of changes noticed in specific locations, with the response that current laws on land use and consultation would continue to be applicable in the proposed shift from monitoring based on site-specific concerns to that based on community concerns.

Final closing comments from all parties are summarized as follows: there was general consensus on the Recommendations representing a solid vision for the future and a very positive first step, as well as the significance of all groups wanting to cooperate on this issue. Participants also agreed on the concept and principle of establishing a Regional TK Panel, as well as the efficiency and cost effectiveness a single panel would allow. Most parties were excited about the degree of consensus and cooperation achieved, and the value of sharing with each other. Most participants agreed to take the Recommendations to their principals for review. All participants were encouraged to consider whether the Recommendations reflect equal footing of both IEMA and EMAB, and to consider the need for creativity in working with existing environmental agreements and sources of funding.

The importance of continued cooperation between communities and among scientists and TK holders was highlighted, as well as the need to move quickly to collect TK from Elders while they are still alive. It was also pointed out that Elders must be involved in the process of monitoring as much as possible in order to address the impacts of further development in the very near future. Participants expressed the importance of TK to their way of life and in defining themselves, and the need to integrate it into the mainstream to have it properly recognized in environmental management. The Recommendations put forth by the Aboriginal Caucus reflects the importance of making TK a meaningful part of development. This requires consensus and cooperation of all parties, and the interpretation of how to incorporate TK will affect all workshop participants. They must come to terms with these issues, but also with the land. Many participants agreed on the responsibility of the

mines to address the impacts of their activities on a regional basis, employing partnerships and using both science and TK together, and building on the example set by the WKSS.

The Recommendations still have details that need to be worked through, but there is reason for optimism, in that they present a great opportunity for both communities and industry. Hope was expressed that both BHPB and Diavik take these recommendations as a way to address community concerns, along with the help of government.

Hal wrapped up the workshop, thanking all of the workshop participants for a productive and exciting session. Joe Michell, elder from Lutsel K'e, gave a closing prayer.