

EMAB meeting – February 11, 2009 (a.m.)

Present:

Doug Crossley, Chair, Kitikmeot Inuit Association
Florence Catholique, Vice Chair, Lutsel K'e Dene First Nation
Shannon Hayden, Alternate, North Slave Metis Alliance
Tom Biddulph, Diavik

Guest:

Lindsey Cymbalisky

Staff:

John McCullum, Executive Director
Michele LeTourneau, Communications Coordinator (also minutes)

Meeting could not begin due to lack of quorum. Reconvene for 1:15.

EMAB meeting – February 11, 2009 (p.m.)

Opening prayer; Florence Catholique

Doug Crossley, Chair, Kitikmeot Inuit Association
Florence Catholique, Vice Chair, Lutsel K'e Dene First Nation
Floyd Adlem, Secretary Treasurer, Canada
Eddie Erasmus, Tlicho Government
Shannon Hayden, Alternate, North Slave Metis Alliance
Gavin More, Government of the Northwest Territories
Tom Biddulph, Diavik

Guest:

Lindsey Cymbalisky

Staff:

John McCullum, Executive Director
Michele LeTourneau, Communications Coordinator (also minutes)

Meeting started at 1:20

Opening prayer: Florence Catholique:

ITEM 5: Budget Submission

Floyd Adlem takes the floor as Secretary Treasurer and refreshes everyone's memory on the topic of the budget submission to Diavik.

There are three issues:

- 1) Unrestricted net assets. EMAB has been reporting these assets for the past 7-8 years as what they are. It's money not spent along with interest. Diavik has never questioned EMAB's

accumulation of these funds in the past. Diavik agree they are not interested in interest. They are concerned with unrestricted net assets. They want to claw back 300,000 of the unrestricted net assets and cut our budget 150,000 in both 2009-10 and 2010-11.

- 2) Diavik is proposing a policy on use of unexpended funds for EMAB. Essentially, if EMAB budgets a certain amount of funds for a line item, those funds cannot be reallocated. For example, if EMAB budgets a certain amount for a workshop and for some reason we can't carry that out, we cannot reallocate those funds.

EMAB is an arm's length independent and needs to fiercely maintain that independence. The inability to allocate our budget as we see fit fetters our independence, if we can't reallocate we really are at issue with whether or not we are independent. We cannot allow ourselves to be manipulated through the budget process.

- 3) On the matter of \$150 K: Diavik has already withheld that amount from their 2009-2010 contribution. We haven't been able to resolve it. The executive feels that it is inappropriate to withhold these funds for a number of reasons. For example, it is unclear if all those unexpended funds came from Diavik. There have been other contributors.

The next step would be mediation.

ALSO: The workshop that's planned for Kugluktuk on TK in March was to use \$70,000 of unrestricted assets. After discussion, the executive thinks we should carry on.

NOTED: Parties need to initiate the dispute clause, not the Board. We would need a letter to the Parties.

NOTED: Independence absolutely crucial. From its first year, anytime we went to communities or had meetings, people assumed that we worked for Diavik. It took years to gain the trust that we were apart from government and industry.

Diavik has its budget to manage. We have our budget to manage.

Q: How involved has Diavik been in EMAB's workplan?

A: Over the last 8 years Diavik has had no influence over the workplan; they have always agreed with the workplan proposed by EMAB. They do have continuous membership on this board. Their designate participates in developing the workplan like any other member.

As related to reallocating funds: workplanning is an estimate. You have to be able to maneuver within that workplan. EMAB's policy is that we use unexpended funds in next year's budget.

One of the issues mediation will have to address is the 4.8 clause. We have a disagreement but the clause deals with specific, given two-year periods. What went on 4 years ago/6 years ago, those are not even on the table.

Another example of the need to be able to reallocate funds: Diavik is preparing to cut wildlife monitoring and that means there are potential implications on the environment. It's EMAB's

responsibility to watchdog potential impacts. We may need to engage expertise. If EMAB is fettered in terms of reallocating funds, we lose the ability to react to changes as they happen. There is a need to be flexible and proactive in addressing environmental issues.

Our Aboriginal members are out there in the community. They stake their credibility on ensuring independence.

Q: What are Rio Tinto's accounting procedures? How does this relate to EMAB's accounting practices? That may be the root of the problem. DDMI has never raised any issues over the last 8 years, so procedures do not seem to be an issue.

EMAB has been working on this for five months. We have critical deadlines. There has been a lot of time and energy spent to address this issue and progress is not seen.

Diavik essentially agreed with workplan and budget but wouldn't come up with the money

Motion:

To change the "partnership income" line of the revenue section of EMAB's 2008-09 budget to include "EMAB contributions."

Moved: Floyd Adlem

Second: Gavin More

This motion and a second motion related to mediation will be brought to the table tomorrow at three p.m. and voting will take place then.

This will ensure everyone has had the opportunity to read all the material presented in Tab 5.

NOTED: Only in one year did we spend less than Diavik's contribution. (That was in 2007-2008)

Parties may have concerns with this process. The Chair will be the contact to ensure follow-up communication.

Q: Is EMAB getting a legal opinion? Diavik presented its legal opinion.

A: This was not an action item. It was one member's comment and not a board decision.

Mediation is not a negative thing. An uninterested party helps reach an amicable resolution. ED reviews dispute resolution clause.

NOTED: Another option is to go to the minister and use the security deposit to make up the shortfall.

ITEM 1: Approval of agenda and minutes

Motion:

Approve agenda

Moved: Shannon Hayden

Second: Gavin More

Carried

Discussion on minutes: how they are taken, how changes are dealt with.

Q: Do we want minutes to be verbatim for or decisions of the Board?

A: Our minutes are in between.

NOTED: Details are sometimes needed as a reminder about how a decision was made.

CC is to continue taking minutes as in the past.

Motion:

Approve November 6-7, 2008 meeting minutes.

Discussion on changes that CC has no authority to make. The minutes are a record of what was said. If a member disagrees with what was said, they should state this so it can be recorded. Statements in minutes cannot be changed just because another member disagrees.

Any such changes, that clarify minutes being approved, will be noted in the current minutes and not treated as changes in past minutes.

Moved: Florence Catholique

Second: Gavin More

Carried

Motion:

Approve December 11-12, 2008 meeting minutes with changes.

- The name of the IEMA appointee to a proposed DIAND Working Group reviewing inclusion of TK potential is Jaida Ohokannoak from KIA.
- Add page numbers

Moved: Florence Catholique

Second: Gavin More

Add Tom's vote to the email motion.

Carried

Motion:

Approve meeting minutes of January 15, 2009.

- Add "special" to EMAB meeting
- Tom raises Gord's assertion that he abstained from the first motion. As abstention and nays are always recorded and no one recalls that Gord abstained, this will not be changed in the minutes.

Moved: Shannon Hayden

Second: Gavin More

Carried

Email Resolution – Dec 22'08

Approval of letter re: DDMI contribution

Motion: to approve the letter dated December 19, 2008 and headed: Re: DDMI proposal to reduce contribution for 2009-11 budget – letter of December 10, 2008

Moved: Florence Catholique (December 22, 2008)

Seconded: Floyd Adlem (December 23, 2008 by phone)

VOTING	For	Against
Florence Catholique	<u> X </u>	<u> </u>
Eddie Erasmus	<u> </u>	<u> </u>
Lawrence Goulet (by phone Dec 23)	<u> X </u>	<u> </u>
Doug Crossley	<u> X </u>	<u> </u>
Grant Beck (by phone Dec 23)	<u> X </u>	<u> </u>
Gavin More	<u> </u>	<u> </u>
Claudia Haas (by phone – Dec 23)	<u> X </u>	<u> </u>
Floyd Adlem	<u> X </u>	<u> </u>
Tom Biddulph	<u> </u>	<u> X </u>

Email Resolution – Dec 23'08

Approval of LKDFN Capacity Funding Proposal - \$5K

Motion: to approve the fish camp component of the Lutsel K'e Dene First Nation Capacity Funding proposal for 2008-09 in the amount of \$5,000.

Moved: Claudia Haas (Dec 23/08)

Seconded: Floyd Adlem (Jan 6/09)

VOTING	For	Against
Florence Catholique	_____	_____
Eddie Erasmus	_____	_____
Lawrence Goulet	_____	_____
Doug Crossley	<u> X </u>	_____
Grant Beck	_____	_____
Phone (Jan 8/09)	<u> X </u>	_____
Claudia Haas	<u> X </u>	_____
Floyd Adlem	_____	_____
(in person Jan 6/09)	<u> X </u>	_____
Tom Biddulph	_____	_____
(Jan 8/09)	<u> X </u>	_____

Item 2 – Planning for 2009-2010

ED leads members through info in binder.

NOTED: some items are time-sensitive.

Board takes part in a prioritization exercise.

Activities that are already ongoing/are already on the to-do list:

- Communications Plan (February 27 due date)
- Closure
 - WLWB workshops
 - Review of plan
 - Site visit
- Draft AdMP
- Budget Resolution
- WMP follow-up
- Governance Workshop

Three top projects that will be carried out this year:

- TK monitoring at Diavik
- Cumulative effects on Wildlife
- Parties' satisfaction with EA implementation

Others on the list that were not identified as top priorities:

- Air Quality Monitoring Program
- State of environment reporting to communities
- Budget to fully carry out mandate

Board calendar to follow.

ACTION: Put EA implementation review with Parties on agenda for next meeting

Item 6 – Group community update review

CC presents information from EMAB and Diavik in binder.

EMAB needs to plan for an update in a TG community.

YKDFN has asked EMAB to choose a date for their update.

Issues:

On bringing regulators to every update and the issue of their costs? Agreed to defer discussion on possibility of covering regulators' costs to attend group updates until it becomes an issue.

Q: ENR has officers in all the communities?

A: Yes, but they do not specifically have information related to Diavik site issues. They only manage their own area.

On the issue of going ahead without Diavik if Diavik cannot make a specific update – for example, the update in Kugluktuk planned around the TK workshop:

ACTION ITEM: Keep communication open with Diavik regarding updates so that they always have the opportunity to join us, but proceed with update regardless.

ACTION ITEM: For Kugluktuk, invite local environmental managers to the update.

ACTION ITEM: Try to get to as many community updates as possible for February.

Quorum

Related to the quorum issue this morning. There is a need to communicate with all of the Parties to the EA that a significant expense and a lot of preparation goes into an EMAB meeting. There is a need to meet quorum needs. Each Party needs an alternate.

Motion:

Write and send a strong letter of encouragement regarding the need for Parties to the EA to appoint alternates.

Moved: Florence Catholique

Second: Tom Biddulph

Carried

EMAB meeting – February 12, 2009

Doug Crossley, Chair, Kitikmeot Inuit Association
Florence Catholique, Vice Chair, Lutsel K'e Dene First Nation
Floyd Adlem, Secretary Treasurer, Canada (arrived at 3 p.m.)
Eddie Erasmus, Tlicho Government
Shannon Hayden, Alternate, North Slave Metis Alliance
Gavin More, Government of the Northwest Territories
Tom Biddulph, Diavik

Guest:
Lindsey Cymbalisky

Staff:
John McCullum, Executive Director
Michele LeTourneau, Communications Coordinator (also minutes)

Meeting started at 9:15

Item 7: Closure Workshop and Update

Joe Murdock is not available to speak about the Closure Workshop Report.

ED leads the Board through the report.

Report in binder. Recommendations in binder.

Comments on recommendations

It is critical for Parties to respond to ICRP so the Wek'èzhii Land and Water Board can consider their input in the decision process.

EMAB should attend Diavik's community consultations on the draft ICRP, record concerns, and include these in an intervention.

This process is coming up really fast.

Discussion:

- This board has always taken the position not to intervene on behalf of a Party. During the recent water licence amendment for water quantity, this board approved the change. It did not go through discussions and consideration at the community level. Lutsel K'e will not support an intervention that has not gone to the community.
- WLWB has no money to consult communities.
- EMAB does have the duty to consult with communities. The members need to make sure this is brought back to the Parties.
- Funding to participate is an issue for some Aboriginal Parties. The workshop was good; it was a first take on closure concepts. For some Parties, the issue is the resources to take it back to the Parties and the community level.

- Suggestion: A letter to the Aboriginal Parties should go out asking what kind of needs they have to participate regarding closure.
- Suggestion: EMAB could hire a contractor to go directly to the Parties – so we get a turn-around right away.
- For the WLWB workshop on closure objectives, EMAB might want to get technical expertise. The goal would be to have an effect at the objective-setting stage.
- Diavik will submit a draft ICRP. That's when we really need expertise. We'll need to know if all these plans will work.

Ryan Fequet of the WLWB arrives to discuss the WLWB closure workshop.

- Developed this process to have more participation.
- WLWB does not have the funding to pay for travel or participation.
- Workshop is designed so participants do not need technical assistance. The idea is that anyone is more than capable of sharing their objectives for closure. Suggests that there's no need for technical expertise at this stage.
- To want the land to be returned to what it was is a goal not objective.

NOTED: The concept of returning the land to what it was is not possible. That must be clear. In dealing with a second language these words are the biggest problem.

Board looks at the agenda for the workshop.

Ryan leads the Board through the agenda.

- This stage is really the most important stage. If everyone can move forward on the objectives it saves time. The BHP ICRP process is still not done. People did great work but did not have buy-in; that's why the WLWB has changed the process.
- This is very similar to the guidelines that the board is developing. The WLWB is pouring a lot of resources into this step. This is the most important step of all to make sure everyone gets to participate and everyone agrees on the same thing.
- Community participation is serious issue. Communities have to look at how important this is.

Concern expressed that some communities may not be able to participate due to lack of funds. EMAB should raise this issue like it did with intervenor funding. The recommendation was on public record at the water licence hearing.

ACTION ITEM: Proceed with communication support on the need to set up a funding mechanism.

Diavik closure objectives, as well as BHP's are in the binder. BHP's are far more detailed.

ACTION ITEM: ED to conduct a review of the two sets of closure objectives and identify possible additional objectives or tighter wording. Hire Arktis for a half day. Provide the report to the Board members attending the WLWB workshop as resource material.

The Board reviewed the recommendations in the Arktis report

Motion:

EMAB recommends the WLWB clearly define vision/goal, objectives and criteria for closure plans, and the differences between them.

Gavin More

Florence Catholique

Carried unanimously

Motion:

EMAB recommends DDMI take the January 2009 Closure workshop participants to visit the minesite in late May or early June to provide a better understanding of the closure components.

Moved: Eddie Erasmus

Seconded: Gavin More

Carried

Motion:

EMAB recommends DDMI include consultations on the draft ICRP in each Affected Community prior to submission to the Wek'èezhii Land and Water Board

Moved: Gavin More

Seconded: Shannon Hayden

Carried

ACTION: Send a letter to Parties to remind them they must participate in the WLWB's ICRP review process in order for the WLWB to be able to consider their input in the decision

Motion:

ED to develop Terms of Reference for an expert review of the draft ICRP

Moved: Gavin More

Seconded: Florence Catholique

Carried

It was suggested that communities could request funds from DDMI to participate in the ICRP review process if they don't have enough resources.

Q: Who will participate at the WLWB closure workshop for EMAB?

A: (Florence) Noted at the last meeting that the whole Board should attend. She stands by that statement.

Motion:

Support Board member participation in WLWB closure workshop.

Moved: Florence Catholique

Second: Shannon Hayden

Carried

ACTION ITEM: ED to provide comments on draft workshop report to Arktis for revision. Send revised Arktis report on EMAB's closure workshop to WLWB and all other interested parties.

Motion:

Accept Arktis report on EMAB's closure report with necessary corrections.

Moved: Gavin More

Second: Eddie Erasmus

Carried

Item 3: Wildlife Update

Both EMAB update and Diavik update in binder.

ACTION ITEM: Officially invite Diavik staff to present at the annual AEMP and WEMP Board meeting and also ask them to do an update on changes to the wildlife monitoring program at the same time.

Discussion: ENR/diamond mines meeting on WMPs – Dec 17/08

- Notes were circulated after meeting
- There was a lot of discussion among the mining staff about what they want to do. ENR is the wildlife manager – they should be saying how the monitoring is to be done.
- TK was raised at the meeting – specifically how it would be implemented by the three companies. Where is the Aboriginal perspective on the breaking up of the monitoring.
- Some concern that working groups set up at the meeting do not include an Aboriginal perspective

EMAB should continue to follow this process and ensure Parties have an opportunity to be involved in any decisions to change the WMPs.

BCMP Meeting

- At the Bathurst caribou meeting last week, Kim Poole discussed securing funding from mines to do studies in relationship to wildlife monitoring program...
- The CSR states commitments, as do the Environmental Agreements, regarding wildlife monitoring. The company is making changes but no one has questioned what the original commitments were. People need to know what those commitments are.
- Wolverine DNA study unilaterally cast aside by the three mines before that specific working group even met.
- On grizzly: There have always been safety issues. However the mines never figured out a replacement plan – and now there's nothing.

Q: Did the mines know last May about these safety issues with the grizzly monitoring? If they did that means they would have 9 months to prepare. They said they have to consult but they did not consult. EMAB needs to be vigilant.

- For air and wildlife plans and programs there were original commitments, as in the CSR. People are not going to the right sources to discuss change. People only seem to look at the WEMP, but that's not the root. There are regular 3-year impact reviews – that's the time to do this overall

pulling together. The EA fills the regulatory gap for air and wildlife. We need to look at the plans and adjust the programs.

- People have not been particularly rigorous.
- Studies are useful when community people can also be taught. Our purpose for studies is to acquire knowledge and skills.

Discussion the on the BCMP meeting:

- It was like a mini-geoscience as opposed to a workshop.
- Who has the responsibility for implementing the BCMP? It was an Academic conference. Not convinced people are taking implementing the plan seriously. For example: Does the winter road act as a barrier to caribou migration – this question is not being looked at even though many communities have raised it as a concern. It just seems like a bunch of biologists doing their own pet projects.
- A study on the mines ZOI will be coming out in the spring.
- Most significant: This concept of monitoring caribou every two years. If that happens they should put the money to figuring out why caribou are influenced at 30 kilometers or beyond.
- Suggestion: Have Petr Komers talk with Kim Poole. It might be early to change to monitoring caribou every two years. If Ekati proposes monitoring every two years we will see Diavik falling in line.
- TK is simply not being done. Excited about what EMAB might be able to do with its TK efforts.

Memo on wildlife in binder

ACTION ITEM: draft a letter as per Recommendation #1 from kit include invitation to EMAB meeting to present proposed changes to the WMP.

ACTION: track DDMI follow up to information requests as per Recommendation #2 from kit.

Discussion on Zone of Influence

Q: How can now be the right time to reduce monitoring? Doesn't seem like a logical time.

EMAB needs a serious response regarding adaptive responses to the increased size of the ZOI for caribou.

ACTION Draft Letter as per recommendation #3 from kit plus query about effect of the winter road on the ZOI.

Lunch break: 12:15 to 1:30

Item 11: TK in monitoring

Information in binder.

- Discussion on draft Terms of Reference for EMAB's TK workshop:
- There is a need to discuss scope of work and dates.

- The TK proposal seems to be limited to caribou. On the subject of caribou there is a regional focus with work being done elsewhere. EMAB should also have a regional focus and bring the other parties into the workshop.
- EMAB's mandate is not regional.
- NOTED: This is the third draft of the proposal. It's time to approve it and not go over the fundamentals again. The approach was monitoring caribou for wildlife and fish for aquatics.
- Insistence on regional approach. Diavik requested a copy of the draft proposal but was denied.
- Trying to bring everyone together on a regional approach will delay monitoring even further. EMAB has been very committed to getting this monitoring going as committed in the EA.
- The proposal provides for community involvement; the communities are the same ones affected by Ekati and Snap Lake.
- EMAB could invite all parties as observers.
- On the dates chosen – these dates are difficult for Diavik staff.
- Q: Is it beneficial to have Diavik there?
- Diavik should be saying mahsi to EMAB for doing this. They are supposed to do it.
- Nobody is saying they don't want Diavik to be there.
- The dates can't be changed due to all the advance planning.

Motion:

Approve the Terms of Reference for EMAB's TK workshop.

Moved: Eddie Erasmus

Second: Florence Catholique

Carried with one abstention

ACTION ITEM: Write and send a letter to mines and independent agencies and WRRB inviting them to participate at EMAB's TK workshop.

TK study proposal

ED leads the Board through the proposal.

Discussion:

- Funding would fall under clause 6.1 of the EA and the basis is EMAB's mandate
- Diavik wants the proposal.
- Diavik can have the proposal once it is approved by the Board.
- ENR also wants the proposal.
- The budget for the study will be developed after the TK workshop.
- Safety and legal issues are raised. This will also be researched after the workshop.
- The proposal must be tested conceptually with the Parties.
- Issue of firearms is raised.
- Usually, with participatory action research, the researching skills are developed at the community level. Most elders will not give knowledge to someone they do not respect.
- Training within the community is a huge commitment because we have five Aboriginal Parties. That's a huge expense. For a company that hasn't done anything on this for nine years, there is no justification for not doing it. But there is a training facility in Ndilo. We could bring them all

together, two from each Party, rather than doing it in each community. That might help in cost efficiency.

- Q: There is no reference to distance from the mine site? A: Sites have yet to be determined.

ACTION ITEM: Share TK proposal with all Parties.

Motion:

Approve the TK study proposal.

Moved: Florence Catholique

Second: Shannon Hayden

Tom Biddulph wants it on the record that he has issues with the TK study proposal.

Carried with one opposed

DIAND initiative – TK in aquatic monitoring

The working group met on Tuesday Feb 10. There is a draft Terms of Reference for the group and a draft Terms of Reference for research into existing studies. They want to issue a contract to do the research. There will be another meeting or two before March 31.

There may be an opportunity to get INAC in on our TK study proposal.

Q: Who will attend from EMAB at the next DIAND working group February 24?

A: Charlie Catholique, possibly Grant Beck, and ED (John McCullum)

ACTION: ED to provide comments to DIAND on ToR for WG and for literature review.

NOTED: TK is different for each Aboriginal Party.

ITEM 8 – Air Quality

ED presents item from kit.

Discussion:

- Having target dates for an Air Quality Monitoring Program would be good. The land and water board would not let this slip through the cracks but it seems to happen under EA.
- DeBeers is going ahead. They have an acceptable plan. It could be a model for other mines.

ACTION ITEM: ED to get together with Environment Canada air specialist and put a feasible timeline together for an Air Quality Monitoring Program to the present to Board.

ITEM 9 – EAAR

CC presents item from kit.

Motion:

Recommendation to DIAVIK to engage communities in discussion to determine if the plain language summary of the EAAR is satisfactory and to determine how best to present the information in the EAAR to the community.

Moved: Eddie Erasmus

Second: Gavin More

Carried

ITEM 12 CBM camps

Info in binder

ACTION ITEM: Write and send a letter to Diavik advising them that it is their responsibility to inform communities of the CBM Camp status and offer them more details on what will happen in 2009.

ITEM 5 con't

NOTED: The following motions do not broach the subject of EMAB's independence re: reallocating funds in EMAB's budget. That is a separate discussion.

First motion is on the table (moved by Floyd Adlem and seconded by Gavin More).

Carried

With one abstention

Motion:

Whereas DDMI has deducted \$150,000 from its contribution to EMAB's budget for 2009-10; and

Whereas EMAB disputes DDMI's reasons for making this deduction and believes that DDMI has misinterpreted the Environmental Agreement and failed to perform one of its obligations by doing so; and

Whereas EMAB has agreed on a budget for 2009-10 that requires these funds to carry out its workplan; and

Whereas EMAB requires DDMI's full contribution in order to effectively carry out its workplan to implement the EA

Therefore EMAB recommends that one or more of the Parties to the Agreement immediately initiate Article 16 of the Environmental Agreement "Resolution of Disputes" by delivering notice in writing to DDMI that its contribution for 2009-10 is in dispute, and that its interpretation of EA (4.8)(g) is also in dispute; and

EMAB recommends that DDMI, the disputing Party(s) and EMAB enter into mediation as soon as possible with the intent of resolving the dispute before the 60-day deadline set out in section 16.2 of the EA.

Moved: Floyd Adlem

Second: Gavin More

The disputing Parties, according to the EA, have to pay for their mediation costs.

NOTED: One member repeats that EMAB should have hired a lawyer to provide a legal opinion.

ALSO NOTED: Mediation cheaper than lawyer.

Carried with two abstentions

ACTION ITEM: Write and send a letter to the Parties to the EA with motion on mediation and copy to Board.

Discussion:

- No sense in continuing to dig trenches on both sides. Both sides are losing rational thought. It is hoped that a resolution can be achieved through mediation.
- Regarding the cost issue: DIAND or GNWT should be encouraged to request mediation.
- Regarding follow-up after the letter is sent: indicate that EMAB will support and work with the Parties to reach a speedy resolution.
- Suggested that some Parties may have professional, impartial mediators on staff.
- It will also be important to speak with Gord Macdonald re: his policy proposal. The executive will discuss this further.

Item 10 Reports

Financial Statement

Q: Can the Board see scenarios with and without the \$150,000 that has been withheld? That would be a valuable exercise.

A: When the audit for 2008-2009 is out we'll have specific numbers.

ACTION ITEM: ED to draft budgets with/without \$150 000 Diavik has withheld.

Motion:

Approve financial statement as presented.

Moved: Floyd Adlem

Seconded: Gavin More

Carried

Member reports

Tom Biddulph/Diavik: In binder

Floyd Adlem/Canada: Nothing to report.

Doug Crossley/KIA: Working with a student on capacity funding proposal and will hopefully have that next week.

Shannon Hayden/NSMA: NSMA sent three members to the Bathurst caribou workshop and also three members to EMAB's Closure Workshop. NSMA will hold elections next month.

Florence Catholique/LKDFN: Thank you for EMAB sponsorship for some of Lutsel K'e efforts via the capacity fund. Lutsel K'e does not have a wildlife manager. LKDFN would like a site visit. Community members are still concerned about finding mercury in Lac de Gras. There continues to be interest in the CBM camp. LKDFN will also be interested in a review of EA implementation.

Eddie Erasmus/TG: There is a lot of stuff happening for TG. Continuing the land use planning – hope to be done by fall. Lands Protection have new staff. There is a lot of campaigning for upcoming election, and there is a big political dispute.

Per diem for people who attend EMAB workshops

A participant for our Closure Workshop from Dettah had to travel from Dettah to Yellowknife by taxi and also needed to eat lunch.

Modify policy to pay per diem in cases where the participant is not strictly from out of town – at the discretion of the executive

ACTION ITEM: ED to draft a new policy reflecting the travel/per diem amendment for Board review.
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ITEM 4 – Capacity Funding

Defer to next meeting.

Motion:

Adjourn meeting

Moved: Tom Biddulph

Closing prayer: Florence Catholique.