



BOARD OF DIRECTORS AND STAFF



Back: Kim Poole, Doug Doan, Arnold Enge, Emery Paquin and Jesse Jasper
Front: Jessica Simpson, Tim Byers, Jaida Ohokannoak and Marc Casas

2016-17 ANNUAL REPORT SUMMARY

A PUBLIC WATCHDOG FOR ENVIRONMENTAL
MANAGEMENT AT EKATI DIAMOND MINE

ABOUT THE AGENCY

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

- Akaitcho Treaty 8 First Nations (specifically, Łutsel K'e Dene First Nation and Yellowknives Dene First Nation)
- Tłı̨chǫ Government
- North Slave Métis Alliance
- Kitikmeot Inuit Association
- Government of Canada
- Government of the Northwest Territories
- Dominion Diamond Ekati Corporation (DDEC)

AGENCY MANDATE

- Review, report or make recommendations on the environmental programs, reports and activities of DDEC and government and the integration of the experience and Traditional Knowledge of Aboriginal peoples:
- Participate as an intervenor in regulatory and other legal processes concerning the environment:
- Maintain a resource library of environmental information relevant to Ekati:
- Distribute information about Ekati to Aboriginal peoples and the general public: and
- Provide an effective means to bring to DDEC and governments the concerns of Aboriginal peoples and the general public.

INDEPENDENT ENVIRONMENTAL
MONITORING AGENCY 

HOW TO REACH US

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For further information on the Agency's recommendations, please refer to the technical or plain language version of our annual report available on our website or from our office.



INDEPENDENT ENVIRONMENTAL
MONITORING AGENCY

MESSAGE FROM THE CHAIR



I am pleased to present the 2016-17 Annual Report of the Independent Environmental Monitoring Agency (the Agency). The report explains our activities. It makes recommendations to Dominion Diamond Ekati Corporation and regulators.

This year was another busy year for the Agency. Our major focus was the Jay Project regulatory process. We reviewed the Jay Project land use permit applications. We took part in the water licence process. This included technical meetings, making written comments, and speaking at the public hearing in Yellowknife in December. We also reviewed the draft water licence.

Another important activity this year was taking part in the Environmental Impact Review. The Environmental Impact Report compares the results of monitoring at Ekati Diamond Mine with predictions from the 1995 Environmental Impact Statement. The Agency reviewed the report. We took part in technical and public sessions. We were pleased to see an improvement over the last Environmental Impact Review, but suggested improvements for future reports.

The Agency also was part of the 3-Year Aquatic Effects Management Plan Re-evaluation. We recommended ways to improve the Aquatic Effects Management Plan. We hired a consultant to help us review the Waste Rock Storage Area Closure Ecological Risk Assessment. This was a good starting point for talks about some of the uncertainties in reclaiming the rock piles and can be used to improve the next Interim Closure and Reclamation Plan and the research plans. We also took part in some workshops. We gave comments on plans for air quality and wildlife, aquatic response plans, and on the monitoring program reports.

There was a change in Directors at the end of the year. Doug Doan left the Agency and Ron Allen joined us. I would like to thank Doug for his contributions to the Agency and welcome Ron to the Board of Directors.

Over the next year the Agency will work to ensure that Ekati Diamond Mine continues good environmental practices.

Jaida Ohokannoak

May 31, 2017

AGENCY RECOMMENDATIONS 2016-17

1 RECOMMENDATION

The Government of the Northwest Territories, in cooperation with the Wek'èezhii Land and Water Board, develop written policies, guidelines, or directives to standardize the process for determining whether, and what portion, of security should be held back for future liabilities upon completion of reclamation activities.

GNWT RESPONSE

When reviewing the security requirements for a mining project, the GNWT relies on the Mine Site Reclamation Policy for the Northwest Territories, developed by Indigenous and Northern Affairs Canada (INAC) in 2002. Post devolution, when the GNWT took over responsibilities for land and water management and holding of associated financial securities, the GNWT adopted the federal Mine Site Reclamation Policy on an interim basis. This policy describes the requirements for any ongoing monitoring once reclamation work is deemed complete, and confirms that financial security can be held back to cover future requirements for sites that may necessitate long-term care and maintenance. Although the GNWT strives for consistency in applying the policy, determining whether, and how much, security may need to be held back would be determined on a project-by-project basis.

The GNWT is aware that the land and water boards have identified clarifying matters relating to securities and progressive reclamation as a priority for future discussions among boards, government, proponents and others. The GNWT has previously provided additional information on appropriate approaches to determining how much security to hold back when reclamation is completed in an information request submitted to the Wek'èezhii Water Board (WLWB) in September 2016. Moving forward, the GNWT expects to develop its own policies and guidelines related to reclamation security, and would work with the land and water boards and other stakeholders to develop that guidance. In 2017, the GNWT is reviewing the legislative, regulatory and policy framework for land and water securities, and will be consulting and engaging as part of that work. The GNWT commits to providing IEMA with updates as progress is made.

2 RECOMMENDATION

The Government of the Northwest Territories, in cooperation with the Wek'èezhii Land and Water Board, develop written policies, guidelines, or directives to standardize the process for determining the application, consideration and approval of staged closure and reclamation securities.

GNWT RESPONSE

When reviewing the security requirements for a mining project, the GNWT relies on the Mine Site Reclamation Policy for the Northwest Territories, developed by Indigenous and Northern Affairs Canada (INAC) in 2002. Post devolution, when the GNWT took over responsibilities for land and water management and holding of associated financial securities, the GNWT adopted the federal Mine Site Reclamation Policy on an interim basis. Again, this policy outlines the requirement for conducting progressive reclamation, reporting on reclamation progress, and adjusting securities as required due to completed reclamation activities.

The GNWT is aware that the land and water boards have identified clarifying matters relating to securities and progressive reclamation as a priority for future discussions among boards, government, proponents and others, and the GNWT has addressed specific board questions in recent information request responses. Moving forward, the GNWT expects to develop its own policies and guidelines related to reclamation security, and would work with the land and water boards and other stakeholders to develop that guidance. In 2017, the GNWT is reviewing the legislative, regulatory and policy framework for land and water securities, and will be consulting and engaging as part of that work. The GNWT commits to providing IEMA with updates as progress is made.

2016-17 SCORECARD FOR THE ENVIRONMENTAL PERFORMANCE OF DDEC AT THE EKATI DIAMOND MINE

INDICATOR	RATING	COMMENTS
Closure and Reclamation	Satisfactory	The 2016 Waste Rock Storage Area Ecological Risk Assessment was a good starting point for future discussions. There remains a continuing need for a single, integrated Interim Closure and Reclamation Plan for the mine site.
Financial Security	Satisfactory	The GNWT holds an appropriate amount of security for the existing liability onsite.
Water and Aquatic Life	Satisfactory	The Aquatic Effects Monitoring Program re-evaluation and design approved and has been somewhat improved from past previous years. The Aquatic Response Framework continues to help with early identification of issues of concern. The triggering of multiple response plans highlights some areas that require further attention.
Air Quality	Good	There have been significant improvements to Air Quality programs over the last few years. The Agency is pleased to see efforts to mitigate fugitive dust are moving forward. Initial tests of a new dust suppressant, EnviroKleen, indicate that it is more effective than the currently used DL-10.
Wildlife	Satisfactory	Grizzly bear monitoring is good, but there is a lack of response to recommendations on caribou mitigation and few substantive changes to further minimize the impact of the existing Ekati mine and the forthcoming Sable and Jay expansions on wildlife in general and Bathurst and Beverly/Ahiak caribou in particular. Methods to evaluate the effectiveness of caribou crossings have not been provided. GNWT is making progress on the Bathurst Caribou Range Plan, but the Zone of Influence Technical Task Group requires revival.
Traditional Knowledge	Satisfactory	The Agency is hopeful that establishment of the Traditional Knowledge Elders Group and cultural camp will help improve the incorporation of TK in operations, management and monitoring at Ekati mine.

RATING DEFINITIONS

UNSATISFACTORY

DDEC and regulators failed to meet the expectations of the Agency, failed to carry out important commitments, or its performance resulted in sanctions or violations.

SATISFACTORY

DDEC and regulators met the expectations of the Agency, monitored and managed environmental impacts, and its performance did not result in sanctions or violations.

GOOD

DDEC and regulators exceeded the expectations of the Agency, actively investigated and managed issues of concern, and its performance demonstrated best practices. Best Available Technology, initiative and/or leadership.