



Independent Environmental Monitoring Agency

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**Summary of Discussion from the Annual General Meeting
of the Society of the
Independent Environmental Monitoring Agency
held on
October 28th, 2003
at the
Agency Boardroom**

Participants

Society Members

Lutsel k'e Dene First Nation (Akaitcho Treaty 8): Florence Catholique
Antoine Michel

Yellowknives Dene First Nation (Akaitcho Treaty 8): Lawrence Goulet

Dogrib Treaty 11 Council: Grand Chief Joe Rabesca
Eddie Rabesca

Kitikmeot Inuit Association: Geoff Clark

North Slave Metis Alliance Bob Turner

Government of Canada: Lionel Marcenkowski, DIAND

BHP Billiton Diamonds Inc.: Ian Goodwin
Chris Hanks
Jane Howe

Agency Directors

Red Pedersen
Bill Ross
Dave Osmond
François Messier
Peter McCart
Tim Byers

Agency Staff

Carole Mills
Sean Kollee

Meeting Commenced at 9:15 am

Opening Prayer

Antoine Michel delivered the opening prayer.

Welcome and Chairperson's Address

Red Pedersen (Chair) welcomed the Society Members to the meeting and mentioned that a quorum of Aboriginal Members was in place. He proposed that two administrative items of importance to Agency internal affairs be immediately addressed to accommodate those Members who had to leave to attend to another matter.

Motion: To appoint McKay and Partners as the auditors for the Agency for the 2003-2004 fiscal year.

Moved: Bob Turner

Seconded: Geoff Clark

Carried without opposition

Motion: To approve the summary of discussion from the 2002 AGM.

Moved: François Messier

Seconded: Geoff Clark

Carried without opposition

Red mentioned the AGM is a meeting of the Society Members so the Agency will take up as little time as possible. He introduced the new Manager of the Agency, Carole Mills, and the new Director appointed by the NSMA, Dave Osmond, who replaced Bob Turner. The remainder of the participants were then given the opportunity to introduce themselves.

Red described upcoming changes with the Agency. Peter McCart, the Agency fisheries expert appointed by the two levels of government and BHPB will be retiring and the AGM is his last meeting. Red had earlier informed the KIA that he wished to be replaced, also due to his retirement. He agreed to stay on as a Director until the KIA appoints a replacement.

Kitikmeot Inuit Association: Geoff Clark presented a short statement of behalf of the KIA. The KIA's reviewing of the Agency's work during 2002-2003 was more thorough than in previous years and the KIA is pleased with the work the agency is doing. It is the view of the KIA that the Ekati mine is at a stage of operations where it does not have many pressing concerns. The KIA is happy with the contribution Red has made to the Agency and Red is an important person in Kugluktuk. Red was recently made an honorary member of the KIA, the first time this has occurred. The KIA would like to thank Red for his contribution to the Agency and the community.

Presentation of the Agency Annual Report

Bill Ross (Vice-Chair) presented a summary of the Agency's 2002-2003 Annual Report. He mentioned that two versions of the Annual Report had been prepared and that the plain English version could be identified by the full colour cover photographs. Both the slide presentation and Annual Report were made available to participants. The presentation focused on the ten recommendations made by the Agency contained in the Annual Report related to traditional knowledge, wildlife, waste rock, minimizing impacts and reclamation. Bill noted that impacts from the mine are not considered to be serious by the Agency at this time and that BHPB and the regulators continue to work together in a way that is protective of the environment. He highlighted areas of focus for the Agency in the coming year such as the BHPB water licence renewal, regional monitoring and reclamation.

(Electronic and Paper copies of the slides used during the presentation are available)

Presentation of the Treasurer's Report

François Messier (Secretary Treasurer) presented the Agency's audited financial statements (2002-2003) and the Agency work-plan and budget for 2003-2005. François mentioned two general comments related to Agency finances:

- The Agency uses its available funds in the most cost effective way by prioritizing funding based on discussions by the Board at the beginning of the year.
- A bookkeeper and auditor provide an independent review of Agency spending.

François discussed likely areas of increased expenditure in future years such as the annual report, the BHPB water licence renewal and mine closure criteria.

Society Member Comments

BHP Billiton: **Chris Hanks** informed the Society Members that BHPB will be requesting that the transitional clause (clause 4.7 of the addendum to the *Environmental Agreement*) be activated. Discussion would then be opened towards the evolution of Diavik and BHPB towards working together with Diavik's Environmental Monitoring Advisory Board (EMAB). BHPB feels this will require considerable consultations with the Aboriginal Members and other stakeholders. BHPB came to this conclusion based on the regional direction favoured by the Aboriginal Members and the proximity of BHPB and Diavik that allows EMAB to be a mechanism for examining both mines. This may resolve some of the issues raised during the five-year review of the BHPB *Environmental Agreement* such as Aboriginal membership because EMAB's Board includes two seats for Akaitcho.

BHPB will also be responding to the recommendations of the Agency in writing. Many of the Agency recommendations are already underway.

BHPB: **Ian Goodwin** provided an update on the state of Ekati operations. The update focused on the completed Panda pit surface mining phase and the underground operations. The Misery operation will be temporarily suspended and restarted in 2004. BHPB's business is changing rapidly and will continue to do so over the next few years. BHPB faces increasing costs, reduced quality of diamonds and the added complexity of managing numerous pits. In 2003 BHPB expects a reasonable financial performance but needs to take significant steps in its business to continue to do so. Ian thanked the Agency Board for the cooperation shown over the past year and appreciates the common goal to improve environmental management of the mine. BHPB is sad to see good people leaving from the Agency and wishes them the best.

Yellowknives Dene: **Lawrence Goulet** asked if the opening and closing of pits and the transition to underground mining would affect the local contractors. He requested information of plans to provide training for Aboriginal employees to work underground.

Ian mentioned that BHPB has hired employees from contracting companies. Underground training is a challenge that BHPB is working on to aid in the transition from surface to underground work. He also mentioned Procon is an underground contractor hired by BHPB that is involved in an Aboriginal joint venture and that it can take two years to develop safe underground mining skills. Not all employees want to conduct work underground.

North Slave Metis Alliance: **Bob Turner** complimented BHPB on its significant move to support regional monitoring. Regional monitoring is something the Aboriginal groups have been requesting for a long time. He asked BHPB what activity is necessary to take care of the Misery operation while it is suspended.

Ian replied that monitoring will carry on at Misery. Some equipment will be redeployed and other equipment left in place. Winterizing will occur and all sumps have been pumped down to fall low points to ensure adequate capacity for the freshet. BHPB will move water if necessary and is hauling out fuel to ensure it doesn't become a problem. The inspector will also watch the site.

Dogrib Treaty 11 Council: Grand Chief **Joe Rabesca** asked if all pits would eventually move underground. He stated that Dene are capable of working underground; they worked at Rayrock when they didn't speak English. He reiterated that training is important so that outside professionals would not need to be brought in. He felt that roads at the mine are too high for caribou to cross and stated that new roads built to link pits must be sloped to avoid affecting caribou.

Ian mentioned that most pits will likely move underground although BHPB is looking at new technology that may make underground mining unnecessary. BHPB insisted Procon partner with an Aboriginal group. BHPB is placing a heavy emphasis on training and will fund it appropriately. As far as the effect of roads on caribou, BHPB is looking for ways to improve their road construction and welcomes advice from the Agency and elders. When BHPB builds roads traditional knowledge will be taken into consideration.

Dogrib Treaty 11 Council: **Eddie Rabesca** mentioned that the Tli Cho appreciates the Agency and its work. He felt that changes to the *Environmental Agreement* must be done in consultation with the Aboriginal organizations. Aboriginal groups need adequate funding to work on issues such as BHPB's application for a water licence renewal. EMAB and the Agency are functioning well and he hopes that the same can be done when another mine is developed. The Tli Cho participate as much as possible with their limited human resources.

Lutsel K'e Dene First Nation: **Antoine Michel** mentioned that it is difficult when decisions are made without representation on the Board. He feels that Lutsel K'e should have a seat in the Agency. He has not visited the mine in many years and would appreciate another trip. He emphasized the importance of using traditional knowledge and the need for someone to watch the mine. He agreed that he would like to see more underground mining training provided.

Yellowknives Dene First Nation: **Lawrence Goulet** mentioned some concerns of his such as the ongoing exploration for diamonds outside of Yellowknife. He agrees with the other Aboriginal Members that protecting the environment cannot be taken lightly and that they all need to work together on a regional board. In the future it would be help to have young people trained to participate in board meetings and environmental management.

Department of Indian and Northern Affairs: **Lionel Marcinkoski** mentioned it was his first attendance of an Agency AGM. He announced that DIAND has received funding for the outstanding amount of the security deposit.

Presentation to Retiring Directors

Bill mentioned that gifts were presented to the three Directors that departed in 2003. He commented that Peter McCart and Red Pedersen have been members of the Agency since its inception in 1997 and have contributed enormously. It will be difficult to replace Pete and Red as colleagues and as friends and he wished them well in simplifying their lives.

Closing Comments

Red remarked that it has been an honour to Chair the Agency and reflected that the Agency developed into a very capable group. He thanked the KIA for selecting him to the Board and wished the remaining Directors well in the future. With the announcement from BHPB that it will support the regional monitoring agency concept he felt this was a way for him to leave on a positive note. He stated that independent technical and scientific expertise is critical to the protection of the environment.

The meeting was adjourned at 11:15 am.