

## **Giant Mine Oversight Committee Meeting August 12, 2005**

In Attendance:

### **GNWT**

Bob Bailey  
Emery Paquin  
Brian Austin  
Debbie Delancy

### **DIAND**

Lorne Tricoteux  
Kate Hearn  
Mark Liskowich  
Bill Mitchell  
Diane Walsh (notes)

Agenda Items:

### **Update on Bankruptcy Proceedings**

- Giantco has been assigned into bankruptcy
- Bill Mitchell named Inspector of the bankruptcy
- Section 39 will be operative as soon as Water License is returned to the board
- The quitclaim of land leases, Water license and mineral leases expected to be first actions of the trustee

### **Oversight Committee Terms of Reference**

- GNWT has sent letter outlining their membership on Oversight Committee
  - DIAND will identify its membership to the Oversight Committee by letter
  - GNWT has not had time to review the Terms of Reference as copies were received from DIAND the morning of the Oversight Committee meeting
- **Recorded Decision**  
Terms of Reference moved off the agenda until next meeting

### **GNWT Positions within Interim Office**

- Draft of Senior Project Engineer and Environmental Assessment Specialist job description provided by the GNWT
  - Due to staffing changes in interim office DIAND uncertain of need for senior project engineer
  - GNWT considers Engineer to be key senior position
  - DIAND suggested secondment of the two GNWT positions to Interim Office while GNWT concerned over accountability of seconded staff
  - Further discussion required to work out staffing requirements and how to proceed
- **Recorded Decision -**  
Agreement on need for Environmental assessment specialist position, Emery Paquin and Bill Mitchell to discuss the engineer position further and provide recommendations to Oversight Committee at next meeting

### **Interim Office Re-location**

- GNWT indicated it previously agreed with plans to re-locate at site. DIAND has several internal matters to resolve before move can take place.

### **Communications Protocol**

- GNWT had some outstanding issues that have been incorporated in the most recent version
- Both parties are comfortable with current protocol
- **Recorded Decision:**  
Communications Protocol approved  
Agreed that there should be a standing item at all meetings on new issues relative to communications

### **Land Tenure**

- Letter sent to DIAND from GNWT offering a Reservation by Notation as Land Tenure Instrument
- Issue tied directly to the bankruptcy proceedings.
- Further investigation and discussion required on what would be the appropriate tenure instrument
- DIAND has had discussions with PWGSC regarding PILT
- Key issue with GNWT is whose responsibility is it for new assets/liabilities - existing ones covered by Agreement
- Communication with the City is required
- **Recorded Decision:**  
DIAND will contact Brian Austin to identify a way forward once PILT information is received from PWGSC.

### **Working With City and First Nations**

- General agreement that a joint ministers' response to the City's letter of May 11, 2005 should be drafted for approval by both parties. Letter is to reflect terms of Agreement re: bilateral nature and cleanup to industrial standards.
- Oversight Committee also to draft letter to City to reiterate and elaborate on the joint ministers' response letter
- Similar letter to YKDFN to be developed
- Time frame for letters - one month

### **Highway Re-alignment**

- Department of Transportation has prepared five preliminary options for highway re-alignment
- Option B determined to be preferred choice - largely avoids mine property, could generate quarry material that can be used on site, but considerably higher in cost
- Option B preliminary cost of \$9.8 million reflect DOT out-of-pocket costs only
- Current infrastructure dollars cannot be used as already identified for specific highway projects
- Could open land to meet multiple objectives - Should have early discussions with the City
- Need to ensure information does not become public knowledge until meeting with City officials
- Consultation with Aboriginal Affairs (Akaitcho Interim Measures) required
- **Recorded Decision:**  
GNWT will invite Larry Purcka (DOT) to meet with Oversight Committee to discuss preliminary options and next steps

### **Mine Heritage Society**

- Society is proceeding with restorative stabilization work on A shaft headframe
- As part of overall remediation, the Interim Office would remove asbestos, cap the shaft and address other potential environmental and safety liabilities. Mine Heritage Society responsible for all other restorative costs

- Future of headframe cannot be resolved until Land Tenure issues are resolved
  - A residence and the Yacht Club currently receive power from the "A" transformer on the mine electrical grid. Notifications must be sent on the "A" boiler is being shut down and power is being cut.
- **Recorded Decision:**  
Oversight Committee to write letter to EC&E re: the need for them to work with Mine Heritage Society because work is proceeding to remediate liabilities

**NEXT MEETING**

- Tentatively set for September 30, 2005
- Two weeks prior members to determine if progress has been made with respect to tasks.

**Giant Mine Oversight Committee Meeting  
December 11, 2006  
8<sup>th</sup> Floor Bellanca Building**

In Attendance:

**GNWT**

Bob Bailey  
Emery Paquin

**DIAND**

Bob Overvold  
Bill Mitchell  
Michele Boriel  
Diane Walsh (notes)

Agenda Items:

**Minutes of Last Meeting**

- Minutes reviewed and accepted.

**Water License Application and EA Issues**

- The draft final Remediation Plan is now complete. The draft for the Water License Application has been prepared. INAC HQ and Water Resources Division in the Region have made suggestions for two addendums to the Water License Application. The first is a cross reference to the (geology) documents contained in the Remediation Plan with a possible addition of the socio-economic impact. The second addendum is the Remediation Plan itself. HQ wants to ensure this is a coherent package and each federal department is clear on their roles and responsibilities.
- The GNWT requested an opportunity to provide input into the application process before it is finalized by INAC. INAC agreed to this request.
- The water license application is expected to be submitted to the Mackenzie Valley Land and Water Board by the end of March 2007.
- The Oversight Committee could benefit the process and add input.

➤ **Recorded Decision:**

A more detailed review of the application process and the next steps will be presented to the Oversight Committee at the next meeting.

**Communications**

- Michele Boriel is working on the Communications Strategy for the Remediation Project and has prepared a draft document.
- Bill Mitchell met with the City early in December and gave them an overview of the Remediation Plan. The issue of contaminated sediment at the boat launch was of concern. Bill Mitchell suggested the possibility of performing random water sampling next summer when the boat launch is active.

- A need was identified for Community consultation (specifically YDFN) to provide updated information prior to the submission of the water license application.

➤ **Recorded Decision:**

Emery Paquin will give the Communications Strategy document to his communication group for review. They will work directly with Michele Boriol to complete the document.

The Oversight Committee will consider of the draft final communications plan at their next meeting.

**Highway Realignment**

- The Department of Highways has formed a Steering Committee which has agreed that Option B (yellow) is the preferred option for the highway relocation.
- The Steering Committee is preparing to request approval-in-principle from GNWT Cabinet for the project.
- The GNWT recommended that \$400K required for Phase 1 of the project (corridor analysis: geotechnical, hydrological and habitat studies and analysis; conceptual design and costing) be eligible for funding from the GNWT Giant Mine Remediation Liability Account.
- Concern was expressed that linking the highway realignment too closely with the remediation project may trigger an environmental assessment of the highway project. GNWT agreed to de-link the projects to the extent possible.
- GNWT feels this project would not require an Environmental Assessment because it is all on Commissioner's Land, however there is some uncertainty about this because of the watershed.
- Phase 1 is estimated to take six months to complete, with initial construction work on the highway potentially beginning in the summer of 2008
- The GNWT will produce a separate document to be used during the public consultation phase of the project.

➤ **Recorded Decision:**

The Oversight Committee approved the request to have the \$400 K applied to the GNWT Giant Mine remediation liability account to enable Phase 1 to proceed. Emery Paquin will draft a letter to the Department of Transportation and Bill Mitchell will review it. The letter will be signed by Bob Overvold and Bob Bailey on behalf of the Oversight Committee.

**Update on B2 Dam**

- On November 1, 2006 there was a piping failure in the B-2 pit dam at the junction of the pit and the overburden. Water was leaking through the dam at a rate of approximately 40 gallons per minute as a result of the failure.
- A temporary dam was put in place across Baker Creek to prevent the creek from

flowing past the compromised dam structure and water is being pumped to a point further down into the creek. Water leakage into the pit immediately ceased. A new water retaining structure will be designed and constructed upstream of the existing B-2 pit dam.

- Geotechnical investigations using auger drilling is underway to determine extent of native clay material upstream of the existing B-2 pit dam. The new water retaining structure will be "keyed" into the impervious native clay or on to bedrock.
- Construction of new dam to be started in January. Dam must be completed before freshet.

#### **NEXT MEETING**

- February 5, 2007 at 9 am, 6<sup>th</sup> Floor Scotia Centre

**Giant Mine Oversight Committee Meeting**  
**February 5, 2007**  
**Scotia Centre 6<sup>th</sup> floor boardroom**

**In Attendance:**

**INAC**

Bob Overvold, RDG  
Kate Hearn, Director CARD  
Bill Mitchell, Manager GMRP  
Michele Boriel, Comms Officer

**GNWT – ENR**

Bob Bailey, DM  
Emery Paquin, Director Env. Protection  
Kathy Mercure, Comms Planning  
Specialist

**GNWT – MACA**

Debbie DeLancey, DM  
Andy Tereposky, Director Lands Admin.

**Agenda Items:**

**1. Minutes of Last Meeting (December 11, 2006)**

- Minutes reviewed and approved by all.

**2. Site Land Management (Joint)**

- Oversight committee agreed in principle not to allow land administration & property tax issues get in the way of moving forward with clean up activities.

It was recommended that INAC & GNWT establish a Site Management Committee or Working Group comprising MACA and INAC staff to deal with land administration issues such as third party leases.

- **Recorded decision:** It was agreed that a Site Management Committee be established and terms of reference developed. It was agreed that land issues related to the work of the committee will be a Standing Agenda item for the Oversight Committee henceforth. It was also agreed that the Committee set up a meeting with the City Administrator to discuss property tax issues.

**3. Water License Application and Process (INAC)**

- A draft water license application is complete and will be reviewed by the Technical Advisor. INAC is also working on two addenda: A cross-reference check list will be added to Addendum 1 that will also include a list of all required permits, and the IPRP Report on its review of the Remediation Plan. Addendum 2 is the Remediation Plan and an additional supporting document that describes the structural geology of the site was added based on HQ's recommendation.

**Giant Mine Oversight Committee Meeting**  
**February 5, 2007**  
**Scotia Centre 6<sup>th</sup> floor boardroom**

- It was noted that there have been no substantive changes to the Remediation Plan since last fall only minor corrections of typos. The Remediation Plan is the same plan that was approved by the GNWT.

**Recorded decision:** The GNWT will have an opportunity to review the application and addenda prior to submission to the MVLWB.

**4. Communications Plan (INAC)**

- The Communications Strategy was circulated to attendees. The Key Messages still need to be approved and specific Key Messages need to be developed for INAC and for GNWT; a message for cases of disagreement also needs to be drafted.
- On the issue of spokespersons, it was agreed that Bill Mitchell will speak to technical issues directly related to the Remediation Project and Emery Paquin will speak to GNWT issues – or identified spokespersons within other GNWT departments as appropriate. It was re-iterated that INAC and GNWT's public face needs to be one of co-operation and agreement.

It was noted that the highway re-alignment should be disconnected from the project in terms of communications (see #5).

- It was noted that the public/media do not yet understand the role of the Joint Office and that they think Bill Mitchell is a spokesperson for INAC, not for the Joint Office. The GNWT has some concerns about the appearance of the logo on all the comms products in case the media/public misunderstands. The question was raised on whether or not GNWT wants its logo on the cover of the Remediation Plan. No decision was made as it will depend on how the logo will be used on the comms products. It was suggested that INAC and GNWT could make their joint roles clear at GMCA, media technical briefings and other information meetings.

No decision has been made by the MO on the care and maintenance contract announcement.

- INAC believes that there is no requirement to consult with the North Slave Metis, and it was noted that the North Slave Metis Alliance has a representative on the Giant Mine Community Alliance.
- **Recorded decisions:** The Comms Strategy and Q's & A's are to be reviewed by all for endorsement at the next Oversight Committee meeting. INAC will provide GNWT with a copy of the new design concept for GMRP products for review. INAC NWT Region to apprise INAC HQ regarding Legislative Assembly situation.



**Giant Mine Oversight Committee Meeting**  
**February 5, 2007**  
**Scotia Centre 6<sup>th</sup> floor boardroom**

**5. Highway Realignment (GNWT)**

- A letter to DOT from the Oversight committee indicating that \$400K from the GNWT liability account would be provided to DOT for a Feasibility Study on the preferred highway routing was approved by Bob Bailey and Bob Overvold. With GNWT Cabinet approval, the feasibility study can be initiated in the spring/summer 2007.
- Discussion ensued on whether or not the realignment will be subject to an EA and it was agreed to reserve judgement until the GNWT actually decides on the location of the highway. There needs to be a strategy in place to manage this issue should the highway realignment be referred to an EA and the question was raised about the Oversight Committee making an official enquiry. It was pointed out that pending changes to the MVRMA would automatically give the responsible minister authority; in which case it wouldn't be MACA that would determine whether or not an EA is required.

On the question on whether or not the water license provides leeway to capture the highway realignment it was reiterated that the solution is to delink the two processes in the mind of the MVLWB

It was agreed that MACA needs to keep a standing watch on this issue.

- Once a route is chosen the Department of Transportation will prepare a booklet on the highway realignment for public consultation and will be circulated to INAC for comment.

➤ **Recorded decision: None**

**6. GNWT Obligations under the Cooperation Agreement (GNWT)**

**a) Interim Office**

- The GNWT Department of Finance has indicated that there is uncertainty in the Co-operation Agreement regarding the \$250K per year for interim office support in that the agreement does not specifically indicate that this is for 3 years only. INAC confirmed its understanding that the funding for the interim office was for a three year period only.

**b) Environmental Assessment Specialist Position**

- The Environment Assessment position hasn't been staffed due to the fact that this isn't the right timing for it. It was noted that the position will definitely be required as the RP undergoes regulatory process and that they would be looking for someone soon. It was noted that the job description has been written and evaluated, and that the Staffing Committee will comprise Emery Paquin and Bill Mitchell. INAC and the GNWT are in agreement that the position is required; it's just a question of timing.

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**February 5, 2007**  
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➤ **Recorded decision:**

Agreement that GNWT funding for the interim office is for a period of three years only.

7. **Next Meeting**

- The next meeting is tentatively scheduled for Friday, March 16, 2007 @ 0900 in the sixth floor boardroom in the NWTel building. Debbie DeLancey will host; INAC will chair.

**Giant Mine Oversight Committee Meeting**  
**June 29, 2007**  
**Bellanca Building, 8<sup>th</sup> floor boardroom**

**In Attendance:**

**INAC**

Zoe Raemer, A/RDG  
Kate Hearn, Director CARD  
Bill Mitchell, Manager GMRP  
Dawn Curtis, Comms Officer

**GNWT – ENR**

Bob Bailey, DM  
Emery Paquin, Director Env. Protection

**GNWT – MACA**

Andy Tereposky, Director Lands Admin.

**Agenda Items:**

**1. Minutes of Last Meetings (February 5<sup>th</sup> and March 16, 2007)**

- Minutes of March 16, 2007: reviewed and approved.
- Minutes of February 5, 2007: Reviewed and approved with a request from GNWT subsequent to the meeting for a minor amendment, agreed to by INAC. Consequently, the Minutes are amended to read, "*Oversight Committee agreed in principle not to allow land administration and property tax issues to get in the way of moving forward with clean-up activities.*"

**2. Update**

**Water License Application & Remediation Plan Progress Update**

- The current draft water license application form was discussed. GNWT to respond with any suggested revisions by July 13, specifically in regard to the highway reference in the paragraph on Remediation Plan sections 5.11 and 5.12.
- GNWT-ENR indicated a need to brief their Minister on the Remediation Plan prior to submission. It was also noted that the Plan continues to be the version that was previously approved by Cabinet and Treasury Board, with only minor changes.
- Remediation Plan: Final items to pull together; now on third SENES draft of Cumulative Impact Assessment. Printing. GNWT requested a copy of the Impact Assessment before it is finalized. Submission of Remediation Plan and water license application targeted for late July / early August pending appropriate briefings with INAC staff.
- INAC met with SRK in June to evaluate the environmental effects/impacts of the Remediation Plan, identifying small dusting issues related to tailings, etc. A report on the environmental impacts of the Remediation Plan is to be included as a supporting document.

### **Other site activities**

- Work crews are currently removing more of the asbestos-containing utilidors at the town site, near the boat launch. Arrangements have been made with the City to have the area cordoned off to the public while the utilidor removal is underway.
- Signage: The Giant Mine Community Alliance has recommended signage for the site indicating that this is a remediation project and a contact number for queries. Signage must be put through PWGSC per federal process through formal recommendation. GNWT-ENR indicated that they will facilitate sign printing and construction once the design has been finalized.

### **3. Communications Plan**

- General agreement that communications plan is now acceptable.
- Suggestions to hold a joint GNWT / INAC internal staff briefing on the Remediation Plan prior to submission within the same time frame. Identified MACA, ENR, Health and INAC key people to attend. Briefings should also be offered to the City of Yellowknife and Chiefs of Dettah and Ndilo. It was also suggested that a Lunch 'n Learn would be useful for others that are interested. INAC will prepare a presentation and will look into securing a venue.
- Media – Technical briefing: There was discussion on the merits of holding a media technical briefing at the time of the submission.

### **4. Consultation Issues**

- Covered in discussion of Communication Plan - no additional consultation issues identified at this time.

### **5. Highway Re-Alignment**

- ENR briefed the Oversight Committee on the status of the Highway re-alignment project. Distribution of map and Communications Plan to those present. Comments on the draft plan to be provided to Emery Paquin before July 19<sup>th</sup>, 2007.

### **6. Report on Land Management Working Committee (MACA)**

- Andy Tereposky reported on existing third party interests on the site. MACA is planning to issue short term leases. No additional third party interests would be allowed to use the site until the remediation is substantially complete.
- The City has approached MACA regarding subleases in the Townsite area and a condition of renewal would be that leaseholders be made aware of possible access restrictions during remediation.

- The City of YK has provided a letter to the GNWT-ENR Minister seeking payment of the PILT which is just over \$300K asking if there would be consideration to whether the GNWT could cover the cost using funds set aside for the project.
- It was noted that MACA had approached the ADM in Ottawa regarding PILT to determine the possibility of applying PILT payments towards the GNWT Giant Mine Liability account.

**7. Other Business**

- Nothing identified at this time.

**8. Next Meeting**

The next meeting is tentatively booked for Tuesday, July 31<sup>st</sup> from 1:00 – 3:00 p.m. in the Scotia 6<sup>th</sup> Floor Boardroom.

Meeting adjourned at 2:40 p.m.

**Giant Mine Oversight Committee Meeting**  
**July 31, 2007**  
**Scotia Centre 6<sup>th</sup> floor boardroom**

**In Attendance:**

**INAC**

Zoe Raemer, Acting RDG  
Kate Hearn, Director CARD  
Bill Mitchell, Manager GMRP  
Michele Boriel, Comms Officer

**GNWT – ENR**

Bob Bailey, DM  
Emery Paquin, Director Env. Protection

**GNWT – MACA**

Debbie DeLancey, DM  
Andy Tereposky, Director Lands Admin.

**Agenda Items:**

**1. Minutes of Last Meeting (June 29, 2007)**

- Minutes reviewed and approved by all.

**2. Water License Application – Remediation Plan – Proposed timing of submission to MVLWB**

- Additional Supporting Documents on Environmental Effects and Cumulative Impacts completed and forwarded to GNWT-ENR for comments.
- A proposed timeframe was circulated with an outline of proposed important dates for meetings and information sessions in accordance with the submission of the water licence application and Remediation Plan. The timeframe included the briefing for the INAC ADM in Ottawa August 15<sup>th</sup> and the intent to submit the Remediation Plan to the MVLWB September 7<sup>th</sup>.
- A briefing with Minister McLeod will take place on August 9<sup>th</sup>. A subject for discussion will be the need to brief local MLA's prior to submission of the license application.
- Due to scheduling conflicts, GNWT noted that submission of the Remediation Plan may need to be postponed. GNWT to provide further comments on the timeframe.

**3. Cover Letter for Submission**

- A draft Cover Letter to Mr. Willard Hagen of the MVLWB was circulated and GNWT-ENR will provide comments.

**Giant Mine Oversight Committee Meeting**  
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**Scotia Centre 6<sup>th</sup> floor boardroom**

**4. Letters to Chiefs and City**

- Letters to YKDFN Chiefs and City were presented for signature but a slight error in wording requires correction before signing.
- It was also noted that letters should be distributed to the North Slave Métis Alliance and Tlicho as an update and to offer information sessions.

**Recorded decision:** Two additional letters to the North Slave Métis Alliance and Tlicho will be drafted for signature by the OC.

**5. Highway Realignment (GNWT)**

- GNWT provided INAC with copies of letters sent from DOT to local governments and stakeholders regarding the highway realignment.
- 
- The proposed poster and public information brochure was distributed and comments are requested to ENR by Friday, August 3<sup>rd</sup>. Comments will be forwarded to the Department of Transportation. It was also noted that the Department of Transportation has begun their public information sessions with regards to the realignment.
- It was noted that the public/media have gained a slightly better understanding of the Joint Office, though some media inquiries are still being redirected to the proper Department.

**6. Report on Site Land Management Working Committee (MACA)**

- GNWT is still waiting for response from INAC regarding the proposal to have GNWT pay back property taxes to the City and have it recognized as part of the overall GNWT contribution. This issue continues to be a substantial concern for the City.
- It was noted that there are two explosives sites, one company has provided their permits, and the other is working on providing their permit information. Both explosive companies and the propane company have requested land tenure. The Land working group has recommended to the Committee that we provide the 3 companies with a one year lease with a one year renewal option available.
- Sludge from Nicholas Lake that has been stored at the site will be disposed of at the Northwest Tailings Pond. The sludge meets the GNWT's leachate criteria for solid wastes eligible for disposal in a municipal landfill.
- It was noted that the City has agreed to explore the concept of a Municipal services agreement to recover costs of services provided to the site such as fire and ambulance, as an alternative to a Payment in Lieu of property tax. The Land Management Committee members will continue to pursue this approach with the City.

**Giant Mine Oversight Committee Meeting**  
**July 31, 2007**  
**Scotia Centre 6<sup>th</sup> floor boardroom**

**7. Communications**

- Communications Strategy was tabled for review and approval.
- INAC noted that there will be a Departmental News Release rather than release through the Giant Mine Community Alliance and the Backgrounder will be submitted for approval some time this week. The Kit Folders / Fact Sheets will be in next week but won't be distributed until after submission and after Minister McLeod's briefing.
- Website is to be readied to go live at the time of Water License submission.

**8. Other Business**

None noted.

**9. Next Meeting**

The next Oversight Committee meeting has been scheduled for Tuesday, September 4, 2007 from 1:30-3:30 p.m. in the 8<sup>th</sup> Floor boardroom of the Bellanca building.



**Giant Mine Oversight Committee Meeting  
October 10, 2007  
Precambrian Building, 5<sup>th</sup> Floor Boardroom**

**In Attendance:**

**INAC**

Zoe Raemer, A/RDG  
Kate Hearn, Director, CARD  
Bill Mitchell, Manager GMRP  
Michele Boriel, Comms. Officer

**GNWT - ENR**

Bob Bailey, DM  
Emery Paquin, Director Env. Protection

**GNWT – MACA**

Debbie DeLancey, DM  
Andy Tereposky, Director Lands Admin.

**Agenda Items:**

**1. Minutes of Last Meeting (June 29, 2007)**

- Reviewed and approved by all.

**2. Water License Application – Remediation Plan Proposed Timing of submission to MVLWB**

- Remediation Plan is printed and ready to be submitted to the MVLWB.
- Water License Application is currently being reviewed by Justice - may cause a possible delay. DOJ has expressed some concern with the care and maintenance work being carried out under Section 39 of the Water Licence. Justice also questions about the necessity to acquire Land Use permits.

**Action Item:** MACA will look into this under Section 53

**Action Item:** Bill will advise of the outcome

- Date of submission set for the 18<sup>th</sup> of October, 2007.

**3. Cover Letter for Submission to MVLWB**

- Discussed inserting a request for a 25 year water license into the cover letter: There was general agreement that the cover letter should not indicate a specific time frame

**Action Item:** The next version will be circulated by e-mail.

**4. Letter to Chiefs and City**

- Letters were sent out to the Chief and City
- NSMA & TliCho letters were not sent as of yet. Feeling was NSMA are in the Community Alliance already and the TliCho – did not require letter from Giant that ATI had recommended.

**5. Highway Realignment (GNWT)**

- The City of Yellowknife, TliCho, and YKDFN were flown over the proposed highway corridors to make them aware of the possible options.
- DOT website has the poster in it of the proposed sites

- Next step – Newspaper insert for November public meeting at Northern United Place that will be part of the Community Consultation
  - Jacques Whitford – has been awarded the contract for engineering and the review of the proposed corridors and routes
  - DOT is willing to brief Oversight Committee any time
  - Question – Is there a goal date for final decision? – No
- Concern raised by INAC is the issue of perceived *Project Splitting* with one of the options.

#### **6. Report on Site Land Management Working Committee (MACA)**

- City Sub leases for Town Site are being worked on by MACA. MACA is also looking at existing third party interests, (Propane and Explosives) and with what conditions their leases should be issued. 1 – Propane and 2 Explosives Company. Use of the leases will be limited to existing parties and no expansion to existing facilities or additional companies will be entertained until the remediation is complete
- Possible Windmill Site to establish local wind regime –Yes although any work would have to conform to the Mine Health & Safety Act.
- Issues of Cities back property taxes – Zoe commented that a One-time resolution with future Fee for Service is possible that would lead to a Municipal Services Agreement with the City

**Action Item:** Debbie D. to put proposal in writing to Zoe.

#### **7. Communications**

- Full package of communications materials was distributed to attendees.
- News Releases will need Premier's name – Probably will go out Oct. 16<sup>th</sup>.
- Need GNWT on 22<sup>nd</sup> of November at site for Media.
  - a. Who will be there for the media technical briefing?
  - b. Who is the public face –INAC manager represents Project but GNWT should be present in case questions arise.
  - c. Contact names for Departmental Spokespersons
    - i. INAC CARD Director to cover SMC, ENR Director to cover WCB.
    - ii. Suggested to hold a briefing with those people for consistence of information for clarity

#### **8. Other Business**

Bob: Thank you to Bill for GNWT Deputy Minister Briefing. They were interested in project.

#### **9. Next Meeting**

- a. The next proposed meeting is for 9:30 on November 15<sup>th</sup>, Scotia 6 Boardroom.

**Giant Mine Oversight Committee Meeting  
February 29, 2008  
Bellanca Building, 8<sup>th</sup> Floor Boardroom**

**In Attendance:**

**INAC**

Trish Merrithew-Mercredi, RDG  
Kate Hearn, Director, CARD  
Bill Mitchell, Manager GMRP  
Deb Bain, Comms. Officer

**GNWT - ENR**

Bob Bailey, DM  
Gary Bohnet, ADM, Programs  
Ray Case, Director Env. Protection

**GNWT – MACA**

Andy Tereposky, Director Lands Admin.

**Agenda Items:**

**1. Minutes of Last Meeting (October 10, 2007)**

- Reviewed and approved by all.

**2. Update on Water License Application**

- Remediation Plan submitted to the MVLWB October 19, 2007.
- Public comment period granted an extension to January 21, 2008.
- Verbal indication was received from MVLWB last week, followed by confirmation in writing this week that the Board has recommended that the project proceed to regulatory Water licensing. A copy of the MVLWB decision was circulated to meeting participants.
- Next steps: Board wants input from the project team on developing the work plan, to review each of the components of the Remediation Plan in detail, after which the Board would hold public hearings, then draft a Water Licence, for review by appropriate parties.  
The final water licence would be forwarded to the Minister of INAC for approval.
- Estimated timeline for the regulatory water licensing process is 12-14 months.
- Bill noted that MVLWB still has power to call it up for EA.

**3. Discussion on Section 18.1 of Cooperation Agreement**

- a. Pursuant to section 18.1 of the Cooperation Agreement there is a requirement to review the status of the Agreement on its third anniversary of March 15, 2008. It was recommended that the Oversight Committee should continue with same Agreement and that a record of their decision be entered into the minutes.

**Decision Item:** INAC and GNWT agree to continue with the Cooperation Agreement.

**4. Cooperation Agreement Article 10.1 (c): GNWT Payment of \$1M/year**

- a. Bill noted that GNWT has been paying fuel, power & propane to Site at approx. \$1.3M/year as the GNWT share of the care and maintenance costs. Excess of \$1M was then billed to INAC and paid to the GNWT.
- b. Recommendation: The GNWT has completed its payment of \$1.0 million per year for the first 3 years of the agreement as outlined in section 10.1 (c). It was suggested that INAC/PWGSC take over the fuel and power payments effective April 1<sup>st</sup>.

**Decision Item:** Agreed, payments taken over by INAC/PWGSC effective April 1<sup>st</sup>, 2008. Suppliers will be notified of the change by INAC/PWGSC.

**5. Use of Joint Letterhead for future communication with Boards**

- Not discussed at previous OC Meeting, Bill mentioned that the Water Licence Application was submitted by Trish Merrithew-Mercredi and Bob Bailey using joint letterhead. In response to public comments, Bill used INAC letterhead as Oversight Committee hadn't previously discussed action on joint letterhead last meeting.
- GNWT participation on responses to comments will be headed by Dr. Ray Case (new Director of Environmental Protection).
- Public meetings – INAC and GNWT will participate by joint proponent message.

**Decision Item** – Both parties agree to the use of Joint Letterhead when responding to Boards and the public.

**6. Update on bankruptcy of Miramar Giant Mine Ltd.**

- Miramar GML entered into bankruptcy in July 2005. It was anticipated that the bankruptcy proceedings would proceed quickly but was not the case. City of YK petitioned for taxes owed by Miramar to the bankruptcy Trustee but it was rejected.
- Bankruptcy file then had to go for review where all fees were to be determined and declared. Lawyer's involved in the bankruptcy must have their fees taxed, before the bankruptcy can be finalized. INAC is pursuing a quick resolution and the Trustee has committed to endeavour to finalize the bankruptcy proceedings by March 31, 2008.

**Action Item:** INAC will seek quick resolution of the bankruptcy and update the OC on the bankruptcy.

**7. Land Management Committee - MACA**

- a. Leases – Andy circulated Giant Mine LWG meeting reference details.

Leases are required for 3 existing sites: Dyno Nobel, Explosives Ltd and Superior Propane; lease sketches in progress. Dyno Nobel site will need to be moved once remediation commences: Explosives Ltd. may not be required to move. It was noted that the Superior Propane storage site is for propane storage only, not other junk. No new commercial leases on the Giant Reserve will be allowed until the Remediation is complete – someone who wanted to put up a test windmill at the site is no longer interested. NWT Mining Heritage Society would still like to lease around “A” head frame.

- b. City taxes – DM of MACA sent a letter to INAC requesting agreement to pay \$396K to City from GNWT liability account. INAC is of the opinion that City of YK has no claim to taxes from INAC’s and will prepare response to MACA. INAC inquired about how the tax bill is now \$396K and wants assurance that if this amount is paid to the City by MACA the City will not expect further payment of taxes for the Giant mine property. INAC would also like to see the proposed Municipal Services Agreement (MSA) before agreeing to proceed with the proposal to allow MACA proceed with payment of the back taxes and charging the payment to the GNWT Giant Mine Liability Account.
- c. Municipal Services Agreement (MSA) – Andy’s handout indicated that the City is working on the MSA; Director of Public Safety has been tasked to take it on. Jeff will follow up but is currently away.

## **8. Update on Highway Re-Alignment (GNWT)**

- Ray received a Briefing Note from Kevin McLeod requesting information and input regarding the Site. Nothing identified except emphasis that Fred Henne Park be preserved or improved. There is additional proposed alignment work on all three corridor options that Jacques Whitford will be engineering. DOT is anticipating completion of work plan by the summer.
- Suggestion that if the Environmental Impact Review Board (EIRB) does not request an EA, GNWT may want to meet with the Dept. of Transportation (DOT) about getting an earlier re-alignment as Giant Mine’s timeline has now been pushed up.

**Action Item:** ENR to communicate with DOT in formal setting with regards to MVLWB’s decision.

## **9. Communications**

- Deb Bain, INAC communications officer noted that there was some media coverage from the Open House sessions in October. Up Here magazine also published an article in their January 2008 issue about Giant Mine. Canadian Business Magazine contacted INAC with some questions and responses were given, though there may be additional follow-up.

- Deb indicated that there is already some interest being generated with regards to the MVLWB and their decision.
- There will be updates to the Giant Mine website over the next few months.

#### **10. Additional items / Oversight Committee Membership**

Let the records show that:

- Trish Merrithew- Mercredi will be taking over for Zoe Raemer - INAC Rep.
- Emery Paquin has retired and Ray Case is the Director for Environmental Protection (GNWT-ENR).
- Gary Bohnet will take the place of Mr. Bob Bailey in the interim and possibly for the long term, Mr. Bailey's last day with GNWT-ENR is March 20, 2008.

Trish to Bob: Given thanks for all the work Mr. Bailey has done. This meeting adjourned at 2:40 p.m.

The next meeting is scheduled for Friday, April 4<sup>th</sup> in the 6<sup>th</sup> floor boardroom of the Scotia Centre, from 2:00 – 4:00 p.m. Ken Hall will attend in Ray Case's absence.

**Giant Mine Oversight Committee Meeting  
June 10, 2008  
Bellanca Building, 8<sup>th</sup> Floor Boardroom**

**In Attendance:**

**INAC**

Kate Hearn, Director, CARD  
Bill Mitchell, Manager GMRP  
Deb Bain, Comms. Officer

**GNWT - ENR**

Gary Bohnet, ADM, Programs  
Ray Case, Director Env. Protection

**GNWT – MACA**

Andy Tereposky, Director Lands Admin.

**Agenda Items:**

10:00 a.m. - Bill circulated a revised Agenda with 12 items.

Added to Agenda – Brief update on Giant Mine Manager position

Added to Agenda – Communications Items

**1. Minutes of Last Meeting (February 29, 2008)**

- Reviewed and approved by all.

**2. Public Scoping Workshop – June 17, 2008**

- Purpose is to direct people on how to prepare submissions for scoping hearing on July 22<sup>nd</sup>. Board has asked Giant to make a presentation. A first draft of a presentation for the June 17<sup>th</sup> workshop was circulated it covers the history of mine, how we got here, contamination issues, development of Remediation Plan, options, public consultation throughout the process and details of specific elements of underground and surface elements of Plan.
- Trying to get tech. advisor group - Steve Schulz, Darryl Hockley and Bruce Halbert to attend. Hopefully the same group attend the scoping hearing session.

**3. Public Scoping Hearing Session(s) – July 22, 2008 and 23<sup>rd</sup> (if needed)**

- Takes place at the Explorer Hotel on July 22<sup>nd</sup>. and if required July 23<sup>rd</sup>. The work plan lays out the time frame as well. Copies of the MVEIRB work plan were circulated, and are also available on MVEIRB's website.

**Action Item** – Ray and Andy to provide Kimberly with list of who in GNWT (ENR and MACA) will attend.

#### **4. Respective government roles during scoping**

- Clarify that GNWT and INAC's roles are as co-proponent, want to ensure INAC and GNWT are on the same track as under the Cooperation Agreement. Some confusion early on with MVEIRB as to how both gov'ts would handle their normal roles as intervener in the process.
- It was noted that GNWT DMs have been briefed on approach. Environmental Protection section will effectively be involved. Gavin's division will distribute the information coming out of the Board process to reach all of the GNWT departments.
- INAC indicated that in a letter to Board re: roles, we state explicitly that INAC's role in first 3 phases (scoping, developing Environmental Impact Statement, etc) is only that of proponent and we don't want to leave it up to the Board to decide. Need to clarify we are co-proponents but we are also acting as intervener.
- INAC offered that if the NT Dep't of Health wants more information on health aspects, they are welcome to contact Health Canada people and consultants that prepared the health risk assessment.

#### **5. Crown Consultation – Section 35**

- Reminder that this aspect needs both government's participation.
- A Suggestion was made to strike a sub-committee under Oversight similar to the Land Management Committee.
- It was noted that some of the consultation requirements can be met through the Board's EA process.

**Action Item** – Kimberly to follow up by e-mail to Andy, Ray and Gary on joint Sub-committee on consultation to develop joint consultation plan.

#### **6. Letter of Response on Draft Work Plan**

- A draft letter of response to the MVEIRB on the proposed work plan was circulated to the OC. The letter should be on joint letterhead. It was agreed that GNWT will review the response and provide comments.

**Action Item** – Ray, Andy and Gary to review and follow up with Bill.

#### **7. Update on City Municipal Services Agreement**

- Bill got a response from the City – they sent a Draft outline of the Municipal Services Agreement. Passed it by the DOJ who question whether the City has the authority to enter into a Municipal Services Agreement for a property that is within the municipality. Went back to City with that question and also how they arrived at the \$75K/year lump sum for the cost. City responded last week that they do feel they have the authority and provided their calculations to the costs. The City response was forwarded to DOJ for comments.
- Andy – MACA is awaiting response on letter on taxes sent to INAC February 26<sup>th</sup>.



- Next steps? After DOJ has looked at issue in light of concerns with setting precedents relating to claimed back taxes, INAC will decide if it can move forward with MACA's proposal outlined in MACA's February 26 letter.
- It was noted that it would be worthwhile for Debbie and Trish to get together on this particular issue.
- In any event it was noted that the GNWT Financial Management board might not allow the payment of back taxes using Giant Mine Remediation suspense account.
- There is also uncertainty about allowing a charge of back taxes against the Federal Contaminated Sites action plan funding because this is the only funding we receive.

**Action Item** – GNWT to check if the charge can be made against its suspense account.

#### **8. Information & update session with City Councillors**

- Bill and Bob Bailey presented at the City Council meeting in March 2008 when, the council voted unanimously to refer the GMRP to environmental Assessment.
- Because City Councillors seemed poorly informed about the GMRP, it was suggested that the offer be made to give City Council a thorough briefing and possibly site tour before the scoping hearing.

**Action Item** – Andy expressed interest in participating in a tour.

#### **9. Addition of GNWT position on Giant Mine Remediation Project Team**

- The project team requires someone to help coordinate with the EA and info distributor. The possibility of a secondment for someone in MACA was discussed.

#### **10. Highway Re-alignment**

- The Dept. of Transportation in setting up another public meeting later this summer. They anticipate being in a position this time next year to commence contracting for construction.
- INAC noted that the funding issue needs to be settled first. Will they attend the Oversight Committee to make recommendations?

**Action Item** – Andy can talk to the working group to get more information.

**Action Item** – Andy will invite DOT working group to next Oversight Committee meeting for formal presentation before DOT goes public.

#### **11. Land Use Permits**

- DOJ has been looking into the interim activities under care and maintenance at the site and question whether any of these activities require any water licences or land use permits. DOJ doesn't have clarity.
- MACA noted that they do not believe that a land use permit is required for work on the site. GNWT Justice sent inquiry to JEP (Feds) in Ottawa but no response yet after many years.

#### **12. TOR Review**

- Terms Of Reference for the OC were developed in 2005 and Trish has suggested it may be time to review the TOR to determine if they are still relevant now that the EA process is underway.

**Action Item** – Bill will send TOR to Oversight Committee and will coordinate responses. GNWT respond on TOR with any edits they feel are necessary. Revised TOR can be distributed at next meeting.

#### **13. Giant Mine Manager Position**

- Bill is leaving and a staffing process has been started. Description has been updated and will be advertised aggressively in Globe & Mail, Northern Miner, Info Mine, etc. This is a director-level position and INAC welcomes GNWT's participation or input on staffing.

#### **14. Communications Items**

- Signs – A new Giant Mine Remediation Project sign indicating that this is a joint federal Territorial project is being planned for the site.

**Action Item** – Deb will circulate design and wording with everyone once she receives it.

- Media Coverage – CBA aired a discussion on blowing dust from tailings ponds. Also Trail Breaker piece with Jamie Bastedo – very positive piece on the development on the site. Also a picture of a grayling caught in Baker Creek.
- Following up on community meetings further to discussion around crown consultation letters were sent to the YKDFN in September and in December 2007, In addition e-mails were sent to Melissa McKenzie at the Yellowknives Dene office in March offering to go into the communities and discuss the Remediation Plan. It was noted that we have not heard back.
- Householder update is slated to be distributed before the scoping sessions begin.
- Regarding blowing dust – ENR director was interviewed by Richard Gleeson who asked why ENR hadn't declared an emergency under the Environmental Protection Act.

Next meeting will be scheduled towards the end of the month. By this time we'll have had the meeting with Dep't of Transportation, chance to review the Terms of Reference, attendance at the Scoping Session and have some of the Communications items underway.

Meeting adjourned at 11:00 a.m.

**Giant Mine Oversight Committee Meeting  
November 14, 2008  
Bellanca Building - 8<sup>th</sup> Floor Boardroom**

**In Attendance:**

**INAC**

Trish Merithew-Mercredi – RDG  
Kate Hearn – A/ARDG  
Teresa Joudrie - A/Director, CARD  
Bill Mitchell – Manager, Giant Mine Project  
Trish McFaull – E.A. Coordinator  
Jodi Woolam – Communications Officer

**GNWT – ENR**

Gary Bohnet – ADM, Programs  
Ray Case – Director, Env. Protection

**GNWT – MACA**

Bev Chamberlin – Director, Lands

**City of Yellowknife (2:00)**

Max Hall  
Carl Bird  
Dennis Marchiori

Trish Merithew-Mercredi chaired meeting.

**1) Approval of Minutes of June 10, 2008 Meeting**

Minutes approved with addition of “March 2008” to be added to item #8.

**2) Additions to the Agenda**

Agenda accepted as presented.

**3) and 4) Recap of MVEIRB Scoping Workshop and Scoping Hearing / Response to Undertakings and Response to Questions on Freeze Study**

MVEIRB held the scoping workshop in June 2008 and the scoping hearing in July 2008.

INAC and the GNWT provided responses to five undertakings:

Undertaking #1 – Overview of the Proposed Freeze Optimization Study  
Undertaking #2 – Response on GNWT Highway Re-alignment Project  
Undertaking #3 – Availability of Participant Funding  
Undertaking #4 – Independent Expertise for the Board

## Undertaking #5 – Legal reasons for the Exclusion of the Interim Activities from the Environmental Assessment (EA)

The Project Office, at the Board's request, also provided an additional submission on the freeze optimization study. Bill noted the Board's delay in posting this additional submission to the public registry and recommended that INAC send a letter to the Board requesting that the submission be posted without further delay.

Bill noted that the draft Terms of Reference was supposed to be completed in July 2008 but has not yet been received. Bill provided copies of the project schedule and noted that given these delays, the project will likely not commence until 2012.

### **5) Next Steps – Review of EA Terms of Reference**

Bill noted that it will be important to review the terms of reference carefully and address any issues with the Board.

Bill also noted that when the terms of reference are finalized, the Project Office will need to begin work on the Developer's Assessment Report (DAR). It is possible that much of the information required for the DAR is included in the Remediation Plan. However, more work may be required if the Board decides to expand the temporal or spatial scope of the EA. Additional work will also be required if the GNWT's highway re-alignment project is included in the EA.

### **6) and 8) Proposal to include City of Yellowknife and Yellowknives Dene First Nation Representation on Oversight Committee / Modify Terms of Reference for Oversight Committee**

Bill provided an outline of the proposal to the group. The Project Office is proposing to include representatives from the City of Yellowknife and the Yellowknives Dene First Nation (YKDFN) in the Giant Mine Oversight Committee. The representatives could not be full voting members since the Oversight Committee's structure is derived from the Cooperation Agreement however, it may be beneficial for the City and the YKDFN to be included as observers and be allowed to raise their particular issues with the members of the Oversight Committee.

There was general agreement of the merit of including the City and the YKDFN however many questions were raised about how to structure the Oversight Committee to include these representatives. Also discussed was the potential need to include the GNWT Department of Municipal and Community Affairs (MACA) and the federal department of Public Works and Government Services Canada. It was agreed that further review of the Cooperation Agreement and the terms of reference of the Oversight Committee and Giant Mine Community Alliance is required.

It was decided that a small committee be established to conduct this review. The committee to include Ray Case, Teresa Joudrie, Trish McFaull (with Bill Mitchell and Kate Hearn as advisors).

## **7) Municipal Services Agreement (City of Yellowknife Presentation)**

Introductions: Max Hall, Carl Bird and Dennis Marchiori

Max provided a document titled 'Giant Mine – Tax Issue'. Max noted that the City and INAC have been in discussions regarding entering into a Municipal Services Agreement for the fire and ambulance services that are being provided by the City to the Giant Mine site. Max proposed that the City disregard the property taxes and instead have the Municipal Services Agreement retroactive, back to 2005. Max noted that the \$75,000 per year that the City put forth in the draft agreement is not based on a property tax calculation.

Bill noted that INAC's legal counsel from has advised INAC that if the calculations are based on property taxation INAC would not be able to enter into the agreement as a determination of the non-applicability of the *Payments in Lieu of Taxes Act* has been made.

Max noted that the City is anxious to see a resolution to this issue.

(City representatives depart)

There was general agreement that the amount proposed by the City is reasonable for the services provided as long as the agreement clearly states that the amount is not based on property taxation. It was determined that the payment could be made from INAC's Giant Mine project budget as a service. Bill to contact the City to request a detailed written proposal.

## **9) Highway Re-alignment – Update from GNWT**

Ray noted that the GNWT Department of Transportation is currently working on the potential road re-alignment options but are waiting to receive the Board's scoping decision. Kate asked what the implications would be if the road re-alignment project is included in the Giant Mine EA and the GNWT decides to cut funding to the project. Ray said that he did not think the project funding would be cut.

## **10) Report of the Land Management Working Committee**

Bill noted INAC and MACA are currently working on leases to cover the third party interests located on the Giant Mine site. The third party interests include Dyno-Nobel, Northwest Explosives and Superior Propane. Bill also noted that the Project Office recently learned that we are currently supplying power to one of these parties. Bill noted that INAC has begun to meter the company's power usage and will be sending the company a letter shortly advising them of INAC's intention to no longer supply power to their building.

## **11) Communications**

Jodi noted that an eight foot square sign has been erected on the mine site. The sign states that the site is under remediation, jointly managed by INAC and the GNWT.

Jodi noted that the work on the website is continuing and should be completed by March 31, 2009. Jodi stated that the changes will make the website easier to navigate through.

Jodi provided a mock-up of the Giant Mine project newsletter that will be sent to all Yellowknife and Dettah residents. Jodi noted that the mail out of the newsletter will be timed to coincide with the release of the terms of reference.

## **12) Next Meeting**

Teresa committed to having a first draft of the committee review of the Cooperation Agreement and the terms of reference for the Oversight Committee and the Giant Mine Community Alliance completed by mid December 2008.

The next meeting of the Oversight Committee will take place on January 23, 2009 at 1:00 PM in the GNWT's Department of Environment and Natural Resources Boardroom.

**Giant Mine Oversight Committee Meeting  
January 23, 2009  
6<sup>th</sup> Floor Boardroom – Scotia Centre**

**In Attendance:**

**INAC**

Trish Merithew-Mercredi – RDG  
Martin Gavin – Manager, Giant Mine Project  
Tricia McFaull – E.A. Coordinator  
Dawn Curtis – Communications Officer  
Karen Wright-Fraser – Admin. Proj. Coordinator

**GNWT – DOT**

Kevin McLeod  
Larry Purcka

**GNWT - ENR**

Gary Bohnet – Deputy Minister  
Ray Case - Director, Env. Protection

**GNWT – MACA**

Bev Chamberlin – Director, Lands  
Jeff Polakoff – Deputy Minister

Gary Bohnet chaired the meeting.

**1) Approval of minutes of November 14, 2008**

Minutes approved.

**2) Review of Agenda**

No additions.

**3) Environmental Assessment – Update**

Martin Gavin noted that the Mackenzie Valley Environmental Impact Review Board (MVEIRB) has issued its decision on the scope of the EA and that the Project Team is now gearing up with the Technical Advisor to respond to the Terms of Reference (T of R) once issued by the Board.

Ray Case noted that the ENR's Environmental Protection Division is available to help with the Project Teams' response to the T of R.

**4) Report of Committee Reviewing Options for Increasing the Participation of the City of Yellowknife and Yellowknives Dene First Nation in the Project.**

Tricia noted that the Committee has prepared a draft discussion paper but has not yet met to discuss the paper. The Committee will be meeting shortly to discuss the paper and will provide options and recommendations to the Oversight Committee at their next meeting.



## **5) Municipal Services Agreement - Update**

Martin Gavin said that INAC has agreed to pay a lump sum of \$227k and \$65k per year for the next five years to the City for the municipal services used at the site. Bill Mitchell is currently working with Department of Justice on the municipal services agreement.

## **6) Cooperation Agreement – Financial Contributions Schedule**

It was noted that the GNWT has provided \$1.0M per year for three years to the Giant Mine Remediation Project (as outlined in the Cooperation Agreement). Trish MM thanked the GNWT for its contribution to the project.

The Oversight Committee decided that the GNWT's Year 4 contribution of \$6.0M should be delayed until implementation of the project begins.

## **7) Report of Land Management Working Committee**

Martin noted that INAC has written a letter to the owner of the explosives plant located on the Giant Mine site which has been using the site's power free of charge. The company said that they understand that they must pay INAC for their power usage and asked for a few days to prepare their own cost estimates. Martin will contact the owner again early next week.

INAC's plan is to deal with Explosives Ltd's power usage first and then hold a meeting of the Land Management Working Committee to determine the best way to proceed with the other two companies that are located on the mine site.

## **8) Communications**

Dawn noted that Giant Mine newsletters were recently mailed out and that extra copies of the newsletter were sent to Iqaluit in error but are now on their way to Yellowknife.

Dawn also noted that work needs to be completed on the Giant Mine Communications Plan and that the updates to the Giant Mine website should be done by March 31, 2009

## **9) Highway Re-alignment – Update from GNWT – DOT**

Kevin McLeod and Larry Purcka joined the meeting.

Larry provided the Committee with information on the highway re-alignment options and the consultations conducted to date. Larry noted that DOT held a public information session in 2007 and was planning to hold another session in the fall of 2008 but decided to hold off because it looked like the MVEIRB was going to issue its scoping decision in fall 2008.

Larry stated that since MVEIRB has determined that the GNWT's highway re-alignment project will not be included in the Giant Mine EA DOT will continue its work on the project. DOT is planning to hold another public information session in March/April 2009 and is hoping to have the engineering work completed by August and the design by October 2009.

Trish MM stated that INAC is prepared to pay for the shortest re-alignment route (which INAC has estimated at \$4.0M) and will not contribute any more funding than the \$4.0M to the larger GNWT project. Kevin noted that he understands INAC's position and added that DOT will continue working with its various partners, such as INAC, ITI, Denton'Cho and the City to determine the best route for the area over the long term.

Larry noted that \$55k in the budget will not be expended this year. This money was to be used for the second public consultation session but was that session was postponed due to the anticipated release of MVEIRB's scoping decision.

#### **10) Next Meeting**

Early April 2009. Staff from the Project Office will set up the meeting.

Meeting adjourned 3:55

# Giant Mine Remediation Project

## Oversight Committee Meeting

Friday July 17, 2009 – 3:30 pm

NT6 DM Boardroom

### **Agenda:**

Meeting is to discuss the Giant Mine site Municipal Taxation Issue with the objective of determining a mutually acceptable path forward.

### **Issue:**

City of Yellowknife seeks compensation for what it considers to be outstanding past and future municipal property tax revenue.

### **Background:**

- Pursuant to the Cooperation Agreement between GNWT and Canada respecting the Giant Mine Remediation Project, GNWT Department of Municipal and Community Affairs (MACA) established a reserve (R662T) in the Reserve Register in favour of the Department of Indian Affairs and Northern Development (DIAND) to provide unrestricted access to DIAND to carry out site stability and remediation efforts at site. The reserve covers the area set out in the former surface mine lease that was surrendered to MACA by the bankruptcy trustee following the assignment of Miramar Giant Mine Ltd into bankruptcy in July 2005. The GNWT retains surface ownership of the site (administration and control).
- In December 2005, Canada determined that Payments in Lieu of Taxes (PILT) do not apply in this situation because the site is not federal real property. Written confirmation of this determination was made to the City at this time. INAC's interest in the surface lands of Giant Mine is not federal real property and therefore PILT legislation cannot and will not apply to Giant Mine
- During the negotiations of the Cooperation Agreement, the issue of municipal taxes was discussed and the GNWT tabled an offer to pay municipal taxes. Unfortunately, this proposal was not incorporated into the final Cooperation Agreement. INAC had subsequently explored ways to deal with the tax and municipal services issue by various means including a municipal services agreement; however this approach proved problematic with regard to PILT Legislation. Consequently, Giant Mine Remediation Project staff approached MACA staff in December 2008 to determine if the original offer of payment of the municipal taxes by the GNWT could be revisited.
- The municipal services agreement that INAC considered for certain services proved to be problematic because the agreement proposed by the City was in essence

another method to recover and account for lost property taxes. This option would in effect violate and circumvent Canada's determination that PILT under the *Payments in Lieu of Taxes* (PILT) Act cannot apply in the case of Giant.

- In the meantime the City of Yellowknife, who maintains their longstanding position that they are owed back and future property taxes for the site, appears to be increasingly frustrated because the matter remains unresolved for them. The City is required under the municipal by-laws to provide certain services within the municipal limits, yet the City has not received any taxes for the Giant Site since 2005 when Miramar Giant Mine Ltd. was assigned into bankruptcy. This issue must be resolved and positions must be made clear or it will continue to be a political issue that will likely create negative public perception impacts on the project, especially during the EA process. Such impacts have the potential to undermine the co-proponents' overall goals for the project and may lead to unnecessary risk for both DIAND and the GNWT.

**Meeting Discussion Point:**

Explore GILT with the GNWT

At this meeting INAC intends to explore with the GNWT the GNWT's Grants in Lieu of Property Taxes (GILT) policy, to determine whether this is an option that could resolve the outstanding tax issue.

# Giant Mine Remediation Project

## Oversight Committee Meeting Notes

Friday July 17, 2009 – 3:30 pm

NT6 DM Boardroom

### **Attendees:**

Jeff Polakoff  
Bev Chamberlin  
Ray Case  
Kate Hearn  
Martin Gavin  
Bill Mitchell

This Oversight Committee Meeting was to discuss the Giant Mine site Municipal Taxation Issue with the objective of determining a mutually acceptable path forward:

- Kate Hearn initiated the discussion by indicating that the issue had been clearly set out in the agenda note (attached). Kate provided an overview of the municipal taxation issue for Giant Mine and confirmed that Canada had made the decision that payment of PILT for Giant Mine is not applicable. It was also recognized that the City of Yellowknife had been pursuing the taxation issue since 2005 and were becoming frustrated at having to provide municipal services while not receiving any municipal tax revenue from the site. Kate indicated that as outlined in the agenda, INAC was requesting that GNWT explore the possible application of their GILT policy as a way to compensate the City.
- Jeff Polakoff indicated that the GNWT would like more information on the reasons for the decision that PILT does not apply.
- It was noted that a Reservation by Notation is not considered the same as a lease and the site is not federal real property.
- Bev Chamberlin indicated that GILT would not apply because no GNWT government services were being delivered from the site. Bev indicated that GNWT could not use their authority under the PILT policy to pay the taxes.
- Some general discussion ensued on the Cooperation Agreement and the fact that during the negotiations of the Agreement, the GNWT had tabled a proposal to pay municipal taxes but that this proposal had not made it into the final agreement. The question of amending the Cooperation Agreement to allow payment of taxes by the GNWT was discussed.
- Jeff Polakoff indicated that the GNWT would have to brief ministers for permission to amend the Cooperation Agreement to allow the GNWT to pay taxes from their

liability account. Although it was agreed that the GNWT would prepare the briefing materials, there was no further discussion on whether the GNWT would further evaluate the possibility of making payment of taxes either through the GNWT GILT policy or by making an exception to the policy in this specific instance.

**Minutes of Giant Mine Oversight Committee Meeting  
November 3, 2009 9:00 AM  
Bellanca Building, 8<sup>th</sup> Floor Boardroom**

**In Attendance:**

**INAC**

Trish Merrithew-Mercredi,  
Regional Director General  
Annette Hopkins,  
Acting Regional Director General  
Martin Gavin, Manager, GMRP  
(via teleconference)  
Trish McFaull, Recorder

**GNWT - ENR**

Gary Bohnet, Deputy Minister  
Ray Case, Director, Environmental Protection  
Bill Mitchell, Director, CARD

**GNWT – MACA**

Mike Aumond, Deputy Minister  
Bev Chamberlin, Director, Lands Administration

**PWGSC**

Mark Cronk, Senior Project Manager (via teleconference)  
Lisa Dyer, Project Manager

Trish Merrithew-Mercredi chaired the meeting.

**Giant Mine Freeze Optimization Study**

Bill Mitchell provided an update on the release of arsenic that occurred in the early morning of Thursday, October 22, 2009:

- The drilling that was taking place on the site was for the Freeze Optimization Study. The purpose of the Study is to provide information on the spacing of the freeze holes, the types of drills that are most effective and to inform the environmental assessment (EA) process. The Study will also enable INAC to develop with more accuracy the Class A estimates that are required for Effective Project Approval by the Treasure Board.
- The Study is being conducted on Chamber 10, near the Mill Pond.
- The release occurred when the contractor was drilling the instrumentation holes into the chamber. The independent Peer Group reviewing the Study strongly recommended that instrumentation holes be drilled into the arsenic trioxide dust in order to more effectively monitor the advance of the freezing front into the dust.
- The drill contractor had drilled nine holes through the crown pillar into the top of chamber but not into the arsenic trioxide dust without incident. The contractor subsequently began to deepen the drill holes that had been drilled the crown pillar by drilling into the arsenic trioxide dust. The first of the nine holes to be drilled through the dust to insert instrumentation was Hole #35. It was while drilling Hole 35 that a small amount of dust was released from Hole #S26, located underneath the drill rig and a worker became exposed to the dust (see attached sketch).
- The worker was decontaminated, showered, checked for acute exposure and after a urine sample was taken he returned to work. The worker was wearing full

personal protective equipment including specialty fit respirator, waterproof suit and nitrile gloves.

- The drill contractor informed the site superintendent and then spent the next day evaluating the dust that had escaped. They found that the dust was confined to the area near Hole #35 and S26.
- Samples were taken of the Mill Pond and the puddles near the study area. The samples showed that the arsenic levels in the Mill Pond were lower than before the Study commenced (0.5 PPM in spring 2009 and 0.3-0.35 after release).
- A Niton portable XRF analyzer was used to evaluate the area. Readings showed that the contamination was confined to the area around the drill holes and to the restricted access area of the drill pad.
- The Spill Line was not called until 5:15 PM on Friday, October 24, 2009. PWGSC are still investigating.
- INAC had an engineer review the incident. The engineer reported that the event was minor and that 1 kg (or slightly less) arsenic trioxide was released. (A copy of the engineer's report was distributed to meeting participants)
- Inspectors were not notified until Saturday morning (October 24<sup>th</sup>). An Inspector contacted the Site Superintendent to determine the status of the situation and the actions which had been taken.
- Inspectors visited the site on Monday (October 26<sup>th</sup>) and instructed the site to complete certain tasks.

Bill Mitchell noted that it is very important to get the project started again because Arctic Foundations are scheduled to come to the site next week to install the thermosyphons and seven more instrumentation holes still need to be drilled. Once these seven holes are complete, there will be no further drilling into the arsenic chamber.

Mark Cronk noted that the drilling contractor would need to remobilize after Arctic Foundations complete their work in 1 to 1.5 weeks. Then the contractor will need to complete the remaining drilling which will take approximately one week. All drilling, including the underground drilling work for supply lines, should be completed by the end of November.

**Action Item** – Lisa Dyer to provide the work plan and schedule for the Freeze Optimization Study, including the underground drilling work required for the supply lines.

### **Deton'Cho / Nuna Joint Venture**

Mark Cronk noted that PWGSC is currently investigating the actions taken by the Contractor but he believes the Study was much more complicated than the care and maintenance activities typically undertaken by the site contractor and that the delays in reporting were caused by a communication gap between the day and night shifts operating at the site. Mark provided the following account of the reporting that occurred following the incident:

- The incident happened during the night shift and it should have been handed over to the day shift drilling manager.



- The site treated the incident as minor until they did further investigation and learned that it was arsenic trioxide dust that was released.
- The site notified PWGSC that a spill had occurred mid afternoon on Friday, October 23<sup>rd</sup>. Mark stated that the information provided to him suggested that the event was minor.
- PWGSC and INAC were notified about the release by email after 5:00 PM on Friday.
- The Spill Line was notified but technical difficulties with opening of the PDF document delayed reporting. There were calls between the site and the Spill Line on Saturday, October 24<sup>th</sup> at 9:00 AM.

Annette Hopkins confirmed the timing of the various events and clarified the details of the reporting of the event to the Spill Line.

Trish Merrithew-Mercredi asked why INAC was not made aware of the release until Saturday morning (October 24<sup>th</sup>).

In response, Mark Cronk noted that the email sent by the site was also copied to INAC's Manager of the Giant Mine Remediation Project, Martin Gavin. Martin Gavin confirmed that he received the email from the site at 5:46 PM on Friday, October 23<sup>rd</sup> but that he thought the incident was minor.

Lisa Dyer noted that typically Spill Contingency Plans state that spills are to be reported to site security who then reports the incident to the site's Environmental Coordinator and the Mine Manager. Lisa noted that the site is currently looking at their procedures and that there is definitely room for improvement.

Trish Merrithew-Mercredi asked when PWGSC would be bringing these improvements back to the Oversight Committee for their review.

Mark Cronk stated that PWGSC should have some information by next week.

Gary Bohnet asked what type of air monitoring is conducting at the site. Bill Mitchell stated that INAC conducts air quality monitoring on the site and that both high and low volumes systems are used to monitor air quality. Bill noted that air quality monitoring is only conducted in the summer months.

Ray Case asked if it was a larger release and windy conditions could this have been a more serious incident. Bill stated that he did not think so because the workers immediately shut off the air pressure on the drill rig and, in the future, caps on the drill holes will be securely welded on.

### **NWT Spill Line**

There was discussion about the technical problems associated with the Spill Line which is operated by the GNWT, the possible lack of monitoring when spills are reported by email and the Spill Line Committee's work but it was determined that the problem in this case was that the Oversight Committee was not notified once the spill was reported.

Gary Bohnet asked for an overview of the linkages between PWGSC and INAC. Bill Mitchell explained that PWGSC holds the contract with Deton'Cho/Nuna Joint Venture for the care and maintenance activities at the site and that they look after all items related to the contract and contractor at INAC's request.

### **Strategic Plan and Governance – Giant Mine Remediation Project**

Although hesitant to present this draft of the strategic plan and governance structure before it had been fully reviewed and discussed with senior management, it was deemed appropriate to present the draft plan at this meeting, Martin Gavin provided the following information on the draft Strategic Project Plan:

- Draft Strategic Project Plan has been completed with staff in Ottawa and PWGSC staff in the region. It has not been shared with senior management in the Region.
- The Strategic Plan is Step One in a three-step process. It will form part of the submission to the Treasury Board.
- The current governance structure of the Giant Mine project works well while the project is in care and maintenance phase however the project will become a large remediation project in 2012.
- The draft Strategic Plan has not been reviewed yet internally. The plan was to begin the review of this document in November 2009.
- There is also a Project Implementation Plan that PWGSC is preparing that forms part of this work.
- INAC and PWGSC staff looked at the Sydney Tar Ponds (STP), Faro and the 2010 Olympic Village projects as examples of major capital projects. Staff also looked at the needs of the co-proponents, aboriginal groups and the Community Alliance in preparing this plan. (Terms of reference for the STP were circulated to Oversight Committee)
- Staff are proposing that the current structure would remain unaltered during the EA and regulatory phases of the project.

The Committee members advised that while they believe it is a good idea to prepare a project plan, the composition and role of the Oversight Committee is governed by the Cooperation Agreement which can only be amended by the two Ministers. Committee members also noted that it is important to look at the monitoring functions so that it meets the needs of the public.

**Action Item** – Martin Gavin to provide a Strategic Project Plan and revised terms of reference for all parties, including the Oversight Committee, by December 1, 2009.

### **Terms of Reference – Giant Mine Oversight Committee**

(Item covered in previous section)

### **Other Issues**

The Committee noted the need to resolve the issue with the City of Yellowknife regarding property taxation. Trish Merrithew-Mercredi noted that she had raised this issue several times and Mike Aumond suggested that Trish Merrithew-Mercredi and he meet to discuss this issue as he has a possible solution to this issue.

The issue of the third party companies currently located on the site was also raised.

**Action Item** – Martin Gavin to provide a written update to Trish Merrithew-Mercredi on the third party companies issue. Trish Merrithew-Mercredi will distribute the update to Committee members.

The Committee members stated that they expect to be informed should any similar events happen on the site.

### **Next Meeting**

Next meeting will be scheduled for December 2, 2009.

Meeting adjourned at 10:30 AM

**Minutes of Giant Mine Oversight Committee Meeting  
December 2, 2009 8:30 AM  
Scotia Centre, 6<sup>th</sup> Floor Boardroom**

**In Attendance:**

**INAC**

Trish Merrithew-Mercredi,  
Regional Director General  
Bill Mitchell, Director, CARD  
Martin Gavin, Manager, GMRP  
Trish McFaull, Recorder

**GNWT - ENR**

Gary Bohnet, Deputy Minister  
Ken Hall, Manager, Environmental Protection

**GNWT – MACA**

Sheila Bassi Kellett, Assistant Deputy Minister  
Bev Chamberlin, Director, Lands Administration

**PWGSC**

Cheryl Bartell, Regional Director General,  
Western Region (via teleconference)  
Mark Cronk, Senior Project Manager

Gary Bohnet chaired the meeting.

**Review of Minutes of November 3, 2009 Meeting**

Committee members to review minutes and provide comments.

**Giant Mine Freeze Optimization Study – Status and Work Plan**

Mark Cronk provided the following update on the Freeze Optimization Study:

- The spill response plan for the site has been updated.
- Michael Martin (Water Resources Officer, INAC, NT Region) has conducted inspections of the spill area.
- The spill area has been excavated and soil samples have been sent for analysis.
- The two feet deep excavated area has been backfilled.
- Drilling for the Study is currently being conducted on the site. The drilling should be complete in one week's time.
- The freeze plant and sub-station will be delivered to the site.
- The design for connecting the freeze pipes to the freeze plant is in process.

**Report of Land Sub-Committee – Untenured Occupants**

Bev Chamberlin provided the following update on the untenured occupants currently located on the site:

- There are currently three companies located on the Giant Mine site. Two are explosives companies (Dyno-Nobel and Explosives Ltd.) and the third is Superior Propane.
- Martin Gavin and Bev Chamberlin have discussed a plan to instruct all three companies to vacate the property by June 30, 2010.
- Initially, INAC and the GNWT thought the best way to proceed was to enter into short-term leases with the companies and to notify them that they will have to vacate at the end of the lease however the short-term leases were not entered into.
- Dyno-Nobel and Explosives Ltd are quite compact and could be relocated without much hardship to the companies. However, Superior Propane will be more challenging to relocate.

Bev Chamberlin stated that notice must be given to the three companies but asked what the reasons were for the June 30, 2010 date.

Martin Gavin responded by stated that INAC had wanted to the companies to vacate by June 2009 but the companies requested that they be given a year's extension to this deadline. Martin Gavin added that INAC has received a legal opinion from Department of Justice Canada which states the three companies should vacate the site before remediation begins.

Trish Merrithew-Mercredi agreed, adding that it is important to give notice to all three companies and have the companies removed prior to remediation.

Sheila Bassi Kellett explained that Superior Propane has more significant infrastructure and will therefore require a plan to relocate their business. Sheila Bassi Kellett added that there are also a number of residences that depend on Superior Propane for their propane supply.

Trish Merrithew-Mercredi stated that INAC would support an extension of three months to the June 2010 deadline but that this extension would have to be in writing.

Bill Mitchell noted that it is possible to be flexible with Superior Propane and that it is more important that the explosives companies vacate the site.

It was agreed that MACA would be responsible for providing notification to the three companies. It was also agreed that the notification should be a joint letter from INAC and MACA to the companies.

**Action Item** – Bev Chamberlin to provide the draft notification letter to Martin Gavin by December 4, 2009.

## **Strategic Project Plan and Governance**

Martin Gavin explained that the need for the strategic planning document can be attributed to the need to update the Terms of Reference for the Oversight Committee and INAC's need to return to the Treasury Board Secretariat within three years for Effective Project Approval. Martin Gavin further explained that the Strategic Project Plan

needs to address the Oversight Committee's Terms of Reference but must also include the governance items that the Treasury Board requires for Major Capital Projects.

Trish Merrithew-Mercredi agreed and added that she would like to keep the Cooperation Agreement in place. Trish Merrithew-Mercredi noted that while she is supportive of the idea to add Public Works and Government Services Canada to the Oversight Committee, she is not sure about the idea of including INAC Headquarters staff on the Oversight Committee.

Gary Bohnet agreed and added that we should not propose too many changes to the Cooperation Agreement. Gary Bohnet asked if Ray Case (Director, Environmental Protection) has been involved in the development of the Strategic Project Plan. Gary Bohnet added that he is concerned that the development of this plan may be going on without the input of the GNWT.

Martin Gavin responded by stating that the plan is still in the development stages and has just recently been submitted to Trish Merrithew-Mercredi for her review.

Cheryl Bartell stated that Treasury Board Secretariat will be looking for a well-organized approach to the project governance when they review the submission. Cheryl Bartell added that it is a matter of making sure all aspects of the projects are brought together and that there is clarity regarding this committee and the committees below it. Cheryl Bartell asked if the draft Strategic Project Plan will be available for the Committee's review by the next meeting on February 4, 2009.

Martin Gavin responded by stating he thought that would be possible. Trish Merrithew-Mercredi added that she just received the document and would like to review it in detail before sending it to the rest of the Committee.

Cheryl noted that it will good to get clarity regarding this Committee and the project committee by the end of this fiscal year.

### **Status of the Developer's Assessment Report – Timing of Submission**

Marin Gavin stated that the Giant Mine Remediation Project Team received the draft Developer's Assessment Report from the consultant at midnight on November 30<sup>th</sup> and that it has not yet been distributed to the GNWT for their review. Martin Gavin stated that he did not have an exact date but that the Developer's Assessment Report should be submitted to the Review Board by the first of the fiscal year.

### **Emergency Services Agreement**

Trish Merrithew-Mercredi stated that INAC does not believe it owes property taxes to the City of Yellowknife and that INAC will be spending a large amount of funding to remediate the site which the City will be able to use for industrial purposes in the future. Trish Merrithew-Mercredi further stated that INAC is willing to pay for fire and ambulance services going forward but will not make any retroactive payments to the City.

Gary Bohnet asked if INAC has met with the City. Trish Merrithew-Mercredi said that INAC does not want to meet with the City until it has a draft agreement to present to the City.

### **Independent Monitoring / Environmental Oversight**

Gary Bohnet explained that the Department of Environment and Natural Resources has received letters requesting independent monitoring and oversight for the Giant Mine Remediation project. Gary Bohnet noted that his department is well aware of the negative aspects of independent monitoring bodies but was wondering if this would not be linked to the Strategic Project Plan / Governance structure for the project. Gary Bohnet added that the Oversight Committee previously discussed ways in which the City of Yellowknife and the Yellowknives Dene First Nation's roles could be increased with respect to this project.

Martin Gavin responded by stating that INAC looked at other Remediation Projects such as the Sydney Tar Ponds when preparing the Strategic Project Plan document. Martin Gavin stated that Sydney Tar Ponds has a Regulatory Review Group which provided an audit function for the project. Martin Gavin noted that the Giant Mine Remediation Project also has another group, the Community Alliance, which includes representation by all but one of Parties to the environmental assessment. Martin Gavin also noted that an Aboriginal group was established for the Sydney Tar Ponds and Faro Projects. Martin Gavin stated that the intent is to create a very transparent governance structure but the challenge with the letters received on this topic is that INAC needs to look at the needs of the public and these individuals want funding to provide a monitoring function.

Trish Merrithew-Mercredi agreed stating that INAC received a request from Mr. Kevin O'Reilly, the City of Yellowknife and the Yellowknives Dene First Nation for large sums of money to create a body that would have veto powers. Trish Merrithew-Mercredi stated that INAC declined this request and will not entertain such a request until the best model for the project is determined.

Gary Bohnet agreed and added that the GNWT is not interested in going down that path either. Gary Bohnet stated that he is looking forward to reviewing the Strategic Project Plan and asked if Ray Case has been involved in its development.

Martin Gavin stated that he has had telephone conversations with Ray Case and Ken Hall but that there is a need for them to meet again.

### **Next Meeting**

February 4, 2010, 1:00 PM - 8<sup>th</sup> Floor Boardroom, Bellanca Building

Minutes of Giant Mine Oversight Committee Meeting  
Feb. 4<sup>th</sup>, 2010 9:00 am  
Bellanca Building – 9<sup>th</sup> floor Boardroom

In Attendance:

**INAC:**

Trish Merrithew-Mercredi,  
Regional Director General  
Bill Mitchell, A/Director – CARD  
Paula Isaak (on the phone) Director General  
Natural Resources & Environment Ottawa  
Marin Gavin, Manager – GMRP  
Carmon Bessette, Recorder

**PWGSC:**

Cheryl Bartell, Regional Director General,  
Western Region  
Mark Cronk, Senior Project Manager

**GNWT –**

Bev Chamberlin, Director – Lands Administration, MACA  
Mike Aumond, Deputy Minister MACA  
Ray Case, Director ENR

Trish Merrithew-Mercredi chaired the meeting

**Review of Minutes of December 3, 2009 Meeting**

Committee members reviewed minutes with no changes or additions to the minutes, with the condition that Ray should have the opportunity to review and comment when he arrives and has time to review.

Agenda Accepted as presented

**Update on Emergency Services Agreement – Bill**

- INAC decided that the best way to deal with the provision by the City of emergency services for Giant is through a contribution agreement that would provide funds for municipal services (infrastructure support).
- DOJ is well advanced with the terms and conditions and have a deadline so we can respond to the City by Feb. 15<sup>th</sup>, 2010.
- The agreement will cover the provisions of fire, emergency and ambulance services at the sight by the City of Yellowknife.

**4. Environmental Assessment – DAR Update - Martin**



- The first draft of the Developers Assessment Report was received and circulated for comment to DOJ, GNWT, Dept. of Fisheries and Ocean, Environment Canada, INAC, GIANT Team and PWGSC. Over 740 comments were received that fall into the following broad categories:
  - 1) Clear messaging – some inconsistencies in the messaging
  - 2) Procurement strategies – which is a gap we are working to address  
Financial assurance to complete the program – another gap which we are working to get through as well
  - 3) Consultation and communication strategy – with respects to First Nations and non First Nations communities.

Target date for completion of DAR remains April 30<sup>th</sup>

## **5. Update on Arsenic Trioxide Spill on FOS Site – Martin**

- 1) Spill has been cleaned up to the satisfaction of the inspector who has issued a letter recommending file closure.

### **Comments/Questions on the letter and/or spill report:**

Cheryl - PWGSC: Our contractor has modified the processes to ensure proper and timely notification.

As requested, a copy the inspector's letter is appended.

## **6. Freeze Optimization Study (FOS) Update – Mark**

### General status update:

- The drilling is completed and no additional surface activities are planned for the FOS until work resumes in late Spring
- Delivery of the 2 major freeze plants is expected in the next 2 to 3 weeks
- The file design drawings are being generated and the term is on going for the balance of the surface material. .

Contractor has downsized our crews and terminated some employees.

We expect to reactivate the FOS as soon as the weather changes in the spring and hope to have the facility up and running by mid summer – June.

In response to a question it was noted that the FOS will start to generate useful data in 2010 that could be fed into the EA process.

In response to a question on “When are we going to get back into the EA process.” it was noted that the project is still in the EA process and the Developer's Assessment Report (DAR) will be submitted in April unless there are any unforeseen complications.

General discussion followed on the EA process, timing and when full remediation work can commence. Martin noted that the technologies involved in the FOS are well known but utilizing them all at the same time has never been done before.

Trish indicated that INAC and PWGSC are planning a technical briefing for the press likely next month in advance of the public sessions and hearings for the EA..

Mike Aumond noted that the more that we can get the public messaging out about making progress and we are firming up the plan we will be better able to defend.

#### **7. Draft 3 year Financial Plan:**

Martin reviewed the current financial approvals under the Preliminary Project Approval from Treasury Board and indicated the need to seek timely Effective Project Approval for project implementation before PPA funds are exhausted. Among other activities including the DAR/EA process the PPA funds go towards maintaining the site in regulatory compliance, at approximately \$7 – 10 million dollars a year.

Cheryl Bartell stated that PWGSC and INAC are planning a Joint Terasury Board submission for project and acquisition approval

#### **8. Project Management**

Martin indicated that the project team is looking at other projects in both private and public sector for ideas/and best practises.

There was discussion on the \$750,000 that the GNWT had committed under the Cooperation Agreement for supporting the interm office, how it can best utilized to support interaction at the project level

#### **9. Cooperation Agreement: Martin Gavin**

It was noted that the terms of reference and the cooperation be gone over to ensure they are up to date and reflective of the current situation.

Martin and Ray met in December and went through the cooperation agreement and concluded that for the current project definition phase there is no need to modify the terms of reference or the agreement. The recommendation is to leave it as is.

#### **10. Report of Land Management Working Committee: - Bev Chamberlin**

Recommendation is that the two explosives companies and the Superior Propane be sent a letter indicating that they should vacate the site no later than June 30<sup>th</sup>. It was noted that there may need to be some flexibility in the date on which they are required to vacate the site particularly in regard to a Superior Propane because it is a large operation and is going to take some logistical effort on their part to relocate from the mine site. Some

concern was expressed on the timing of the move particularly in regard to Superior Propane and the fact that disruptions to supply of customers should be avoided.

A formal request has not been made to any of these companies to date. Letters are to be completed and delivered to each of these companies with the knowledge that more time may be required for Superior Propane. Letters are to be out by the end of the week after they are signed off by both Mike and Trish.

## **11. Highway Re-alignment – Ray Case**

No real progress - Consultation on highway alignment corridors needs to be taken with:

- a) YK Dene
- b) Public Input

There are 3 original corridors with 2 considered the best options. These best options are based on all info as well as public input. DOT is hoping to meet with the YK Dene by the end of February for their involvement as well. Concern is how all of this is going to be funded, GNWT is willing to put some resources towards this and there may be Federal resources available as well. However the remediation project may be expected to contribute as well.

Bill expressed concern that this issue could become a critical item in terms of the schedule for remediation because critical work will be delayed until the highway is realigned.

## **12. Future Staff Requirements – Martin/Ray**

Preliminary staffing plan;

INAC –

PWGSC – is to develop a staffing plan

GNWT – and their level of involvement and where best to staff

Henry Westerman is the PWGSC Director for the Giant Mine Project. Mark Cronk is still the Project Manager in Yellowknife but Henry will be the Director located in the Edmonton office. He has a strong environmental engineering background and has spent many years in the North.

Martin and Bev will coordinate signing of the letters to go out to the three companies occupying sections of the GIANT mine site.

Gary will chair the next meeting

Minutes of Giant Mine Oversight Committee Meeting  
July 9<sup>th</sup>, 2010 3:00 pm  
Bellanca Building – 9<sup>th</sup> floor Boardroom

Meeting Participants:

Gary Bohnet – Chair  
Bev Chamberlain  
Ken Hall  
Cheryl Bartell – by phone  
Mike Aumond

Trish Merrithew-Mercredi  
Mark Cronk  
Adrian Paradis  
Martin Gavin  
Angela Rogers

Meeting commenced at 3:10pm, July 9, 2010

1. Approval of minutes of last Oversight Meeting  
Trish had made comments on last minutes but they have been updated.
2. Review of Agenda  
No additions / deletions of agenda
3. Environmental Assessment – Developers Assessment Report (DAR) Update - Martin  
Martin referred this to Adrian.

Adrian said DAR had not been submitted on June 30<sup>th</sup> and a letter was faxed to Mackenzie Valley Environmental Impact Review Board (MVEIRB) informing them that it would be delayed. There are sections of DAR being revised.

It was proposed by Industry, Tourism and Investment (ITI) that we can include a procurement strategy. Full and careful discussion to develop the procurement strategy is required before the Government of Canada & Government of the Northwest Territories (GNWT) can endorse. The level suggested was disagreed too and the Giant Mine Remediation Project Team (GMRPT) was directed to include a high level discussion in the DAR that mirrored the co-operation agreement.

Trish met with Yellowknives Dene First Nation (YKDFN) earlier this week and they were not happy with the procurement strategy in place for Tundra and have threatened legal action against the Tlicho Government and Indian Northern Affairs Canada (INAC).

Gary said the devil is in the details and we will have to answer eventually.

Mike said we will have to reiterate what is in the co-operation plan with some additional details.

Cheryl joined by via teleconference

#### 4. Community Meetings - Martin

The GMRPT met with the City of Yellowknife City Council in April. The meeting was positive with many questions from the City Councillors.

The GMRPT held open house sessions in April at the Tree of Peace. Open houses were held during the day and specific topics were discussed during the evenings. Kevin O'Reilly brought up independent monitoring and asked about offsite impacts from roasting. CBC were there for three of the sessions.

In May the GMRPT held community meetings in Dettah and N'Dilo as well. There was plenty of discussions regarding compensation for loss of land. Chief Sangris tried to focus the meetings on the remediation. Chief Tsetta set the stage for the meetings in N'dilo. The team received questions regarding historical events.

In June the GMRPT had a community session in Hay River with the NWT Metis Nation. There was many comparisons to Tamerlane. The presentation was a "101" on Giant project. Many of the questions focused on Independent monitoring, offsite impacts were discussed.

#### 5. Freeze Optimization Study (FOS) Update – Mark

Mark said three of the four projects are out to tender now and the fourth one is closed. The three projects will close over the next two to three weeks. The fourth is closed and is under budget. The contractors have asked for more time and they have been given a month extension due to industry being busy. The FOS construction will be completed by September. The site work will start sometime in the next two weeks. Mike suggested do a formal media briefing before starting the FOS.

#### 6. Land Management – Bev

Superior Propane is closing a sale for the new location this week and is fully confident they will be moved by September. The fire marshall is currently reviewing their designs. GNWT has not heard from Dyna Nobel. Mark said they seem to be winding down their activities on site. Martin suggested posting a notice on their trailer. Explosives Ltd. is fully engaged on site and they were notified back in May to vacate the site. Their operations are substantially larger than expected and include a plant with storage and bagging. They have had licence problems due to limits on the amount of explosives allowed on a single site. It is a big operation to move and have asked the GNWT for an extension but

have not provided an estimate for when they can vacate the site. Mike asked what are we going to do in September. Do we want to take legal action? By September 30<sup>th</sup> all parties will be offsite and we expect the same.

7. Highway Re-alignment – Ray

The Department of Transportation (DOT) has re-assessed their options. There is an uncertainty if the highway will be completed by September 2012. DOT is planning for consultations for August 2010. Detailed options to be developed by 2010. Gary committed to getting a hold of DOT and confirm the schedule. Cheryl said the scope will be different depending on which route is chosen and it may impact the scheduling. Gary said him and Mike will have a meeting with Transportation.

8. Additional Items

Section 98 of the (*Mackenzie Valley Resource Management Act*) – Operations is working on resolving the issue of land use permits.

Geotechnical investigations will have to occur in the upcoming year to support the environmental assessment.

9. Next Meeting

Mike suggested to meet before the media briefing. Sometime in August.

Meeting adjourned at 3:40pm, July 9, 2010