



DRAFT Notes on Meeting

File: EA0506-008 Gahcho Kué
 Date: February 3, 2006 14:07 to 15:38
 Location: 6th floor board room, Scotia Centre,
 Yellowknife (GNWT offices)
 Subject: Environmental Assessment Work Plan

Participants:

Robin Johnson, DeBeers	[R]
Timothy Bekhuys, AMEC (on behalf of DeBeers)	[J]
Lionel Marcinkoski, INAC	[LM]
Eric Yaxley, INAC	[EY]
Carla Conklin, Justice Canada (on behalf of INAC)	[KK]
Gavin More, GNWT	[GM]
Paul Cobban, GNWT	[PC]
Anne Wilson, Environment Canada	[AW]
Monika Krieger, Lutsel K'e – by phone	[MK]
Chris Heron, NWT Metis Nation –by phone	[CH]
Dave Balint, DFO	[DB]
Valerie Meers, North Slave Metis Alliance	[V]
Robert Jenkins, INAC	[RJ]
Georgina Bisay (?), Deninu Kue – by phone	[GB]
Patrick Simon, Deninu K'ue – by phone	[PS]
Louis Azzolini, Yellowknifes Dene (at 14:400)	[LA]
Rachel Crapeau, Yelloknifes Dene (at 15:20)	[RC]

AE	Explained purpose of the meeting: to review the work plan for the Gahcho Kué environmental assessment, particularly the differences to previous EA work plans
	Outlined the principles behind the work plan, which can be summarized as follows: <ul style="list-style-type: none"> • Follow a deliberate strategy • Focus on the most important issues and identify these early on • Understanding on issues around diamond mines now larger than ever

	<ul style="list-style-type: none"> • the EA should avoid producing the enormous amounts of paper the Snap Lake EA did • the EA should not make routine regulatory decisions • Participant funding should be available • The Board should decide deliberately which level of review is appropriate
	<p>Outlined work plan with emphasis on schedule, including the following points:</p> <ul style="list-style-type: none"> • # of days listed are draft, if parties do find them inadequate, they should include that in their comments • there will be two kinds of scoping sessions, technical sessions and community hearings, brief overview over how both are envisioned given. • At the end of scoping the Board has option to order an EIR • If EIR ordered, it will be very different from MGP review, no transboundary and therefore no joint panel. • ToR to focus on most important issues and not to concern itself with regulatory items • Unknown if 1st IR round will be open or closed (MVEIRB only) • The proposed small technical sessions will have a very narrow focus on individual issues. • After IR round 2 the process will revert to regular EA process of previous developments, if EIR is ordered it will likely follow the same steps.
MK	Ranking issues is really difficult to do, especially for elders; they are unlikely to agree that one things is more important than another. [noted, scoping will be the hardest part of the EA]
	Communities do have technical people, MVEIRB should not assume that community representatives will not want to be part of technical sessions [noted, overlap between technical and community sessions has advantages]
CH	Reiterated that communities have technical people.
	MVEIRB has a responsibility to help communities understand the technical documents [MVEIRB staff has some responsibility but has limited capacity and must be careful not to provide its own interpretation of things; MVEIRB moving more towards requiring non-technical summaries of documents]
G	There should be simultaneous interpretation at technical sessions; even if people do speak English, they often find it easier to understand technical things in their own language.
	In Snap Lake EA Ft. Resolution was not considered an affected community. It is an affected community in many ways and should have its own scoping hearing.
	There should be TK technical sessions separate from regular technical sessions.
PS	Meaningful consultation of Deninu K'ue must be done. Sessions must be

	understandable. Who to invite, what information to provide must be considered in view of the needs of treaty 8 signatories.
	Focusing the EA is good, but one must be careful not to miss things.
	Information or data generated in the EA should be comparable to other information/data so it can be used further down the road, e.g. for cumulative effects assessment.
	The work plan looks like a good approach.
GM	We now have a track record of diamond mines commitments and their implementation, previous records should be examined to avoid duplicating efforts, the MVEIRB should put in more effort in formulating commitments
	Commitments should come earlier in the process rather than at the end.
	The JRP approach is good, e.g. by asking government specific questions; MVEIRB may wish to ask parties what information they have that is relevant to the Board and also ask specific questions.
	In JRP there is an issue with having multiple proponents, how about here?
R	DeBeers is the owner and operator of Gahcho Kué, it is The proponent.
LA	Can referral to EIR be sped up? [probably not, in any case, an earlier order of an EIR, if any, would not likely result in a faster overall process]
EY	While there is no participant funding for specific EA's in place, there is ERMA funding. The timing of this EA is very good as the next ERMA cycle starts in April.
	Funding questions should not be the main criteria for ordering an EIR.
	INAC would likely need to see a DAR before being able to decide if an EIR is warranted. Without the information provided in the DAR one cannot really say whether there are any really big issues and what they are.
AW	The work plan seems worth a try.
	Concern about the fact that issues will have to compete with each other.
	All in favour of streamlining the IR process
DB	Would like to have more detailed information on what to expect in the scoping phase, e.g. is the timing serial or parallel? [that will in part be a scheduling question rather than one of deliberate approach]
	When will scoping be over? [looking at the end of July]
EY	Without a DAR INAC cannot really say which issues are the most important ones because it needs the information in the DAR, e.g. regarding commitments.
R	It is good to see that the Board recognizes a need for improvement over the Snap Lake EA
	Scoping is a good thing. It is difficult to do, parties may not all agree on how to

	state a particular issue.
	DeBeers is aware that issues will come onto the table and off the table during scoping and beyond.
	<p>Question to participants: what are the opinions of those people who have participated in recent MVEIRB scoping sessions?</p> <p>GM: In pipeline case the Board tried to resolve issues at the scoping hearing, which was not a good idea.</p> <p>PC: Scoping sessions were very useful in getting parties to talk to each other early on in the process.</p> <p>DB: the sessions have been rushed, Board needs to spend more time on it.</p>
CH	Relaying a statement from his president: The NWT MN would like to see DeBeers consult with the NWT MN because the project is in the middle of their traditional area as outlined in the IMA.
PS	ERMA and similar existing programs are not enough for a process/project of this magnitude. Last year the Deninu K'ue received a total of \$20,000. More is needed for meaningful involvement
	Reiterated CH statement re need for consultation and expanded responsibility to consult to government and NGOs.
	Given the timelines Deninue K'ue may not be able to make a formal submission with comments on the work plan [if more time is required, please make a request to the Board]
RC	Would rather see this project go to EIR right away than languish in EA.
	Have any thoughts been given to having scoping hearing in Lutsel K'e? [Yes, locations not decided yet, but Lutsel K'e is a likely candidate]
G	The IMA does not separate between communities, the entire Akaitcho must be accommodated in the same way.
MK	There should not only be a scoping hearing but also a final hearing in Lutsel K'e.

Meeting adjourned at 15:38

Martin Haeefele, EAO