

**Independent Environmental Monitoring Agency
19th Meeting of the Board of Directors
Yellowknife, Northwest Territories
June 25th-27th, 2000**

Summary of Discussion

Directors

Red Pedersen	Tony Pearse
Fikret Berkes	Bill Ross
Peter McCart	François Messier

Staff

Alex Thomson	John Holman
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Sunday, June 25th, 2000, 8:37 a.m.

The **Chair** opened the meeting to general comments on the agenda.

Review of Agenda

The Fish Habitat Compensation Fund should be added to the agenda under the DFO charges.

Information Updates

The **Chair** mentioned that he made a presentation to the Mackenzie Valley Environmental Impact Review Board. Offers of mutual cooperation were made. The Australian Broadcasting Corporation called the Agency for the story on the charges laid against BHP under the Fisheries Act. The Chair recommended that the Board decide on staffing, considering that the Agency faces a future where it may undergo change.

Pete McCart said that he spoke to the Australian Broadcasting Corporation, after a referral from the Chair. He speculated that the high amounts of sediment could have occurred after melting the permafrost in the soils beside the Panda diversion ditch. He also participated in a reconnaissance trip along the lower end of the winter road, where he saw a black bear. Pete will produce a report with photographs on the trip, as well as his research on metal concentrations.

Tony Pearse contributed to the letter and document reviews. Violet Camsell-Blondin of the Dogrib Treaty 11 was invited to the Annual General Meeting.

Fikret Berkes is determining the next step in working with Traditional Knowledge community projects and contacts. He is heading to Lutsel K'e after the site visit to discuss community-based monitoring as part of a post-graduate program. He looked at *Impact 2000* and the evaluation.

François Messier pointed out that the work plan is part of the annual report. He read the *Impact 2000* report, but had no comment on the BHP Annual Report.

Alexandra Thomson reported that the annual report has taken 75 percent of her time. Preparing for

the annual general meeting and hiring was also labour intensive. Most Society Members have confirmed whom they are sending. A detailed staff update is in the Board package.

John Holman has been busy arranging the AGM logistics, compelling the contractor to deliver the Agency's newsletter, as well as providing the usual support to the Manager and Directors. His last day of work is June 30th 2000 before he heads down to Ottawa to be with his family.

Business Arising From the Last Meeting

Printing and developing the newsletter was discussed. It is due July 5th 2000.

Treasurer's Presentation

The Agency had a balance at the end of the year of about \$28,000. Excluding capital assets; the balance was about \$13,000. The Agency sent BHP a letter that it was overpaid by about \$31,000 for this year.

Action Item #1:

Ask the accountant for appropriate re-investment of the surplus funding for better interest rates.

DFO Charges

The Fisheries Act infraction occurred before the Agency was in existence, but the investigation occurred in June 1997, so the case is within the Agency's life. The case should be followed to determine the basis for the charges laid by the Department of Fisheries and Oceans, and follow-up with monitoring.

Action Item #2:

The staff are to get information on the court case, especially BHP's statement of claim.

Seepage Issues

The June 2nd letter from the Mackenzie Valley Land and Water Board to BHP was discussed.

Action Item #3:

A written summary of the seepage survey meeting must be completed for the record.

Fox Amendment

Comments have been given to the Mackenzie Valley Land and Water Board, including the Agency's, and they are deciding the next step in the review process. The screening is initially for the Fox dewatering, but in order to mine the pit, technical comments must be added to the licence. The Mackenzie Valley Land and Water Board may hold a public hearing. It will be important to keep track of this issue, in terms of the communication between the Mackenzie Valley Land and Water Board and the Mackenzie Valley Environmental Impact Review Board.

Impact 2000

There was a discussion over the comprehensiveness of the *Impact 2000* report, and the technical report. The report states that mining at EKATI™ has had no major impacts in spite of nutrient loadings, increased metal levels throughout the drainage, habitat loss – over six square km has been completely destroyed. Predicted impacts need to be evaluated and trends identified. There needs to be an evaluation of how the roads affect caribou, for example. The Agency must evaluate the report in terms of the big picture, not in terms of the technical content.

(LUNCH)

The meeting reconvened at 1:10 p.m.

Beartooth, Sable & Pigeon Extension

The conformity decision from the Mackenzie Valley Environmental Impact Review Board was discussed. Its Information Request form may be used as a means to access this year’s snowcore data. It was pointed out that this is an information deficiency in air quality monitoring data. The significance of the three new pits must be examined, such as dust contributions.

Action Item #4:

Alexandra will email the Mackenzie Valley Environmental Impact Review Board’s information request form to the directors, who will then develop their questions.

Action Item #5:

Hire Allan Legge to review a study of the Environmental Impact Statement air quality concerns, the Sable Environmental Assessment Report, the snow quality data, and to evaluate the potential effects of dust on local vegetation, with a view to making recommendations on whether the monitoring program is a wise one.

Evaluation Meeting and AGM Presentation

Red will deliver an introduction. Francois will present the financial statements. Bill will present the annual report.

Impact 2000 (continued)

Significant improvement is needed in trend analysis, examining the causes of increased nitrates and metals, as well as the report’s largely unfounded conclusions; it was felt that more time was needed before finalizing statements of this nature. It was proposed to adopt the *Impact 2000* significance column and then produce Agency comments and recommendations under each heading.

VEC	AGENCY COMMENT (on observed effects)	SUGGESTED WORDING
Air Quality	Air transport of contaminants is a potential information gap.	
Vegetation	The footprint was never predicted.	Negative Impacts: “Local semi-permanent impacts are

		long-term in nature, and of undetermined significance.”
Vegetation	“Loss of 553 hectares of vegetation”	Negative Impacts: “Vegetation loss to date is less than EIS prediction for the life of the project.”
Surface Water Quality and Quantity		Negative Impacts: “The comparison of the surface water by the total claim block and the Koala drainage arbitrary and capricious.”
Surface Hydrology	The studies are inconclusive.	Negative Impacts: “The impacts are uncertain.”
Water Quality	The actual effects are untrue. In Kodiak Lake, the total copper and aluminum, sometimes, are greater than national water quality guidelines; in other water bodies there have been significant increases in metal concentrations, and the concentrations of other metals.	Negative Impacts: “The impacts are uncertain.”
	The observed effects should be under water quality. Replacement: “Nutrient loadings are detected in Kodiak and Little lakes, with eutrophication effected noted as far downstream as Slipper Lake.”	Negative Impacts: “Eutrophication.”
Caribou/Habitats	“Caribou abundance...”	Negative Impact: “Impact of road system still uncertain.”
Carnivores/Habitats	“Two wolverines...”	Change Negative Impact to: “Minor”
Water Quality	<ul style="list-style-type: none"> • Predicted Effect: “Runoff from waste rock dumps and kimberlite stockpile would be non-acid generating.” • Observed Effect: “Acid drainage detected in runoff seepage from jump and stockpiles.” 	None yet.

(STAFF DEPART AS BOARD GOES IN CAMERA)

Monday, June 26th, 2000, 8:35 a.m.

Preparation for Site Visit

Directors and staff must meet at the Braden Burry Expeditors at 7 a.m. for the EKATI™ site visit.

Tracking System for Requirements

In terms of developing a tracking system it may be done through the Inter-Agency Coordinating Team, apart from the Agency's internal tracking system. The coordinating team should examine areas of responsibility, compliance and other issues. The tracking system will help to ensure that appropriate regulators and agencies are carrying out their duties. The system should be a simple checklist, and evolve to include more information, such as correspondence on the issues.

Performance indicators in such a system are not effective and have limited usefulness to the Agency unless the goals and objectives are defined. The evaluation report recommendations should also be integrated into this.

Action Item #6: (TABLED TO THE NEXT MEETING DUE TO STAFF TURNOVER)

A tracking system and performance indicators must be developed to ensure that all areas of responsibility and the agencies responsible are carrying out duties required under the BHP authorizations.

Other Business

Action Item #7:

Make an offer to the top candidate for the Communications Administrator for a three-month term, with a view of possible extension.

Communication

It was proposed the Chairman Red Pedersen relocate to Yellowknife temporarily for part of the year to conduct community outreach duties. Directors also urged more outreach in terms of offering their technical expertise to Society Members.

AGM Preparation

Society Members may introduce ideas of changing the structure of the Agency. The board discussed the vacant Treaty 8 seat on the Agency board, as well as the society bylaws for the quorum; it may be encountered as an issue at the evaluation meeting and the AGM.

(BREAK)

Fish Habitat Compensation Fund

One Request For Proposals to the public was published for the Fish Habitat Compensation Fund, closing June 28th. The Department of Fisheries and Oceans wants the Agency to participate in the expert evaluation of the proposals. Three community proposals have been received and were evaluated by the Stakeholder Advisory Committee. It suggested that DFO fund all three, at least for the Phase 1 assessment stage. DFO has yet to make a decision. There are two criteria for review: socioeconomic and environmental.

Action Item #8: (DEFERRED)

The Board will consult with the Society Members and DFO in order to devote its energy to providing communities technical assistance.

Web site

The Agency web site architecture has been resolved. It was produced at different times with different HTML programs, leading to conflicts that interfered with web access. Further research and work is required to ensure that the 1998-1999 annual report recommendations load faster, via breaking up the document into smaller components.

Action Item #9:

The board will examine the possibility with new staff.

Elections

Pete McCart moved that executive appointments to the board remain the same as the previous year, with Red Pedersen as chair, Francois Messier as Secretary-Treasurer, and Bill Ross as the vice-chair. It was seconded by Fikret Berkes. The motion passed.

Wildlife Effects Monitoring Program

The Government of the Northwest Territories should be reminded of the Agency's letter asking for a response to its recommendations as a follow-up to the Wildlife Effects Monitoring Program report.

Action Item #10:

The Agency should develop a link to the cumulative effects working group, at least be on the mailing list.

Date of the Next Meeting

The date for the next board meeting: September 16-17.

Hiring of the New Manager

Two directors will conduct the job interview. The Manager will develop a shortlist and email them to the directors for further information.

Tuesday, June 27th, 2000, 7 a.m.

All the directors and the Communications Administrator visited EKATI™. Sites visited included an overflight of the Misery Road, the pit, the toe of the waste rock pile, main facilities and the tailings pond. The plane returned to Yellowknife at 6 p.m. A debriefing did not occur.