

***EMAB Board Meeting Minutes
June 10th, 2003
EMAB Board Room, Yellowknife, NT***

Present:

Bob Turner, Chair, North Slave Métis Alliance
Floyd Adlem, Vice-Chair, Government of Canada
Doug Crossley, Kitikmeot Inuit Association
Erik Madsen, Diavik Diamond Mines Incorporated
Florence Catholique, Lutsel K'e Dene First Nation
Lawrence Goulet, Yellowknives Dene First Nation
John Morrison, Government of Nunavut
John McCullum, Executive Director

Absent:

Doug Doan, Secretary-Treasurer, Government of the NWT
Johnny Weyallon, Dogrib Treaty 11 Council

Minute taker:

Erica Janes, GeoNorth Limited

The meeting started with a Welcome from the Chair at 9:12 am.

An opening Prayer was given by Florence Catholique.

Approval of Agenda

It was noted that the Agenda should read travel to Dettah during the Lunch Break on Day One, with the meeting resuming at 1:30 in the Dettah Community Hall. Day Two's location should be listed as the Dettah Community Hall, in addition to the public meeting at 7:00 pm in the same location. The purpose of the public meeting should be discussed at the end of Day One. Also added to the Day Two Agenda under other business were discussion about and the printing quotes for the Annual Report, the invitations to the official opening of Diavik, and the website.

Motion #01-03-06-10

Accept Agenda as amended

Moved: Floyd Adlem

Seconded: John Morrison

Carried: Unanimously

Approval of May 7th and 8th, 2003 Minutes

Three corrections were noted and the descriptions of the changes have been included in the end notes of the approved May 7th and 8th minutes.

Motion #02-03-06-10

Accept May 7th and 8th minutes as amended

Moved: Doug Crossley

Seconded: Erik Madsen

Carried: Unanimously

The meeting was suspended at 9:30 am, and members went to the Mackenzie Valley Land and Water Board Boardroom to attend a session on ammonia at Diavik hosted by the Diavik Technical Committee.

Presentation on ammonia at Diavik

Gord MacDonald of DDMI gave a presentation on the rising ammonia levels in the waters on the mine site. Ammonia levels have risen because blasting residue from pit explosives dissolves in clean runoff water, and the ammonia accumulates in the North Inlet waters. The ammonia levels have dropped because of dilution from the sediment ponds and because of freshet, and are predicted to drop once the ice on the North Inlet melts. However, Diavik and the DIAND Inspector are concerned that by the end of the year, ammonia levels will exceed Diavik's water license limits. Gord explained that while Diavik has not yet gone beyond compliance limits for total ammonia. That they are going beyond sampling frequency requirements and sampling water daily to try to understand what's going on. He explained the current and future expected conditions at the mine site in detail, saying that because the mine is still not using as many explosives as planned, they predict being above license limits for ammonia when in full operation.

Gord explained that Diavik identified five opportunities to address the ammonia problem:

1. Diavik has reviewed the **pit blasting practices**, and while they are convinced that best practices are being used, they have implemented more formal documentation and inspection of explosives handling, and are carrying out detonation testing for blasting efficiency.
2. **Pit water management** has been examined, and is predicted to make the biggest difference in ammonia concentrations; the best opportunity to keep the ammonia out of the water is if water is kept separate from the rock. However, the pit has not reached its full size, so setting up permanent water collection systems is problematic. Pit operators will be required to use an ammonia meter to determine the sources of ammonia, once meter is delivered to site. Diavik has retained a hydrogeologist to study water seepage, the pit-water collection system, and opportunities for water management. The initial feedback is that it is too early to understand; another year's worth of data is needed. There is no formal plan yet, but Diavik hopes to address this issue in their water management plan, which will be submitted in next year's annual report.
3. **Site water management** has also been examined, and the option to use high-ammonia water in the PKC presented. Diavik has predicted that the PKC facility will keep running out of water in the future, so high-ammonia water could possibly be re-used there. This option hasn't been explored completely, and was presented as a concept only.

4. A **water treatment** plan that involves removing ammonia from the water has been studied by DIAND (previous report on water treatment technologies) and Diavik, with the general conclusion that there is no technology available for ammonia removal for diamond mining in NWT. Conventional treatment of high-ammonia water involves volatilization, but this requires high temperatures and high pH, which are conditions not present on site. However, Diavik has retained a treatment specialist to look at treatment alternatives, and results from the review will be in annual water management plan.
5. The most favoured option is obtaining a **license amendment** from the Mackenzie Valley Land and Water Board. Gord stated that Diavik intends to file an application next week, as they don't believe the license limits reflect best management practices on this site. But, Diavik recognizes the environmental concerns of the high ammonia levels, which include its properties as an aquatic nutrient, an oxygen user, and a toxicant.

Gord then talked in detail about the environmental effects of ammonia in Lac de Gras, saying it is still appropriate to regulate for environmental effects. Diavik has ruled out the ammonia-as-nutrient issue because Lac de Gras is not nitrogen-limited. Also, because there is lots of oxygen in Lac de Gras and oxygen demand and consumption are low, Diavik believes that the ammonia will not affect oxygen levels. The only remaining issue is ammonia as a toxicant; it has well-documented negative effects on fish. However, the toxicity comes from unionized ammonia, which only forms a small proportion of the total ammonia that is tested for. Therefore, Diavik is suggesting that testing be done for unionized ammonia instead of total ammonia. This lowers the level of acceptable concentrations, because there is much less unionized ammonia present in the water, and it is far more toxic. Diavik's tests for unionized ammonia show levels well below the range for acute lethality in the receiving waters (0.56 to 2.37 mg/L), but they are suggesting that acceptable levels remain below CCME levels for chronic effects (0.019mg/L). Diavik plans to submit the application for their license amendment next week, and looks forward to further discussion and cooperative work on this issue.

Board members reconvened in the EMAB Boardroom at 11:15 am.

Annual Report Contractor

There was a short discussion about the approval of the contractor, and confirmation that the contract has been signed. Members agreed to discuss the topic further in the afternoon.

Diavik Technical Committee Session Follow-up

There was some discussion by Board Members about their lack of technical background with regards to their ability to completely understand the ammonia issues at Diavik. The mine water systems were described using a wall map, and it was explained that the water treatment plant on site was never designed to treat anything but suspended solids in the water; this is why dealing with the ammonia is an issue. However, ammonia concentrations aren't expected to rise above the license requirements until Christmas, when there won't be enough water to dilute it, once the sedimentation pond is pumped down. The lack of current treatment options were further explained and discussed. It was suggested that Diavik may be getting ahead of themselves, as a problem is not anticipated for months, and there could be forthcoming options for addressing the ammonia issue other than the license amendment. It was pointed out that Diavik anticipated that these license requirements would have to be amended from the outset, and that it took 8 months for Diavik to obtain a license amendment previously. They are

trying to act well ahead of time so that they don't exceed compliance levels; MVLWB won't allow discharge above the limit while Diavik is waiting for an amendment. The process surrounding non-compliance of license requirements was explained; ultimately, if compliance is not reached, usually the Inspector provides the company with a timeframe to come into compliance. The last resort is that the mine would be shut down.

It was brought up that EMAB members ought to have a good understanding of issues before supporting any decision that affects the environment, after a variety of related technical issues were discussed. Members agreed that it would be helpful for Gord MacDonald to be invited to give a presentation to the Board on the ammonia issue. It was then proposed that EMAB hire an expert to research and explain the ammonia issue so that members can be best informed. EMAB has not had a water quality workshop, and all agreed that this be added to the agenda. Members were not impressed with the regulatory agencies' performance at the DTC meeting, and suggested the need for an independent water expert to inform the Board; this could be tied to a workshop. The expert would have to have familiarity with the Diavik site, but must be independent. A need to clarify the roles of the regulatory agencies and their effect on EMAB was also expressed.

It was agreed that a water quality workshop should take place before the license amendment is granted, and it was suggested to hold it in later summer in Kugluktuk. There was a general discussion about the number of participants (20-30) and workshop budget (it was stated that usually EMAB budgets about \$30 000 for workshops).

Action Item: Doug Crossley to speak with Stanley Anablak and Charlie Evalik in Kugluktuk and Cambridge Bay about the possibility of holding a water quality workshop in Kugluktuk in late summer.

Motion #03-03-06-10

Hire and expert to assist the Board in understanding water quality issues, including ammonia; invite Gord MacDonald to make a presentation on ammonia to the Board, and hold a water quality workshop in late August, date to be determined.

There was some further discussion on workshop timing with regards to the upcoming fish palatability study, and potential workshop Agenda and topics for discussion.

Moved: Florence Catholique

Seconded: Doug Crossley

Carried: Unanimously

Break – 12:15 pm

Reconvene – 2:10 pm, Dettah Community Hall

Water Quality Workshop

The afternoon began with further discussion about the planned water quality workshop. Members discussed the need for a workshop facilitator, as well as the \$5000 limit on sole-sourcing contractors; any contract valued at more than the limit must go to RFP, and EMAB must receive two or three

quotes before choosing a contractor. It was agreed to keep the facilitator's contract under the \$5000 limit, and include minimal preparation time and general workshop involvement.

Motion #04-03-06-10

Hire a facilitator for the planned water quality workshop.

Moved: Floyd Adlem

Seconded: Florence Catholique

The group discussed the option of hiring a resident of Kugluktuk to take notes, compile presentations, etc., as well as possible dates. The Board agreed to review the \$5000 limit at the next meeting, as it is low.

Carried: Unanimously

Action Item: Floyd and Doug Doan will review the contract-value limits for hiring contractors without an RFP, for presentation to and discussion with the Board at the next meeting.

Further Discussion on DTC session

Discussion briefly returned to the session on ammonia attended in the morning, and further technical issues were clarified. The annual fish palatability study was discussed in reference to potential ammonia studies at the mine site. EMAB requested that a copy of DDMI's license amendment and application be sent to their office; it was stated that EMAB will receive one from the MVLWB, probably near the end of June. It was noted that this is a bad time for the Aboriginal parties because of meetings, elections and gatherings planned during the summer, and that this will probably stall the process.

TK Panel Draft Terms of Reference

The Board reviewed the Terms of Reference drafted by John McCullum, as presented in the meeting reference binder. John stated that he tried to use the recommendations that came out of the TK Workshop, but because they were research-focused, they were of limited use. He said that he was open to suggestions and feedback, and several changes were suggested. These included some wording and definitions, and the presentation of the concept of TK was discussed in detail. It was confirmed that any group accessing information from the Panel will have to pay for its services. Board members were encouraged to review the document further, and it was agreed to look at it again at the next meeting.

Action Item: John McCullum will re-draft the TK Panel Terms of Reference, and present it at the next meeting. In the meantime, Board members will submit any further comments to him.

No Net Loss Habitat Compensation Update

John McCullum explained that he reviewed all EMAB correspondence on the No Net Loss issue, and summarized the main issues. His issues summary and letter listing was compiled in a memo included in the meeting resource binder. The main issues were:

1. Existing Fisheries Authorization;
2. Cost;
3. No Net Loss Policy Hierarchy (DFO prepared to give full and fair consideration to off-site alternatives proposed by communities that restore or enhance previously disturbed habitat): a major issue;
4. Identification of Sites; and
5. DFO's suggested study plot approach (may alleviate some of the Board's concerns).

John explained that he met with Julie Dahl, and that she gave verbal commitment and stated she would write a letter to EMAB saying that DFO will go beyond "like for like" and consider all proposals submitted, which will help with community involvement. The Board discussed the need to start identifying sites once the letter is received, and that then there will be the need for DDMI to request proposals from communities. It was agreed that the Board should review the letter from DFO once received, to ensure the commitment is there.

Action Item: John McCullum will write a letter to DFO stating that EMAB is awaiting their letter and written commitment following John's meeting with Julie Dahl.

Action Item: wait for the letter from DFO stating their commitment to give full and fair consideration to off-site alternatives for No Net Loss projects proposed by communities.

The Board discussed the different possibilities for work on lakes in the area. It was stressed that the Aboriginal parties do not want any of the lakes on East Island touched; they are still pristine and have not been impacted by the mine at all. It is now understood that DFO wishes to study one of the island lakes, but EMAB and the communities didn't want the lakes touched. Board members discussed the relevance of using the small island lakes to assess the impacts on Lac de Gras. John stated that DFO wants feedback from EMAB on which lakes to use for study plots. It was agreed that a DFO representative would have to be present to discuss the matter fully, and that this should be put on the agenda for the next meeting. Board members can find the No Net Loss proposal at their Band Office for review.

Action Item: ensure that DFO and Diavik representatives are present at the next meeting, so that resolution on the inland lakes can be reached.

Annual Report

Floyd stated that EMAB hired Rosella Stoez to produce the Annual Report, as was done last year. The Board was asked to review the Report specifications, included in the meeting resource binder; it was pointed out that these were the same as the previous year's. After discussions with Rosella, she obtained printing quotes from three businesses for two different versions of the Report (included in the meeting resource binder), which the Board reviewed. Rosella's recommendation was to contract Artisan Press because they printed the Report last year, and will print the Report locally.

The two versions of this year's Report have mostly the same content, but are organized differently. Board members were asked to review the proposed tables of contents and make comments. There was general agreement that the second (new) version would be a good way to go, and then discussion about

which headings to include in the Report. Suggestions included board capacity activities, the youth fish camp, quotes from party leaders as inserts, site visits, TK and Cumulative Effects involvement, and a schematic diagram to illustrate the relationship between the Board and DDMI. This year's version will not include Board members' biographies.

It was suggested that John McCullum do a monthly report to keep track of Board happenings, so that when it's time to compile the Annual Report, it will be easier.

Motion #05-03-06-10

Adopt Rosella Stoez's recommendation to contract Artisan Press to print the Annual Report, waiving EMAB Operations Manual Tendering Requirement 2.3.3.

Moved: Florence Catholique

Seconded: Floyd Adlem

Carried: Unanimously

There was further discussion on including capacity funding in the report. It was confirmed that information is needed by early July for inclusion in the Report. There was also further discussion about reporting periods and the fiscal year for the capacity funding, and it was determined that reports have been received from the NSMA and partly from Lutsel K'e.

Preparation for Public Meeting

The Board discussed the number of people expected to come to the meeting. Translation services and equipment would be provided regardless, and Bob was expected to do most of the speaking and answering of questions. It was decided that EMAB pamphlets and last year's Annual Report would be brought for distribution, and maps be put up for viewing.

Other Business: Boardroom

The Board discussed the fact that IEMA has been renting out the Boardroom that it shares with EMAB. Members expressed concern over taking away business from organizations that make their money renting out this type of facility. It was agreed that IEMA and EMAB should have a working agreement that outlines how the Boardroom should be used. It was pointed out that IEMA and EMAB used to share a booking calendar for Boardroom events, and that this should be done again.

Action Item: John McCullum will contact Carole Mills of IEMA to talk about Boardroom usage, and John will bring recommendations for how the Boardroom should be used to the next meeting.

Meeting adjourned 3:55 pm.

***EMAB Board Meeting Minutes
June 11th, 2003
Dettah Community Hall, Dettah, NT***

Present:

Bob Turner, Chair, North Slave Métis Alliance
Floyd Adlem, Vice-Chair, Government of Canada
Doug Crossley, Kitikmeot Inuit Association
Erik Madsen, Diavik Diamond Mines Incorporated
Florence Catholique, Lutsel K'e Dene First Nation
Lawrence Goulet, Yellowknives Dene First Nation
John Morrison, Government of Nunavut
John McCullum, Executive Director

Absent:

Doug Doan, Secretary-Treasurer, Government of the NWT
Johnny Weyallon, Dogrib Treaty 11 Council

Visitors:

Corol Talbot, Manulife Securities
Julian Kanigan, DIAND Inspector
Brenda Kuzyk, Diavik Diamond Mines Incorporated

Minute taker:

Erica Janes, GeoNorth Limited

The Meeting began at 9:25 am.

Reports: Capacity Funds

The morning's discussion began with a reminder that community proposals must be received in order for funds to be disbursed to communities. There was further discussion about report and proposal formatting and requirements for each community, with the point being made that each community uses its funds in a different way so should not have to adhere to a common format. The Board agreed that each community should submit proposals as general work plans in the way they think best reflects their needs. The guidelines in the EMAB Operations Manual should be treated as suggestions; the workplan is meant to help EMAB members with financial planning and provide accountability. Also, EMAB staff is available to travel to communities to help pull together their reports, if necessary. It was proposed that these funding guidelines should be reviewed in detail, given the need for flexibility between communities, and some general discussion about how funds should be released.

Action Item: over next month, John McCullum will contact each EMAB member and ask if his assistance is required to develop last year's reports, as well as upcoming budgets and workplans.

Corol Talbot of Manulife Securities joined the group at 9:40 am.

Board Disability Insurance

Corol presented information regarding the Accidental Death coverage proposed for the Board members (quotes were included in the meeting resource binder). There was general discussion about the coverage presented, and it was decided that the Board needed to determine exactly who is to be covered, so that Corol can give a firm quotation. There was some discussion about coverage of alternate members, but it was decided that members are first priority; alternates can be looked at later. Corol made it clear that the insurance only covers Board members while they are traveling on Board business, but not during meetings or workshops themselves. The Board agreed that they would like this to be included, and Corol said that she would look into the regulations about this kind of coverage.

Action Item: John McCullum to follow up with Corol on Board insurance coverage outside of travel time, and the number of members that require coverage.

Next, the Board discussed insurance coverage for EMAB employees. Corol explained the two different quotes included in the meeting resource binder, and how the insurance plan works. EMAB must be a member of the Chamber of Commerce to be eligible for this plan. Also, Corol stated that it

is in the employees' best interests to pay the premiums for short and long term disability benefits, so that the employee is not taxed on benefits paid out.

Carol Talbot parted the group at 10:05 am.

There was discussion on how the coverage for employees should be dealt with, and it was agreed that the executive will have to work out the details of premium payments. The Board agreed that benefits are to be paid over and above employees' salaries.

Motion #01-03-06-11

Obtain group insurance plan for Linda and John through the Chamber of Commerce Group Insurance Plan at the maximum rate, with details to be worked out by the Board at a later date.

Moved: Floyd Adlem

Seconded: John Morrison

Carried: Unanimously

There was some further discussion on details of the insurance plan: because the benefits are taxable if the Board pays them, a northern allowance could be added to employees' salary to cover the cost of the insurance premiums.

Motion #02-03-06-11

Join the Yellowknife Chamber of Commerce.

Moved: Doug Crossley

Seconded: Erik Madsen

Carried: Unanimously

Operations Manual: Honoraria

John McCullum presented a draft of the Honorarium Policy for discussion. He pointed out that the number of pre-authorized days for which Board members can claim for community consultation and meeting preparation is unclear, and needs to be clarified so that the policy states what the Board intends. The Board discussed the difference between allocating funding to translation and consultation at length, as well as the need to set a standard for paying translators. It was pointed out that, as with the capacity funding, each community works differently, but that there is a need to set limits on the number of pre-authorized days from a budget and accountability standpoint.

The suggestion was made that Board members should provide a monthly report to provide a record of financial activity for review and discussion by the Board. This stimulated further discussion about equal treatment of all parties, and the difficulties that arise because of different funding sources and the amount of pre-authorized time provided for. The parties differed in their opinions as to whether or not four pre-authorized days was sufficient, but it was noted that there is a possibility for further funding beyond what is pre-authorized, as long as a request is made. This would be subject to budget constraints, however, especially given the money anticipated to be spent on the TK panel. Calculations were made that showed if each member claimed their allocated pre-authorized consultation days, it would quickly exceed the budget even though no translation or EMAB staff assistance is included.

The Board agreed that because EMAB was created to help facilitate communication between the parties and DDMI, it would be a good idea for each member to provide a brief monthly report on their activities. This would address the issue of accountability and help to explain what the Board does, but would have to be discussed as a budget issue. It was agreed that because this was a new issue to some Board members and there are difficulties with interpreting the policy, time should be allowed to think about it, and a concrete plan should be devised at the next meeting.

Break – 11:05 am
Reconvene – 11:25 am

Florence Catholique parted the group at 11:05 am, and Julian Kanigan of DIAND joined the group at 11:15 am.

It was agreed that the Board's intention is to provide four days of pre-authorized time for members to consult and translation with their communities, but that for now, the eight-day interpretation should be followed.

Inspection Report

Julian Kanigan, Inspector with DIAND, gave an overview of his activities over the past month, as outlined in the meeting resource binder. He offered to answer any questions about the Diavik Technical Committee session that the Board attended the previous day, and told the Board that he has been receiving weekly updates from DDMI concerning their daily ammonia monitoring. He assured the Board that other RAs weren't asking many questions at the presentation because they were seeing much of the information for the first time. It was confirmed that if DDMI's water license is not amended and compliance not reached on ammonia levels, the worst case scenario is that the mining operation is abandoned. Before this occurs, there is a range of enforcement tools, and Julian pointed out that DIAND and DDMI have been working pro-actively and cooperatively to solve the problem, with the ultimate goal of amending the license to monitor for unionized ammonia instead of total ammonia.

Julian also told the Board that there has been an exceedance of zinc at one monitoring station on site, and so further testing will be done. Results will be included in Julian's inspection report, and he is available to update EMAB on this issue.

Julian pointed out his concern over some ponding he noticed in the crusher area, and using a map of the site, explained that he would like to see this area tied into the water collection system at pond 1. He explained that this is more of a concern for next year, and it was brought to the Board's attention that DDMI will be taking steps this summer to address this drainage issue.

Julian told the Board that he wanted to gather some opinions on DDMI's request to use minewater for dust control on the roads. He pointed out that Lac de Gras water has been used for dust control until now, but DDMI is trying to decrease its freshwater use, and needs a permanent source of water for the roads. He demonstrated how the roads are tied into the water collection area on the site map, and pointed out that he is comfortable with this plan where the water can be collected. However, the airstrip is not within the water collection system; Julian questioned the use of minewater here. He

stated that there are arguments supporting this idea, however: the airstrip is made from blasted quarry rock and so has the same chemical content as the minewater (except for the ammonia), and that not much water is used. Also, it would be cheaper for DDMI to use minewater because only one pumping station would be needed. Julian said that roads are exempt from the water license, so DDMI would not be in violation by controlling dust with minewater on the roads. However, Lac de Gras water must be used on the airstrip in order to be in compliance with the water license.

The Board expressed concern about the accumulation of elements from the minewater on the road over time, and Julian said that while there are no forecasts for this effect, the accumulation is considered to be negligible. The Board discussed the possibility of using ammonia-laced minewater on the roads, as a method of dust control and volatilizing the ammonia. But, there would need to be a monitoring program in place to make sure ammonia and other chemicals aren't accumulating on the airstrip. This would be addressed by the annual seepage survey of the mine site. It was pointed out that ammonia may volatilize off the airstrip, and what's left could encourage plant growth in the area. In general, the Board agreed that more research on accumulation of ammonia outside the water collection area should be done.

Julian thanked the Board for their input, and told them he would make sure EMAB is copied on related correspondence.

Florence Catholique rejoined the group at 11:45 am.

Annual Meeting of the Parties

The Board discussed the fact that there is no requirement in the EA for an annual meeting of the parties, and that Eric Yaxley of DIAND had confirmed that the parties had little interest in holding such a meeting. However, it was suggested that this would be a valuable way to let the parties know about EMAB's activities, and that it could take the form of EMAB hosting a casual social gathering where EMAB could update them. It was pointed out that there was a difference between the parties holding a formal meeting and EMAB bringing the parties together to update them. Several suggestions for bringing the parties together were made, but none were decided upon.

Action Item: each member will ask their party if they are interested in either a formal meeting of the parties, or an EMAB meeting with the parties. This will be discussed by the Board at a later date.

*Lunch Break – 12:10 pm
Reconvene – 12:50 pm*

Financial Reports

John McCullum reviewed the budget, as included in the meeting resource binder. He told the Board that the auditors were currently working on the preliminary budget statements but were behind schedule, and that the final version would be available at the end of June. Several questions about budget details were clarified.

Motion #03-03-06-11

Accept financial statements as presented.

Moved: Doug Crossley

Seconded: Lawrence Goulet

Carried: Unanimously

Proposed 2003-2004 Budget

John McCullum told the Board that he had reviewed the budget with Doug Doan, and is planning to review it again in six months, to ensure spending is on target. He stated that this year's budget is largely based on last year's actual expenses, and led the Board through a review of the budget, as included in the meeting resource binder. It was pointed out that the Board and employee insurance should be considered in terms of their effect on the budget. This will be revisited in September when decisions have been made concerning insurance coverage, along with Board members' honoraria (as discussed above). John pointed out that other differences from last year include website design, the Annual Report, a portable display case, and professional consulting fees. Some budget items have simply been reorganized compared to last year.

It was pointed out that the value for community capacity and consultation funding may change due to surpluses from last year; surpluses would be subtracted from the \$30 000 maximum allotted this year. John stated that this year's total budget will use up half of the \$270 000 surplus, next year's will use up the last half, and then EMAB will have to revisit the budget with DDML. He said that this is a conservative budget, and that EMAB is more likely to under-spend than overspend, especially considering the possibility of funding from other sources.

Brenda Kuzyk joined the group at 1:15 pm.

Motion #04-03-06-11

Accept budget as presented.

Moved: Floyd Adlem

Seconded: Doug Crossley

Carried: Unanimously

Annual General Meeting

The Board discussed the fact that Wednesday, September 24th, 2003 is the last possible date that the AGM can be held.

Motion #05-03-06-11

Hold the EMAB AGM on September 24th, 2003

Moved: Erik Madsen

Seconded: Floyd Adlem

Carried: Unanimously

Correspondence

John McCullum informed the Board that there was no correspondence except for a letter sent to Bob Overvold at DIAND and copied to the parties, which concerned DIAND's participation in the Diavik Technical Committee. It was pointed out that EMAB has not responded to Florence Catholique's letter to EMAB concerning section 4.2f of the EA, which was raised at the last meeting.

Action Item: John McCullum to investigate Florence's letter to EMAB and solicit a response.

Community Based Monitoring Camp

Erik Madsen introduced DDMI's draft user guidelines for their community based monitoring camp, and told the Board he was looking for feedback and approval on the guidelines, as included in the meeting resource binder. The guidelines are necessary because the camp will be operated under a land use permit from the MVLWB, and users must adhere to the terms and conditions set in order to keep the camp operational. The guidelines are also intended to help communities prepare study proposals. The land use permit is good for five years, after which point DDMI will review the use of the camp and associated benefits, and determine whether or not to renew the land use permit. He explained that the camp is not intended for winter use, and that each stay cannot exceed 7 days. DDMI will be responsible for establishing and operating the camp, including providing a caretaker and some supplies and equipment, but community groups will be responsible for their own food, food ordering and cooking. He stated that DDMI has a maximum budget of \$150 000 for this camp. In terms of approving applications for camp use, DDMI will favour multi-year studies that complement the requirements of regulatory agencies and that include partnerships between all five Aboriginal groups. DDMI will require reports to be submitted to them and to EMAB upon study completion. Proposal submission is expected to be in April, but this year, DDMI will make an exception for the fish palatability study, and help to coordinate the study. Erik also said that security will be more relaxed for study participants to facilitate their participation.

Erik requested comments on the draft guidelines from Board members. It was confirmed that DDMI would like to see three to four participants from each community on any given study. There was some discussion about the best way to allow study participants to communicate with their families at home. At the suggestion of EMAB members, Erik added an HF radio or a Sat Phone, as well as specifically-requested fishnet sizes, to the list of equipment to be provided by DDMI. The strategy to have as many community members participate in studies was explained: one person from the previous year's study will bring two new people each year. The communities are interested in cycling as many individuals through studies as possible, and this will also allow some continuity in the study methodology.

The Board clarified that study outcomes are hoped to become recommendations that EMAB can submit to DDMI; if all five Aboriginal groups are involved, the recommendations will be as meaningful and strong as possible. It was also made clear that EMAB should somehow drive the process of organizing the parties to come together for community based monitoring studies as the body with access to information about all parties, but initiatives must be coordinated by community members. However, it was also agreed that there should be enough flexibility for individual parties to initiate and carry out their own studies. There was then some discussion about whether it will be possible for Aboriginal groups to use the camp without using DDMI's study fund. While this would provide for more TK to be documented, it is a huge liability issue for DDMI. Erik stated that he could not commit to this without talking to DDMI management about it first.

Action Item: Erik Madsen will re-draft the DDMI community based monitoring camp guidelines based on the Board's comments.

The Board discussed the issue of bear safety at the camp. There was some concern about the fact that no guns are allowed on site, but it was pointed out that DDMI will install an electric fence around the camp and provide other bear deterrents, as well as enforcing a clean camp. Erik agreed to consider providing a gun for the camp attendant, who will be a Discovery Mining Services employee.

Discussion then turned to choosing dates for the fish palatability study, and the week of August 11-15 was agreed upon. Also, the Board agreed to have Matt Kennedy (from Jacques Whitford) come back this year to ensure scientific continuity between study years.

Action Item: Erik Madsen will draft a letter to remind members about the fish palatability study, as was done last year. It will be sent to John, who will circulate it for review and comment by EMAB members, and then be sent out to communities.

Action Item: Each EMAB member will select 3-4 community members to participate in the fish palatability study, and send the names to Erik, who will forward them to the DDMI summer student coordinator, Brenda Bailey.

Board members discussed the need to decide upon a cook and cook’s helper for the duration of the fish palatability study. The end result was that names of parties were drawn to determine which party chooses and provides designated cooking and meal-planning staff for each year of the study. The order will be part of Erik’s letter (see above), and is as follows:

Aboriginal party	Study year
Yellowknives Dene	2003
Kitikmeot Inuit Association	2004
Dogrib Treaty 11	2005
Lutsel K’e Dene	2006
North Slave Métis Alliance	2007

DDMI Annual Report

Brenda Kuzyk of DDMI presented the draft Annual Report (as included in the meeting resource binder), which is intended to reflect the requirements of DDMI’s EA, article 12. She requested input and comments on the draft from Board members, and stated that comments must be received by June 20 for the executive summary (to ensure time for translation), and June 27 for the rest of the report. Brenda stated that DDMI tried to incorporate comments from last year’s report, and pointed out changes that had been made compared to last year. It was suggested that more pictures be included in the report, and that current report status be included in the report listing. The Board pointed out the need to use correct language with reference to EMAB, and Brenda agreed to change “awaiting approval” to “submitted” with regards to EMAB entries in the listing to correctly reflect EMAB’s role.

Action Item: John McCullum will contact Julian Kanigan and Eric Yaxley at DIAND, for table of CSR requirements, deadlines and status.

Brenda led the Board through an overview of the entire report, and Board members pointed out several corrections to be made. She encouraged further comments and feedback from EMAB members, and said that she would be happy to provide photos for EMAB's Annual Report.

Brenda Kuzyk and Julian Kanigan parted the group at 3:10 pm.

Summer students

Board members discussed the opportunity for EMAB to hire summer students, as required under section 7.6b of the EA, to provide technical training opportunities for youth of each party. It was decided that there may be a short-term summer student opportunity in the office, once all staff have been hired and EMAB is running smoothly. This could include setting up a library, but it was pointed out that a hiring policy should be developed first.

Lutsel K'e Summer Youth Fish Camp Proposal

Florence Catholique presented the Board with Lutsel K'e's proposal for a summer youth fish camp. She explained that the camp was done last year with some EMAB capacity funding, as well as funding from various other sources. She stated that she was instructed by her community to request additional funding from EMAB for this year, because other funding sources were no longer available.

Florence left at 3:15 pm to allow the Board to discuss Lutsel K'e's proposal.

Board members discussed the opportunity for Lutsel K'e to seek funding through alternative sources, such as IBAs and other agreements, as well as through government programs. It was agreed that it would be a stretch to tie the Lutsel K'e summer youth fish camp into DDMI and EMAB activities, and that it isn't EMAB's position to fund research. However, the Board did consider the possibility of making funding available to all five parties for this kind of program, in preparation for the fish palatability study.

Florence returned at 3:25 pm.

The Board told Florence that they supported the concept of the project, but found it difficult to relate it to DDMI or EMAB. They did point out the option for Lutsel K'e to use their youth camp as a training opportunity for the fish palatability study. At Florence's request, they agreed to write a letter stating their decision.

Action Item: EMAB will write a letter to Lutsel K'e regarding the summer youth fish camp proposal, including suggestions for options to tie it into the DDMI fish palatability study.

DDMI Grand Opening

Board members discussed the invitation circulated to them, and agreed they should RSVP individually so that flight charters can be arranged. Some Board members did not receive invitations, and Erik agreed to look into this. Erik also explained the grand opening agenda, which is planned to include site tours, an opportunity to meet industry dignitaries, and a barbeque.

Action Item: Erik Madsen will contact Tom Hoefer at DDMI to make sure Board members were all invited, and will follow up with John McCullum.

EMAB Website

John McCullum told the Board that he had followed up on Brian Mitchell of DDMI's offer to help with the website, but that Brian was unavailable until mid-July, and after which he may not even be available. There was some discussion about the general purpose of having a website for EMAB, and it was pointed out that the communications strategy recommended that EMAB have one. Brian's involvement was not supposed to cost EMAB anything, but that there is money in the budget for website development.

Action Item: John McCullum will write a letter to Tom Hoefer of DDMI to confirm if Brian Mitchell's services are available to EMAB website development.

Cumulative Effects Assessment and Management Strategy

The Board decided to omit this item from the Agenda, as EMAB has not received a report from the workshop yet. When this is released, the Board will discuss it at the next meeting.

Meeting Review

The Board agreed that several items were omitted from this meeting's Agenda, including a review of outstanding action items, deciding upon a date for the next meeting, and including a calendar as well as all EMAB correspondence in the meeting resource binder.

The following upcoming events were confirmed and noted:

- July 17-18: next Board meeting (pending DFO and DDMI availability to discuss inland lakes)
- July 19: DDMI grand opening
- July 20: Board picnic
- August 11-15: fish palatability study
- September 24: EMAB AGM
- Week of August 25: water quality workshop in Kugluktuk (tentative)

Other Items for Discussion

The process for community and EMAB comments on DDMI's Aquatic Effects Monitoring Program (AEMP) was discussed, and members were reminded that it is the DTC's responsibility to comment, but that EMAB is supposed to ensure their participation in the process. An issue with the amount of time given for Aboriginal parties to comment was raised: the turn around time is not long enough. It was pointed out that DDMI made changes to the program last year based on comments from EMAB and the Aboriginal parties, but have received no feedback from the RAs as to whether they agree with

the changes or not. Also, the EMAB office should have a record of every regulator's comments. John McCullum agreed to send these out to Board members to make sure they're kept up to date. It was then suggested that EMAB write a letter to the RAs to request comments and information on the status of the AEMP, and that DDMI also be asked to make a presentation on the AEMP to EMAB.

Action Item: John McCullum will confirm that EMAB receives all RAs' comments on the AEMP, and draft a letter to request this if necessary. He will also investigate whether or not regulators are comfortable with the current state of the program.

The Board also discussed the need to find out if Gord MacDonald and DFO are available to make presentations to Board on ammonia at Diavik at the next Board meeting, July 17/18.

Action Item: John McCullum to contact Gord MacDonald and a DFO representative to confirm their availability to make an ammonia presentation at the July 17/18 Board meeting.

Outstanding Action Items

The Board decided to review these at the evening public meeting, if there was time.

Meeting adjourned at 4:10 pm.

***EMAB Public Meeting Minutes
June 11th, 2003
Dettah Community Hall, Dettah, NT***

A public meeting at the Dettah Community Hall was advertised for the evening of June 11th, and the general public were invited to attend. However, the Board had zero attendance for this event.

End Notes: Corrections made to Unrevised Minutes

1. Page 2, Presentation on ammonia at Diavik: “lake” changed to “North Inlet”; “compliance” changed to “sampling frequency” (with regards to monitoring).
2. Page 2, #2 of Diavik’s Five Opportunities: Under 2, “Pit operators will be required to use an ammonia meter to determine the sources of ammonia, *once meter is delivered to site*”; Diavik’s water management plan will be submitted in next year’s annual report; under 4, DIAND’s studies on removing ammonia from water were included in a previous report on water treatment technologies.
3. Page 4, DTC Session Follow-up: “However, ammonia concentrations aren’t expected to rise above the license requirements until Christmas, when there won’t be enough water to dilute it with *once the sedimentation pond is pumped down*”; “The process surrounding non-compliance of license requirements was explained; ultimately, if compliance is not reached, *usually the Inspector provides the company with a timeframe to come into compliance and last resort is that the mine would be shut down.*”
4. Page 4, Action Item corrected to read: “Doug Crossley to speak with Stanley Anablak and Charlie Evalik in Kugluktuk and Cambridge Bay about the possibility of holding a water quality workshop in Kugluktuk in late summer.”
5. Page 6, No Net Loss Compensation Update: clarification of DFO’s approval of Diavik’s plan to study island lakes.
6. Page 16, Community Based Monitoring Camp: EMAB suggestions for supplies to be provided by Diavik at the camp corrected to read “Erik added an HF radio or a Sat Phone, as well as specific requested fishnet sizes, to the list of equipment to be provided by DDMI”; Matt Kennedy’s name corrected.
7. Page 19, EMAB Website: Action Item changed to read “John McCullum will write a letter to Tom Hoefler of DDMI to confirm if Brian Mitchell’s services are available to EMAB website development.”
8. Page 19, Meeting Review: next meeting dates will be set pending DFO and DDMI availability to discuss inland lakes.