



# GIANT MINE Oversight Board

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March 11, 2021

## **Giant Mine Oversight Board Response to Arktis Report Recommendations**

The Giant Mine Oversight Board (GMOB) has reviewed the ARKTIS Solutions Inc. report entitled "Giant Mine Oversight Board 5-Year Review of the Giant Mine Remediation Project Environmental Agreement", dated February 11, 2021.

The review concluded that overall, GMOB is successfully fulfilling its mandate. That said, ARKTIS identified seven recommendations for improvement. GMOB has considered each of these recommendations and offers the following preliminary responses.

### **Recommendation 1**

That GMOB continue to view the Project through several lenses, including engineering, socio-economic, and cultural.

GMOB stated in its 2018 Annual Report, that it tries to look at the Project through all these lenses because of concern that 'all the various views, perspectives and goals, are not being understood or appreciated by all those involved' and that by taking a broad approach it hopes that better integration can be achieved. This seems to be a significant contribution that is consistent with the general provisions of the Environmental Agreement and should be continued. The Project and the broader issues with respect to communications, socio-economic and cultural factors are very complex and GMOB is the organization best able to provide an overview.

### **GMOB Response**

Agreed.

GMOB will continue its practice of looking at the Project through various lenses, consistent with its mission and mandate to ensure that the remediation of the Giant Mine site, including the subsurface, is carried out in a manner that is environmentally sound, socially responsible and culturally appropriate. The multi-lens approach enables GMOB to both focus on specific areas and to integrate its observations in a collective and cohesive overview.

### **Recommendation 2**

GMOB should develop a 'dashboard' or some other tracking tool so that the fate of each annual recommendation may be easily followed. The analysis of GMOB's recommendations discussed in Section 5.1 and Appendix D of this report was conducted to develop a sense of the progress of recommendations but was challenged by the fact that GMOB does not routinely express whether recommendations have been dealt with adequately or not. The GMOB 2019 Annual Report was more explicit in that it identified new and updated recommendations. GMOB should continue with this approach and develop a tracking system so that progress on all recommendations can be clearly followed. This system will provide a clear indication of what GMOB considers important and what the response has been and give the public insight regarding progress on different topic areas.

### **GMOB Response**

Agreed.

GMOB has been tracking the response to its recommendations internally, and will integrate a "dashboard" approach into its future annual reports, including the upcoming 2020 report.

### **Recommendation 3**

GMOB should consider ways to provide its collective input on an on-going basis. GMOB members participate in many meetings, committees etc. and individual Directors are always willing to provide their professional input. It is recognized that the Board expresses its collective stance through comments on specific initiatives such as reports, interventions with the Water Board etc. but the position of the Board on the overall Project is mainly expressed in the Annual Report and at the semi-annual and annual meeting. Given the expertise within the Board and the close familiarity with the entire Project, efforts should be made to discuss Board positions and opinions on an on-going basis. This will provide the Co-Proponents and Parties with opportunities to discuss, clarify and more readily respond to GMOB's input. Such dialogue could also provide information that might modify/clarify GMOB's position.

### **GMOB Response**

Agreed.

Individual GMOB members, staff and GMOB consultants will continue to share their professional observations in the various Project venues with the understanding that these observations represent the personal, professional opinions of the individuals and unless otherwise stated, do not constitute a formal GMOB position. GMOB's formal positions, recommendations and advice will continue to be clearly communicated as such in letters, in its Annual Report, in the semi-annual meetings with the Parties, at its annual public meeting and through other venues as appropriate.

### **Recommendation 4**

GMOB needs to publicize its actions to develop a permanent solution to the arsenic trioxide dust stored underground at the Giant Mine. The research program was developed in accordance with the direction laid out in the Environmental Agreement. Projects currently being executed by TERRE-NET will better characterize the chemical composition of the dust and will evaluate the viability of some of the most promising technologies identified in the 2017 State of Knowledge Report. A peer review panel has been recently formed to review unsolicited research proposals. This panel should also be used to review progress by TERRE-NET; further consideration could be given to ensure the panel has the appropriate background to best understand the on-going research. There is a lack of understanding, from some Parties and the public, regarding the work underway and progress being made, and better publicity is in order. This should include the use of plain language descriptions that are easily understood by the public.

### **GMOB Response**

Agreed.

GMOB acknowledges that more work needs to be done in communicating activities and progress on its research program. GMOB is developing a communications plan to disseminate information to the Parties, the general public and the research community. The independent peer review panel of experts is working with GMOB to standardize the review of future research proposals. GMOB is of the view that the current TERRE-NET research programs do not require additional review by the independent panel as they have already been thoroughly reviewed by experts in the various fields, and will continue to be scrutinized by these experts. That said, GMOB will ensure that the results of these studies are made available to the independent panel, as they will be to the Parties and the general public.

### **Recommendation 5**

GMOB should continue to improve its communication efforts with the public. Public awareness of GMOB and its activities is generally very good, but improvements can always be made. The office, website and annual meetings are very effective. Efforts should continue to involve schools and to promote an open and transparent environment. More plain language materials and different formats (less presentation and more discussion) can improve the already well-attended public meetings. Consideration should be given to greater use of radio as well as to social media. As the Project enters the remediation phase and there is a concurrent increase in activities there may be a need for GMOB to host public meetings more frequently to address issues that are of current public interest or concern.

### **GMOB Response**

Agreed.

GMOB acknowledges that communication efforts are always imperfect and more effort can always be made to communicate more effectively. That said, these efforts need to be measured against available resources and GMOB capacity (including staff). GMOB's communication plans will continue to evolve and as noted above, will include broader communication about the research program.

### **Recommendation 6**

GMOB needs to develop an overall vision for the public repository of records. The Library is a 'work in progress' and contains many useful items but it is not complete. It is not clear what GMOB's vision is for addressing its mandate to create a public repository of records. It is understood that the Agreement states that such a repository should include what GMOB 'considers relevant to its responsibilities' but it can be argued that the repository should be comprehensive. The Project and associated activities are very complex, and it is difficult for the uninitiated to develop an understanding of why the problems arose, what is being done about them and the lessons learned to prevent them happening again. Given GMOB's unique position in having an overview of all the

related activities, consideration could be given to a central repository for this information or links to where additional information is available. Valuable research is often conducted in the Yellowknife area with respect to arsenic but there is little coordinated effort to identify and resolve information gaps. The Co-Proponents face restrictions on their ability to post reports, studies and plans but they could be hosted on the GMOB Library site. It is recognized that this approach could consume limited resources but there are benefits to the Co-Proponents and the Parties. Economies could be realized by providing a comprehensive description of the various components on the GMOB Library and creating links to other organizations with a clear understanding of where they fit in the overall program. Similarly, there could be coordination with the GNWT Legacy Contaminants Committee with the Perpetual Care Plan being developed by the Co-Proponents.

### **GMOB Response**

Agreed.

GMOB is continuing to develop and refine its repository plan for its in-house and online libraries. In doing so it will engage with the Parties and outside experts to determine the breadth and depth of the GMOB library vs those of the Parties, notably that of the Project Team. Currently, the Board does not have the resources for a comprehensive library of "all things Giant". Nor is the GMOB library necessarily the best place for that, particularly given the communication responsibilities and obligations of the government co-proponents. Discussions regarding the Perpetual Care Program and the associated information inventory and communication with future generations will also inform the role the GMOB library could play.

### **Recommendation 7**

It is recommended that GMOB, the Co-Proponents and the Parties consider ways in which they can increase their collaboration in dealing with all aspects of the legacy of the Giant Mine. As noted above, GMOB is in the ideal position to view all aspects of the Project as the Co-Proponents and the Parties have their individual responsibilities and perspectives. There would be an advantage to increase their collective collaboration towards making the Project and other activities that deal with the Giant Mine legacy successful. This could include developing a coordinated, overall strategy to plan and execute all the work to be done. Such an approach is also consistent with Article 2.1(c) of the Agreement which indicates that one of the purposes of the Agreement is to 'facilitate collaboration among the Parties'. Part of this collaboration would be for each organization to review their responsibilities under the Agreement including Article 2.2(a)(ii) which says that all intend to achieve or support 'the economy, way of life and well-being of the aboriginal peoples of Canada in the vicinity of Yellowknife, and of other residents of Yellowknife, the Northwest Territories and Canada'.

## **GMOB Response**

Agreed.

GMOB encourages collaboration at all levels, noting that all Parties have the responsibility and obligation to communicate effectively with their respective constituents, to engage effectively on all aspects of the Project, and to support the intent of the Environmental Agreement.

GMOB appreciates the work done by ARKTIS, its comprehensive and thoughtful report, and the participation of the Parties and the broader public in the review. GMOB will regularly report on progress it is making in addressing the recommendations and looks forward to further discussion on the various topics.

Sincerely,

A handwritten signature in blue ink, appearing to read "W. Hargrave", is written over a faint, larger blue signature that appears to read "W. Hargrave".

Chair  
Giant Mine Oversight Board