

# GIANT MINE ENVIRONMENTAL MANAGEMENT WORKING GROUP WITH THE PARTIES

## TERMS OF REFERENCE

JUNE 2012

### 1.0 BACKGROUND AND MANDATE

As of March 2012, the Giant Mine Remediation Project (the “Project”) is undergoing Environmental Assessment EA 0809-001. The parties to the Environmental Assessment had concerns regarding the phase of design (preliminary design) and the resulting lack of established measureable criteria or monitoring programs. The parties to the EA recommended that the Giant Team develop an EMS and Remediation Plan that is consistent with the AANDC guidelines for closure and reclamation and the draft guidelines for closure and reclamation being developed by AANDC and the Boards.

To facilitate the gathering of outstanding information, it was suggested that a working group be established to allow opportunity for interested parties to be informed of current design details and provide meaningful input.

The mandate of the Giant Mine Environmental Management Working Group (the Working Group) is to provide a forum for interested parties to discuss and make recommendations on environmental technical issues regarding remediation of Giant Mine, and provide input into the development of Environmental Management Plans and Monitoring Programs. Specifically, the functions of the Working Group are to:

1. Provide a forum to present and discuss information on the overall environmental management system for the site
2. Discuss and encourage input on remediation objectives and subsequent remediation activities, closure criteria and proposed monitoring
3. Provide input into the development of Environmental Management Plans, which provide guidelines for the development of environmental Management programs
4. Allow the Project Team to present on ongoing research and engineering studies via Reclamation Research Plans, for areas where uncertainties in design exist
5. Gain input and advice on further engagement considerations
6. Provide advice and input into identification of specific thresholds or triggers and adaptive management responses that would follow

### 2.0 MEMBERS OF THE WORKING GROUP

1. **Co-Chairs:** AANDC – Meeting Chair and GNWT –Co-ordinator
2. **Members:** The membership of the Working Group will include the parties to the Environmental Assessment EA 0809-001 and any other interested parties. It shall include one representative and an alternate from member organizations.  
  
Representatives may request permission from the Co-Chairs to have their technical advisors or other support persons attend Working Group meetings.
3. **Giant Mine Project Team:** Members of the Giant Mine Environmental Management Group (EMG), including technical advisors/consultants if required.

4. **Others:** Both Mackenzie Valley Environmental Impact Review Board and Mackenzie Valley Land and Water Board staff are invited to attend meetings as observers.

The Project Team will provide secretarial support.

Please see Appendix 1 for a list of organizations and their representatives participating in the Working Group. This list will be updated as required by the Chairs of the Working Group.

### **3.0 RESPONSIBILITIES OF THE PARTIES TO THE WORKING GROUP**

#### **3.1 Co-Chairs**

1. Shall ensure that all documents generated during the course of the Working Group such as review comments and Project Team responses to comments are distributed to all parties to the Working Group in a timely fashion and submitted to the Board Registry.
2. Shall ensure that all final documents generated during the course of the Working Group are placed on the public registry.
3. Shall ensure that all deadlines are provided in writing to all parties to the Working Group.
4. Shall notify all parties to the Working Group of technical advisors/support persons that may be attending Working Group meetings at least two weeks in advance of the first meeting that they are to attend.
5. Shall ensure that the Working Group meetings are documented, and that the final meeting minutes are distributed to all parties to the Working Group and are placed on the public registry.
6. Shall ensure that Working Group meeting discussions remain within the mandate of the Working Group and focused on the agenda set for each meeting.
7. Shall ensure that the list of organizations and their representatives participating in the Working Group is up-to-date (see Appendix 1).
8. Shall use best efforts in scheduling meetings to accommodate the interests and availability of all members and distribute an agenda in advance (1 week) of each meeting.

#### **3.2 Members**

1. Shall attempt to maintain the same representatives at each meeting to provide consistency to discussions. The active Working Group representative shall keep alternates informed of all Working Group proceedings. Members will make all reasonable attempts to attend all meetings for their full durations based on the schedules distributed by the Working Group Co-Chairs.
2. Shall adhere to the deadlines set for all steps in the Working Group process.
3. Shall be fully prepared for all meetings.
4. Shall participate in a cooperative manner during Working Group meetings.
5. Shall limit their comments and/or discussions during the meetings to those related to the mandate of the Working Group and to the meeting agenda unless otherwise requested.
6. Shall address any action items that result from the discussions that take place during Working Group meetings in a timely manner within the capacity of the respective organization.

### **3.3 Giant Mine Project Team Environmental Management Group**

1. Shall attempt to maintain the same organization representatives at each meeting to provide consistency to discussions.
2. Shall adhere to deadlines set for all steps in the Working Group process.
3. Shall provide any documentation requested by the Chair and other working group members during Working Group proceedings in a timely fashion.
4. Shall participate in a cooperative manner during Working Group meetings.
5. Shall limit their comments and/or discussions during the meetings to those related to the mandate of the Working Group and to the meeting agenda.
6. Shall address any action items that result from the discussions that take place during Working Group meetings.

## **4.0 WORKING GROUP FUNCTIONING**

### **4.1 Meetings**

Meetings will take place in Yellowknife as agreed upon by the Working Group.

Discussions during meetings will deal with those items on the agenda distributed by the Working Group Co-Chairs prior to each meeting. The goal of initial meetings will be to develop common comprehension. All Working Group meetings shall be documented and the meeting minutes placed on the public registry.

### **4.2 Recommendations to the Giant Mine Project Team**

The parties to the Working Group will endeavour to develop recommendations to the Project Team by consensus. All opinions and recommendations will be recorded in meeting transcripts and summarized in advisory documents by the secretariat.

The advisory documents shall contain a summary of review comments from all parties to the Working Group; a summary of recommendations made by consensus, a summary of minority or dissenting opinions on matters where consensus is not reached, and any other relevant information put forward during the Working Group process. The Project Team will provide rationale of where and how recommendations were addressed or not. This rationale will be included within the advisory documents.

Copies of advisory documents shall be provided to all parties of the Working Group and provided for the Board Public Registry.

### **4.3 Funding**

1. The Project Team will have a contribution agreement in place with the YKDFN and Alternatives North which will allocate funds to participate in this Environmental Management Working Group.
2. Support for other Aboriginal and NGO members who may join at a later date will be considered by the Project Team.
3. Consideration for external expert advice will be considered on a case-by-case basis.

#### **4.4 Amendment of the Terms of Reference**

In consultation with Working Group members, the Project Team may modify the Working Group Terms of Reference or the Work Plan at any time if it is deemed necessary to do so to facilitate the mandate of the Working Group.

#### **4.5 Disbandment of the Working Group**

The Project Team reserves the right to disband the Working Group at any time if the mandate of the Working Group is not being adhered to or the responsibilities of the Working Group are not being fulfilled. In addition, the Project Team may sunset the Working Group if and when an Advisory/Oversight Committee is established. The Working Group may also evolve into a more formal structure as the Remediation Plan is submitted to the MVLWB for water licenses and/or land use permits.

## APPENDIX 1 – MEMBERSHIP<sup>1</sup>

Erika Nyyssonen (Co-ordinator)	GNWT
Octavio Melo (Co-chair)	AANDC
Aaron Braumberger	AANDC
Todd Slack	YKDFN
Gordon Hamre	Alternatives North
Morag McPherson	DFO
Amy Sparks	Environment Canada
Dennis Kefalas	City of Yellowknife
Wendy Alexander (alternate)	City of Yellowknife
Norm Quail	PWGSC
Chris Doupe	PWGSC
Dave Abernethy	PWGSC
Krista Amey (Secretariat)	DPRA

---

<sup>1</sup> MVEIRB and MVLWB staff are welcome to participate as observers.