

About the Agency

The Independent Environmental Monitoring Agency was formed in 1997 to act as a public watchdog for the Ekati Diamond Mine™. We are governed by a Board of Directors, appointed by:

- Akaitcho Territory Government (represented by Lutsel K'e and Yellowknives Dene First Nations)
- Tłı̨chǫ Government
- North Slave Métis Alliance
- Kitikmeot Inuit Association
- Government of Canada
- Government of the Northwest Territories
- BHP Billiton Canada Inc.

Agency Mandate

- Review, report and make recommendations on BHPB and government reports and plans
- Make recommendations on the addition of Traditional Knowledge and experience of Aboriginal peoples into environmental plans and programs
- Participate as an intervenor in regulatory processes
- Provide an accessible public library of all environmental information relevant to the project
- Provide ways of distributing information to Aboriginal peoples and the public
- Provide an effective means to bring to BHPB and governments the concerns of Aboriginal peoples and the general public



A PUBLIC WATCHDOG FOR ENVIRONMENTAL MANAGEMENT AT EKATI DIAMOND MINE™

Agency Board of Directors and Staff



Independent Environmental Monitoring Agency: left, Monica Krieger. Below left, (back row, left to right): Tony Pearse, Kevin O'Reilly; and, (front row, left to right): Bill Ross, Kim Poole, Laura Johnston, Audrey Enge, Tim Byers, Jaida Ohokannoak.



INDEPENDENT ENVIRONMENTAL MONITORING AGENCY

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For further information on the recommendations please refer to the Technical or Plain Language Annual Report available through our office or website.

A PUBLIC WATCHDOG FOR ENVIRONMENTAL MANAGEMENT AT EKATI DIAMOND MINE™



INDEPENDENT ENVIRONMENTAL MONITORING AGENCY



ANNUAL REPORT SUMMARY 2009-10

THE EKATI DIAMOND MINE IS OWNED AND OPERATED BY BHP BILLITON CANADA INC.

Message from the Chairperson

BHP Billiton (BHPB) continues to do a reasonably good job of protecting the environment at EKATI™ Diamond Mine. The Agency still has concerns that must be addressed, mostly with water quality downstream from the Long Lake Containment Facility (LLCF) and with wildlife (especially caribou) impacts. Our main focus in 2009-10 has been a new Interim Closure and Reclamation Plan (ICRP), and reviewing how the diamond mines monitor wildlife.

This year featured legal battles to decide if the Wek'èezhìi Land and Water Board (WLWB) can require fish habitat in the closure plan. The Agency's position (largely successful) in the WLWB hearing and NWT Supreme Court appeal was to let fish use the pit lakes when the mine is closed.

The Agency found serious problems with BHPB's 2009 Environmental Impact Report (EIR) and recommended it not be approved. This led to great improvements in the EIR content and future process. More improvements are needed before the 2012 EIR, and our full Annual Report has many useful suggestions.

Progress that started a year ago on wildlife monitoring plans seems to have stalled, and we hope this can be restarted soon.

We are concerned about water quality downstream from the LLCF, especially the high levels of nitrate created mostly by blasting at the mine. BHPB has been studying ways to reduce this.

We continue to improve our own performance. We changed one staff position to a Communications and Environmental Specialist, send out short summaries of Board meetings, and report back to communities after a visit.

We look forward to next year. We hope a new closure plan will be approved to guide reclamation on site. We also hope for better wildlife monitoring and progress on water quality goals.



William A. Ross, Chairperson
March 31st, 2010



2009-10 Recommendations

2009-10 Recommendations (for the complete recommendations and responses please see our Annual Report on our website or contact us)

1 Recommendation

The Agency recommends that BHPB, ideally in collaboration with ENR and other mines, complete its diamond mines wildlife monitoring review and develop an improved Wildlife Effects Monitoring Program (WEMP), including addressing recommendations from the September 2009 workshop, evaluating monitoring program objectives, and developing innovative methodologies and study designs to address these objectives.

BHPB Response: BHPB has committed to continuing the WEMP review process and has suggested two workshops in 2010 to facilitate technical and community collaboration with the aim of developing an improved WEMP.



Explaining Ekati geology.

2 Recommendation

We recommend that BHPB invite all interested parties to an Environmental Impact Report (EIR) workshop to be held not later than spring 2011. This will make the results available in time for BHPB's preparation of the 2012 EIR and hopefully avoid disagreement on future EIRs. The workshop should better define the purpose and focus of the EIR, review the methodology used (especially for determining significance of impacts), better define adaptive management in the context of the Ekati Mine, and such other matters as others may contribute.

BHPB Response: BHPB has committed to an open "pre-EIR" meeting in 2011 to kick off the 2012 EIR process. The workshop could address the items identified by IEMA as well as other topical issues.

DIAND Response: Indian and Northern Affairs Canada (INAC) supports this recommendation and will participate in any workshops or other discussions concerning the development of the 2012 EIR.

3 Recommendation

BHPB should carry out and make public a 10-year review of its use of Traditional Knowledge (TK) in its environmental plans and programs. This review should document how the company has given full consideration to the incorporation of TK into environmental plans and programs, the successes and lessons learned from the TK Studies, and what changes or improvements in adaptive management can be attributed to TK.

BHPB Response: BHPB recognizes the importance of the inclusion of Traditional Knowledge into our environmental practices and designs. There are a number of past and current successes in which BHPB is proud to have played a part. BHPB sees better value in pursuing forward-looking opportunities rather than a retrospective review. This approach inherently incorporates past experience in a constructive manner.



Drummers in Gamètì.



Blueberries.



Ekati main camp.



2009-10 Environmental Performance Scorecard at Ekati for BHPB and Government Regulators	Environmental Indicator	Agency Rating	Comments
	Water and Downstream Aquatic Life	Acceptable – better predictions are needed with options to avoid future problems	Aquatic monitoring is detailed and provides helpful information. A plan to better identify and avoid problems in the future with water quality is needed.
	Wildlife	Acceptable – some improvements required	Progress on reviewing the diamond mine wildlife monitoring has been very slow. Need to improve caribou monitoring to better understand caribou avoidance of mine sites and how to reduce the impact of mines on caribou.
	Air	Improved – but some procedures should still be changed	Improved air quality monitoring should address the potential impacts to caribou from dust deposition.
	Land and Reclamation Planning	Substantial improvement – but outstanding dispute over fish in the pit lakes	Much improved closure plan. More detailed research plans needed to provide answers as parts of the mine are not used. Aboriginal capacity-building is needed to ensure communities are better involved in closure planning.
	Overall	Good – but room for improvement	Ekati is operated in a manner protective of the downstream environment and of wildlife.