



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 (Łutsel K'e Dene First Nation and Yellowknives Dene First Nation)
- Tłıchǫ Government
- North Slave Métis Alliance
- Kitikmeot Inuit Association
- Government of Canada
- Government of the Northwest Territories
- Dominion Diamond Ekati Corporation (bought the mine from BHP Billiton in April 2013)

AGENCY MANDATE

- Review, report and make recommendations on the environmental programs, reports and activities of DDEC and governments
- Make recommendations on the use of Traditional Knowledge and of the experience of Aboriginal peoples in environmental plans and programs
- Participate as an intervenor in regulatory processes
- Maintain a resource library of environmental information relevant to Ekati
- Distribute information about Ekati to Aboriginal peoples and the general public
- Provide an effective means to bring to DDEC and governments the concerns of Aboriginal peoples and the general public

AGENCY BOARD OF DIRECTORS AND STAFF

Back row, Left to Right: Jessica Simpson, Arnold Enge, Bill Ross, Tony Pearse, and Kim Poole.
Front Row, Left to Right: Laura Johnston, Kevin O'Reilly, Jaida Ohokannoak, and Tim Byers.



 **INDEPENDENT ENVIRONMENTAL MONITORING AGENCY**

A PUBLIC WATCHDOG FOR ENVIRONMENTAL MANAGEMENT AT EKATI DIAMOND MINE™

HOW TO REACH US

IN PERSON
 Suite 203
 5006 Franklin Avenue
 Yellowknife NT

BY MAIL
 P.O. Box 1192
 Yellowknife NT
 X1A 2N8

BY TELEPHONE
 (867) 669-9141

BY FAX
 (867) 669-9145

BY E-MAIL
 monitor1@yk.com

WEBSITE
 www.monitoringagency.net

Please contact us for more information about our recommendations and the performance of DDEC, governments and regulators at the Ekati Mine. Plain language and technical versions of our Annual Report 2012-13 are available on our website or from our office.



ANNUAL REPORT SUMMARY 2012-13

A PUBLIC WATCHDOG FOR ENVIRONMENTAL MANAGEMENT AT EKATI DIAMOND MINE™

 **INDEPENDENT ENVIRONMENTAL MONITORING AGENCY**

MESSAGE FROM THE CHAIR 2013

On April 10, 2013, Dominion Diamond Ekati Corporation (DDEC) took over the Ekati Diamond Mine. The sale started months earlier. The Environmental Agreement will stay in place with DDEC. The same people who worked for BHPB's Environment department are working for DDEC, and so I expect our good working relationship will continue. I am glad to report that BHP Billiton (BHPB) is still doing a good job of environmental protection at the mine. Major developments last year have been:

- Renewal of the water licence – a good process;
- 2012 Environmental Impact Report – much improved; and
- The Company's first progress report on the Interim Closure and Reclamation Plan (ICRP) – has some weak points.

We stress in this report how important it is that all of the monitoring works together for better management. This includes monitoring of air, wildlife and water. For example, dust is a possible reason that caribou avoid the mine. Air quality monitoring could

give us a better understanding of dust and ways to reduce dust, which could help the caribou. This information could show us that caribou avoid the mine less if there is less dust.

Last year, I was hopeful about the process to decide the financial security (the money set aside to properly close the mine) needed when the mine closes. I am sad to report that the process stalled. An amount has now been proposed (\$224 million). Despite this, the Agency is not able to assure our Society Members that the public will be protected from having to pay to reclaim when the mine is closed.

The Agency has continued work with our communications plan:

- We have information available in many Aboriginal languages, French and English.
- We send out summaries of our activities to interested people.
- Our website is greatly improved.

In the coming year, we will watch the change from BHP Billiton to Dominion Diamond Ekati Corporation. We will continue to insist that Ekati Mine is operated in a way that protects the environment, as it has been for the last 16 years.

As always, we welcome your input. We will try to answer any questions or concerns. ■



William A. Ross, Chairperson
March 31, 2013

AGENCY RECOMMENDATIONS 2012-13

RECOMMENDATION 1

The Wek'èezhii Land and Water Board (WLWB) should issue a directive to the company to conduct and complete reclamation and closure of Phase 1 tailings pond and Old Camp in accordance with a prescribed deadline determined by the WLWB.

WLWB Response: Our intention is to present this topic to the Board at their upcoming meeting on June 17, 2013. Following this meeting, the Board's decision on how to proceed with DDEC's Annual Progress Report will be communicated to DDEC and all members of the Board's distribution list. **In a letter dated June 25, 2013, the WLWB required DDEC to submit a plan for the closure of the Old Camp by July 31, 2013.**



RECOMMENDATION 2

The Agency recommends that GNWT's Environment and Natural Resources (ENR) establish guidelines for when and how carnivore and caribou monitoring programs should be conducted. The guidelines should focus on standardizing methods and the use of monitoring data for mitigation, species management, and cumulative effects management. We suggest that draft guidelines be circulated by October 1st 2013, prior to the next scheduled wildlife monitoring workshop in late 2013.

GNWT-ENR Response: At all wildlife monitoring workshops held in March 2013, the Wildlife Division agreed to draft standardized monitoring protocols for wolverine, grizzly bears and barren-ground caribou. Draft protocols will be reviewed and refined with partners during our fall 2013 follow-up workshops.

The intention is to share the draft protocols with workshop participants so they have time to review them before the fall workshops.

The full version of ENR's response to Recommendation 2 is available in our 2012-13 annual report.



2012-13 SCORECARD FOR THE ENVIRONMENTAL PERFORMANCE OF BHPB AT THE EKATI MINE

Environmental Indicator	Agency Rating	Comments
Reclamation and Closure	Unsatisfactory	There has been little progressive reclamation at the site. Reporting on closure research and planning should be improved. Uncertainty over the financial security.
Water and Aquatic Life	Good	Further improvements made to Aquatic Effects Monitoring Program. Water licence renewal completed in a timely and professional manner.
Air Quality	Satisfactory	Air quality monitoring has improved over the years. New incinerators now in operation.
Wildlife	Satisfactory	Strong leadership on grizzly bear monitoring but need for improvement on caribou monitoring. GNWT should use its authority to provide better guidance.
Traditional Knowledge	Unsatisfactory	Although the company carries out community visits, reports were not prepared during 2012. Little progress on using Traditional Knowledge in closure planning.

RATING DEFINITIONS

UNSATISFACTORY – BHPB failed to meet the expectations of the Agency, failed to carry out important commitments, or its performance resulted in sanctions or violations.
SATISFACTORY – BHPB met the expectations of the Agency, monitored and managed environmental impacts, and its performance did not result in sanctions or violations.
GOOD – BHPB 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.