



ANNUAL REPORT 2007/2008



EMAB
ENVIRONMENTAL MONITORING ADVISORY BOARD

Report Card

WHAT'S HAPPENING WITH THE ENVIRONMENT?

Water

All measurements are within licence limits. New monitoring program is much better. Sampling was not completed for the summer of 2007. Several changes were detected in Lac de Gras that need further investigation. Adaptive management plan is under development. Final ammonia limits were set.

Comments:

- 2007 was the first year for the new AEMP. Diavik completed winter sampling and 49 of 111 open water samples, with none in July. They found 16 early warning effects, 3 moderate effects and 2 high level effects in water quality, sediment, benthic invertebrates and fish (slimy Sculpin – see fish section below). Overall, there is a moderate eutrophication effect.
- The new AEMP is resulting in better and more reliable monitoring of changes in Lac de Gras. Use of TK/IQ still needs to be implemented.
- EMAB reviewed the AEMP data for 2005 and 2006 and did not find any concerns. There were some increased nutrients and metals in sediments around where the treated water is discharged, but this was predicted and is normal.
- Final ammonia limits were set.

Wildlife

Stable. No impacts beyond what was predicted. Monitoring program was expanded for aerial surveys of caribou. Questions remain about effect of Diavik on large-scale caribou movement patterns. Cumulative effects on wildlife still not addressed.

Comments:

- EMAB's review of the Wildlife Monitoring Report shows that Diavik's effects on wildlife are at or below the levels they predicted before the project started. Most wildlife seem to avoid the mine site.
- The main improvements needed to monitoring continue to be finding ways to better determine whether and how the mine has an effect on caribou, both close by (3-7km) and far away (more than 25 km). Diavik has made a large increase in the size of the aerial caribou survey area.
- Communities remain concerned about effects of the mine on caribou migration routes and caribou health.
- More Aboriginal involvement in wildlife monitoring is needed, including use of the TK/IQ.
- Regional cumulative effects on wildlife, especially caribou, need to be better studied with government taking the lead.

WHAT'S HAPPENING WITH THE ENVIRONMENT?

Fish

Stable – some monitoring information continues to be inadequate

Comments:

- No fish palatability study in 2007.
- Low levels of mercury in slimy Sculpin at the discharge point; possible causes are being looked into; trout will be sampled in 2008; Diavik is treating the discovery of mercury seriously and we expect to have a better idea of what is happening by next year.
- Agreement reached on projects to replace fish habitat altered or destroyed by the mine development.
- Some monitoring is still not providing useful information. DFO is working with Diavik to improve this and is re-evaluating the study designs.

Dust/Air

Dust levels are higher than predicted. Diavik is working to develop a full air quality monitoring program, but this is not yet in place.

Comments:

- Diavik is verifying the accuracy of its dust monitoring, as EMAB recommended.
- Although Diavik has committed to developing a full air quality monitoring program for all air emissions, there has not been any progress this year.

The Environmental Monitoring Advisory Board has a new website to keep you updated on important issues. Visit:

www.emab.ca

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LETTER TO READERS

Dear reader,

Welcome to the 2007-2008 Annual Report of the Environmental Monitoring Advisory Board (EMAB).

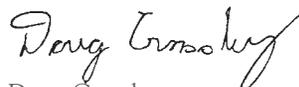
Water quality and involvement of Aboriginal people in monitoring were EMAB's main themes this year as we worked on final elements of Diavik's water licence renewal, the Aquatic Effects Monitoring Program, the Adaptive Management Program... the list goes on.

This year, for example, the minister of DIAND renewed Diavik's water licence. EMAB commented on the draft, and was pleased to see that many of its recommendations were included. However, some important recommendations still need to be addressed. You can read about which recommendations were included and which were not in the section on water.

Aboriginal involvement in environmental monitoring is an issue that EMAB has long worked on. This year, we held a workshop in Behchoko, involving all the Parties to the Environmental Agreement. Recommendations that came from the workshop were sent to organizations involved in training, Diavik, and the territorial and federal governments.

You will also find accounts in this report of many other EMAB activities related to Diavik's efforts to operate in a way that protects the environment. If you would like more information, please do not hesitate to visit our website at www.emab.ca or contact our office at 766.3682.

Finally, on behalf of all EMAB members, I would like to thank the eight Parties to the Environmental Agreement, the concerned public, and the regulators for their active involvement in helping to make sure the environment around the Diavik mine site is protected to the highest level possible.



Doug Crossley
Chair



Doug Crossley

ABBREVIATIONS

AEMP	Aquatic Effects Monitoring Program
AdMP	Adaptive Management Plan
AGM	Annual General Meeting
CEAMF	Cumulative Effects Assessment and Management Framework
CIMP	Cumulative Impacts Monitoring Program
CSR	Comprehensive Study Report
DDMI	Diavik Diamond Mines Inc.
DIAND	Department of Indian Affairs and Northern Development
DFO	Department of Fisheries and Oceans
DTC	Diavik Technical Committee
EA	Environmental Agreement
EC	Environment Canada
EMAB	Environmental Monitoring Advisory Board
GN	Government of Nunavut
GNWT	Government of the Northwest Territories
IEMA	Independent Environmental Monitoring Agency
KIA	Kitikmeot Inuit Association
LKDFN	Lutsel K'e Dene First Nation
MVEIRB	Mackenzie Valley Environmental Impact Review Board
MVLWB	Mackenzie Valley Land and Water Board
NSMA	North Slave Métis Alliance
SLEMA	Snap Lake Environmental Monitoring Agency
TK	Traditional Knowledge
WEMP	Wildlife Effects Monitoring Program
WLWB	Wek'èezhii Land and Water Board
YKDFN	Yellowknives Dene First Nation

WHAT HAVE WE DONE THIS YEAR?

We continue to work with the people of the Affected Communities to help protect the environment around the Diavik mine. We do this by communicating, monitoring, involving and supporting communities, advising and recommending, and evaluating. We recognize the value of both Traditional Knowledge and scientific knowledge and we try to consider both in our decision-making.

- **Aboriginal involvement:** The Environmental Agreement for the Diavik Project (EA) says that the Aboriginal Peoples should be involved in protecting the environment around Diavik. We continued to state the need for better ways for Aboriginal Parties to participate in hearings, and recommended ways they could receive funding. We organized a workshop on Aboriginal Involvement, held in Behchoko. Many recommendations came out of this workshop and were sent to the appropriate parties.
- **Community based monitoring camps:** Due to concerns about camp safety, Diavik and EMAB cancelled camps for 2007 while we worked on improving camp management and safety procedures for the following year. A fourth water quality monitoring camp is planned for 2008.
- **AEMP and AdMP:** We took part in the final review of the new AEMP, which was approved in June, and are pleased with the result and with the much improved annual report. We are looking forward to participating in the development of the Adaptive Management Plan, which will link the aquatic monitoring results with action to protect Lac de Gras.
- **Reviewing reports:** EMAB received 24 plans and reports from Diavik. These reports are required by the water licence, the fisheries authorizations, and the Environmental Agreement. EMAB focuses mostly on the Aquatic Effects Monitoring Program reports, the Wildlife Effects Monitoring Program reports and, this year, on reports related to the water licence renewal and especially the revised AEMP. We have been working with Diavik to improve their Environmental Agreement Annual Report

and made extensive comments on the 2006 report. Diavik agreed to follow EMAB's recommendation to test the accuracy of its dust monitoring methods. EMAB encouraged Diavik to increase its efforts to develop a full air quality monitoring program at the earliest possible time.

- **Communication:** Communication with Aboriginal Parties is one of EMAB's highest priorities. We held community updates in Behchoko, Lutsel K'e, Kugluktuk, Wekweeti, and Gameti.
- **Board meetings:** We met six times and held two teleconferences. The executive committee met six times, mostly by teleconference.
- **Capacity funding:** We gave out \$83,260 to Aboriginal Parties to help them build capacity to participate in monitoring. We reviewed the capacity building program to make sure it is working as well as possible.
- **Strategic plan:** We made good progress on the development of a strategic plan and reviewed a draft in late March.
- **No Net Loss:** Together with DFO and Diavik, we resolved the long-standing issue of a plan to improve fish habitat to make up for losses caused by the mine, including two community projects.

The Environmental Monitoring Advisory Board welcomes questions and comments.

Call us at 766.3682 Email us at: emab3@arcticdata.ca

HULIVAKPITA UVANI UKIUMI?

Havaqatigihimmaaqtavut Aktuqtauhimayut Nunat ikayuriangani ahirurnaittumik avatiptingnik haniani Diavikkut uyarakhurviata. Imaihuppaktugut tuhaqattaqatigihkuta, amirinikkut ikayuqhugillu nunat, uqaujtuhiikkut uuktuqhunilu, ihivriuhinikkullu. Iltariyaqqut pittiarinat tamarmik Qauyimayatuqat naunaqtuniku qauyimayuyut talvalu ihumagivagavut tamarmik ihumaliurahualiraangapta.

- **Nunaqaqqaahimayut ilauyut:** Avatiliqinikkut Angiqatigugut Diavikkut Havarriyaani (EA) uqaqhimayut Nunaqaqqaahimayut ilauyukhaugaluit ahirurnaitkutaagut avatiptingnik haniani Diavikkut. Uqatigihimmaaqaqqut iharianaqtuq nakuutqianik piyakhanik Nunaqaqqaahimayut ilauyaangani naalaktuni uuktuqtakhaniku pipluta akikhanik piyaangani. Ihuaqhaivatugut katimanikhamik Nunaqaqqaahimayut ilauyaangani, katimapluta Behchokomi. Amigaitunik pigiaqtitautunik talvannga pivaktugut tuyuqtauplutiklu kitunut ilauyunut.
- **Nunanittunik amirinikkut havakvut:** Ihumgiplugit havakvingni aannirnaqtut, Diavikkut EMABkullu nutqaqtupagait havakvut 2007mi ihuaqhailiqhuta havakvingnik aulanihanik aanniqtuqaqqallu qanuriliurutikhanik appaagu atuqtakhanik. Hitamaat immmat qanuriniatigut havagumayut 2008mi.
- **AEMPlu unalu AdMP:** Ilauvaktugut kingullirmi ihivriuhinirmi nutaamik AEMPMik, angiqtauhimaliqtuq Juunmi, quviahuutigiyaaallu kinguagut taamnalu nakuuhiyuummiqhimayumik unniutjunmik ukiumi. Naahuriyavut ilauyaangani hananiagut Malikhautivallianikkut Aulanirmut Hannaiyautimut, atatjutikhait amirinikkut qanurinnita ahiruqtailinanut Lac de Grasim.
- **Ihivriuhiniq unniutjutinik:** EMABkut pivaktut 24nik hannaiyautikhanik unniutjutiniku Diavikkunnit. Hapkua unniutjutit ihariagiyait imaliqinirmut laisikhat, imamriutaliqiyinit, Avatiliqinikkullu Angiqatigugutimut. EMABkut havaagilluaqtaa una Imarmiuttanik Qanurinniagut Amirinikkut unniutjut, Huraanik Qanurinniagut Amirinikkut unniutjut, unalu, uvani ukiumi, unniutjutillu imaliqinirmut laisikhanik nutaannguqtiriniq unalu ihuaqhaqtauhimayut AEMP. Havaqatigivagavut Diavikkut ihuaqhayaangani Avatiliqinikkut Angiqatigugutaagut Ukiumi Unniutjutini uqautigiplugulu amihumik 2006mi unniutjut. Diavikkut angiqhimaliqtaat EMABkut uuktuqhimayait uukturahuarlugu nakuunia qanuq hiuraliqinikkut amiriniagut qanuriliurutannik. EMABkut uqautiyait Diavikkut akhuuquplugit pinahuaqtani hanayaangani aniqhaaktarniup qanurinnianiatigut qilamik ihuaqqat.



HULIVAKPITA UVANI UKIUMI?

- **Tuhaqatıgıuqattarnıq:** Tuhaqatıgıuqattarnıq Nunaqaaqqaahımayunit ilagıyaa EMABkut hıvullıunahuaqtaanı. Tuharvıgıvagavut hapkua nunat Behchoko, Lutsel K'e, Kugluktuk, Wekweetı, Gametılu.
- **Katımayıt katımanııt:** Katınavaktugut sıksınık talvalu malruungnik hıvayautıkkut. Atan'nguyat katımayıt katınavaktut sıksınık, hıvayautıkkut amıhumık.
- **Amıgıqpallıanıkkut akıkhıat:** Tunıhıvaktugut \$83,260 taalarmık Nunaqaaqqaahımayunit ıkayurıanganı amıgıqpallıanıkkut ılauyaanganı amırınırmıt. Ihıvrıuqpaktavut amıgıqpallıanıkkut pınahuaqtaat nakuuyumık aulayaakhaata.
- **Ihuaqharııqhımayuq hannayıarnıq:** Hıvumukhımayugut hanaplugu ihuaqharııqhımayuq hannayıarnırmık ihıvrıuqhıgulu ınıtııaqhımaıttuq nungulıqtıllıgu Maassı.
- **Akıkhanık tammanıngınnıq:** Ilagıplugıt Imamrıtalıqıyıtktut Dıavıkkullu ihuaqhıvagaqqut uqautıgıyauraaqpakhımayuq ihuaqhıanıa ıqaluruarvııp tammanıhımayat hımmırıhıuarlugıt uyarakhıırvıngmat, malruuklu nunanı havaarınahuaqtauyuk.



DII XOOK'E AYII DATS'ILA?

Diavik Sòombak'e ndè k'e esawòdech'à gha ɲa done xè eghàlats'ide. Dii haani eghàlats'ide, done xè gots'endo, asii hots'ihdi, done goxè eghàlagide agets'ehzi xè kòta gits'ats'edi, yati gigha ts'ehzo, yati gogha gehzo eyits'ò asii hazho wek'anats'ehtaà. Done nàowo sii gogha wet'azà hót'e wek'ets'ezho haanikò nàedik'èzhò nàowo sii wet'azà wek'ets'ezho, eyit'à nàowo ts'ehtsi ha nindè ɛlak'a wegħaà nàowo ts'ehtsi.

- **Done Sòh Goxè Aget'ii:** Diavik sòombak'è wemòò ndè k'e eghàlagide esawòdech'à gha done sòh gohxè eghàlagide ha gedi. Ats'ò dii hats'edi, ɛts'ehdi nindè done sòh goxè aget'i ha eyits'ò edàani deèzo nezi sòmba t'à gits'adi nindè ts'edi t'à weghò gots'ende. Done sòh goxè eghàlagide ha, Behchokò done xè ɛts'èadi. Eyii ɛgèadi gots'ò, dii haani weèlè gedi t'à weghò nàowo hoòli xè amii haani la ts'ò k'awo sii dii nhtl'è wets'ò adlà.
- **Kòta yagòla asii xòegihdi k'è:** Akò done asii weghonànegide t'à Diavik eyits'ò EMAB dii xoo 2007 k'e akò la k'e eghàlagida-le, eyit'à edàani akò deèzo nezi adlà nindè nezi gedi t'à , edàani ɲdae xoo akò deèzo nezi k'aade asii hazho hogihdi ha eyits'ò done la k'e esawòdech'à, ayii edàgele ha gedi t'à nàowo gehtsi. 2008 xoo gha ti k'agehta ha degħa segogila.
- **AEMP and ADMP:** Dii AEMP achii weghàgii da sii, gohxi sii gixè ats'eat'i, eyii nhtl'è June seèdlà eyits'ò gogħa nezi xè xoo ɲat'e nhtl'è geètl'è sii, gogħa yazèa nezi gòò agii t'è. Edàani la deèzo nezi wexòedi ha nhtl'è gehtsi sii wedanats'ehzi ha, wet'à Ek'ati edàani ndè wexòegihdi ha nàowo gehtsi sii weghà la xogihdi ha.
- **Nhtl'è Wegħòts'eèda:** Diavik 24 ayii la edàatlo hagele ha weghò nhtl'è gehtsi sii EMAB ts'ò agila. Wegħa eghàlahòda ha ti nhtl'è ghà, hwe għa k'aade, eyits'ò ndè esawòdech'à għa nhtl'è giitò sii ghà nhtl'è geètl'è. EMAB hwe wexòedi nàowo ghà, tich'adi wexòedi nàowo ghà eyits'ò dii xoo t'ahsi, ti nhtl'è achii wegò adle ts'òhk'e eyits'ò AEMP ɲadi adle t'ahsi wexòedi. 2006 xoo k'e Diavik gits'ò ndè xòegihdi nhtl'è segehzi sii deèzo nezi ageètl'è għa gixè eghàlats'ide eyit'à wek'e yati lo nètst'zo. EMAB weyati k'e edàani ehtl'è dàedih wek'agehtò nindè nezi gedi t'à Diavik wek'e eghàlats'èda ha gedi. EMAB Diavik ts'ò dii hagedi, edàani nhts'ii xòedi deèzo wek'ahòto dè nezi gedi xè ɲwha adle ha gedi.
- **ɛɛxè gots'ende:** EMAB done sòh xè gots'ende ha gogħa sii wet'azà hót'e. Dii kòta gixè hazho ɛts'èadi, Behchokò, ɛitsohk'è, Kugluktuk, Wekweèti eyits'ò Gamèti.
- **K'aoodee ɛts'ehdi:** Ek'etai ts'ò ɛts'èadi eyixè ɲakè fò t'à ɛts'èadi. K'aoodee ek'etai fò zo t'à laani ɛgèadi.
- **Eghàlats'èda għa sòmba:** Done sòh ndè wexòegihdi ha \$83,260 gits'ats'idi. Wet'à dexè deèzo nezi segogele ha gits'ats'idi.
- **ɲda Edàani Eghàlats'èda:** ɲda edàani gola k'e eghàlats'èda ha nhtl'è ts'ehtsi sii weghà eghàlats'èda t'à March welò eyii nhtl'è achii weghàts'ida.
- **Asii wedè hoòli-le:** DFO eyits'ò Diavik ɛɛxè, ɲdi wha gots'ò hwe teè nàdè sòombak'è tsègħwho sii gigha segots'ile ts'edi t'à wek'e eghàlats'èda ɲle sii sets'ila eyixè sii kòta nàke xè sii eghàlats'ida.

¿EDIRI GHÁIYE ¿EDLÁGHE HÍILTISI-A?

Háyorŋla dene náde bexél regháláida ní badi xa Diavik nare. Dırı t'atu begáláida zasıé hadı tth'ı badı háyorŋla dene bets'ıdı, yakı bái't'a tth'ı yakı híltıı bek'e reghálada xa tth'ı nılŋ. Dene chú kat'ıne bech'anı bet'óréza bek'órılyŋ t'a begharé yakı híltıı.

- **Dene ts'ıřane bexél:** Nı xél reghálada yakı halŋ Diavik la theřŋ sı řeyı řadı-u dene ts'ıřane bexel ní hadı hářá Diavik náre. Háıdı dene ts'ı řáne t'at'u sůgha dene xél déltth'ı náákı yághe tth'ı t'at'u sůgha tsámba hůřa xa. Nunı náakı híltıı hıle dene ts'ı řane bexél reghálada xa Bechoko ts'ën. Yakı řŋ háłŋ bek'e reghálada xa řeyër ts'ı t'ŋ beba sı beghŋ nílya.
- **Háyorŋla ts'ı dene tsámba k'é náıdıł zasıé hadı xa:** Tsámba k'é nats'ıdıł honıla ch'ázŋ reghálada beghŋ nats'ı de t'á, Diavik chú EMAB dırı gháye 2007 tsámba k'é nats'ıdıł bedŋ halyá t'at'u reghálada nezŋ nálye xa tth'ı la dene honıla ch'ázŋ reghálada nedhe gháye nezŋ beghálada xa reghálada. Tsámba k'é Dıghŋ tue net'ı xa 2008 beba sůlye.
- **AEMP tth'ı AdMP:** Tue xél reghálada řerıht'ıs hałe nuwe xél hıle, June k'e hę snŋ hıle, t'a net'ı sı řakıé nezŋ tth'ı lá ghayé yakı řela nílye beghálada sı řakıé nezŋ. Tat'u la nezŋ beghálada xa zasıé hałe nuwe xél xa, řeyı bet'á Lac de gras zasıé badı xa.
- **Lá gháye t'a beghálada net'ı:** EMAB nóna ts'ën dıghŋ yakı nílya Diavik ts'ı. Dırı hanŋ tue xa řerıht'ıs dene ba lé begharé řat'e, tth'ı łue hałı dene tth'ı ní bek'e reghálada xa yakı theřŋ begharé. EMAB t'a xa honeřŋ tue xél reghálada bets'ı hanı, k'ech'adı xél reghálada bets'ı hanı, tth'ı dırı gháıye hanı tue řerıht'ıs dekotth tth'ı t'at'u tue bexél reghálada ředŋ nalyá. Diavik tth'ı bexél reghálaıda dırı nı t'at'u beghálada xa yakı theřŋ řa gháye banı nezŋ nálye

xa tth'ı 2006 hanı xaré yakı nílya. Diavik denı hę hénı EMAB yakı nıla begharé ts'ër hadı xa. EMAB řeyı Diavik hałı nıřts'ı xél reghálana beba zasıé hałe xa kúdene.

- **Dene xél hádı:** hıka ts'ën dene náde xél dádı EMAB řakıé beba bet'óréza. Hıka ts'ën dene xél hadı hıle sı Behchoko, Lutselk'e, Kugluktuk, Wekweet'ı, tth'ı Gametı.
- **Dene řela déltth'ı náálkı.** K'étaghe řela díltth'ı náıkı tth'ı beyéyakı t'a náá náılkı. K'alde k'étaghe nayałkı beyé yakı t'á.
- **Tsámba t'a reghálada:** Dene ts'ı řáne \$83,260 tsámba t'á bets'ıdı bet'a reghálada zasıé hadı dene hónelkën xa. řeyı zasıé hadı reghálada la řakıé báıdı řat'e nezŋ reghálana xa.
- **Sılaghe gháye la reghálada:** Nezŋ la híltıı řeyı t'at'o reghálada hası řerıht'ıs níłŋ March k'e.
- **Zasıé hůle dé sėnalyé:** řela DFO tth'ı Diavik bexél zasıé híltıı t'at'o łúé bexél reghálada xa. Tsámba k'é bet'á łue hůle dé řeyıle ts'ën beba zasıé hałe dátenıılye xa. Ná háyorŋla dene bexél la háłŋ.

DIAVIK

(The following text was contributed by Diavik.)

Diavik is committed to sustainable development by using resources wisely today without compromising the ability of future generations to meet their own needs. At Diavik, sustainable development balances economic prosperity, social well-being, and environmental stewardship. Using resources wisely continued in 2007, with Diavik achieving strong results in all areas of sustainable development.

Water licence renewal from the Wek'èezhii Land and Water Board, and the underground mine investment announcement from Diavik's owners, Rio Tinto and Harry Winston (formerly Aber), were among Diavik's 2007 highlights.

The licence was the first of its kind issued by the board, which assumed responsibility for Diavik's renewal application from the Mackenzie Valley Land and Water Board.

Following an intensive two year public review process, the board recommended the renewal to the federal Minister of Indian and Northern Affairs Canada. Under the eight year renewal, the board has substantially increased environmental monitoring, reporting, and management requirements of the operation, has revised discharge limits, and increased the numbers and types of ongoing approvals necessary each year.

Also in 2007, Rio Tinto (60%) and Harry Winston (40%) announced additional funding of US \$563 million, bringing total underground mine investment to US \$787 million. With the investment, Diavik is well positioned for mining operations to continue beyond 2020.

Under the current mine plan, underground diamond production would begin in 2009. Open-pit mining is expected to cease in 2012, when Diavik would become an all-underground mine. Total mine life remains 16-22 years as originally planned nine years ago.

For underground mining to begin, Diavik is constructing new surface works and approximately 20 kilometres of underground development. The 2008-2009 capital investment of US \$563

million is in addition to the US \$224 million invested in 2006-2007 for the underground feasibility studies and related capital projects. This new investment in underground mining will provide significant additional training, employment, and business opportunities. Diavik remains firmly committed to continuing its work with local communities and governments to meet its socio-economic and its environmental commitments.

Other highlights from 2007 included:

- Diavik reported eight lost time injuries and 11 medical treatments for a year to date All Injury Frequency Rate of 1.01, a further improvement on the previous year's AIFR of 1.05. Diavik's safety performance would result in being awarded for the third time in its five year operations history, a regional John T. Ryan Safety Award.
- Diavik achieved top socio-economic and environmental recognition in its work with local communities, tailings management, and crisis management planning under the Mining Association of Canada's *Towards Sustainable Mining* initiative.
- Diavik continued its commitment to communities. Construction of the Bailey House Men's Transition Home advanced as planned, Diavik and the Yellowknives Dene First Nation released their third cooperative Elders Biography, and Diavik became the largest cash contributor to the Arctic Winter Games, supporting northern sports.
- Diavik operations employment peaked at 785 workers, surpassing the originally projected workforce of 450. There were 524 northern and Aboriginal workers, which also surpassed projections.
- At year-end, Diavik employed 22 northern trades apprentices, exceeding Diavik's projections of maintaining from 8 to 18 apprentices annually.
- Eight northerners graduated from Diavik's Aboriginal Leadership Development Program, bringing the total graduates to 26.

- Diavik's 2007 operations and capital expenditures reached \$727 million, of which \$521 million (72%) was with northern business. This significantly surpassed original projections of \$70 million in annual northern operating expenditures.
- Total cumulative spending since 2000 reached \$3.3 billion, of which \$2.5 billion (74%) was with northern firms. Aboriginal business reached \$1.5 billion (44%).
- Diamond production reached 11.9 million carats.
- The Diavik Mine Rescue Team took top honours in two events at the annual northern Mine Rescue Competition and top honours in the underground fire fighting event at the western regional competition in British Columbia.
- A successful ice road program shipped 4,753 loads to the mine site. Combined, all users shipped a record 10,922 loads and backhauled 818 loads.



Ice road to Diavik.

What is the mine's environmental setting?

Lac de Gras is a large lake roughly in the centre of the Slave Geological Province, north of the tree line, and in Canada's Southern Arctic ecozone. The area is cold and dry. The lake is the headwaters of the Coppermine River, which flows 250 kilometres north to the Arctic Ocean. Lac de Gras is typical of arctic lakes in being quite cold with long ice-covered periods, with little food for fish and other creatures. Fish species include lake trout, Cisco, round whitefish, Arctic grayling and burbot. Lac de Gras is also near the centre of the range of the Bathurst caribou herd. The population is now estimated at 128,000. Many other animals include the Lac de Gras area in their home ranges, such as grizzly bears, wolves and wolverines, smaller mammals, migratory birds and waterfowl.

For a copy of the Environmental Agreement visit www.emab.ca or contact our office at (867) 766.3682

Who signed the Environmental Agreement?

The Board has one representative from each of the Parties that signed the EA:

- Tlicho Government (TG)
- Yellowknives Dene First Nation (YKDFN)
- Lutsel K'e Dene First Nation (LKDFN)
- Kitikmeot Inuit Association (KIA)
- North Slave Métis Alliance (NSMA)
- Government of the Northwest Territories, Environment and Natural Resources (ENR)
- Government of Canada
- Diavik Diamond Mines Inc. (Diavik)

The Government of Nunavut (GN) has a representative on the Board because the EA recognizes their involvement in trans-boundary issues, such as water quality and wildlife.

WORKING FOR THE ENVIRONMENT - ENVIRONMENTAL MONITORING ADVISORY BOARD (EMAB)

Why was EMAB formed?

We exist because of a negotiated contract called the Environmental Agreement (EA) for the Diavik Diamond Project. The EA came into effect in March 2000.

Since then, federal and territorial government departments, Aboriginal groups and governments, and Diavik have worked together to make sure the environment around the Lac de Gras area remains as unaffected as possible by the Diavik mine.

The EA states that EMAB will work independently and at arm's length from Diavik and the other Parties who signed the agreement. It explains EMAB's mandate and lists who will sit on the Board, and notes that the Board will exist until full and final reclamation of the mine.

Why is the EA important?

The EA is a legal contract between the Parties who have signed it. It states the commitments that Diavik and the regulators made to make sure that the effects of the mine on the environment are kept to a minimum. The EA includes the requirement that Diavik meaningfully involve the Aboriginal Peoples in the environmental monitoring of the Diavik mine. This includes the use of Traditional Knowledge and Inuit Qaujimajatuqangit (TK/IQ).

The EA also says that Diavik must comply with all licences, leases, and laws, and explains the steps that may be taken if it is not. It talks about environmental management plans and monitoring programs, and several other related issues, such as security, enforcement, and reclamation and abandonment.

Finally, the EA sets out EMAB's mandate.



WORKING FOR THE ENVIRONMENT - ENVIRONMENTAL MONITORING ADVISORY BOARD (EMAB)

What do we do?

The EA lists 13 points that cover a broad range of issues and activities that we need to consider in relation to the Diavik mine and the environment of the Lac de Gras area. We've condensed the full mandate for this report. Our major tasks include:

- communicating
- monitoring
- involving and supporting communities
- advising and recommending
- evaluating

As issues arise, we are usually involved in all five tasks.

How are we funded?

Diavik provides an annual payment of \$600 000, plus cost of living increases. For special research, or projects that cannot fit within this amount, the EA allows EMAB to submit proposals to Diavik. They must either fund them or explain their reasons

in writing for not funding them. EMAB or Diavik can ask the Minister of DIAND to review the proposals to Diavik, the regulators, and the Parties to the EA, as well as the decisions. We also access funds, when it's relevant, from government agencies, such as the Department of Indian and Northern Affairs.

EMAB is a registered not-for-profit society of the Northwest Territories.

Where are we?

We have an office in Yellowknife, with three staff:

- executive director
- communications coordinator
- administrative assistant

Our hours are from nine to five, Monday to Friday. Anyone can visit our office, which houses a library of materials on environmental matters related to the Diavik mine.



EMAB members at Gameti

What is a commitment?

In the Environmental Agreement, a commitment means a promise made by Diavik to take steps to lessen the effect on the environment or any duty given to Diavik because of a recommendation, decision, or an authorization, licence, lease, or permit.

The Board

The Environmental Monitoring Advisory Board members represent a broad cross-section of northern society, with experience ranging from years in corporate and public service in the North and around the world to life spent close to the land. This diversity brings with it challenges and opportunities, as we search for ways to build strong relationships with each other and with our regulatory and company partners. We will continue to work to ensure that communities are participants in all aspects of environmental monitoring, and mitigation measures associated with Diavik.

WORKING FOR THE ENVIRONMENT - ENVIRONMENTAL MONITORING ADVISORY BOARD (EMAB)

What happens when EMAB makes recommendations?

In the years since its creation in 2001, EMAB has made 55 recommendations. We get involved and make recommendations when regulators raise issues, or when regulators and Diavik disagree on an issue. We also make recommendations when the regulators or the mine are not addressing an issue we think is important. The Environmental Agreement says our recommendations must be taken seriously and given full consideration. Regulators and Diavik must respond within 60 days. They must accept our recommendations or give us reasons why they did not.

Before making a formal recommendation, we try to resolve an issue through dialogue.

EMAB made 6 recommendations in 2007-2008 and continues to follow up on recommendations from previous years. These are outlined throughout this report.

If there is an issue that interests you and you would like more information, contact us at 867.766.3682 or visit www.emab.ca

Who are we?



Doug Crossley, Chair
Kitikmeot Inuit Association

I have been part of EMAB since September 2002 as the appointed representative for the Kitikmeot Inuit Association (KIA). As the KIA member, I am especially pleased this year with the progress that was made to address Aboriginal involvement in monitoring. The workshop we held in June 2007, in Behchoko, which involved representatives from all Parties to the EA, concluded with many useful recommendations. Two other accomplishments are worth noting: through a series of workshops, we developed a five-year strategic plan; we also held a workshop to review our Capacity Building Fund and made changes to ensure that all Aboriginal Parties can efficiently access funding.



Florence Catholique, Vice Chair
Lutsel K'e Dene First Nation

I have been involved with EMAB since the beginning as the Lutsel K'e Dene First Nation (LKDFN) representative. This Board was set up to allow the Aboriginal Parties to the Environmental Agreement to have a better understanding about the environmental aspects of the Diavik mine. Our key concerns have been the water and the caribou, but there are other issues that have a direct link to these two concerns, such as dust and fuel emissions. Other important matters are: how monitoring is done in the way of methodology, frequency, analysis, and interpretation of data, and implementation of results. LKDFN now wants to focus on how our people will be involved in this type of work at the mine. Where are the training programs to enable our people to work as environmental monitors at the mine?



Erik Christensen
Diavik

I have been involved with the Diavik Diamond Mine since the early days of exploration, and I have participated in all aspects of the mine development over the past ten years. As an EMAB member, and a life-long Northerner, I believe the Board is an important instrument for continued community involvement in Diavik's environmental programs. The work that is done by EMAB will help Diavik and the communities continue to build on the spirit of environmental partnership that is the foundation of the Diavik Environmental Agreement.



Claudia Haas
North Slave Métis Alliance

I have sat on EMAB for nearly 2 years, mostly as an alternate but recently as the North Slave Métis Alliance (NSMA) representative. I have a Masters in Biology and I work for the NSMA as their Environmental Biologist. In that capacity, I review technical reports and monitoring programs from, not only Diavik, but also from the other two diamond mines and various developments in the NSMA region. I also try to ensure that Traditional Knowledge is incorporated into all environmental monitoring plans and that our members have hands-on involvement in environmental monitoring. In addition to EMAB, I also sit on the Snap Lake Environmental Monitoring Agency (SLEMA). I bring all these experiences and knowledge to EMAB and look forward to continuing this important work over the next year.

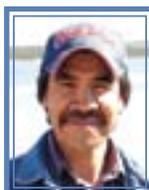
WORKING FOR THE ENVIRONMENT - ENVIRONMENTAL MONITORING ADVISORY BOARD (EMAB)



Eddie Erasmus

Tlicho Government

I have represented the Tlicho Government in many capacities, including serving as one of several negotiators for the Tlicho Agreement. I am the Director of the Tlicho Lands Protection Department. In all my duties, the land and its resources have always been of great importance to me. This is also true of my duties on EMAB. The role of an independent watchdog in relation to the environment and mining development is critical to the careful guardianship of the land and its resources for future generations.



Lawrence Goulet

Yellowknives Dene First Nation

I am proud to be an ongoing member of EMAB. As someone who continues to be active on the land, as my father was, I know the value of carefully monitoring what happens with the mines and the regulators. Sitting on EMAB is important for my family and my community, today and for the future.



Floyd Adlem

Canada

I have been a member of EMAB for several years as the representative for the Government of Canada. In that time I have seen EMAB grow into a more and more active participant in the protection of the Lac de Gras area. I've been in the North for over 30 years, and in that time I've seen the evolution of environmental responsibility. Boards like EMAB serve a critical role in ensuring that mining in the North is done responsibly.



Gavin More

ENR, Government of the Northwest Territories

I have represented the Government of the Northwest Territories as an EMAB member for one year. I have spent over seven years in the North working in the environmental assessment and regulatory field, and am currently the Manager of Assessment and Monitoring in the Department of Environment and Natural Resources. My section has been responsible, since the inception of the Mackenzie Valley Resource Management Act, for coordinating GNWT and ENR participation in relation to all three of the territories' diamond mines. This has included the regulatory, environmental assessment, and environmental agreement processes. In my capacity as an EMAB member, I hope to promote responsible management and sustainable development of the NWT's resources.



John Morrison

(John left the Board in September 2007.
The GN seat is currently vacant.)

Government of Nunavut

During my time on the Board, one of my functions has been to represent the Government of Nunavut on matters that could influence the Coppermine River watershed. I look forward to seeing further implementation of Traditional Knowledge and its integration into the fabric of mine operation and monitoring.

"The Yellowknives Dene First Nation is pleased to participate on EMAB. The Board has been useful providing insight and communication to our First Nation in regards to the impacts by Diavik Diamond Mine."

Rachel Crapaud, Acting Director, Lands Management, YDFN

WORKING FOR THE ENVIRONMENT - ENVIRONMENTAL MONITORING ADVISORY BOARD (EMAB)

Traditional Knowledge

There are many ways to define Traditional Knowledge (TK) and Inuit Qaujimagatuqangit (IQ), but generally it means knowledge that Elders hold from experience and is passed down to them through the generations. It is continuous and grows. Interpretation of knowledge is important. Traditional knowledge is not just the past, but the future combined with the past.

What are our special issues?

Wildlife, water, fish, and air – those areas matter most to us.

Early on, we realized just how many environmental issues there are and how comprehensive our mandate is. We knew that some areas were of highest priority and needed our complete focus. Thanks to the fact that the Aboriginal Party representatives communicate with their communities and understand their concerns, we were able, right from the start, to establish priorities.

This report is full of information about the work we did in the areas of air, water, fish and wildlife.

What are the communities?

The communities we support (Affected Communities in the EA) are those that belong to the Aboriginal Parties who signed the EA:

- Behchoko
- Wek'weeti
- Gameti
- Wha Ti
- N'dilo
- Dettah
- Lutsel K'e
- Kugluktuk
- Métis of the North Slave

Talking with community members, and with people in the communities who have a direct interest in wildlife harvesting, fish and water quality issues, is one of our top priorities.

When there is a need for information on an environmental issue we often turn to Elders and community members who have experience and knowledge. We have terms of reference in place to form Traditional Knowledge panels. These panels bring together Elders from all five Aboriginal Parties to discuss an issue and share their valuable knowledge with us.



Wek'weeti welcomes EMAB for a community update on EMAB activities.

WORKING FOR THE ENVIRONMENT - ENVIRONMENTAL MONITORING ADVISORY BOARD (EMAB)

In the communities

During 2007-2008, we visited several communities. Some of these communities were a first for us. It was a pleasure to meet with people, explain what EMAB is all about, and listen to concerns. Each community welcomed us kindly and with much warmth. In several we combined a visit with Board meetings and/or workshops.



Kugluktuk - July



Behchoko - June, combined with Aboriginal Involvement in Monitoring Workshop



Wek'weeti - August, combined with Board meeting



Lutsel K'e - June



Gameti - February, combined with Board meeting

"A comprehensive and coordinated approach to monitoring and assessment, like the one taken for overseeing environmental management at the Diavik Mine, ensures our environment is protected. Industry, governments, communities and other organizations share responsibility for ensuring development in the Northwest Territories occurs in a sustainable manner. The onus is on all parties to work cooperatively, as they do in EMAB, to make sure this happens."

Gary Bohnet, Deputy Minister,
Environment and Natural Resources,
GNWT

INVOLVING AND SUPPORTING OUR COMMUNITIES

At the camp

For the summer of 2007, the Community-Based Monitoring Camp was cancelled. Potential safety issues were dealt with by Diavik and EMAB staff through a formal risk assessment process that involved staff and community participants. This resulted in a series of changes to the way the camp will be run in future.

Also, EMAB and Diavik have agreed to discuss refocusing the use of the camp to ensure that it more fully satisfies the original intentions of it being based in Traditional Knowledge.

A Water Quality Monitoring Workshop is planned for the camp site for the summer of 2008.



A group of participants at a 2006 community-based monitoring camp on dust monitoring.

INVOLVING AND SUPPORTING OUR COMMUNITIES

Workshops

Aboriginal Involvement in Monitoring

In order to fulfill our mandate related to Aboriginal involvement, we decided to conduct research with people representing the five Aboriginal Parties to the EA. We hired a facilitator (Leading & Learning) to conduct the research, write a discussion paper, and hold a two day workshop with representation from the five Aboriginal Parties.

The two day meeting was held in Behchoko in June 2007.

The goals of the research and workshop were to get input from the Aboriginal Parties on:

- the adequacy of the current levels of Aboriginal involvement including TK/IQ (Traditional Knowledge/ Inuit Qaujimajatuqangit) in the environmental monitoring programs at Diavik
- ways to improve Aboriginal involvement in the design of Diavik's environmental monitoring programs
- ways to improve Aboriginal involvement in the implementation of Diavik's monitoring programs (including training and employment)
- ways to improve the communication of information from Diavik about environmental monitoring



Many recommendations came out of this workshop and we have since sent them on to the appropriate parties. We will be following up on these in the coming year.



EMAB members discussing priorities for the future.

Strategic Planning

EMAB made good progress on development of our strategic plan this year. We set up a strategic planning committee in October, which met three times before taking an initial draft plan to the whole board in late March.

The draft plan is based on the Environmental Agreement with strong input from our community engagement process. The plan sets four main areas: monitoring, Aboriginal involvement, communication and leadership/accountability and identifies objectives and strategic initiatives in each area.

We expect to approve a final version of the plan early next year. The plan will guide our annual workplanning for the next five years. Once the plan is complete we will update communities and explain how we included their ideas and suggestions.

"EMAB, which formally involves local community representatives, provides valued reviews and collaborative recommendations that enhance our already strong environmental monitoring programs."

Kim Truter, President, Diavik Diamond Mines Inc.

INVOLVING AND SUPPORTING OUR COMMUNITIES

Capacity Funding

Capacity Funding was established in 2001 by a motion of the Board as a way of supporting the Aboriginal Parties in building capacity in their communities. This is an optional program. The Board agreed to: "provide a budget of up to \$30,000 to be allocated to each Aboriginal Party to the agreement for the fiscal year ending March 31, 2002, to assist in:

- Creating opportunities for community and public input and participation
- Facilitating effective communication about the Diavik Project with Affected Communities
- Facilitating effective participation of the Aboriginal Peoples
- Providing and implementing an integrated and co-operative approach to achieving the purposes of Article I of the Environmental Agreement
- Promoting capacity-building for the Aboriginal Peoples respecting project-related environmental matters
- Allowing their respective representative to adequately participate on the Board"

from EMAB Motion
3-01-11-20

Capacity Building Program Review

EMAB decided to do a review of the capacity building program to look at the program goals, see if they are being met, and assess whether the program is being run efficiently and effectively. We contracted Northways Consulting to do the review.

The review included the program statement, interviews with Board members and Aboriginal Parties, and capacity funding proposals and reports. We held a workshop in late March to review the results and develop draft recommendations. We expect to approve the recommendations early next year.

Capacity Funding

North Slave Métis Alliance

Funds were used to increase NSMA capacity to participate in EMAB and Diavik activities by providing assistance and support.

Kitikmeot Inuit Association

Capacity funds were used to support the Kugluktuk Angoniatic Association (HTO) to carry out a community based water quality monitoring program on the Coppermine River, in the Kugluktuk area.



Evelyn Anablak & Janet Kadlun participate in the Kugluktuk water monitoring program.

ENVIRONMENTAL REGULATION AND MANAGEMENT

Regulators have the important responsibility of making sure the Lac de Gras area is not harmed by Diavik's mining activities.

They do this by:

- making sure that Diavik keeps its commitments
- reviewing the many reports that Diavik has to provide
- assessing potential impact on the environment

Some regulators are responsible for enforcing environmental laws, permits or licences. EMAB monitors the regulators who oversee environmental management and monitoring at the mine to make sure they are doing a careful, thorough job. EMAB focuses on the comments and concerns about the reports that come from the government regulators and other expert reviewers. EMAB also reviews technical reports on water and wildlife and gives its comments and recommendations to the regulators and Diavik.

When EMAB notes concerns coming from regulators we take that as a signal that we need to know more about the issues. These issues are outlined in the following pages.



Who are the regulators and managers?

- Wek'èezhii Land and Water Board (WLWB) is responsible for the Diavik water licence and the technical review of all documents required under the licence. The WLWB is a regional panel under the Mackenzie Valley Land and Water Board. Staff are not technical experts; they coordinate the review of documents.
- Department of Fisheries and Oceans (DFO) reviews some of the reports submitted under the water licence and all the reports submitted under the fisheries authorizations.
- Department of Indian Affairs and Northern Development (DIAND) reviews reports required by the water licence and the land leases. DIAND has an inspector assigned to Diavik. This inspector attends our meetings to keep us aware of what is happening at the site. The inspector is also responsible for ensuring Diavik meets the terms of its water licence and land leases.
- Environment Canada (EC) reviews the reports required by the water licence, focusing on water and air quality. They can call on experts from across Canada when needed.
- Environment and Natural Resources (ENR), a department of the Government of the Northwest Territories, is not a regulator; they are a Party to the EA and have responsibility for wildlife. They review and comment on the Wildlife Effects Monitoring Program reports. They use available information to try to look at regional effects of the mines. They also propose better ways to monitor effects of Diavik on wildlife. ENR also reviews air quality.

*Kitikmeot Inuit Katujjiqatigiingit
ilauhimmaaqut uqautigiplugit
nakuutqiat aulanikkut pivagatik
atuqtakhatik Diavikkut Uyarakhiurviita
, piyaangani mikiunik akturnaikumik
avatiptingnik haniani Diavikkut nunani
aktuqtauyuni.
Piqutigiyakhalluaq una
pihimmariangani halumaniak
Lac de Grasmi imaata, Kugluktup
imiqtarvigiliqpagaa imarmiuttallu
talvani Kugluktup Kuugaani
Iqalliqivigiliqagaata.
KIAkut pihimayullu
ihumagiyauhimmaaqunik mikhaagut
aniqhaaktarviup qanurinniatigut,
hiuraq ilaillu talvuuna akturmiita
haniani uyarakhiurviup iluaniillutik
naunaiqhimayut atuqtakhani. KIAkut
ilihimayut hamna piyakhauyuq
piyaangani qanurinnia niqikhainnut
QingaupTuktuita, niqigiliqagaata
amigaittut KIAkuni ilautjutiqagtut.
Raymond Kayasark –
Angiyuqqaangullaktuq, Kitikmeot Inuit
Katujjiqatigiingit*

The Environmental Agreement and the water licence

The water licence and the EA both contain requirements for the AEMP. Most of the water licence requirements are more detailed than those in the EA. The WLWB cannot make Diavik meet any of the EA commitments unless they are also in the water licence.

In the EA Diavik said it would do its best to involve Aboriginal People in designing monitoring programs, and that all its monitoring programs would include activities to:

- consider TK,
- establish or confirm thresholds or early warning signs,
- trigger adaptive mitigation measures,
- provide ways to involve each of the Aboriginal Peoples in the monitoring programs, and
- provide training opportunities for each of the Aboriginal Peoples.

EMAB is working with Diavik to help it meet these commitments and the AEMP re-design is an excellent time to do this. In June EMAB held a workshop with community representatives to identify ways to improve the involvement of each of the Aboriginal Peoples in monitoring. We considered the outcome of the workshop and made recommendations to Diavik, ENR, educators and communities. (see page ___ for more details) We had not received responses to these recommendations by March 31, 2008.

ENVIRONMENTAL REGULATION AND MANAGEMENT

Water

WLWB

Diavik's water licence was renewed in November 2007 with some significant improvements, particularly the revised Aquatic Effects Monitoring Program.

EMAB commented on the draft licence before the WLWB sent it to the Minister of DIAND on July 27, 2007. Many of EMAB's recommendations were included in the new licence but some key areas were not.

EMAB highlights of the new licence:

- 8 year term
- Annual AEMP reports require WLWB approval
- Diavik to submit an integration report on all water related monitoring data every three years, starting in 2010
- Diavik to submit revised AEMP in March 2008, then Sept 2010, and every three years from then on
- Diavik to submit an Adaptive Management Plan showing actions it will take if there are changes in Lac de Gras
- Ammonia limits of 8 milligrams per litre (mg/l) average and 16 mg/l maximum in 2007, dropping to 6 mg/l average and 12 mg/l maximum from 2008 on.
- DDMI to develop a Hyalella toxicity test protocol for approval by WLWB:
 - acute toxicity within 30 days of licence issuance;
 - chronic toxicity within 90 days

- DDMI required to submit a report proposing a nitrate limit
- DDMI to submit a final closure plan at least 2 years before closure
- DDMI to submit a whitefish testing protocol based on direction from WLWB
- DDMI to stop discharging if toxicity test fails at LC20 level
- Inclusion of a commitment for DDMI to work with communities to include TK monitoring in the AEMP (more under AEMP section - p. ___)

Issues not addressed in the new licence:

- Mechanism to provide funds to Aboriginal Parties and others to effectively participate in hearings
- Direction in the WLWB Reasons for Decision to Diavik to implement its commitment in the Environmental Agreement to involve each Aboriginal Party in designing and implementing the Aquatic Effects Monitoring Program, including training.

EMAB is very pleased with the new water licence. It addresses many of our technical and procedural concerns in a fair and balanced manner. We will continue to pursue participant funding and ways to improve Aboriginal involvement in monitoring at Diavik through other avenues.

ENVIRONMENTAL REGULATION AND MANAGEMENT

1. AEMP & Reports

A revised AEMP was approved and implemented in 2007. EMAB is confident that this new AEMP design can detect early warnings of changes to Lac de Gras.

1.1 Revised (2007) AEMP

EMAB reported on the progress toward a revised AEMP in last year's annual report.

EMAB continued to participate in a detailed review of the AEMP through April, May, and June of 2007, with the assistance of our expert advisors, North-South Consultants.

The WLWB conditionally approved the AEMP in July.

The main change is that now each year the samples from the discharge point of the mine are compared to reference locations that the mine discharge does not mix with to see if there is a difference. There are more sampling points so it is easier to detect small differences.

The WLWB directed DDMI to use the new AEMP sampling design in their April 2007 under-ice sampling, so that 2007 data would all be collected in the same way. While the April sampling went well, DDMI was unable to complete the more extensive summer sampling: they did not sample, in July, they completed most of the August sample and partially completed the September sampling. The problem was a combination of

delays in receiving approval, delays due to implementing a new sampling program including an increased amount of sampling over previous years, safety issues due to wind/weather, equipment shortages, and access to helicopter transport for some sites. DDMI proposed a number of changes to their field program to get around these problems.

DDMI also proposed a change to the AEMP to reduce the amount of sampling done in July and September. The WLWB held a workshop in January for parties to discuss this change.

EMAB attended the workshop and took the position that, while DDMI should not put its staff in unsafe situations, this was not a reason to change the program. The original program had been agreed to by all the parties and called for three years of sampling at the beginning of the program, followed by an evaluation to decide whether the sampling could be reduced.

All the other participants at the workshop expressed the same idea. In March, DDMI submitted a request to the WLWB to have the AEMP sampling program reduced along with its annual AEMP report for 2007.

As part of our review of the report we asked our experts, North-South Consultants, to comment on DDMI's request. North-South took a similar position to the one we took at the workshop and we included their comments as part of our submission to the WLWB that the sampling program agreed to in March 2007 should remain.

Highlights of the new AEMP

The new AEMP design does not rely on baseline data.

One of the main problems with the original AEMP is that it relied on baseline data that was inadequate. The new AEMP compares water, benthics, and small fish near the mine to three places in the lake that are not affected by the mine, called reference areas. Four samples are also taken in a line from the spot where the mine discharges to each of the reference areas. The number of sampling locations has doubled, and sampling will take place more often during the open water season. All the data are compared statistically so that any conclusions are scientifically defensible. All this means is that we now have confidence the AEMP will be able to get an early warning of any change in Lac de Gras. If the data show a change then Diavik will do further studies to find out whether the mine is the cause, and how far the effect reaches from the mine, and propose actions to make sure Lac de Gras is not harmed.

ENVIRONMENTAL REGULATION AND MANAGEMENT

Mercury

Mercury was detected in trout in 1996 during baseline studies at about half the consumption guideline of 0.5 micrograms/gram. It has also been found in fish tissue sampled during the fish palatability community based monitoring camp. Amounts increased from 2002 to 2004 but were below consumption guidelines (0.5 micrograms/gram) (2002 – 0.124; 2003 – 0.193; 2004 – 0.298)

EMAB is confident that the new AEMP will provide an early warning of changes in Lac de Gras and looks forward to the development of an Adaptive Management Plan that spells out Diavik's response when a change takes place. We express our appreciation to the WLWB for its leadership in the program's development and its inclusive management of the consultation/review process for it.

1.2 Annual AEMP Reports

EMAB contracted North-South Consultants to review the AEMP data summary reports for 2005 and 2006, after determining that these had not been reviewed by any technical experts. Our review showed that the data did not show any substantial changes in Lac de Gras other than elevated levels of some metals and phosphorous near the discharge.

The 2007 AEMP report was very different from previous reports in a number of important ways. The report was over 900 pages, plus hundreds of pages of data, and included detailed technical appendices on each component of the AEMP by Diavik's consultants. The report found many early warning effects in water, sediment, benthics, and fish, as well as moderate level effects in benthics, eutrophication and fish, and a few high level effects in sediment. There was some uncertainty about the effects because there was less data collected than intended and this is the first year of the study.

Overall, Diavik concluded that many of the effects are related to adding nutrients to the lake, which was predicted during the Environmental Assessment.

One issue was that mercury was found in the slimy sculpins near Diavik's discharge point. These are small bottom-feeding fish that live their whole lives in a very small area. Diavik will test trout for mercury in 2008. Diavik didn't find mercury in any of its water, benthic, sediment, or plankton sampling, or in slimy sculpins in any other areas, so it is proposing to use a lab that can detect very low levels of mercury to see if it can find where the mercury is coming from.



The slimy sculpin is a small bottom-feeding fish that lives its whole life in a very small area.

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EMAB contracted North-South to do a technical review of the 2007 report. Both EMAB and North-South found that the report is substantially improved over previous reports. EMAB commented on a number of key issues:

- Reduced sampling affected the analysis of the data, making conclusions less certain.
- Diavik's consultants made a number of recommendations that Diavik did not include in the main report. Diavik did not give reasons for accepting or rejecting the various recommendations.
- The AEMP sets out a systematic response for Diavik to follow for each early warning, moderate or high level effect and the AEMP report does not show whether or how DDMI has followed each step in each case. Diavik is supposed to find out if the effect is caused by the mine and evaluate the study design, possibly adding sample sites or other studies to look at the specific effect.
- The TK component is not in place. **EMAB encouraged DDMI to continue working on this and offered assistance to them.**
- The short time-frame for review (three weeks) of such a large and detailed document made it difficult to complete the review and may have prevented some Aboriginal Parties from participating effectively.

This is the first year that the AEMP report requires WLWB approval. All of the regulators submitted comments on the report.

EMAB found the first annual report under the new AEMP to be a huge improvement over previous efforts. The reporting is

more transparent and the inclusion of detailed appendices by Diavik's aquatic consultants is an important addition. The data and information show that there are changes taking place in Lac de Gras and the analysis helps us understand the processes involved. We look forward to continued annual reporting of this quality, hoping that in future more time will be available to review and comment.

1.3 Adaptive Management Plan

The Adaptive Management Plan (AdMP) was a key requirement of the AEMP that EMAB and all other parties supported. The AdMP shows how Diavik will decide on appropriate management actions if the AEMP detects an effect in Lac de Gras. Diavik submitted a draft plan in August 2007, but the review process for the plan was not started until the end of February 2008.

At its annual workplanning session EMAB set adaptive management as a priority, with the intent of holding a workshop to share information on adaptive management with participants from Affected Communities and to receive their input.

To take advantage of the timing of the AdMP review EMAB requested that the WLWB allow enough time for EMAB to have a technical review of the AdMP done, hold the workshop with community participants, receive presentations from other reviewers of the AdMP, and make its comments to the WLWB. We are pleased that the WLWB agreed to this approach and plan to have the workshop in May 2008.

EMAB looks forward to participating in the development of the AdMP and believes it is the necessary link between monitoring for change and taking action to maintain the very high quality of Lac de Gras.

The Kitikmeot Inuit Association continues to be actively involved in addressing the best operational practices required of the Diavik Mine, ensuring minimal or no impact on the environment surrounding the Diavik site impact area.

Of critical importance is the need to maintain the pristine quality of Lac de Gras water, the source of Kugluktuk's water supply and the aquatic environment supporting the Coppermine River's Arctic Char resource.

KIA also has ongoing concerns requiring assurances the air quality, dust and related impacts on the vegetation in the vicinity of the mine's operation are within predicted impact levels. KIA feels this is critical to ensure the quality of the food source for Bathurst Caribou, a mainstay of the diet of many KIA beneficiaries.

Raymond Kayasark – Acting President,
Kitikmeot Inuit Association

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1.4 DIAND AEMP Guidelines Development

DIAND started a process to develop guidelines for preparation of AEMPs in the NWT with a workshop in April 2006. The next step was for DIAND to meet with communities for input: meetings took place with the North Slave Métis Alliance and Tlicho Government in early 2007.

EMAB attended an update meeting with DIAND and their consultants in January and raised some issues about use of TK in AEMPs.

DIAND hopes to have a draft set of guidelines ready for review by June 2008, with final guidelines ready by the fall.

2. Ammonia Management

EMAB has been keeping track of developments in management of ammonia at Diavik.

We are pleased with the outcome so far and congratulate the WLWB on its efforts to resolve this issue in a rational and objective way, and to Diavik for its efforts in reducing ammonia discharge to the environment.

Ammonia management continued to be a difficult issue to resolve for technical reasons and due to differences of interpretation of the original Record of Agreement and the legal basis for setting limits. The WLWB's Ammonia Experts' Panel and Diavik exchanged technical comments in early 2007. Diavik was concerned that there be very strong confidence that any proposed limits would not be exceeded, and proposed that the levels be set at 10 mg/l average and 20 mg/l maximum. In response the Panel raised its recommended limits to an average of 8 milligrams per litre (mg/l) of ammonia with a maximum of 16 mg/l for 2007, and starting in 2008 an average of 6 mg/l with a maximum of 12 mg/l. These levels provided more than 99.99% confidence of not being exceeded.

At Diavik's and the Tlicho Government's request, the WLWB re-convened the water licence renewal hearings in June 2008 to review ammonia management at Diavik and the proposed limits.

EMAB attended the hearing and made closing remarks based on our presentation at the November 2006 hearings. We reviewed the evidence presented at the hearing and concluded that our position on ammonia remained the same: that the licence limits should be set at the original licence limits of 2 mg/l average and 4 mg/l maximum, with an allowance in the licence to change those limits as new information came in.

The WLWB decided to accept the Expert Panel's recommendations on ammonia limits. It also directed Diavik to revise its draft Ammonia Management Plan (AMP) to reflect the new limits and to provide more information about the work they were doing to try to reduce ammonia losses during blasting, to bring down water inflows into the A154 pit, and to increase ammonia breakdown in the North Inlet, as well as to describe back-up options if ammonia levels started to approach the limits. The AMP was conditionally approved in March 2008 with a final revised version to be submitted by April.

The AMP lays out how Diavik will try to keep as much ammonia out of Lac de Gras as possible. It describes a range of possible options and focuses on three: using mine water in the process plant, improved management of explosives, and treatment in the North Inlet. Diavik will report on its ammonia management activities each year in the annual water licence report.

Ammonia levels dropped at Diavik's point of discharge from about 5 mg/l in April 2007 to less than 1 in late summer and early fall, climbing again to about 3 mg/l in December and remaining around there until the end of March.

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At the Diavik water licence renewal hearing EMAB recommended that whitefish should also be tested to determine toxicity in Lac de Gras.

Very young rainbow trout are routinely placed in samples of Diavik's discharge for 96 hours (4 days) to find out whether it is toxic to fish. In 2004, Diavik agreed to do the same test with whitefish to see how sensitive they are compared to the rainbow trout. This is because rainbow trout are not native to the area, so may be less sensitive than local fish, which are used to the very pure water in Lac de Gras. These tests did not take place due to a lack of availability of very young whitefish raised in standard conditions. EMAB, along with the other parties, believes these tests are important, and has recommended they go ahead as soon as possible. The new licence says that the WLWB will give direction on development of a testing method; this has not been done as of March 31, 2008.



3. Closure and Reclamation

EMAB has made closure and reclamation a board priority and plans to hold a community workshop on this topic in 2008.

EMAB did a brief review of the ICRP just before Diavik's November 2006 water licence renewal hearings and found it was a big improvement over the previous version.

The WLWB has not yet initiated a review process for Diavik's Interim Closure and Reclamation Plan (ICRP), submitted in

October 2006. We look forward to participating in a review of the current draft of the ICRP.

4. Water Treatment Plant Expansion



Diavik applied to double the size of its water treatment plant in September 2007.

EMAB observed the review process of the expansion.

This expansion was needed because they are now predicting more mine water with a maximum amount that is about double the capacity of the current plant. Diavik proposed to build a separate building to house the expansion and to add a second diffuser near the current one east of the North Inlet (see box). The proposal was reviewed by the WLWB and the on-land portion was approved in December. The main issue raised by reviewers was the effect of the second diffuser on the mixing zone. The WLWB asked Diavik to provide more information on predictions about flows through the two diffusers, predicted changes in the effluent plume and follow-up studies on actual changes, and predicted changes in amounts of pollutants entering Lac de Gras. DDMI believed that the changes would still be within the original Environmental Assessment predictions. The WLWB approved the expansion in March 2008.

Diffuser and Mixing Zone

The diffuser is a long pipe leading from the water treatment plant to the bottom of the lake. The end of the pipe is closed, and there are many small holes in the pipe near the end. The treated discharge is forced through the holes and mixes quickly with the lake water. The mixing zone is a 120 meter circle centred on the diffuser.

Two possible approaches to intervener funding

EMAB recommended two approaches the WLWB could take regarding intervener funding:

- The WLWB recommend to the Minister that intervener funding is needed
- The WLWB recommend that the Minister provide authority for the Board to award costs for participation in hearings from the proponent, including advancing of funds.

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5. Intervener Funding

EMAB continues to raise the issue of the need for intervener funding under the MVRMA to allow meaningful and effective participation of Aboriginal Parties, and others, in hearings.

We were disappointed that the WLWB did not address this issue in their reasons for decision on the Diavik water licence. The WLWB did say it would be part of their review of rules of procedure and we continue to be hopeful that the WLWB and DIAND will find a solution to this problem.

We raised this during the Northern Regulatory Improvement Initiative (NRII) consultations, including similar recommendations made in the 2005 NWT Environmental Audit. EMAB made a presentation to Neil McCrank on February 5, 2008 and attended the NRII Round Table on March 18-19, 2008.

6. Licence Management Recommendations

EMAB continues to raise issues we believe will enhance the management of Diavik's water licence, including following up recommendations made at the water licence hearings that were reported last year.

This section briefly updates the key recommendations.

- The issue of review of plans and reports has largely been dealt with through the new water licence, which requires that the annual AEMP reports be approved. The WLWB has stated that it will review all plans and reports for compliance with the water licence.
- EMAB raised the issue of availability of funds for WLWB to contract expertise for technical reviews in a letter to DIAND on Dec 3/07, recommending that they make funds available to the WLWB to access technical expertise for review of plans and reports as needed. DIAND responded that it is a priority to ensure adequate resources are provided to all boards.
- The Diavik Technical Committee did not meet in 2007-08 and the status of the committee had not been clarified

as of the end of March. EMAB submitted comments and recommendations for changes to the DTC's Terms of Reference in January 2005 at the request of the MVLWB, but have not received a response. EMAB has stated its support for the DTC in the past as an opportunity to observe, and participate in, the ongoing technical review of plans, programs and reports by government experts, Aboriginal Parties and other DTC participants.

- Licence amendments between hearings continues to be a priority concern for EMAB. Last year we recommended the WLWB clearly identify the process by which a water licence can be amended between hearings, and how this process can be initiated in the public interest by Parties to the EA. We also recommended that the WLWB develop explicit, publicly available criteria for deciding if a proposed amendment is in the public interest. These recommendations have not yet been addressed.
- EMAB also asked the WLWB to make the same commitment as the MVLWB regarding decisions on reports - to make a decision within three months of a report's submission, recognizing that decisions will take longer if a report is sent back for revision. This has not yet been addressed.

Last year the WLWB initiated a review of its plans and procedures. Since that time the MVLWB has set up six working groups to develop consistent procedures among it and all the regional boards, with two staff from each board on each group. The groups are:

- Public Engagement and Consultation
- Plan Review Process and Guidelines
- Water/Effluent Quality Guidelines
- Terms and Conditions
- Application Processes
- Data-Resource Sharing

We will encourage the appropriate working groups to address the issues outlined below, where applicable

ENVIRONMENTAL REGULATION AND MANAGEMENT

7. DIAND Inspector

The position of Diavik inspector was vacant for much of 2007/08 with the last inspection of the year in June 2007. EMAB wrote DIAND and the WLWB in January 2008, stating the need to fill the position as soon as possible, since the inspection reports provide EMAB with critical information about compliance with authorizations and implementation of mitigation measures. We are pleased to note that a new inspector was hired in early March 2008.

Normally, EMAB invites the DIAND inspector to its Board meetings so that we can stay informed of the details of environmental management at the mine.

At each Board meeting the inspector gives a presentation outlining the main points of the monthly inspection reports. These reports deal with the on-the-ground reality of everyday operations. The inspector closely examines any areas where water quality might be affected, including:

- where spills may occur
- chemical and fuel storage areas
- contaminated water storage areas
- where water is discharged



“ As the elected political representative of the indigenous Metis People who were the first People ever to establish permanent settlements and capitalism in the North Slave area, the North Slave Metis Alliance is mandated to protect, and where possible enhance, all aspects of the North Slave Metis environment. The fish, wildlife, waterfowl and plants in the area of the Diavik Diamond Mine are staples in the North Slave Metis diet, and the meat, fur, and vegetation are also the basis of the traditional North Slave Metis economy. The landscape itself is of very high aesthetic and spiritual value to our People, as our Homeland, our bank, our larder, and our refuge.

The volume and complexity of information generated by such a large project as the Diavik Diamond Mine would be completely beyond the capacity of the NSMA to process, understand, or form consensus on, without the significant and independent assistance of the EMAB. Even if the North Slave Metis had the resources associated with a settled land claim, an established land claims negotiation process, or even Indian Act Band status, such as the other directly affected First Nations do, it would still be a formidable task. Due to our uniquely disadvantaged situation, the North Slave Metis depends very heavily on, and greatly appreciates, the competent assistance of the EMAB, particularly with respect to technical reviews, community engagement, and community capacity funding. “

Bill Enge, President,
North Slave Métis Alliance

What is No Net Loss?

The Department of Fisheries and Oceans No Net Loss policy states that when a project, such as Diavik, destroys or damages fish habitat, the company must offset the loss by replacing or creating an equal amount of fish habitat. Ideally, the habitat will be in the same area as the project and will be the same kind of fish habitat. If this is not possible then the policy allows for habitat creation away from the site or increasing habitat for the affected fish species. This could be done by fixing up damaged habitat somewhere else or by increasing the productivity of existing habitat.

What is a fisheries authorization?

Anyone who wants to carry out work that might result in the harmful alteration, disruption or destruction of fish habitat must receive permission from the Minister of Fisheries and Oceans. If an authorization is given, it includes a description of the work that must be done to make up for any loss of fish habitat. That includes monitoring to measure the damage that is taking place.

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Fish

DFO

Diavik submits reports to DFO under the fisheries authorizations. EMAB monitors DFO's reviews of the reports and meets with DFO on specific issues from time to time.

1. No Net Loss

Following a meeting with DFO in December 2007, EMAB is pleased to report that the issues surrounding the implementation of Diavik's fish habitat compensation plans have been resolved.

EMAB passed a motion supporting the approved project proposal in the M-lakes proceeding along with two community-identified projects, and will continue to monitor the implementation.

2. Fisheries Authorization Monitoring

EMAB continues to monitor the implementation of the fisheries authorizations.

The shoal habitat study was not done in 2007. The 2006 report was not reviewed by March 2008. Past reports have not met the requirements of the fisheries authorization.

The A154 and A418 dike monitoring study for 2005 was still in review as of March 2008.

3. Mercury

As noted in the AEMP discussion (see p. ___) mercury has been found in slimy sculpin and trout in Lac de Gras. Diavik will sample lake trout for mercury in summer 2008 under the fisheries authorization. As noted, pre-construction baseline studies from 1996 also found mercury in trout in Lac de Gras. EMAB will continue to monitor this issue closely.

Wildlife

1. Wildlife Effects Monitoring Program

EMAB contracted wildlife consultants MSES* to review and assess the methods and results in the 2007 *Wildlife Monitoring Report* and the *Analysis of Environmental Effects from the Diavik Diamond Mine on the Wildlife in the Lac de Gras Region* report. In addition, EMAB invited MSES, the WRRB, and government wildlife experts to attend Diavik's presentation of the report and make comments.

MSES concluded that the report is very useful in testing Diavik's predictions of effects on wildlife and stated that "Overall, we recommend that EMAB accepts the WMP 2007, including the detailed analysis. The recommendations submitted by DDMI in the WMP 2007 are mostly acceptable because they recommend future testing of whether DDMI's mitigation measures are working."

EMAB accepted the report and recommended that DDMI respond to MSES' recommendations, that ENR respond to the 2007 report and MSES' recommendations, and that CWS respond to the waterfowl component of the 2007 report and MSES' recommendations.

The main points in the report are:

- Caribou, grizzlies and raptors seem to avoid the mine
- Nesting success of falcons near the mine is lower than far away
- Waterfowl data are generally not useful because of lack of a reference site
- Aerial surveys – further research and analysis is needed on the distance of the effect to confirm the current findings
 - Diavik has implemented its new survey design discussed in last year's annual report. This means that both BHPB and Diavik are now flying over much larger areas to capture the statistical effect

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seen at around 25 to 30 km from the mines. The survey areas overlap, so there is duplication between the mines in this area. The methods are also different: BHPB's season is shorter than Diavik's and the distance between transects is 8 km compared to 4 km for Diavik flights. The data are compatible but DDMI is collecting more information so only part of what it collects can be compared with BHP data.

- More intense sampling is recommended in the 3 to 7 km predicted Zone of Influence.

EMAB noted that the statistical report (not the WMP report) was too technical to be useful to communities as presented.

EMAB requested a plain language summary be provided.

EMAB supported the continuation of wolverine DNA research - this information is much more useful than the current track surveys.

DDMI has informed EMAB they plan to update the WEMP.

EMAB plans to work with them to ensure there is strong Aboriginal involvement in the design, and that it provides for Aboriginal involvement and use of Traditional Knowledge in monitoring.

EMAB continues to be pleased with the quality and depth of reporting on the Wildlife Monitoring Program and encourages Diavik to make the reports as accessible as possible to readers.



What is the WEMP?

The Wildlife Effects Monitoring Program is a requirement of the Environmental Agreement.

The program studies the effects of the mine on wildlife and looks at caribou, bears, wolves, wolverines, birds and plants. The WEMP measures these areas to evaluate predictions about changes in such areas as population and migration. Diavik submits a report every March on the results of the program for that year. This program was created so that if a change happens to wildlife Diavik will know and can do something about it.

Joint Aerial Caribou Surveys: Background

Following a recommendation by EMAB in 2002 that DDMI carry out aerial surveys of caribou in a joint, coordinated fashion with BHPB's Ekati mine, the two companies developed a program that did weekly surveys from May to October and provided data to each company on its own Wildlife Study Area. They flew lines 4 km apart going about 20 km south, east, and north of Diavik and 15 km west, as well as the neighbouring BHP area which extends much further north and west.

In 2006, BHPB changed their survey methods and DDMI changed theirs in 2007. The two programs are no longer coordinated, however the data are compatible.

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2. Cumulative Effects

EMAB continued to state the need for ENR and DIAND to take on cumulative effects monitoring on effects of development on caribou and other wildlife at a presentation to the Joint Review Panel for the Mackenzie Gas Project in May and at a meeting with the Wek'èezhii Renewable Resources Board (WRRB) in November.

The concerns Aboriginal Parties have been stating, about the effects of Diavik and other developments on Bathurst caribou migration, are one part of the larger question of cumulative effects on caribou and other wildlife.

NWT and Nunavut barren-ground caribou herds have shown a large drop in numbers over the last few years and many possible causes have been suggested, particularly in relation to the Bathurst herd:

- Over-hunting
- Wolf kills
- Effects of climate change
- Overgrazing and range deterioration
- Industrial and other projects
- The winter road

EMAB participated in an ENR workshop on Cumulative Effects on Caribou in February.

It was well attended by people from across the NWT, including the Aboriginal Parties to the EA. The main focus was to get feedback on developing a simulation model for the Bathurst herd. There was general agreement that a model that predicts the effects of development (including Diavik) and natural change on caribou is needed, and that it must incorporate Traditional Knowledge. The workshop also agreed that decisions need to be made to protect the health of the caribou population before the models are fully up and running.

There is a Bathurst Caribou Management Plan (BCMP) that was developed after ENR surveys first showed the drop in caribou numbers. The BCMP includes many tasks, however, actions to monitor the cumulative effects of industrial development as well as the winter road to the mines are not being implemented. Individual mines are monitoring the predicted effects of their activities on caribou, but cumulative effects are not being monitored.

EMAB has taken the position that cumulative effects monitoring of wildlife is the responsibility of ENR and DIAND, and that they should take the lead in setting standards for monitoring, as well as bringing together and analyzing existing data and developing study designs to fill gaps such as monitoring of the winter road. The workshop did not address our position so we have included a workshop on cumulative effects on the Bathurst caribou in our workplan for next year.



ENVIRONMENTAL REGULATION AND MANAGEMENT

3. Dust and Air Quality

Last year EMAB recommended that Diavik confirm the effectiveness of its dust monitoring methods, and that they develop a full Air Quality Monitoring Program (AQMP) for all air emissions at the mine.

3.1 Dust monitoring

We are pleased to report that Diavik has set up a study to compare results of the standard method dust monitoring with theirs at two locations by adding a second gauge and collecting the contents monthly to compare with the regular collection every six months. Results to date are mixed; one test gauge gave very similar results to the existing one, the other test gauge gave about half the amount of dust.

3.2 Air quality monitoring

There has been no progress on development of the AQMP since our last report.

EMAB wrote Diavik in February 2008 stating that they should increase efforts and requesting a workplan and schedule.

We have not received a response, although we were informed verbally that a contract has been signed with a consultant to take the first steps.

3.3 Lichen monitoring

EMAB has commissioned a review of the lichen study results and recommendations and will circulate it to DDMI for response.



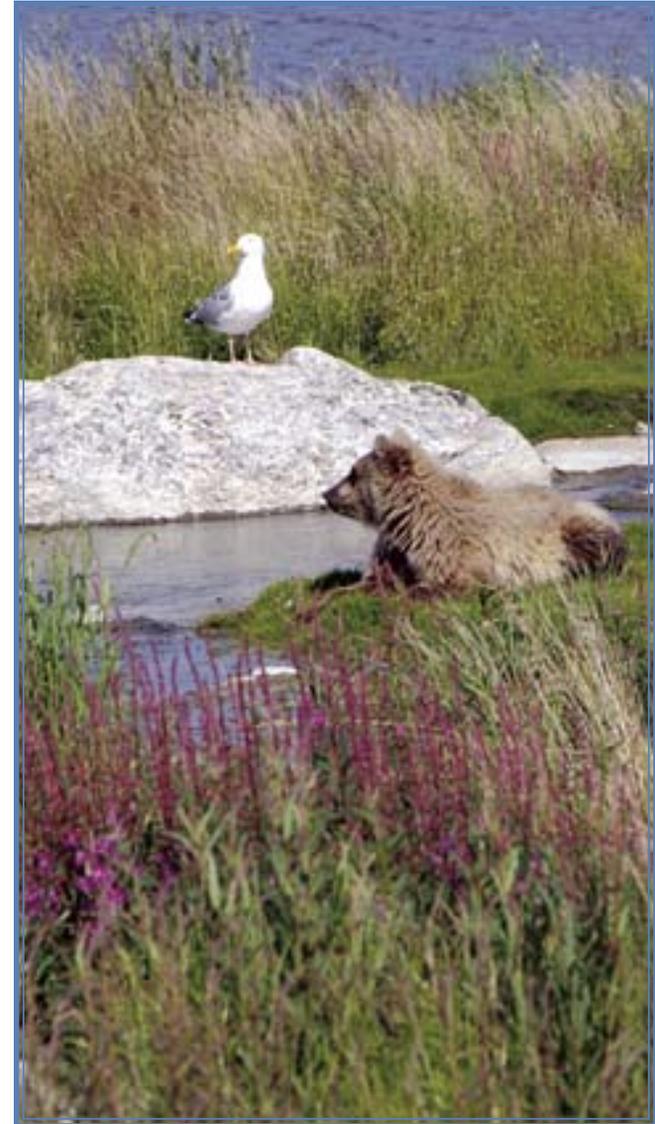
ENVIRONMENTAL REGULATION AND MANAGEMENT

4. Fencing

In 2007, EMAB inspected the areas Elders recommended be fenced and agreed that the dikes have been built up to a level that will prevent caribou from entering areas of concern at the mine.

5. Wek'èezhii Renewable Resources Board

EMAB made a presentation to the WRRB in November with the intent of identifying areas of mutual interest. WRRB Chair Alphonse Nitsiza gave us a presentation on WRRB's role and intentions at a meeting in December. The two boards have agreed to keep each other informed of developments and issues.



REPORT

REPORTS IN REVIEW AS OF MARCH 31, 2008

REPORT DESCRIPTION	DATE SUBMITTED	TO
Limnology & Aquatic Ecology - Lac de Gras	Nov 7/00	MVLWB
Design Specs & Monitoring Plans - Fish Habitat Compensation		
Streams (draft)	14-Apr-03	DFO
West Island Stream	April 22/04	DFO
Interim Closure and Reclamation Plan	Sept 29/06	WLWB
Blasting Effects Studies - Final Reports	Mar 8/07	DFO
Lakebed Sediment, Water Quality & Benthic Invertebrate	Mar - 07	DFO
Study - AA18 (Year 1) & A154 (Year 3)	2007	DFO
Shoal Habitat Utilization Survey - 2006	Mar - 07	DFO
A418 Fish Salvage Program Report	June 20/07	DFO
QA/QC Plan	June 20/07	WLWB
Adaptive Management Plan	Aug 24/07	WLWB
Water Management Plan	Dec 27/07	WLWB
Request for AEMP Modification	Mar 31/08	WLWB

REPORT

REPORTS APPROVED IN 2007/2008 OR NOT REQUIRING REVIEW

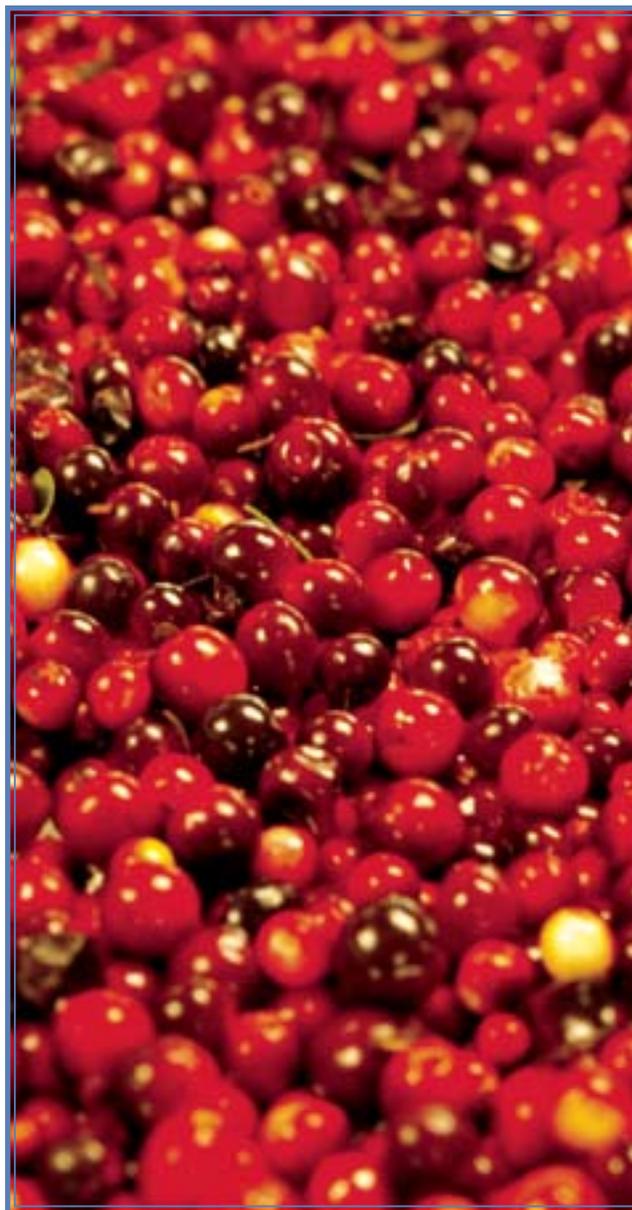
REPORT DESCRIPTION	DATE SUBMITTED	TO
PKC Phase 5 Design	Jun 1/07	WLWB
North Inlet Raise Design	Apr 16/07	WLWB
A21 Causeway Submission	Jun 18/07	WLWB
Hazardous Materials Management Plan Ver. 9	Mar 2006	MVLWB
Hazardous Materials Management Plan Ver. 10	Apr 1/07	MVLWB
Operations Phase Contingency Plan Ver. 9	Mar 2006	MVLWB
Operations Phase Contingency Plan Ver. 10	Apr 1/07	MVLWB
Water Licence Report 2005	Apr 11/06	MVLWB
Water Licence Report 2006	Apr 1/07	MVLWB
PKC Raise 4 as-Built	Mar 8/07	WLWB
A418 as-Built	May 14/07	WLWB
Pond 13 as-Built	May 14/07	WLWB
A21 Dike Design Review (Dike Review Board)	Sept 6/07	WLWB
A21 Hydrogeological Characterization	Jun 18/07	WLWB
A21 Dike Design Review (Geotechnical Review Board)	Oct 1/07	WLWB
Pond 2 as-Built	Aug 8/07	WLWB
A21 Dike Submission	Sept 4/07	WLWB
AEMP Design Document 2007	Feb 2007	WLWB
Ammonia Management Plan	July 23/07	WLWB
NIWTP Modification Submission	Sept 25/07	WLWB
Seepage Report - 2007	Mar 31/08	WLWB

WHAT ARE OUR PLANS?

Workplan for 2008-09

EMAB's priorities for 2008 - 09 are:

- Participate in review and design of the Adaptive Management Plan
- Complete strategic plan
- Build capacity (skills and knowledge), increase awareness and support meaningful participation of Aboriginal Peoples in environmental monitoring activities related to Diavik
- Continue emphasizing the need for greater Aboriginal involvement in monitoring at Diavik, including follow up on last year's recommendations
- Complete review of capacity building program
- Monitor regulators to ensure plans and programs are thoroughly reviewed and necessary follow-up is done
- Continue to improve communications
- Review and assess environmental effects monitoring reports on the Diavik mine, while focusing on issues surrounding wildlife, particularly caribou, fish, water and air quality
- Monitor regulators to ensure plans and programs are thoroughly reviewed and necessary follow-up is done
- Continue to improve communications
- Use Traditional Knowledge panels and carry out more technical reviews in areas of higher priority (water quality, wildlife, fish, air quality)
- Develop ways to include Traditional Knowledge in monitoring programs
- Develop capacity in reclamation and closure related to Diavik



WHAT ARE OUR PLANS?

In addition to our day-to-day mandate of monitoring the Diavik mine and the regulators, and communicating with communities regarding the mine, EMAB has a number of major projects planned for 2008-09.

Adaptive Management Plan – our annual workplan set adaptive management as the top priority project this coming year. Diavik's Adaptive Management Plan will describe how they will respond when the AEMP finds a change in Lac de Gras. We plan to contract a technical reviewer and hold a workshop with community participants to go over fundamentals of adaptive management, review the draft plan and receive input before we make comments to the WLWB.

Closure and Reclamation – this area is becoming a higher priority for EMAB. We plan to have a workshop with community representatives during the year. We expect that the regulatory review of Diavik's Interim Closure and Reclamation plan will start in 2008/09 and EMAB plans to take part.

Aboriginal Involvement – EMAB made a number of recommendations based on the June 2007 workshop, with participants from all Affected Communities. We will continue to follow up on recommendations to Diavik on improvement of involvement of Aboriginal people in all aspects of monitoring and on coordination of various organizations responsible for training in environmental monitoring. We will keep raising the issue of participant funding as a necessary means for meaningful participation of Aboriginal Parties in public review processes.

Traditional Knowledge – We will continue asking our highly successful Traditional Knowledge panels to give us advice on issues that we identify as necessary. We are working with Diavik to put on a community based monitoring camp in summer 2008, and to find ways to better incorporate TK/IQ into the camp programs, as well as in Diavik's monitoring programs. We are considering bringing community representatives together to try to move forward in this important area.

Monitoring – EMAB will continue to work with regulators to ensure timely, rigorous reviews for environmental management plans, environmental monitoring programs and reports, while making sure that documents submitted by Diavik are of the highest possible quality. We continue doing technical reviews of monitoring programs and reports and management plans as needed. We continue to be concerned at the lack of cumulative effects monitoring on wildlife, particularly the Bathurst caribou, and will work proactively to find ways to make progress.

Communications – EMAB will maintain and upgrade its new website. EMAB will continue to provide updates on environmental monitoring of the Diavik mine to communities through Board members. We target at least one public meeting in each community to review environmental monitoring results, answer questions and hear community concerns. We will update and revise the Communications Strategy based on the strategic planning results. The communications coordinator will also assist in communicating complex issues to communities and in making sure that EMAB hears, understands, and addresses community concerns. EMAB will also produce a newsletter and, when required, plain language summaries of key documents.

Capacity Building – EMAB will continue its capacity funding program. We support Affected Communities in participating in monitoring the Diavik project. EMAB's communications coordinator will provide additional support to Aboriginal Parties in developing and carrying out projects to build monitoring skills and knowledge in Affected Communities. EMAB will follow up the review of the capacity funding program by considering changes in 2008/09.

WHAT ARE OUR PLANS?

Relationship Building – We will continue to hold meetings that bring together regulators that deal with the Diavik file. These meetings help everyone understand each other's roles and help resolve issues. We are also considering a follow up meeting with the Diavik Community Advisory Board to identify areas of common interest.

Strategic Planning and Community Engagement – We expect to have the strategic plan completed early next year and will put it in place right away.

No Net Loss – we will monitor the development of detailed designs for projects to replace fish habitat, and the construction and effects of the projects over the long term.

Organizational Development – The Board will continue to work on its procedures and review bylaws and policies to improve efficiency and effectiveness. EMAB is considering holding annual governance workshops to review our performance and transfer knowledge to more recently appointed Board members.

EMAB expects to hold six Board meetings over the coming year and plans to continue rotating meetings in the Affected Communities. EMAB will continue to use Board teleconferences; these offer greater efficiency for routine items, as well as improving cost efficiency and reducing time demands on Board members.

Budget:

Administration	80,000
Capital Cost	3,000
Management Services	252,000
Board	136,000
Sub-Committees	2,000
Community Consultation	183,000
Projects	235,000
Contingency	12,000
Total	903,000

AUDITOR'S REPORT

To the Board of Directors of the Environmental Monitoring Advisory Board

I have audited the Statement of Financial Position (Balance Sheet) of the Environmental Monitoring Advisory Board as at March 31, 2008 and the statement of operations, the statement of changes in fund balances and statement of cash flows for the year then ended. These financial statements are the responsibility of the Environmental Monitoring Advisory Board. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In my opinion, these financial statements present fairly, in all material respects, the financial position of the Environmental Monitoring Advisory Board as at March 31, 2008 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

Management's Report

The management of the Environmental Monitoring Advisory Board is responsible for the financial statements presented here. The statements have been prepared as set out in the notes attached and were audited by Charles Jeffery – Chartered Accountants following generally accepted accounting principles.

EMAB management includes budget and financial controls to provide reasonable assurance that spending is authorized, transactions are correctly recorded, and financial records are accurate.



Floyd Adlem
Secretary Treasurer



Charles Jeffery
Chartered Accountant

Yellowknife, Northwest Territories
July 25, 2008

AUDITOR'S REPORT

Environmental Monitoring Advisory Board

Statement of Financial Position

For the year ended March 31, 2008	March 2008	March 2007
	\$	\$
Assets		
Current assets		
Cash	1,153,113	1,006,815
Accounts receivable	31,169	7,238
	1,184,282	1,014,053
Capital assets (Note 3)	15,282	13,026
	1,199,564	1,027,079
Liabilities		
Current liabilities		
Accounts payable and accrued liabilities	70,037	23,476
Contributions refundable - TK Camps	13,715	13,715
Contributions refundable - Department of Indian Affairs and Northern Development	7,633	35,360
Deferred revenue - Diavik Diamond Mines Inc. (Note 5)	676,000	660,000
	767,385	732,551
Net Assets		
Investment in capital assets	15,281	13,025
Unrestricted net assets	416,898	281,503
	432,179	294,528
	1,199,564	1,027,079

Approved by the board of directors:

AUDITOR'S REPORT

Environmental Monitoring Advisory Board

Statement of Operations

For the year ended March 31, 2008

		March 2008	March 2007
		\$	\$
Revenue			
Diavik Diamond Mines Inc		660,000	644,000
Diavik Diamond Mines Inc - Traditional Knowledge		11,060	120,000
Government assistance			
Department of Indian Affairs and Northern Development		43,800	76,129
Department of Indian Affairs and Northern Development (refundable)		(7,633)	(35,360)
Program Administration		-	10,169
Interest income		25,617	25,220
Other		4,059	-
		736,903	840,158
Operating Expenditures			
Administration	Schedule 1	63,343	74,536
Management services	Schedule 2	219,250	230,128
Board Expenditures	Schedule 3	128,587	120,162
Community Updates	Schedule 4	4,775	-
Community Consultation (Note 2)	Schedule 5	83,259	90,000
Water licence renewal	Schedule 6	-	43,343
Strategic Planning	Schedule 7	18,082	-
Projects	Schedule 8	10,884	136,889
Aquatic Effect Monitoring	Schedule 9	-	42,475
Multi - project Environmental Monitoring	Schedule 10	848	28,217
Aboriginal Involvement Workshop	Schedule 11	47,529	12,552
AEMP Revision	Schedule 12	424	-
Capacity Funding	Schedule 13	18,167	-
Capital asset purchases charged to operations		6,360	2,947
		601,508	781,249
Excess revenue over expenditure (expenditure over revenue)		135,395	58,909

AUDITOR'S REPORT

Environmental Monitoring Advisory Board

Notes to Financial Statements

For the year ended March 31, 2008

The Environmental Monitoring and Advisory Board ("the Board") is a not-for-profit organization established as a requirement of the Diavik Environmental Agreement. The Board is exempt from income tax in accordance with section 149(1)(l) of the Income Tax Act.

The aim of the Board is to provide a meaningful role for Aboriginal Peoples in the review and implementation of environmental monitoring plans with respect to the Diavik Diamond Mine site in the Northwest Territories. The Board will be in place until full and final reclamation of the mine is complete.

1 Significant accounting policies

The financial statements have been prepared in accordance with Canadian generally accepted accounting principles. Because a precise determination of some assets and liabilities depends on future events, the presentation of financial statements for a period necessarily involves the use of estimates which have been made using careful judgment. Actual results could differ from those estimates and approximations. The financial statements have, in the opinion of management, been properly prepared within reasonable limits of materiality and within the framework of the significant accounting policies summarized below.

(a) Capital assets

Capital Assets are recorded at cost less accumulated amortization. Amortization is calculated using the declining balance method at the following rate:

Office Equipment	30%
Computer Equipment	30%
Furniture and Fixtures	30%

(b) Revenue recognition

The Board follows the deferral method of accounting for contributions. Under this method, restricted contributions are recognized as revenue when the related expenditures are incurred. Restricted contributions received but for which the related expenditures have not been incurred are reported as deferred revenue.

Unrestricted contributions are recognized as revenue when received, or when receivable if the amount can be reasonably estimated and collection is reasonably assured.

AUDITOR'S REPORT

Contributions from the Department of Indian Affairs and Northern Development are labelled - Comprehensive Funding Arrangement (CFA). When Operating Revenues exceed Expenditures no portion of the Excess Revenue over Expenditures is refundable to the Department of Indian Affairs and Northern Development.

(c) Economic dependence

The Board is dependent on its funding from Diavik Diamond Mines Inc. The Board may not be viable without these contributions.

(d) Financial instruments

The company's financial instruments consist of accounts receivable and accounts payable. These financial instruments might expose the company to interest rate and credit risks. In the opinion of management, the financial statements and accompanying notes contain the relevant information to reasonably assess these risks.

Environmental Monitoring Advisory Board

Notes to Financial Statements

For the year ended March 31, 2008

	March 2008	March 2007		
	\$	\$		
2 Capacity funding expenditure				
North Slave Metis Alliance	30,000	30,000		
Lutsel K'e Dene	23,259	30,000		
Kitikmeot Inuit Association	30,000	30,000		
	83,259	90,000		
3 Capital assets				
	Cost	Accumulated Amortization	Net Book Value	Net Book Value
Computer Equipment	43,814	35,155	8,659	5,428
Furniture & Fixtures	11,769	8,758	3,011	3,483
Office Equipment	20,429	16,817	3,612	4,115
	76,012	60,730	15,282	13,026

AUDITOR'S REPORT

4 Net change in non-cash working capital balances**Operating resources provided by:**

Increase in deferred contributions	16,000	16,000
Increase in contributions refundable	-	35,360
Decrease prepaid rent	-	4,494
Increase trade accounts payable	46,561	9,812

	62,561	65,666
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Operating resources applied to:

Increase accounts receivable	(23,931)	(3,613)
Decrease in contributions refundable	(27,727)	-
Increase in employee receivable	-	-

	(51,658)	(3,613)
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Net Change in Non-Cash Working Capital

	10,903	62,053
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Environmental Monitoring Advisory Board**Notes to Financial Statements**

For the year ended March 31, 2008

5 Deferred contributions

Deferred revenue consists of the funds contributed by Diavik Diamond Mines Inc. for the 2008-2009 operating year. This amount will be recognized as revenue over the 2007-2008 operating year as goods and services are acquired.

WHAT DOES IT MEAN? - DEFINITIONS

Aboriginal Parties/Aboriginal Peoples: means the Tlicho Government, the Lutsel K'e Dene First Nation, the Yellowknives Dene First Nation, the North Slave Métis Alliance and the Kitikmeot Inuit Association.

Adaptive Environmental Management: is a way to manage the environment by 'learning by doing.' We expect plans will need changes. These are important steps:

- Admit doubt about what plan or action is "best" for the issue.
- Thoughtfully select the plan or action to be taken.
- Carefully carry out the plan and action.
- Keep an eye on key results.
- Study the results with the original objectives in mind.
- Include the results in future decisions.

Affected Communities: means Behchoko, Wha Ti, Wek'weeti, Gameti, Lutsel K'e, Dettah, Ndilo, and Kugluktuk.

Baseline: means all the facts, numbers and information that were collected about the Lac de Gras area before Diavik started construction. Facts, numbers and information are being collected all the time and will be compared with the baseline to see if there are any changes to the environment of the Lac de Gras area.

Compliance: means following all the rules and regulations, laws and legislation, as well as following through on commitments.

Cumulative Effects: means the effects on the environment that increase, when the effect of one action is added to other actions. Cumulative effects can be the result of small, individual actions, that when looked at all together become more important over a period of time or in a whole region.

Environmental Quality: means the state of the environment of an area at any time compared with its natural state. This includes biological diversity and ecosystem structures and process.

Mitigation: means the choices possible to lessen or get rid of harmful environmental effects. There are three basic choices:

- get rid of the problem by using other sites, locations or operating conditions;
- lessen the problem by using other sites, locations or operating conditions; or
- make up for the problem by remediation, replacement or payments in cash or kind.

Possible mitigation can include the requirement of additional measures or actions, which can be funded or implemented independently of the main project.

Monitoring: means keeping an eye on the actual operation and comparing it to what was planned or what was expected to happen. Monitoring generally involves collecting and analyzing information and if a problem is discovered, fixing it.

Reclamation: means the way that lands disturbed because of mining are cleaned up. Reclamation can include: taking out buildings, equipment, machinery and other physical leftovers of mining, closing processed kimberlite containment areas, leach pads and other mine features, and contouring, covering and revegetation of waste rock piles and other disturbed areas.

Security: means the money that Diavik gives to DIAND as assurance that it will clean up the mine site in an acceptable way after the mine closes.

Sustainable Development: Makes sure that the land our children will use is as healthy and rich as the land we have now. It means not doing harm to the environment that we can't fix, or use up resources our children will need. Sustainable actions are not wasteful, do not have unreasonable costs and are right for society, as well as respect cultures.

Precautionary Principle: means stopping harm from happening to the environment or human health if there is a good reason to think it might happen. Not knowing all the scientific causes and effects of the situation is not a reason to allow possible damage.

WHAT HAPPENED? - FOLLOW-UP ON PREVIOUS RECOMMENDATIONS

In some cases, results for EMAB recommendations from previous years were delayed. The following is an overview of past recommendations and their status.

EMAB recommends that DDMI proceed with development of its proposed air quality monitoring program. DDMI should also state which pollutants it proposes to include in its air quality monitoring program and should make best efforts to coordinate with air quality monitoring at the Ekati mine, so that data is compatible and comparable.

No progress was made on this recommendation in 2007-08

.....

Recommendations related to management of DDMI's water licence – these recommendations are documented in the water section of this annual report and include the need for: rigorous review of AEMP, participant funding, and a process for amendment of licence between hearings.

WLWB is participating in a process with the MVLWB and other regional boards to set minimum standards for various aspects of their work. Since that time the MVLWB has set up six working groups to develop consistent procedures among it and all the regional boards, with two staff from each board on each group.

The groups are:

- *Public Engagement and Consultation*
- *Plan Review Process and Guidelines*
- *Water/Effluent Quality Guidelines*
- *Terms and Conditions*
- *Application Processes*
- *Data-Resource Sharing*

Recommendations

Recommendations 2007-2008

A — good; B — fair; C — meets minimum standard; D — unacceptable

Recommendation	To	Timely Response	Satisfactory Response
<p>EMAB recommends that Indian and Northern Affairs Canada ensure that funds are permanently available to the WLWB for access to independent technical expertise and advice to provide for effective and efficient implementation of DDMI's water licence and resolution of any key technical issues that arise.</p>	DIAND	A – initial response	B – DIAND makes adequate funding of boards a priority on a multi-year basis – “adequate” not defined
<p>Aboriginal involvement in monitoring</p> <p>In order to improve levels of Aboriginal involvement in the design of its monitoring programs Diavik should present these programs at public meetings in communities. Diavik should prepare for the presentations by translating the WEMP and AEMP Program Design documents into plain language with lots of graphics, making sure they clearly explain the intent of the programs – along the lines of the AEMP summary presented at the March 2007 AEMP preparatory workshop. These presentations should also address the Environmental Agreement commitments for monitoring, and the ways the programs meet these commitments. There should be a number of presentations/workshops over time focusing on specific topics, such as caribou, rather than trying to review all the monitoring programs at one time. The design review should include ways to incorporate TK/IQ into the monitoring programs. EMAB encourages Diavik to make best efforts to ensure youth are involved in these presentations/workshops.</p> <p>As part of its efforts to put greater emphasis on inclusion of TK in its monitoring programs Diavik should:</p> <ul style="list-style-type: none"> • review the Inuit curriculum developed by the Government of Nunavut and the Dene curriculum developed by the GNWT for potential inclusion of TK/IQ into their monitoring programs. • arrange for Diavik staff to go on the land with Elders to observe and exchange information about how each group monitors water quality. This could be done through the Diavik Community Based Monitoring camp or a similar forum. The intent is to give Diavik staff a better understanding of TK/IQ as it relates to water, so they can more effectively work with Elders and EMAB to include TK/IQ in the aquatic effects monitoring program, while giving Elders a better idea of the monitoring Diavik does. • have a TK specialist on staff / contract to help in improving the inclusion of TK in monitoring. <p>In addition an inventory of TK/IQ research papers and reports regarding water should be undertaken. A partnership approach, such as WKSS, might be the best way.</p> <p>EMAB recommends that the first presentations Diavik should take to communities be on the recently approved AEMP.</p> <p>EMAB recognizes that Diavik does good scientific monitoring work, such as on caribou, and recommends Diavik find ways to involve more Aboriginal people, particularly youth, in this monitoring. Diavik committed in the EA to make best efforts to provide for the involvement of members of each of the Aboriginal Peoples in its monitoring programs, including giving priority to members of each of the Aboriginal Peoples in training and employment, and particularly providing technical training opportunities for youth. EMAB recommends that Diavik develop and implement a strategy to improve their success in meeting this commitment. EMAB also recommends that Diavik develop programs to provide for youth and Elders from each of the Aboriginal Peoples to observe and participate in Diavik's environmental monitoring.</p>	DDMI	N/a – response needed by April 28/08	N/a – no response by March 31/08, our fiscal year-end reporting date


Recommendations

Recommendation	To	Timely Response	Satisfactory Response
<p>EMAB recommends that youth (ages 16 and older) be involved in all future discussions on environmental monitoring at Diavik. Communities should make best efforts to have Aboriginal youth and elders present when Diavik is communicating about its monitoring programs.</p> <p>That people who go on site visits make presentations on their observations at community meetings.</p> <p>That ENR involve more people from Aboriginal Parties in its surveys of caribou and other wildlife.</p>	<p>Communities/ Aboriginal Parties</p> <p>ENR</p>	<p>N/a – response needed by April 28/08</p> <p>N/a – response needed by April 28/08</p>	<p>N/a – no response by March 31/08, our fiscal year-end reporting date</p> <p>N/a – no response by March 31/08, our fiscal year-end reporting date</p>
<p>EMAB encourages Aurora College and community District Educational Authorities to undertake a specific review of content and curriculum of its NRTP program, involving a steering committee that includes EMAB Aboriginal Party representatives and Diavik staff, as well as representatives of Environment and Natural Resources and Education, Culture and Employment. The objective of the review should be to assess changes required so the program can deliver an environmental monitoring course of studies. Many ideas for the program were suggested by those attending the EMAB Aboriginal involvement workshop in Behchoko in June 2007. (Please refer to report of meeting). This review should take place in a timely manner.</p> <p>That NWT high schools provide information in their science courses regarding environmental monitoring to expose students to this field. Ideally the material covered in these science courses could help qualify students for summer job opportunities at Diavik.</p>	<p>ECE, ENR, Aurora College, District Educational Authorities.</p>	<p>N/a – response needed by April 28/08</p>	<p>N/a – no response by March 31/08, our fiscal year-end reporting date</p>
<p>EMAB recommends that appropriate representatives of Education, Culture and Employment; NWT Mine Training Society; Aurora College; Diavik Diamond Mines; and other interested diamond mining companies; meet to assess whether currently available training for environmental monitoring in the NWT and Nunavut qualifies trainees to the level required by DDMI and other mines.</p>	<p>ECE, MTS, Aurora College, DDMI, mines</p>	<p>N/a – response needed by June 4/08</p>	<p>N/a – no response by March 31/08, our fiscal year-end reporting date</p>

*** When EMAB makes a recommendation, the applicable regulatory authorities and Diavik have 60 days to respond.**

According to the Environmental Agreement (Articles 4.3), the Minister of DIAND, Diavik, or any other Party to the EA, must respond within 60 days after receiving a written recommendation from EMAB.

The recommendation from EMAB must be given “full and serious consideration” and an attempt made to implement the recommendation the best way possible or a written reason must be given explaining why it is not possible.

Article 4.4 also states that the Minister of DIAND will encourage parties that receive a recommendation to comply with the above.

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