

# Environmental Monitoring Advisory Board

Annual General Meeting – September 18, 2014

Champagne Room – 50/50 Mini Mall, Yellowknife, NT – 9:00 a.m.

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## Present:

Sean Richardson, <i>Chair</i>	Tlicho Government
Charlie Catholique, <i>Vice Chair</i>	Lutsel K'e Dene First Nation
Arnold Enge, <i>Secretary Treasurer</i>	North Slave Metis Alliance
Stephen Ellis, <i>Director</i>	Government of the Northwest Territories
Doug Crossley, <i>Director</i>	Kitikmeot Inuit Association
Napoleon Mackenzie, <i>Director</i>	Yellowknives Dene First Nation
Jack Kaniak, <i>Alternate</i>	Kitikmeot Inuit Association

## Staff:

Brenda McDonald, <i>Executive Director</i>	Environmental Monitoring Advisory Board
Sue Enge, <i>Minute Taker</i>	Communications Specialist - Casual

## Guests:

James Lawrance, <i>Director</i>	AANDC
Gord Macdonald,	Diavik Diamond Mines Inc.
David Wells, <i>Superintendent</i>	Diavik Diamond Mines Inc.
Laurie MacGregor,	Government of the NWT, ENR
Joel Holder,	Government of the NWT, ENR
Mary Tapsell,	Government of the NWT, ENR

## Absent:

Robert Eno	Nunavut Government
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Agenda Item	Discussion	Motions/Action
<b>1) The Chairman called the meeting to order at 9:14 a.m.</b>		
	Charlie Catholique opened the Annual General Meeting with a prayer.	
<b>2) Remarks from the Chair</b>		
	Sean Richardson opened the meeting with a welcome to the invited guests and Board of Directors to the Environmental Monitoring Advisory Board Annual General Meeting.	
	A few housekeeping items were noted.	
	Attendees were advised to address the Chair to speak and to the topic at hand.	

The Chair acknowledged Jack Kaniak, the KIA alternate and welcomed him to his first EMAB meeting. As the meeting was recorded, speakers were asked to state their name prior to speaking.

**3) Introductions and comments from the Parties**

The Chair asked participants to introduce themselves and invited any comments.

**4) Approval of the Agenda**

The 2014 AGM Agenda was presented.

**Motion:** *To approve the agenda for the 2014 AGM as presented.*

**Moved by:** Arnold Enge  
**Seconded by:** Doug Crossley  
Motion Carried

**5) Approval of Minutes**

The minutes for the October 29, 2013 Annual General Meeting were presented.

**Motion:** *To approve the October 29, 2013 minutes of the Annual General Meeting as presented.*

**Moved by:** Arnold Enge  
**Seconded by:** Doug Crossley  
Motion Carried

**6) March 31, 2014 – Audited Financial Statements**

Mr. John Laratta, Managing Director from Crowe MacKay LLP and the auditor, presented the audited financial statements for the fiscal year ended March 31, 2014.

Mr. Laratta's report included 2014 Financial Highlights regarding the revenues, expenditures, overall results and financial position.

There were general comments with respect to the daily operational matters.

Diavik had one question with respect to the presentation of the contribution repayable and the way that it was presented.

**Motion:** *To approve the audited financial statements as presented for the fiscal year ended March 31, 2014.*

**Moved by:** Doug Crossley  
**Seconded by:** Charlie Catholique  
Motion Carried

**Break**

## **7) Budget 2015 – 2015 - Draft**

The Executive Director presented four highlights of this year's budget draft two-year budget:

- 1) Focus on the development of Director capacity; that is, to improve the Directors understanding of the various scientific areas that EMAB addresses.
- 2) Traditional knowledge review – ensure that Diavik is incorporating TK knowledge into their environmental management plans.
- 3) Community Consultation – To raise the profile of EMAB and provide information to the communities affected by the Diavik project – act as a conduit between communities and EMAB.
- 4) Improvements in communication to communities by EMAB.

These are the initiatives being undertaken by EMAB, as per the planning session held in August, in addition to the usual scientific review of Diavik annual and monthly reports and EMAB regular operations.

Diavik asked some questions regarding travel costs, honoraria and per diem costs, it appears that meeting costs overlap in some instances. There were questions with respect to the layout of workshop costs and board meetings and it seemed like there was potential double counting of costs for meetings. The Executive Director will review this and provide clarification on the costs.

The board agreed to remove the word 'Committee' from Executive since there is no formal committee established but rather the Executive who deal with administrative issues.

## **8) Diavik Board Member Appointment**

Gord MacDonald of Diavik was invited to address this item. Mr. Macdonald indicated that Mr. Bohnet is no longer a Board of Director effect immediately. Mr. David Wells will be the alternate Director until a new Director is appointed.

Diavik noted that Mr. Bohnet did not feel as though he was treated fairly as a Director because he was representing Diavik. He asked to have the EMAB Directors provide their perspective on this issue.

The Executive Director stated that Mr. Bohnet's role on the Board, specifically when he was in the Acting Chair capacity was a direct conflict of interest. More specifically Mr. Bohnet is a Senior Manager within Diavik and then was leading the public watchdog of Diavik. Ethically, it did not make sense and it was difficult not to see how the two roles were in conflict.

There was support expressed for Mr. Bohnet's skills, experience and expertise that he brought to the Board, however, there was also concern that Mr. Bohnet was driving the Diavik agenda, when it comes to EMAB.

## **9) Election of Officers**

The process for election of officers commenced for the positions of Chair, Vice-Chair & Secretary-Treasurer.

Arnold Enge moved to open nominations  
Arnold Enge nominated Sean Richardson as Chair.  
Mr. Richardson accepted the nomination.  
There were no other nominations for Chair.  
Mr. Richardson has been acclaimed Chair for EMAB.

Arnold Enge nominated Charlie Catholique as Vice-Chair  
Mr. Catholique accepted the nomination  
There were no other nominations for Vice-Chair.  
Mr. Catholique has been acclaimed Vice-Chair for EMAB.

Charlie Catholique nominated Arnold Enge as Secretary-Treasurer  
Mr. Enge accepted the nomination for Secretary-Treasurer  
There were no other nominations for Secretary-Treasurer  
Mr. Enge has been acclaimed Secretary-Treasurer for EMAB.  
Arnold Enge moved to close nominations

## **10) Environmental Agreement Review**

In April, Government of the Northwest Territories committed to initiating a review of the Environmental Agreement with all the Parties pursuant to article 17.2. The GNWT was asked by the Board to update the status of plans for the review.

Mary Tapsell noted that there was a need first for the Parties to address amendments to the agreement, pursuant to article 2.2, in order to reflect the post-Devolution roles of AANDC and the GNWT. The GNWT does not want to conduct the reviews at the same time because the need to address the legal/technical changes in respect to the role of AANDC are time sensitive, and a priority for the GNWT, to ensure there is clarity concerning the responsibilities for ministerial decision-making in the agreement. She stated the GNWT would initiate the article 17.2 review after the 2.2 amendment process.

Mary Tapsell confirmed that the Department of Environment and Natural Resources is the GNWT point of contact and, generally, the lead for all discussions regarding the EA.

**11) Environmental Agreement – Amendment and Release Agreement – AANDC**

Gord MacDonald asked for clarity around the amendment process and decision-making in the interim.

James Lawrance and Mary Tapsell explained that AANDC and the GNWT would be working on the amendments and would be approaching the other Parties. In the interim, AANDC and the GNWT would take necessary steps to ensure decision-making by the GNWT is appropriately endorsed by AANDC to ensure legal consistency with the Agreement, and that, regarding potential Securities and Budget decisions specifically, legal counsel for Diavik, AANDC and the GNWT would exchange viewpoints to assist in reaching appropriate interim measures.

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Chairman

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Vice-President