

NUNAVUT IMPACT REVIEW BOARD

PHASE 2 DEVELOPMENT PROJECT PROPOSAL - MARY RIVER IRON
ORE MINE NIRB FILE NUMBER 08MN053

HEARING

VOLUME 19

Iqaluit, Nunavut

November 4, 2021

1	TABLE OF CONTENTS		
2			
3	Description		Page
4			
5	November 4, 2021	Morning Session	3486
6	Opening Remarks		3486
7	Continued responses to community representative		3492
8	questions (Roundtable)		
9	Questioning of Baffinland Iron Mines Corporation,		3530
10	Registered Intervenor, and Nunavut Impact Review		
11	Board by the Community Representatives from Pond		
12	Inlet, Arctic Bay, and Sanirajak (Community		
13	Roundtable)		
14			
15	November 4, 2021	Afternoon Session	3549
16	Procedural Matter by Nunavut Impact Review Board		3549
17	Legal Counsel		
18	Nunavut Impact Review Panel Questions Government		3550
19	of Nunavut		
20	Continued Questioning of Baffinland Iron Mines		3561
21	Corporation, Registered Intervenor, and Nunavut		
22	Impact Review Board by the Community		
23	Representatives from Pond Inlet, Arctic Bay, and		
24	Sanirajak (Community Roundtable)		
25			
26			

1	November 4, 2021	Evening Session	
2	Continued Questioning of Baffinland Iron Mines		3619
3	Corporation, Registered Intervenors, and Nunavut		
4	Impact Review Board by the Community		
5	Representatives from Pond Inlet, Arctic Bay, and		
6	Sanirajak (Community Roundtable)		
7	Certificate of Transcript		3662
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			

1 Proceedings taken at Aqsarniit Hotel and Conference
2 Centre, Iqaluit, Nunavut.

3

4 NUNAVUT IMPACT REVIEW BOARD

5 K. Kaluraq Chair of Hearing

6 M. Qumuatuq Panel Member

7 C. Emrick Panel Member

8

9 NUNAVUT IMPACT REVIEW BOARD STAFF (IQALUIT)

10 T. Meadows Legal Counsel

11 K. Costello Executive Director

12 T. Arko Director, Technical Services

13 M. Ings Director, Finance and

14 Administration

15 C. Barker Technical Advisor 2

16 G. Daoust Technical Advisor 1

17 S. Taptuna Manager of Communications

18 J. Klengenberg Outreach Coordinator

19

20 NUNAVUT IMPACT REVIEW BOARD STAFF (POND INLET)

21 K. Morrison Manager, Impact Assessment

22 C. Pelletier Technical Advisor

23 F. Emingak Junior Technical Advisor

24

25

26

1 PROPONENT

2

3 BAFFINLAND IRON MINES CORPORATION REGISTERED SPEAKERS
4 (IQALUIT)

5 B. Armstrong Legal Counsel

6 C. Kowbel Legal Counsel

7 B. Penney President, Chief Executive
8 Officer

9 M. Lord-Hoyle Vice-President, Sustainable
10 Development

11 L. Kamermans Director, Sustainable
12 Development

13 A. Moore Manager, Government Relations
14 and Public Affairs

15 J. Tigullaraq Head of Northern Affairs

16

17 BAFFINLAND IRON MINES CORPORATION REGISTERED SPEAKERS
18 (POND INLET)

19 P. Quassa Baffinland Iron Mines Corporation

20 M. Clark Baffinland Iron Mines Corporation

21 C. Merkosak Baffinland Iron Mines Corporation

22

23 BAFFINLAND IRON MINES CORPORATION REGISTERED SPEAKERS
24 (ONLINE)

25 L. Duke Legal Counsel

26 J. Andrews Legal Counsel

1	M. Anderson	Baffinland Iron Mines Corporation
2	T. Sewell	Baffinland Iron Mines Corporation
3	E. Malcolm	Sustainability Specialist
4	K. Johnson	Baffinland Iron Mines Corporation
5	S. Borcsok	Baffinland Iron Mines Corporation
6	C. Devereaux	Baffinland Iron Mines Corporation
7	G. Goruk	Baffinland Iron Mines Corporation
8	K. Varadarajan	Baffinland Iron Mines Corporation
9	S. Douville	Baffinland Iron Mines Corporation
10	A. McLeod	Baffinland Iron Mines Corporation
11	K. Button	Baffinland Iron Mines Corporation
12	P. Taqialuk	Baffinland Iron Mines Corporation
13	M. Settingington	EDI Environmental Dynamics Inc.
14	J. Krizan	EDI Environmental Dynamics Inc.
15	C. Legault	Fednav Limited
16	T. Keane	Fednav Limited
17	P. Rouget	Golder Associates Ltd.
18	M. Winterbottom	Golder Associates Ltd.
19	P. Osborne	Golder Associates Ltd.
20	P. Abgrall	Golder Associates Ltd.
21	M. Austin	JASCO Applied Sciences
22	D. Del Cardo	Genessee Wyoming Canada
23	S. Sefsik	Genessee Wyoming Canada
24	L.R. Pelletier	Genessee Wyoming Canada
25	F. VanBiljon	Hatch Engineering
26	J. Prno	JPSC Limited

1	R. Cook	Knight Piésold
2	G. Clinton	Impact Economics
3	C. Moore	Intrinsik
4	J. McClintock	Wood Plc
5	D. Jarrat	Nunami Stantec
6	V. Corning	Nunami Stantec
7	S. Wallace	Nunami Stantec
8	P. Glenen	Nunami Stantec
9		
10	INTERVENORS	
11		
12	QIKIQTANI INUIT ASSOCIATION (REGISTERED SPEAKERS)	
13	L. Land	Legal Counsel
14	O. Akesuk	President
15	L. Barnabas	Secretary Treasurer and
16		Portfolio Lead
17	J. Ottenhof	Technical Lead and Director of
18		Lands and Resource Management
19	R. Paton	Director, IQ & Engagement
20	S. Williamson Bathory	Special Advisor to President
21	J. Ash	Arktis Solutions
22	J. Higdon	Arctic Biological Consultants
23	B. Stewart	Arctic Biological Consultants
24	S. Leech	The Firelight Group
25	A. MacDonald	The Firelight Group
26	J. Groves	Qikiqtani Inuit Association

1	M. Hemp	Qikiqtani Inuit Association
2	R. Stevenson	Qikiqtani Inuit Association
3	R. D'Orazio	Qikiqtani Inuit Association
4	S. Foulds	Qikiqtani Inuit Association
5	A. Qammaniq	Qikiqtani Inuit Association
6		Director
7	J. Tunraluk	Qikiqtani Inuit Association
8		Director
9	K. Pudluk	Qikiqtani Inuit Association
10	L. Bingiuk	Director
11	L. Tapardjuk	Qikiqtani Inuit Association
12		Director
13	J. Jaypoody	Qikiqtani Inuit Association
14		Director
15	P. Amagoalik	Qikiqtani Inuit Association
16		Director
17		
18	NUNAVUT TUNNGAVIK INCORPORATED (REGISTERED SPEAKERS)	
19	J. Eetoolook	Vice President
20	D. Connor	Nunavut Tunngavik Incorporated
21	C. Gillis	Policy Analyst
22	P. Irngaut	Director, Lands
23	C. Lyall	Executive Assistant
24	D. Lee	Department of Wildlife
25	P. Lavallée	Nunavut Tunngavik Incorporated
26		

1	HAMLET OF POND INLET (REGISTERED SPEAKERS)	
2	F. Tester	Technical Advisor
3	J. Arreak	Mayor of Pond Inlet
4	J. Idlout	Hamlet of Pond Inlet
5	M. Koonark	Hamlet of Pond Inlet
6	C. Sangoya	Elder Advisor
7	C. Nutarak	Elder Advisor
8	E. Panipakcocho	Elder Advisor
9	N. Kautuk	Community Representative
10	S. Nuturak	Youth Community Representative
11	J. Inualuk-Kunuk	Hamlet of Pond Inlet
12	G. Inuarak	Member of the Public
13	A. Uuttuvak	Member of the Public
14	J. Enogoo	Member of the Public
15	A. Killiktee	Member of the Public
16		
17	MITTIMATALIK HUNTERS AND TRAPPERS ORGANIZATION	
18	(REGISTERED SPEAKERS)	
19	E. Murphy	Legal Counsel
20	E. Ootoovak	President
21	A. Hanson-Main	Technical Advisor
22	K. Komangapik	Pond Inlet Hunters and
23		Trappers Organization
24	I. Inuarak	Pond Inlet Hunters and
25		Trappers Organization
26		

1 IGLOOLIK WORKING GROUP AND IGLOOLIK HUNTERS AND
 2 TRAPPERS ASSOCIATION (REGISTERED SPEAKERS)

3 G. Morash Hamlet of Igloolik
 4 S. Mikki Member of the Public

5

6 HAMLET OF SANIRAJAK (REGISTERED SPEAKERS)

7 J. Audlakiak Mayor of Sanirajak
 8 E. Irgittuq Elder Advisor
 9 J. Kaernerik Hamlet of Sanirajak
 10 P. Nagmalik Sanirajak Hunters and Trappers
 11 Association
 12 M. Kupaq Community Representative
 13 M. Appaqaq Member of the Public
 14 K. Naullaq Youth Community Representative

15

16 HAMLET OF ARCTIC BAY AND IKAJUTIT HUNTERS AND TRAPPERS
 17 ASSOCIATION (REGISTERED SPEAKERS)

18 Q. Robinson Legal Counsel
 19 O. Eegeesiak Technical Advisor
 20 M. Koonoo Arctic Bay Hunters and
 21 Trappers Association
 22 L. Kalluk Community Representative
 23 D. Oyukuluk Member of the Public
 24 Q. Oyukuluk Member of the Public
 25 E. Qaqqasiq-Taqtu Community Youth Representative

26

1 HAMLET OF CLYDE RIVER AND CLYDE RIVER HUNTERS AND
 2 TRAPPERS ASSOCIATION (REGISTERED SPEAKERS)

3	J. Natanine	Hamlet of Clyde River
4	A. Cormack	Hamlet of Clyde River
5	L. Tanguay	Hamlet of Clyde River
6	S. Aipellee	Clyde River Hunters and
7		Trappers Association
8	J.I. Angutikjuaq	Elder Advisor
9	O. Audlakiak	Women Community Representative
10	J. Palituq	Youth Community Representative

11

12 AMARUQ HUNTERS AND TRAPPERS ASSOCIATION (REGISTERED
 13 SPEAKERS)

14	J. Kakee	Elder Advisor
15	M. Mike	Amaruq Hunters and Trappers
16		Association
17	J. Akavak	Amaruq Hunters and Trappers
18		Association
19	K. Akpalialuk	Amaruq Hunters and Trappers
20		Association
21	L. Ipeelie	Amaruq Hunters and Trappers
22		Association

23

24 HAMLET OF RESOLUTE BAY (REGISTERED SPEAKERS)

25	A. Salluviniq	Elder Representative
26	R. Attagootak	Community Representative

1	GOVERNMENT OF NUNAVUT (REGISTERED SPEAKERS)	
2	S. Chari	Legal Counsel
3	J. Onalik	Deputy Minister EDT
4	G. Karlik	Assistant Deputy Minister
5		Department EDT
6	N. O'Grady	Government of Nunavut
7	D. Haney	Project Manager Impact
8		Assessments
9	S. Atkinson	Wildlife Consultant
10		
11	CROWN-INDIGENOUS RELATIONS NORTHERN AFFAIRS CANADA	
12	(REGISTERED SPEAKERS)	
13	S. Dewar	Director, Resource Management
14	K. Pawley	Manager, Environmental Assessment
15	F. Ngwa	Manager, Environmental Assessment
16	A. Chaikine	Senior Environmental Analyst
17	D. Abernethy	Regional Socioeconomic Analyst
18	R. Bingley	Environmental Analyst
19	J. Walsh	Senior Environmental
20		Policy Analyst
21	A. Vigna	Environmental Policy Analyst
22	M. Staniewski	Environmental Policy Analyst
23	C. Rose	Environmental Policy Analyst
24	N. Pfeiffer-Major	Junior Environmental Policy
25		Analyst
26	H. Baba	SNC-Lavalin

1	K. Henriksen	Regional Director General
2	J. Ankersmit	Director General
3		
4	NORTHERN PROJECTS MANAGEMENT OFFICE	
5	S. Gruda-Dolbec	Legal Counsel
6	L. Dyer	Regional Director
7	A. Shafi	Project Manager
8		
9	ENVIRONMENT AND CLIMATE CHANGE CANADA (REGISTERED	
10	SPEAKERS)	
11	M. Pinto	Environment and Climate Change
12		Canada
13	J. Small	Acting head, Environmental
14		Assessment North
15	A. Wilson	Technical Expert, Water Quality
16	R. Ejeckam	Senior Mining Project Officer
17	B. Asher	Technical Expert, Air Quality
18	R. Holt	Technical Expert, Air Quality
19	C. Kabanguka	Environmental Emergencies Expert
20	K. Patel	Technical Expert, Water Quality
21	M. Fairbairn	Regional Director
22	J.F. Dufour	Technical Expert, Water Quality
23		
24		
25		
26		

1	FISHERIES AND OCEANS CANADA (REGISTERED SPEAKERS)	
2	G. Bernard-Lacaille	Senior Biologist, Fish and
3		Fish Habitat Program, Arctic
4		Region
5	A. Sorckoff	Lead Biologist
6	A. Beattie	Team Lead, Mining Oil and Gas
7		North
8	T. Hoggarth	Regional Director, Aquatic
9		Ecosystems, DFO Science
10	M. Marcoux	Marine Mammal and Narwhal
11		Expert
12	K. Howland	Aquatic Invasive Species Expert
13	P. Smith	Fisheries Management Expert
14	N. Pashkoski	Fisheries and Oceans Canada
15	S. McLennan	Fisheries and Oceans Canada
16	T. Seal	Fisheries and Oceans Canada
17		
18	HEALTH CANADA (REGISTERED SPEAKERS)	
19	M. Gale	Regional Manager
20	W. Wilson	Environmental Assessment
21		Coordinator
22	E. Kalcsics	Engagement Specialist
23	P. Partridge	Acting Regional Manager
24	N. Lyrette	Environmental Specialist
25	J. Anderson	Health Canada
26		

- 1 NATURAL RESOURCES CANADA (REGISTERED SPEAKERS)
- 2 P. Unger Senior Environmental
- 3 Assessment Officer
- 4
- 5 PARKS CANADA (REGISTERED SPEAKERS)
- 6 A. Stoddart Environmental Assessment
- 7 Scientist
- 8 J. Bastick Environmental Assessment
- 9 Specialist
- 10 A. Maher Parks Canada
- 11 J. Chisholm Parks Canada
- 12 J. Boon Parks Canada
- 13 J. Hoffman Parks Canada
- 14 L. Jonart Parks Canada
- 15
- 16 TRANSPORT CANADA (REGISTERED SPEAKERS)
- 17 J. Barker Regional Environmental Advisor
- 18 A. Gudmundson Regional Manager Environmental
- 19 Programs
- 20 J. Johar Manager Marine Safety and Security
- 21 J. Cram Manager Rail Safety Engineering
- 22 M. O'Soup Bushie Transport Canada
- 23 K. Klarenbach Transport Canada
- 24
- 25 OCEANS NORTH (REGISTERED SPEAKERS)
- 26 C. Debicki Legal Counsel

1	A. Joynt	Senior Policy Advisor
2	K. Westdal	Oceans North
3	J. Jones	Scripps Institution of
4		Oceanography
5		
6	WORLD WILDLIFE FUND (REGISTERED SPEAKERS)	
7	A. Dumbrille	Lead Specialist, Marine Shipping
8		and Conservation
9	P. Okalik	Lead Specialist, Arctic
10	E. Keenan	Specialist, Arctic
11		
12	NUNAVUT INDEPENDENT TELEVISION NETWORK (REGISTERED	
13	SPEAKERS)	
14	I. Gilles	Legal Counsel
15	L. Tulugarjuk	Chairperson, Executive Director
16	Z. Kunuk	Founder and Director
17	L. Lipsett	Technical Advisor
18	M. Malliki	Nunavut Independent Television
19		Network
20		
21	INTERPRETERS/TRANSLATORS	
22	J. Tucktoo	Interpreter/Translator
23	V. Dewar	Interpreter/Translator
24	R. Katsak	Interpreter/Translator
25	L. Janes	Interpreter/Translator
26		

1 E. Horvath, CSR(A) Official Court Reporter

2 S. Burns, CSR(A), RPR, Official Court Reporter

3 CRR

4

5 (PROCEEDINGS COMMENCED AT 9:03 AM)

6 Opening Remarks

7 THE CHAIR: Good morning. My name is
8 Kaviq Kaluraq, and I am the Chairperson of the Nunavut
9 Impact Review Board or NIRB.

10 On behalf of the entire board, I would like to
11 welcome everyone to Day 4 of the NIRB's resumed
12 extended public hearing for its assessment of Baffin
13 Iron Mines Corporation's Phase 2 development proposal
14 as proposed -- as the proposed amendment of the Mary
15 River Project.

16 For those of you in Iqaluit, Pond Inlet, and
17 joining us remotely by Zoom and phone, welcome, and
18 thank you for sharing your time and knowledge with us
19 during this impact assessment process. We truly
20 appreciate it.

21 With me today are my fellow panel members,
22 Madeleine Qumuatuq and Catherine Emrick. We're the
23 decision-making panel for the Board's assessment for
24 this file.

25 As we begin, I'd like to remind everyone in
26 Iqaluit and Pond Inlet to please place your cell phones

1 on silent, and for those of you online, please ensure
2 that you are muted unless I ask you to speak and turn
3 the microphone over to you.

4 Before we begin, we're starting our morning with
5 an opening prayer, which will be given by Caleb
6 Sangoya.

7 Opening Prayer

8 THE CHAIR: Thank you, Caleb, for that
9 prayer to start our day.

10 We will now continue with the community roundtable
11 portion of the public hearing. As you saw yesterday,
12 this part of the -- of our proceedings where designated
13 community representatives and members of the public in
14 Pond Inlet have an opportunity to ask questions about
15 the Phase 2 development proposal and its potential
16 impacts to the proponent and registered intervenors and
17 to share with the Board the community members'
18 knowledge, views, concerns, and issues.

19 Today, community representatives from Arctic Bay
20 and Sanirajak join the community representatives from
21 Pond Inlet at the table here in Iqaluit.

22 Periodically throughout the day, we'll be
23 switching back to the members of the public in Pond
24 Inlet. If you want to ask questions of the proponent
25 or intervenors or want to share your views with the
26 Board, please provide your name to the NIRB staff at

1 the front of the room, and they'll provide your name to
2 put on my list of individuals who would like to speak.

3 Although the Board may not have time for everyone
4 to speak today, I can assure you that the comments of
5 the public and submissions of community-based
6 intervenors provided over the more than 30 days of
7 in-person meetings and previous public hearing sessions
8 are already part of the Board's hearing record and will
9 be considered by the Panel for decision-making.

10 As a reminder, tomorrow the community
11 representatives from all of the potentially affected
12 North Baffin communities will have an opportunity to
13 ask questions and share their views.

14 As we discussed previously, the Board has assigned
15 seating in the room here in Iqaluit. This is necessary
16 due to the amount of movement in the room and to limit
17 the time required to clean microphones in between
18 speakers as required by the COVID-19 protocols. So I
19 ask everyone to please stay in your assigned seat.
20 Although it may look like there are empty seats in the
21 venue, every seat in the venue has been allocated, and
22 we're at capacity.

23 For everyone participating in Pond Inlet or
24 remotely using the audio-video feed, be assured we're
25 linked to you. However, as we're coordinating more
26 than 160 participants on our Zoom and phone links and

1 switching between Pond Inlet and Iqaluit, we ask that
2 you be patient in waiting for your turn to speak.

3 For the proponent and intervenors, when a question
4 or a comment is directed to your organization, I will
5 turn the microphone over to your key speaker who will
6 then be responsible for identifying the person on your
7 team who will respond. Again, we ask for your patience
8 as there may be a small delay as the sound tech unmutes
9 your line. Please note that simultaneous
10 interpretation of the proceedings is being provided,
11 and the interpretation feed is being broadcasted to
12 Pond Inlet and is available in the audio-video feeds.

13 Receivers will be placed at each seat in Iqaluit
14 and at the sign-in table in Pond Inlet, and
15 language-specific information has been provided to
16 those participating online. For those in the room in
17 Iqaluit, we'd like to remind everyone Channel 0 is the
18 floor sound; Channel 1 is English; and Channel 2,
19 Inuktitut.

20 If you're at an in-person location and are having
21 trouble hearing the proceedings, please let one of the
22 NIRB staff know, and they'll assist you. Issues with
23 the online feed can be communicated to Cory Barker,
24 Mark Ings, or the help email provided on the Zoom feed.

25 For those in Iqaluit and in Pond Inlet, we ask
26 that you please take the time to sign in at the front

1 desk for each morning, afternoon, and evening session
2 that you attend. This will ensure that the NIRB can
3 provide an accurate record of hearing participants and
4 allow for adherence to public health contact tracing
5 requirements.

6 All parties are reminded that the media is present
7 during these proceedings in the room and also online,
8 and the Nunavut Independent Television Network is
9 accessing the Board's live feed of the proceedings and
10 is carrying the live feed of these public hearings
11 throughout the territory and Canada on Uvagut TV.

12 As indicated by the Board's procedural directions
13 to parties and the media, as with all of the Board's
14 previous proceedings, the Board prohibits anyone from
15 recording, rebroadcasting, or retransmitting the audio,
16 video, or images from this public hearing unless the
17 Board has granted express, written consent. Parties
18 who are unwilling to comply with the Board's directions
19 may be denied access to the proceedings.

20 In terms of our agenda today, there will be an
21 evening session today, so our proceedings will take
22 place from 9 to 5 with a break for dinner and then
23 reconvening at 6:30 to 9 Eastern Time.

24 At approximately 12 PM Eastern Time, we'll break
25 for lunch and reconvene at 1:15 and break for dinner at
26 5. We will take two 15-minute breaks, one in the

1 morning and one in the afternoon.

2 As just a quick reminder that we are conducting
3 this meeting in adherence with all local public health
4 requirements and the NIRB's COVID-19 protocols to keep
5 everyone safe and healthy. This means that we are --
6 that we require everyone attending in person to wear a
7 mask, sanitize your hands as you enter the venue, and
8 please maintain physical distances wherever possible.

9 Before we continue with the community roundtable,
10 I want to acknowledge to everyone participating in this
11 public hearing and perhaps viewing it online or
12 listening on the phone that we are all feeling the
13 weight and importance of these proceedings and this
14 assessment. Not just for all of us in this public
15 hearing, but also our friends, our neighbours, our
16 families, and our children and our grandchildren.

17 Over the course of the Board's two years of public
18 hearings and previous community roundtables including
19 our session yesterday, many people have shared their
20 deeply held opinions, and we have had difficult
21 discussions on topics where there are strong
22 disagreements. While it is understandable that these
23 conversations can become emotional and heated, it is
24 important to remember that we are all here together,
25 whether in person, online, or on the phone, to listen
26 with respect and to better understand each other's

1 information, experience, and knowledge.

2 When the Board carries out our work, it is our
3 tradition to give respect to our Elders. Also,
4 attacking the personal beliefs and experiences of
5 others is not what I was taught by our Elders. Our
6 Elders have seen throughout the proceedings and maybe
7 through your own personal experiences, they have
8 modelled ways of working well and living well together
9 for us, so it is up to us to carry on those practices.

10 I also think of our children and the model that
11 we're providing to them in terms of how we treat each
12 other when we're having difficult discussions of these
13 very important matters. I ask us all to bear this in
14 mind. As we are gathered here today, we should be able
15 to exchange our views, information, and opinions in an
16 atmosphere that is open and inviting to all.

17 So starting where we left off yesterday, we were
18 listening to responses to community representative
19 questions. Next on the list was Fisheries and Oceans
20 Canada, Gabriel Bernard-Lacaille.

21 Continued responses to community representative
22 questions (Roundtable)

23 MR. BERNARD-LACAILLE: Thank you, Madam Chair.
24 Gabriel Bernard-Lacaille with Fisheries and Oceans
25 Canada.

26 We are going to provide a response on the

1 questions related to aquatic invasive species.

2 So during the Phase 2 process, Fisheries and
3 Oceans Canada provided multiple recommendations to
4 Baffinland in regards to aquatic invasive species and
5 worked with Baffinland to develop commitments that are
6 intended to reduce or mitigate the risk of aquatic
7 invasive species such as ensuring exchange plus
8 treatment of ballast water in applying biofouling
9 management measures to proactively reduce risk of
10 spread.

11 We have focused on the importance with these
12 commitments of prevention, monitoring, and response
13 plans. Even with these measures, it's unlikely the
14 project will be able to avoid risk completely.
15 Therefore, it is important to have robust monitoring
16 programs for early detection and to proactively
17 identify potential species of concern and develop a
18 rapid response plan for these species. Our
19 recommendations and related commitments were made to
20 ensure that we improve monitoring so that aquatic
21 invasive species are detected as early as possible,
22 that high-risk situations are identified and managed
23 quickly, and that Baffinland can initiate committed-to
24 rapid response plan as early as possible to mitigate
25 the spread of nonindigenous and aquatic invasive
26 species.

1 As an example, I will describe two measures that
2 Fisheries and Oceans Canada is undertaking in regards
3 to monitoring and response plans.

4 For monitoring, Fisheries and Oceans Canada also
5 would like to speak to the program mentioned by
6 Baffinland and Transport Canada yesterday, which is
7 called "The Ballast Water Study Plan".

8 This plan is a result of a commitment that is
9 attributable to the Phase 2 process, and it is a
10 community-based monitoring program and study that DFO
11 is currently developing.

12 For this program, we want to work with people from
13 the communities to gain a better understanding of
14 ballast water that is present on Baffinland ships to
15 better identify and manage the risk related to aquatic
16 invasive species.

17 The next step in the development of this plan is
18 to engage and consult with the most affected
19 communities. We have currently initiated the very
20 first steps for this to happen, and we hope it's going
21 to happen in the very near future.

22 Another example of a measure we are undertaking is
23 we're conducting an official scientific review of a
24 rapid response plan developed and provided by
25 Baffinland. Rapid response plans are a tool that is
26 used in the case where we detect an aquatic invasive

1 species, and they are used to limit and manage their
2 potential spread. These are essential tools to
3 adequately react to potential introduction of an
4 aquatic invasive species. Fisheries and Oceans Canada
5 is undertaking this review because we want to make sure
6 that the plan would be used if an aquatic invasive
7 species is detected in the regional study area, is
8 valid, that it's effective, and it's up to the highest
9 standards. I hope this response provides an adequate
10 response to your question, and thank you, Madam Chair.

11 THE CHAIR: Yesterday, one of the
12 community representatives from Clyde River that was at
13 the table didn't get a chance to ask questions.

14 Alan Cormack.

15 MR. CORMACK: Thank you, Madam Chair.

16 I have four questions to raise and, Baffinland,
17 just a comment and -- push the button. And in
18 English -- I'll read in English and some of our
19 questions will be to HTO -- directed to HTO.

20 Pond Inlet Hunters and Trappers Organization. It
21 has to do with the red button Baffinland has been
22 talking about. They say that Inuit will be able to
23 stop the mine if we feel the impact is too severe. Has
24 your lawyers started this stewardship plan? Does it
25 really give us the control? We can really stop the --
26 we can really stop it just based on feelings?

1 To HTO -- to Pond Inlet and more -- to Oceans
2 North, it has to do with the effects not just of
3 Mary River, but also the other projects on our land
4 near Clyde River. Baffinland isn't the only project
5 we're dealing with. There's also a company called
6 Baffin Gold doing explorations nearby, and we all know
7 climate change is affecting our environment. So what I
8 want to know is in your opinion, has Baffinland looked
9 into the -- into how those other projects are affecting
10 change -- climate change might make the impact of
11 Mary River even worse? That's for Oceans North.

12 And the third one, this question is for NIRB. I'd
13 like to hear from your scientists and expert, who
14 looked into Baffinland's studies? Do they agree with
15 Baffinland's experts? Do Nunavut Tunngavik scientists
16 believe that this project will be safe for our caribou
17 and marine mammals? (INUKTITUT SPOKEN - NO
18 TRANSLATION).

19 And the fourth one, this question is for -- oh,
20 that one was for Nunavut Tunngavik. Sorry. Sorry, I
21 made a mistake. To NTI, the last question.

22 (INUKTITUT SPOKEN - NO TRANSLATION). It has to do
23 with enforcement. I want to know what will happen if
24 this project is approved and Baffinland doesn't follow
25 terms, conditions, rules, and regulations? Who
26 enforces those things? What sort of penalties and

1 punishment would you use if Baffinland does not follow
2 the rules? Are there any examples where the Nunavut
3 Impact Review Board or the federal government penalized
4 a company for not following the rules? Those are my
5 questions.

6 Thank you, Madam Chairperson.

7 THE CHAIR: Before we go to Baffinland --
8 so I have the organizations listed. Just -- people are
9 thinking that we're purposely not answering questions.
10 That's not the case. Just so everyone knows, they're
11 all going onto the public record, onto the transcript,
12 and the Board doesn't deliberate until the record is
13 closed, and any of the Board's views go into the
14 hearing report when everything is done.

15 Please be aware they're recorded. Because we're
16 conducting the assessment, we don't -- we can't answer,
17 and we can't make decisions. We're here to listen. I
18 just want you to understand what I was saying. Thank
19 you.

20 First we'll go to Baffinland, Udlu Hanson. And
21 just so community representatives know, I still have a
22 list of names. I still have names on my list.

23 Udlu Hanson.

24 MS. HANSON: Qujannamiik. Udlu Hanson,
25 Baffinland.

26 I wouldn't mind some clarity, please, because the

1 questions were -- we didn't hear a question for
2 Baffinland.

3 THE CHAIR: Okay. We'll move on to
4 Qikiqtani Inuit Association, Olayuk Akesuk.

5 MR. AKESUK: Thank you. Good morning.

6 Good morning, Madam Chair. Olayuk Akesuk from
7 Qikiqtani Inuit -- representative. The questions
8 didn't seem to be directed to us really, but the iron
9 ore mining, we are looking at the resolution that was
10 put in place, and it's in the IIBA, and we would just
11 go through those. I really didn't hear what -- if it
12 was directed to us.

13 Thank you, Madam Chairperson.

14 THE CHAIR: Nunavut Tunngavik
15 Incorporated, James Eetoolook.

16 MR. EETOOLOOK: Eetoolook. Thank you to his
17 question concerning the caribou, if they will be
18 impacted.

19 The Inuit IQ, we always believe in, and Inuit
20 knowledge has to be used any time, and when there's big
21 industries happening up here, and there's also -- as to
22 how we think about it, whether we know or not of what
23 he was talking about or asking. David Lee, he's our --

24 David Lee, if you could answer some of the
25 questions -- thank you -- pertaining to his question.

26 THE CHAIR: David Lee.

1 MR. LEE: Hello, Madam Chair. Can you
2 hear me?

3 THE CHAIR: Yes. Go ahead.

4 MR. LEE: Thank you, Chair. David Lee
5 for Nunavut Tunngavik incorporated.

6 Firstly, I want to thank the person for the
7 question.

8 If I understood correctly, the question as I wrote
9 it down was do NTI scientists believe the project is
10 safe for our caribou and narwhal.

11 I'd like to refer the individual first to NTI
12 Responses to Questions Phase 2 Project Proposal,
13 March 22, 2021, for a more comprehensive review of all
14 of the questions that were posed to NTI, which identify
15 me responding to a number of these issues for more
16 detail. But to be respectful and to answer your
17 question as directly as possible, I've expressed at all
18 previous technical meetings numerous concerns with
19 respect to the resiliency of caribou and narwhal to the
20 proposed increases in shipping and the railway project.

21 So there remain a number of outstanding concerns
22 that require quite a lot of detail. These are all
23 consistent with what Inuit have expressed. With
24 respect to potential and occurring impacts that they
25 have observed for both terrestrial, primarily caribou,
26 and narwhal. So I can only speak to the science that's

1 been provided.

2 And I'll summarize by restating that narwhal
3 abundance estimates for Eclipse Sound only, based on
4 science is -- have decreased significantly, which is
5 consistent with Inuit observations. I'll stop there
6 unless the individual would like me to elaborate
7 further. I hope this helps.

8 Thank you, Madam Chair.

9 THE CHAIR: Mittimatalik Hunters and
10 Trappers Organization, Eric Ootoovak.

11 MR. OOTOOVAK: Thank you, Madam Chairperson.
12 Eric Ootoovak, HTO, Mittimatalik.

13 Thank you for the question from Clyde River. And
14 I would like to answer him, and thank you, Madam Chair,
15 for the opportunity to answer.

16 We all know of -- Inuit IQ has to be included at
17 all times. He asked a question that in Clyde River,
18 we're talking about -- we have to push it to stop
19 something from Baffin Island -- I mean Baffinland, and
20 whether I agree with him or not, whether it's true or
21 not, he wanted to find out. I can say the Baffinland,
22 when they were reporting presentation, if our
23 communities are impacted -- if it's too much to bear
24 and Inuit would -- could push the red button to stop
25 the action for a while, we don't believe in that. It's
26 not really true. They've given us different versions

1 of presentations and misleading.

2 To my understanding, QIA and Baffinland, their
3 agreement -- ICA agreement, it states for that reason.
4 I would push the red button for that. Inuit people
5 from Pond Inlet, if they say they're being impacted too
6 much and there's not much -- not much fish and narwhal
7 and the bottom of the sea species are being impacted,
8 so we're impacted. The red button is not there to
9 push, or it's broken because we can't push it. Why?
10 It's like this, the ICA agreement between Baffinland
11 and Qikiqtani Inuit Association. For that reason, if I
12 state that, we're being impacted. An Inuit, I put it
13 on the table this morning, and the Qikiqtani Inuit
14 should take it over. And for those that would monitor
15 or review, they will be employed by Qikiqtani Inuit and
16 also Baffinland.

17 So that impacts were given to Qikiqtani Inuit --
18 to the Inuit committee or the committee, they would
19 have to look at it that Inuit are being impacted.
20 They're greatly impacted, or maybe they would say it's
21 not true, and these are -- this is what I'm bringing
22 forward concerning the Inuit being impacted.

23 It would be at Qikiqtani for a while, and then it
24 would be given to the Baffinland for the impact --
25 impacted issues, and the red button wouldn't have been
26 pushed yet. And that's how we are impacted with the

1 issues. And the Baffinland take over it from -- for
2 being so impacted. Look at it. Push -- we would say,
3 Push it, but they wouldn't push the red button, and
4 Baffinland will have to look at it and review it much
5 more.

6 If you don't agree with us, you have to look at it
7 and consider -- and also by your officials, and they
8 are not here at the meetings and they're not being
9 considered by many of the issues we have.

10 And Baffinland -- if Baffinland says they're not
11 being impacted, we're not going to do anything about
12 it, then the red button would not be pushed.

13 But the Mittimatalik HTO would maybe have to take
14 you to court concerning -- about some things for -- to
15 get us back into something, and that would not be
16 considered -- it would not be a red button for you
17 either, but Qikiqtani Inuit Association said in the
18 past that Baffinland, we are -- we were told -- we are
19 told to -- not to speak to them with other issues
20 because we're too late. And I don't know how many, but
21 they aren't being prepared by the Baffinland people
22 for -- and we were working on it for a long time.

23 And Mittimatalik HTO, we're trying to get funds.
24 It would take so long to get them to us, and the red
25 button has never been pushed either on these issues,
26 and the arbitration will be there to help us and still

1 the red button would not be pushed either, even though
2 we have these people working with us.

3 And if we agree -- if they would agree with us
4 that we're being impacted by Baffinland and they would
5 say you're giving us funds for those, we will never see
6 the funds for impact -- impacted issues, and so what's
7 written in ICA, it states there that you would pay us
8 with certain amount and -- and they have not been
9 negotiated really with us.

10 Thank you, Madam Chairperson.

11 THE CHAIR: Crown-Indigenous Relations and
12 Northern Affairs Canada, Spencer Dewar.

13 MR. DEWAR: Qujannamiik, Madam Chair.
14 Spencer Dewar, Crown-Indigenous Relations and Northern
15 Affairs Canada.

16 So the question, as I understood it, was about
17 inspection and enforcement. So Crown-Indigenous
18 Relations and Northern Affairs Canada has inspectors,
19 and I think there's three ways which they approach --
20 they approach a violation. The first generally would
21 be voluntary abatement to highlight the term and
22 condition and explain how it isn't working and request
23 that the company change its course. If that doesn't
24 work, they have the power to write a letter of
25 direction, which then the company must comply or there
26 will be an escalation further, and further -- the next

1 would -- and the most drastic step would be to lay
2 charges and seek prosecution.

3 So Crown-Indigenous Relations and Northern Affairs
4 Canada enforces three primary Acts. The first one is
5 the Nunavut Impact Review Board's project certificate,
6 terms and conditions pursuant to the Nunavut Planning
7 and Project Assessment Act. The most severe offences,
8 if prosecuted and the proponent would be found guilty,
9 would be a fine of up to a hundred thousand dollars and
10 imprisonment for up to one year.

11 The second is water licence terms and conditions
12 and prohibitions pursuant to the Nunavut Waters and
13 Nunavut Service Rights Tribunal Act and the Nunavut
14 Water Regulations. Under that Act, the first offence
15 is no more than \$250,000 and/or up to one year in
16 prison or both. The second offence is up to \$500,000
17 and up to one year in prison or both.

18 The third piece of legislation is ground land use
19 permits and land leases and their conditions pursuant
20 to the Territorial Land Use Regulations, and under that
21 Act, the first offence is a fine up to a hundred
22 thousand dollars, and the second offence is a fine of
23 up to \$200,000. I hope that answers your question.

24 THE CHAIR: Oceans North, Chris Debicki.

25 MS. JOYNT: Thank you, Madam Chair. My
26 name is Amanda Joynt. I'll be speaking for Oceans

1 North.

2 Thank you for the question. I was hoping to get a
3 question on cumulative effects so I made some notes.

4 Regarding the question that cumulative effects
5 might make things unsafe during Phase 2 or that the
6 proposed expansion will have a greater environmental
7 impact. It is possible, yes. The problem here is that
8 there are a lot of unknowns regarding cumulative
9 effects and especially as to how climate change will
10 affect the environment and if the impacts from current
11 operations in Phase 1 will increase in Phase 2.

12 Therefore, we don't think it's appropriate to say, as
13 Baffinland has done, that there will be no cumulative
14 effects on marine mammals from their project,
15 especially when that project may occur over multiple
16 decades and when communities say they are already
17 seeing effects from Phase 1. But this is the
18 conclusion that Baffinland has made for marine mammals,
19 that there will be no significant cumulative effects.

20 So even though it is difficult to estimate impacts
21 from the past, present, and future projects, it is
22 still necessary, and we are required to try.

23 The cumulative effects assessment should predict
24 if there will be possible overall impacts and should
25 determine how to monitor for these impacts using
26 multiple indicators. However, if a prediction about

1 what cumulative effects will happen is not made, we
2 cannot monitor for it. And as of yet, Baffinland has
3 made no clear proposal for cumulative effects
4 monitoring.

5 A couple of days ago, Baffinland stated that they
6 don't know exactly what is causing the changes to
7 animal populations and that their Phase 2 monitoring
8 programs will separate out the cause of those impacts.
9 However, the problems being seen now in this current
10 phase are showing us that the current monitoring
11 programs are not able to separate project impacts from
12 other issues.

13 Narwhal distribution and numbers are changing, and
14 we are still debating over what the cause is. If a
15 conclusion cannot be reached now, it raises the
16 question of how people can trust that this will happen
17 in Phase 2. If there was monitoring that could
18 separate out impacts, we would not be delaying action
19 on how to address this now.

20 In the video shown two nights ago, there was an
21 employee who stated she did not think current
22 operations were responsible for changes to the animal
23 movements, suggesting that it was the environment.
24 Baffinland has said similar things and there was also
25 an Elder yesterday that said it might be cycles of
26 wildlife movements. The real issue here is whether or

1 not there are programs and monitoring in place to
2 understand if that is really the case. So what can
3 make things worse or unsafe in Phase 2 is if cumulative
4 effects are missed because monitoring is not properly
5 catching these changes.

6 If, as another employee stated in the video,
7 Baffinland is held to the highest environmental
8 standard, then a proper cumulative effects assessment
9 is required for the Phase 2 impact assessment, and a
10 monitoring program needs to be in place specifically
11 for cumulative effects. This assessment needs to be.
12 A Completed now, not as a promise for after Phase 2 being
13 approved.

14 The Board, in their consideration for Phase 2,
15 also needs cumulative effects to be fully assessed to
16 make an informed decision, so I'm going to take a
17 moment to describe the issue with cumulative impact
18 assessment for this proposal.

19 Cumulative impacts are assessed in two main ways:
20 First, within the project where all the impacts,
21 including small and minor impacts, can collect over
22 time to become significant; and, second, between the
23 proponent's project and all the other projects in the
24 area and factors like climate change that are also
25 happening in the environment.

26 So in Baffinland's assessment, they've said that

1 within their project one ship pass is not significant,
2 and that's very likely true. But then Baffinland has
3 said because that one pass is not significant, daily
4 passes of ships will also not be significant, and,
5 therefore, the passes over the entire shipping season
6 will not have a significant effect on narwhal. That's
7 not how cumulative effects assessment works.

8 Some say -- or they use the example of saying it
9 is a death by a thousand cuts, but I'd like to use a
10 different example. It's like saying you will eat one
11 Halloween candy on one day and it won't have a big
12 effect on your body because it's just one little candy.
13 And that is the same thing, then, as saying, I'm going
14 to eat five candies every day for 120 days, and,
15 unfortunately, we all know that's not the same thing.
16 And it's also not an appropriate way to assess impacts,
17 and especially in a project that is going to last
18 decades. We need to add up all of the small effects to
19 understand how they create a larger impact.

20 The second way of understanding cumulative effects
21 and how the project interacts with the environment, in
22 their assessment, Baffinland said in Technical
23 Supporting Document 27 that project effects for Phase 2
24 are expected to be the same as Phase 1, and as -- and
25 also including things like climate change. This
26 statement cannot be justified without adequate

1 monitoring of the incremental cumulative effects over
2 time and over the duration of Phase 1.

3 And also including future developments. This is
4 not just about this phase when it comes to cumulative
5 effects, but also about the future.

6 This morning, the Chair reminded us that this is a
7 multigenerational project and issue, and it is
8 important that we think about this in regard to
9 cumulative effects. So Baffinland might disagree with
10 me, and that's okay. I'm an expert in this field, and
11 I have asked many colleagues, including those who work
12 in regulatory positions to check my work to tell me if
13 I am wrong, and they have agreed with me that this is a
14 problem. This is what the marine environmental
15 group -- working group should be for, to discuss and
16 debate these issues, but there is a lot of time spent
17 on presentations, and we need to be talking to each
18 other about cumulative effects especially.

19 The Qikiqtani Inuit Association has very clearly
20 asked for a reassessment of cumulative effects, as has
21 Oceans North. Other intervenors have also raised
22 questions about cumulative effects and their concerns
23 about how they are included in the assessment as well
24 as how they will be monitored.

25 We feel it is essential that the Review Board
26 review the statements from those regulators and other

1 intervenors on cumulative effects as well as review
2 their own finding that the cumulative effects
3 assessment for this project was completed in
4 concordance with the terms of reference for the Phase 2
5 impact assessment, otherwise, I feel that the
6 cumulative effects may make things unsafe in Phase 2.

7 Thank you for your time. Thank you for listening.
8 I hope I've answered the question, and I can clarify
9 further, if needed. Thank you.

10 THE CHAIR: Transport Canada, Jackie
11 Barker.

12 MS. BARKER: Thank you, Madam Chair.
13 Jackie Barker, Transport Canada.

14 I would just like to add to the response that
15 Spencer Dewar provided a few minutes ago regarding
16 compliance and monitoring.

17 Transport Canada inspectors monitor compliance
18 with the Canadian Navigable Waters Act, the
19 Transportation of Dangerous Goods Act, Canada Shipping
20 Act, Arctic Waters Pollution Prevention Act, the Marine
21 Liability Act, the Marine Transportation Security Act,
22 and the Railway Safety Act, and we enforce requirements
23 under these Acts.

24 Transport Canada will inspect and monitor
25 operations as required. Transport Canada inspectors
26 regularly visit Milne Inlet for conducting compliance

1 inspections. Transport Canada has many regulations
2 related to this project, and each have mechanisms which
3 allow the department to take action if these
4 regulations are not complied with. I will provide just
5 a few examples for your information.

6 Under the Canadian Navigable Waters Act, we can
7 make the proponent stop the work if they are not
8 complying with the requirements of the Act or approval.
9 Similarly, under the marine shipping regime in regards
10 to ballast water, as an example, we can ask a vessel to
11 go back and conduct ballast water management until we
12 are satisfied that they have met the requirements.
13 There are also monetary penalties in case of a spill.

14 Transport Canada is responsible for the oversight
15 and enforcement of the Railway Safety Act and the
16 regulations and rules made under that Act.

17 Transportation Canada has used enforcement powers in
18 the past, including ordering railway companies to
19 restrict or stop operations, issued fines, and
20 suspended or cancelled a company's railway operating
21 certificate.

22 I hope these few examples have provided some more
23 clarification regarding Transport Canada's regulatory
24 oversight program.

25 Thank you.

26 THE CHAIR: Fisheries and Oceans Canada,

1 Gabriel Bernard-Lacaille.

2 MR. BERNARD-LACAILLE: Thank you, Madam Chair.

3 Gabriel Bernard-Lacaille with Fisheries and Oceans
4 Canada.

5 We would also like to add to our colleague Spencer
6 Dewar's response in regards to regulatory authority and
7 enforcement.

8 So Fisheries and Oceans Canada is responsible for
9 the enforcement of the Fisheries Act for the
10 protection, conservation, and management of fish,
11 marine mammals, and their habitat, and we work to
12 enforce the Fisheries Act and its associated
13 regulations at the mine site, port site, and throughout
14 Canadian waters.

15 For current operations, Baffinland has three
16 Fisheries Act authorizations, which are permits that
17 are required under the Fisheries Act. And these
18 permits are required because Fisheries and Oceans
19 Canada, when reviewing Baffinland's work, determined
20 that there would be impacts to fish and their habitat.

21 What these Fisheries Act authorizations include is
22 monitoring for construction, maintenance, and
23 offsetting works that Baffinland has submitted to DFO,
24 and the Fisheries Act authorizations are currently for
25 the Tote Road, the ore dock, and the freight dock.
26 These Fisheries Act authorization include offsetting,

1 and offsetting is when Fisheries and Oceans Canada
2 authorizes the loss of fish habitat to ensure that an
3 existing amount or a higher amount is created elsewhere
4 by the proponent, and we also ensure that we monitor
5 this offsetting for a number of years to prove that
6 it's effective.

7 For the Phase 2 project, if it were -- if it was
8 approved to proceed, Baffinland would be required to
9 submit monitoring for any future Fisheries Act
10 authorizations associated with the proposed railway and
11 Phase 2 ore dock.

12 In more general terms, Baffinland has a duty to
13 notify Fisheries and Oceans Canada if there is a death
14 of fish or any harmful alteration, disruption, or
15 destruction of fish habitat that is not otherwise
16 authorized under the Fisheries Act or when there is a
17 serious and imminent danger of such an event occurring.

18 Baffinland additionally has a duty to notify --
19 excuse me -- to report all cases of accidental contact
20 between a vessel or fishing gear and a marine mammal.
21 Fisheries and Oceans Canada requires vessel operators
22 to immediately notify Fisheries and Oceans Canada and
23 its comanagement partners of each event.

24 If an unauthorized impact to fish and fish habitat
25 occurs -- so an impact that we have not given a permit
26 or authorization for -- our conservation and protection

1 program can undertake an inspection at the site of the
2 incident. There are not required to give notice to
3 Baffinland, and they will get to site as soon as
4 possible to enforce the Fisheries Act and limit
5 unauthorized impacts to fish and fish habitat.

6 These conservation and protection officers have
7 the power to bring a proponent to court if they find
8 there is an unauthorized impact. I hope this helps
9 provide further clarification on enforcement of the
10 project.

11 Thank you, Madam Chair.

12 THE CHAIR: Environment and Climate Change
13 Canada, Melissa Pinto.

14 MS. PINTO: Thank you, Madam Chair.
15 Melissa Pinto, Environment and Climate Change Canada.

16 Environment and Climate Change Canada would like
17 to respond to the question about climate change and the
18 project as well as build upon the responses provided by
19 the other federal departments with respect to
20 enforcement.

21 Environment and Climate Change Canada looks at how
22 the project design has incorporated climate change to
23 ensure the proponent is prepared for major changes in
24 precipitation and weather.

25 For example, in the initial technical review,
26 Environment and Climate Change Canada provided comments

1 on the broader use -- excuse me -- on the use of a
2 broader range of climate projections to evaluate
3 impacts on the project.

4 Environment and Climate Change Canada has also
5 made a recommendation to the Board to require the
6 proponent to use distillate fuel for their shipping
7 that would result in fewer black carbon emissions.
8 Black carbon emissions have a localized effect on
9 sea ice melt. This measure would help to mitigate
10 against the warming effects of climate change that are
11 already experienced in the north.

12 In terms of enforcing the project certificate, we
13 would support and provide advice to Crown-Indigenous
14 Relations and Northern Affairs Canada. We also enforce
15 our own Acts and regulations, and specifically for this
16 project, they would be the Metal and Diamond Mining
17 Effluent Regulations under the Fisheries Act and
18 various regulations under the Canadian Environmental
19 Protection Act.

20 Environment and Climate Change Canada uses an
21 enforcement continuum. Of particular note are
22 inspections, investigations, and compliance promotion.

23 Inspections are performed on persons or facilities
24 that are reasonably believed to fall under the
25 administration of the various Acts administered by
26 Environment and Climate Change Canada to ensure that

1 those persons are complying with the provisions of
2 those Acts.

3 Typically these inspections are unscheduled to
4 obtain the most valid and true information possible.
5 Investigations are conducted when there is a credible
6 allegation of an offence or when reasonable grounds
7 exist to believe an offence occurred.

8 Investigations may lead to charges when an
9 incident has violated the legislation in force. An
10 example is when TMAC had a saltwater spill associated
11 with a drilling rig spill, which led to a court
12 proceeding and conviction.

13 Inspections, investigations, and enforcement
14 actions are taken as per the compliance and enforcement
15 policy and are dependent on a number of factors
16 included in this policy, and as such are dealt with on
17 a case-by-case basis.

18 Compliance and enforcement policies are available
19 online for the Canadian Environmental Protection Act
20 and for the pollution prevention provisions of the
21 Fisheries Act as well as for the wildlife legislation
22 under Environment and Climate Change Canada's
23 jurisdiction. (INTERPRETER BELL).

24 THE CHAIR: Melissa Pinto, if you can
25 repeat the last part. The interpreter didn't catch it.

26 MS. PINTO: Sure.

1 Compliance and enforcement policies are available
2 online for the Canadian Environmental Protection Act
3 for the pollution prevention provisions of the
4 Fisheries Act as well as the wildlife legislation under
5 Environment and Climate Change Canada's jurisdiction.

6 Environment and Climate Change Canada also relies
7 on the monitoring piece of the Nunavut Impact Review
8 Board report and the associated monitoring reports that
9 the department will review through the terrestrial
10 environment and marine environment working groups to
11 ensure compliance.

12 Thank you, Madam Chair.

13 THE CHAIR: Before we continue with
14 questions and comments, we're going to take a 15-minute
15 break.

16 (ADJOURNMENT).

17 THE CHAIR: Welcome back, everybody.

18 Continuing with questions and comments from
19 community representatives to the proponent and
20 registered intervenors.

21 I think Baffinland understands the question that
22 was posed now. Baffinland, Udlu Hanson.

23 MS. HANSON: Thank you. I would like for
24 Lou Kamermans to respond, please.

25 THE CHAIR: Lou Kamermans.

26 MR. KAMERMANS: Lou Kamermans, Baffinland.

1 Thank you, Madam Chair.

2 I just want to touch on a couple of the questions
3 from Alan and then the response from Eric to do with
4 the red button and the weight of the Inuit Certainty
5 Agreement, and then I would like to respond to some of
6 the questions around the cumulative effects assessment
7 and the response to that as well, and for that I'll
8 also pass it to Phil Rouget with Golder Associates.

9 With respect to the red button and the Inuit
10 Certainty Agreement, I think there is a question of
11 weight and what weight that agreement carries to
12 enforce the commitments we've agreed to. At the core
13 of the Inuit Certainty Agreement is a lowering of the
14 bar for the tools available to the Qikiqtani Inuit
15 Association to put us into an event of default under
16 the commercial lease.

17 If we cannot come to agreement on items we've
18 committed to agree to and we go through the process and
19 the ruling is not in our favour either by understanding
20 between presidents or through arbitration, we can have
21 our commercial lease revoked, which doesn't just stop
22 one component of our project, it can cease operations
23 at our project full stop.

24 Just challenging the need to implement a high-risk
25 response that we've agreed to in the adaptive
26 management plan would lead us to have to shut the mine

1 site down in its entirety for five days. That is
2 before any decision has been made as to who's right and
3 who's wrong.

4 The thinking behind the adaptive management plan
5 is that we never want to get to low, moderate, or
6 high-risk situations, and having those elevated levels
7 and by setting thresholds by agreeing with Inuit on the
8 thresholds that apply to our programs and the
9 thresholds that apply to the Inuit-led programs, if we
10 set those low correctly, we will have early warning
11 indicators for every monitoring program across the
12 project, and they will help us to never get to those
13 moderate or high-risk thresholds. That five-day
14 shutdown is just another level that keeps us away from
15 that high-level threshold.

16 We should never plan to use arbitration. It's not
17 our intent to use arbitration, but if it happens, we
18 agree with Eric. It shouldn't take a long time. We
19 specifically addressed this in the agreement by
20 developing a new approach called expedited arbitration.
21 It brings us to a resolution quicker because decisions
22 need to be made quickly.

23 We're at a NIRB hearing, and so what we've
24 included in the Inuit Certainty Agreement has been
25 carried forward, and we've proposed that to be included
26 in the project certificate. So all of the relevant

1 environmental components and requirements negotiated
2 and developed in the Inuit Certainty Agreement have
3 been carried forward by us and suggested as terms and
4 conditions in Project Certificate 005 should the
5 project be recommended to move forward.

6 The Qikiqtani Inuit association is also working on
7 this, and as indicated, they will be submitting their
8 proposed terms and conditions as well with their final
9 statement. So that is two significant sources of power
10 and oversight for this project that will keep us to the
11 commitments we've made and tie noncompliance to the
12 enforcement of our commercial lease and our project
13 certificate.

14 It was also mentioned the level of involvement
15 Pond Inlet had in the negotiation of the Inuit
16 Certainty Agreement. I believe Stephen Bathory said
17 the other day, they took the balance of their
18 engagement with the community over the history of
19 Baffinland's implementation and operation into those
20 negotiations, as did we. But more specifically, we
21 took in all of the technical comments and oral
22 submissions that were made through the Phase 2 review
23 process to develop what's in that agreement.

24 Through the technical meetings and through the
25 public hearing in November 2019, we heard about the
26 need to have more Inuit-led monitoring, more focus on

1 culture, resource, and land use, for Inuit to have a
2 direct role in decision-making. Not making
3 recommendations, making decisions.

4 We also heard about direct benefits for
5 communities. These are all present in that agreement.
6 The agreement was also designed so that communities
7 could have an ongoing input as they were engaged and
8 the rollout commenced. There's room to adjust, and
9 there's room to add for the purpose of securing
10 community support.

11 The agreement is also the seed for all of the
12 programs. It provides initial direction, but in each
13 case, the communities are a core part of the
14 development process, whether through direct engagement
15 or through the development of the Inuit Certainty
16 Agreement Inuit committees.

17 The Inuit Stewardship Plan, the culture, resource
18 and land use monitoring program, the social monitoring
19 program, the Pond Inlet country food baseline study,
20 these are all being led by Inuit for Inuit, and Pond
21 will no doubt take a leading role in the development of
22 those programs. That will be the substance of what the
23 Inuit Certainty Agreement started, and as I mentioned
24 previously, we've carried forward all of these into our
25 proposed draft project certificate. So while the Inuit
26 Certainty Agreement requires us to complete these

1 programs before the project moves forward to come to
2 agreement, the Nunavut Impact Review Board can also set
3 terms that require the submission of these plans and
4 these programs before the project moves forward.

5 So just to sum up: The agreement does have
6 weight. The project certificate can have that same
7 weight. Pond has been included in the substance of
8 what's been put forward, and they will always be
9 included in that.

10 To respond to the comments around cumulative
11 effects: We do have a cumulative effects assessment.
12 It formed part of our initial final environmental
13 impact addendum submission. We improved on that
14 submission throughout the review process, and Phil can
15 speak further to the details of that assessment and of
16 how our proposed marine monitoring will consider
17 cumulative effects and how parties, including ourselves
18 and others, can respond to those effects. But before I
19 pass it to Phil, I also want to be clear that we have
20 acted on the outcomes of our monitoring programs. It
21 was implied we haven't. That's simply untrue. This
22 past season alone, in the face of what we perceive to
23 be the result of cumulative effects, which was the
24 lower narwhal numbers in 2020, we eliminated a portion
25 of our shipping season with the intent to understand
26 what had occurred in 2020, not just in relation to our

1 project but other projects in the area, including the
2 small craft harbour construction.

3 That's part of our core value as a company, how we
4 responded to that in a transparent and accountable
5 fashion, and that's the same values we're going to take
6 forward into Phase 2 if it were to move forward.

7 So on that note, I'll pass it to Phil who can
8 speak further about our cumulative effects assessment.
9 Thank you. Qujannamiik.

10 THE CHAIR: Phil Rouget.

11 MR. ROUGET: Thank you, Madam Chair. Phil
12 Rouget, Golder Associates. And thank you to Amanda
13 from Oceans North for the question related to
14 cumulative effects and repeated noise disturbance on
15 narwhal.

16 I'll start off by saying we do recognize this is a
17 concern by community members and the intervenors, and
18 I'd like to take this opportunity to share my
19 perspective in terms of how that was assessed and how
20 we monitor for cumulative effects on narwhal.

21 First I'd like to clarify to the Board that
22 Baffinland has considered cumulative effects from
23 repeated disturbance in our assessment. Repeated daily
24 noise exposure was assessed both on a project level and
25 in consideration of cumulative noise from non-project
26 vessels such as cruise ships and shipping containers

1 and other traffic in the regional study area.

2 There are clear impact predictions that speak to
3 this exact pathway in the effects assessment, both
4 Technical Support Document 24 as well as in the
5 icebreaker assessment in 2019. The input predictions
6 made around cumulative effects are such that impacts
7 were predicted to be limited to temporary localized
8 effects and that cumulative shipping would not result
9 to any disruption of critical narwhal activities such
10 as foraging or reproduction and any carryover effects
11 to the population.

12 Now, we have a number of different complementary
13 programs that have been designed to test these
14 exact predictions. (INTERPRETER BELL).

15 THE CHAIR: Please slow down for the
16 interpreter and pause between sentences. Go ahead.

17 MR. ROUGET: Thank you. Apologies for
18 that.

19 So we have a number of different complementary
20 monitoring programs that have been designed to test
21 these exact impact predictions. To date, the results
22 tell us that narwhal responses to cumulative shipping
23 are in line with our impact prediction. We either do
24 not see any detectible responses, or when we do see
25 responses, those are limited to short-term disturbance
26 effects, and those are limited to close ranges to the

1 ships, with animals returning to their normal behaviour
2 within the vessel-exposure period. That's to say
3 there's no evidence of a prolonged response by narwhal
4 when exposed to shipping.

5 One of the more important things to note here are
6 the types of behaviour that we do not see in the
7 behavioural data. We do not see evidence of animals
8 fleeing ships. We do not see animals leaving the area
9 for any prolonged periods. We don't see animals diving
10 deep for extended periods when ships are around. We
11 don't see any of the typical high-stress responses we
12 see when narwhal are being hunted from either the shore
13 or from vessels or when killer whales show up on the
14 calving ground.

15 The types of behaviour we do see when ships are
16 close to animals range from a change in their
17 orientation relative to the vessel, meaning they turn
18 away from the vessel, and animals spending slightly
19 longer periods at the surface as the vessel goes by.

20 These would not be considered energetically
21 demanding responses or high-stress responses. These
22 types of low-level responses are within a narwhal 's
23 normal range of behaviour and wouldn't be expected to
24 result in chronic stress in the animal or disrupt
25 foraging or reproductive activities. These wouldn't
26 translate into long-term effects on the animal because

1 there's extensive time between the vessel exposures
2 such to allow animals time to engage in their normal
3 activities.

4 So this is why we don't believe the effects are
5 additive as suggested by Oceans North using the
6 Halloween candy analogy, meaning the effects wouldn't
7 be expected to compound over time despite repeated
8 exposure.

9 Other supporting evidence we have is based on the
10 proportion of time narwhals are exposed to ship noise.
11 We have measured noise levels of all vessel types
12 transiting through the study area in both open water
13 and ice-covered conditions. We've installed underwater
14 recorders directly on the shipping lane where sound
15 levels would be loudest as well as at variable
16 distances offset of the shipping lane to better
17 understand how ship sound travels in the area and what
18 levels of sound narwhals would be exposed to and for
19 how long. That's allowed us to determine how long a
20 narwhal sitting on a shipping corridor would be exposed
21 to disturbance from the ship noise, and we know that
22 under current cumulative shipping conditions, it's on
23 the order of one hour per day on the shipping lane, and
24 in Kugluktuk Bay, as an example, 6 kilometres from the
25 shipping lane, noise levels do not exceed the
26 disturbance threshold.

1 Under a Phase 2 scenario, the cumulative effect of
2 shipping would be on the order of two hours a day. So
3 in essence, what we're worried about is how long
4 animals are affected in a day and when they are
5 affected, what the response looks like.

6 If narwhal were shown to be impacted by the noise
7 for only an hour a day but they were always exhibiting
8 high-stress responses, that would be a concern to us.
9 Alternatively, if we were only seeing low-level
10 responses like we did -- like we do currently, that
11 those responses would carry on for the majority of the
12 day, again, that would be a point of concern.

13 We are not in either of those situations. We see
14 low-level impacts for a minor portion of the day. In
15 terms of the shipping project, there's no better
16 scenario than that given that we still expect animals
17 to have some level of response to shipping.

18 I'd also like to stress to the Board that our
19 monitoring programs are capable of looking at effects
20 of repeated disturbance on both a seasonal scale and on
21 an annual scale, meaning looking at year-over-year
22 exposure. If animals were to suffer from repeated
23 exposure, we would expect to see the severity of the
24 response change over the course of the season as
25 they're subjected to repeated disturbance.

26 Similarly, we would expect the animals to show

1 change in severity of their response or the type of
2 response over subsequent years as shipping increased
3 from levels in 2014 to current levels.

4 When we look at the behavioural response data from
5 both the Bruce Head monitoring program and the narwhal
6 tagging program, we don't see a change in the
7 sensitivity of the response or even the type of
8 response as this shipping season progresses, which we
9 would expect if there was to be a repeated cumulative
10 stress on the animal. Similarly, we do not see any
11 change in the response when we look year over year,
12 despite shipping levels increasing over that time.

13 So in summary, I would say it would be unfair and
14 incorrect to state that Baffinland has not adequately
15 assessed the cumulative effect of repeated noise
16 exposure on narwhal. The current evidence from our
17 programs do not suggest the narwhal experience chronic
18 stress for project shipping under a Phase 2 scenario.

19 As rightly pointed out by Amanda, we have the
20 benefit of meeting four times a year to discuss our
21 monitoring programs at length with members of the
22 Marine Environmental working group. We have yet to
23 hear any suggestions from party members regarding a
24 revised approach or an improved approach for cumulative
25 effects monitoring or assessing something that we have
26 not already assessed or using a different practical

1 proven indicator that we are not already using for
2 monitoring.

3 However, we are open to further discussing any
4 concerns that are related to cumulative effects
5 assessment or any suggested improvements relative to
6 our current monitoring operation. I would be in
7 agreement with Amanda's suggestion that at these
8 meetings we look at investing more time in conversing
9 on this topic rather than presenting on it.

10 Finally, we do acknowledge that there is some
11 level of uncertainty in Phase 2 predictions. There
12 always is an environmental assessment we're predicting.
13 We're predicting on robust monitoring to date, and to
14 address any uncertainty, Baffinland is committed to
15 expanding and continuing its existing monitoring
16 programs to validate and ground truth its Phase 2
17 impact predictions related to cumulative effects
18 assessment. This includes an extensive list of
19 operational indicators and thresholds that are based
20 both in science and IQ, including indicators developed
21 specifically by Inuit which would be used to test the
22 validity of the impact prediction. If narwhal exhibit
23 any changes beyond those predictions or if they exceed
24 any of the set thresholds, there are defined responses
25 and adaptive management measures which will be
26 implemented to manage those observed changes.

1 I hope that provides some perspective on our
2 cumulative effects assessment and monitoring programs,
3 and thank you for the time to answer.

4 Questioning of Baffinland Iron Mines Corporation,
5 Registered Intervenors, and Nunavut Impact Review Board
6 by the Community Representatives from Pond Inlet,
7 Arctic Bay, and Sanirajak (Community Roundtable)

8 THE CHAIR: Sula Nutarak.

9 MS. NUTARAK: Thank you, Madam Chair. I
10 don't have a question, but the high school students
11 will be speaking, the young people. I am from
12 Mittimatalik Pond Inlet youth rep. This is from high
13 school students. They -- it's written in English. I'm
14 going to read it in English: (as read)

15 We are the next generation. The youth right
16 now are worried, anxious about the next
17 30 years that is going to be taken from us.
18 The culture, hunting, animals, how we are
19 taught to be on the land. A lot of us can't
20 really depend on store-bought foods. We want
21 to eat healthy animals and teach our future
22 children how to hunt and what we eat.

23 We are scared that there will be a time where
24 we don't -- there will be a time where we
25 have -- we don't have any animals to hunt
26 around our community and around our camping

1 grounds to the point where we cannot give the
2 Elders country food, what they crave for.

3 And this is a quote from a high school student:
4 (as read)

5 We are already heartbroken from generation to
6 generation from residential school. Why are
7 they doing this to us? This will pass from
8 generation to generation.

9 Qujannamiik.

10 THE CHAIR: Baffinland, Udlu Hanson.

11 MS. HANSON: Thank you. Udlu Hanson from
12 Baffinland.

13 (NO ENGLISH FEED) the high school students'
14 comments forward. We often try and meet with them, the
15 different schools when we're in the community as well,
16 including the environmental tech students at the Arctic
17 College.

18 There's a lot -- there's a lot that could be said
19 as was said yesterday about fear, about fear of change,
20 and as I said yesterday, we understand that there is
21 that fear. What Lou was trying to do just a few
22 minutes ago, and Phil was to try to bring some
23 certainty, some understanding that although there may
24 be some impacts that have already occurred -- and we
25 predict there to be impacts with Phase 2 as well --
26 that we don't believe that it's going to prevent

1 hunting or harvesting, and we don't believe that
2 there's going to be an impact that would prevent people
3 from being able to continue to rely on country food.

4 The other thing that was -- that they were trying
5 to share is how the mechanisms in the Inuit Certainty
6 Agreement are designed so that if there are impacts
7 that are more than what we predicted, then we'll be
8 able to change the way we operate.

9 The other thing I just wanted to mention, there's
10 a -- there's a very important conference going on in
11 Glasgow about changes to the Arctic, and we have Inuit
12 representatives there. Our Elders have been talking a
13 lot about how changes have been occurring to the
14 Arctic. We know we're having some changes. We know
15 we're causing some changes too to how harvesters have
16 to hunt, and we know that there's ways that we want to
17 try and help.

18 And to the point about cumulative effects, all the
19 other changes that are happening that we don't have
20 control over, we want to ensure that our -- the changes
21 that we are causing are understood, and ones that we're
22 not causing, that we could be a partner, that we can
23 help -- we can figure out how to work together to
24 minimize those impacts.

25 I think I'll leave it at that. Qujannamiik.
26 Thank you again for sharing.

1 THE CHAIR: Sula Nutarak.

2 MS. NUTARAK: I don't have any more
3 comments.

4 THE CHAIR: Kaujak Komangapik.

5 MS. KOMANGAPIK: Thank you, Chairperson. I
6 hope you're having a good morning. Thank you,
7 Chairperson. As a hunters and trappers organization
8 member, as a board member, just to clarify for the
9 meetings that we also attend because we are a board and
10 an organization. For the Inuit Certainty Agreement,
11 there was a motion regarding the agreement that the
12 board or the hunters and trappers organization board,
13 they wanted to show it.

14 So in that motion, it was not approved, so Nunavut
15 Impact Review Board needs to know this, the reason
16 being because -- because of the end of the hearing was
17 not completed, it's just a statement that says that
18 we're going to be doing this just to justify or just to
19 indicate that the Inuit Certainty Agreement is a
20 promise. It's not something that is -- it's not in
21 existence right now. It seems that -- it proposes that
22 the iron ore mining that is being asked of right now,
23 it seems that it was already in existence, so it
24 indicates that if the proposal was approved that the
25 Inuit Certainty Agreement would become a body, and for
26 that reason, we did not agree to the agreement.

1 For this reason -- because the proposal was not
2 approved yet, and it would be difficult -- for the
3 Hunters and Trappers Organization, it would be hard for
4 us to implement that just to understand for you to --
5 how the Inuit Certainty Agreement stands, it seems that
6 it already has indicated that the iron mining would go
7 ahead because we already have a board with the Inuit
8 Certainty Agreement. I just want to make sure you
9 understand this. When we're looking at -- as a review
10 board, when you're looking at this -- the stuff inside
11 the agreements -- and I wanted to mention that for
12 this -- regarding the impact to wildlife, we are here.
13 We are here to look at that. For the Fisheries and
14 Oceans department is a question. The department of
15 Fisheries and Oceans, they have indicated they have
16 looked at -- starting in 1970, they have done research,
17 and this research, they must be very old research now.
18 They have not indicated or have done any new research.
19 There's nothing new in existence probably because of
20 this -- this summer, though, we didn't have any
21 narwhals. How do I say this? The hunters, one or two
22 go to Arctic Bay to go hunting. They did go there,
23 but -- so that indicator that our narwhals have been
24 affected, that's an indicator because animals don't
25 say, I'm going to go there, or, I'm going to go over
26 here. This place is bothering me a lot, and so I'm

1 going to say I'm going to go there. They don't talk,
2 but they do -- by their actions, they are moving
3 towards Arctic Bay because they are not being bothered
4 in that area, and for this reason -- as a researcher
5 for these types of things, please don't forget that the
6 reason for this meeting here today is to make our
7 concerns about the wildlife and to discuss our concerns
8 on wildlife. When we are listening to these things
9 that all of us hear, even different organizations and
10 other services, none of us -- none of us are planning.
11 None of us have a plan in place.

12 I wanted to mention that. If people want to
13 respond, I'll just be waiting. I'll let others
14 comment. Thank You, Chairperson.

15 THE CHAIR: Baffinland, Udlu Hanson.

16 MS. HANSON: Megan Lord-Hoyle to comment.

17 Thank you.

18 THE CHAIR: Megan Lord-Hoyle.

19 MS. LORD-HOYLE: Megan Lord-Hoyle, Baffinland.

20 Thank you.

21 Questions that are posed about how we move forward
22 together is -- what I heard a lot about, is there's
23 uncertainty about how we can move forward, what was
24 done in the past, and how we resolve that. Thank you
25 for providing context around the motion that was made
26 by the Mittimatalik Hunters and Trappers Organization

1 and reasons why the Inuit Certainty Agreement hasn't
2 been accepted by your board.

3 I understand that one of the things that you said
4 was that the agreement seems to just be a promise; it's
5 not something that exists right now. And I think you
6 also mentioned that it seems to indicate that the
7 mining will already go ahead.

8 In response, the agreement is not just a promise.
9 It's a legally binding agreement. It is something that
10 has very serious consequences if ourselves and the
11 Qikiqtani Inuit Association do not follow through on
12 the commitments made in that agreement. But further to
13 that, it also provides a framework and a foundation for
14 how we continue to work on things together. So that
15 agreement is not meant to be the solution to all of the
16 concerns or all of the issues that have been raised,
17 but it's meant to provide a framework for how
18 collectively between the parties who are most involved
19 and most impacted by this project can work together.

20 And to that end, the Qikiqtani Inuit Association
21 and Baffinland have already been working on this
22 agreement, so, again, it's not a promise that we'll
23 only see in the future. Many of the aspects are
24 dependent on Phase 2 moving forward, but we have been
25 planning and getting ready in the event that it does go
26 ahead, and there is no guarantee that it will go ahead.

1 That is what this entire review process is for. There
2 is a process that will follow after these public
3 hearings, and that will determine the fate of the
4 Phase 2 proposal.

5 You also mentioned that we have to be planning,
6 and it seems that no one is planning right now, and I
7 think that there are parties who are planning. There
8 are reasons why, you know, organizations may not be
9 investing a lot of resources at this stage because it
10 is uncertain whether or not the Phase 2 will be
11 approved, and all the parties here have invested
12 resources, time, energy, into this review process.

13 But we also still have time to plan. If the
14 Phase 2 is approved, we will not be going into the
15 Phase 2 operation right away. We had initially set out
16 that we would have about a two-year construction
17 period, but there's no guarantee right now that we
18 would be able to complete that construction in two
19 years, and in all likelihood, it could take longer, but
20 if we still find the efficiencies and we're able to
21 work within that time period, we have two years to plan
22 and to work together before we would see the Phase 2 in
23 operation.

24 As part of the proposal, we have asked that we
25 would be able to continue to truck 6 million tonnes, so
26 that is where we would stay until the full construction

1 of the rail line and the second ore dock would be
2 complete.

3 So if the communities -- well, if the Phase 2 gets
4 approved and if the communities and, in particular, the
5 Mittimatalik Hunters and Trappers Organization are
6 willing to continue to work with us or are willing to
7 work with us, we will be able to sort out a lot of the
8 details that are included in that agreement that are
9 very specific to the community of Pond Inlet.

10 So, again, I think I just want to close by saying
11 it is a planning tool, this agreement, and it requires
12 collaboration, and I've heard a lot of discussion
13 around working together, and we really, truly want to
14 work together. We will continue to make ourselves
15 available to individuals and organizations in the
16 communities, and we will continue to respond to what
17 we're hearing. Thank you.

18 THE CHAIR: Fisheries and Oceans Canada,
19 Gabriel Bernard-Lacaille.

20 MR. BERNARD-LACAILLE: Thank you, Madam Chair.
21 Gabriel Bernard-Lacaille with Fisheries and Oceans
22 Canada.

23 Thank you for sharing your comments. What I've
24 heard again was about hunters from Mittimatalik that
25 wanted to go to Arctic Bay for hunting. As I said in a
26 previous response, narwhal harvest is managed through a

1 comanagement system of which Fisheries and Oceans
2 Canada is a part of. The management of narwhal is
3 based on individual summering stocks, and the stock
4 that is associated to Pond Inlet is the Eclipse Sound
5 stock, and the one for Arctic Bay is different and is
6 the Admiralty Inlet stock. These are based on summer
7 aggregations of narwhal. Because of this, both
8 communities get different tags, and these tags cannot
9 be transferred between communities unless both hunters
10 and trappers organizations approve this request.

11 I think another part of what you've said to us is
12 asking what is happening in this regard, and as NTI has
13 said, there is currently a meeting planned with all the
14 comanagement partners, including the Nunavut Wildlife
15 Management Board, and these will be discussed. As the
16 Fisheries and Oceans Canada, we acknowledge the Inuit
17 view that has been brought up that the Admiralty Inlet
18 and Eclipse Sound stocks should be considered as one
19 stock and that this view differs from our science
20 advice which maintains support for the summering stock
21 approach to avoid local depletion. DFO will be
22 participating in these discussions. I hope this
23 answers your question. Thank you, Madam Chair.

24 THE CHAIR: Kaujak Komangapik.

25 MS. KOMANGAPIK: Thank you for trying to answer
26 my question. Thank you very much.

1 The issue of the narwhal and the migration route
2 of the narwhal. According to our Elders -- I would
3 really like to hear from our Elders, from Charlie
4 Inuarak, if you are listening, or Jeetaloo or our
5 Elders, our advisors, Jayko Allooloo. If any one of
6 you are listening. According to your traditional
7 knowledge, how do they get around? How do they
8 migrate? How do they delineate? Like, the scientist
9 tried to answer. I'd like to hear from our Elders.

10 THE CHAIR: I thought I saw Jayko Allooloo
11 in your room. Perhaps he can comment on this?

12 Charlie Inuarak.

13 MR. INUARAK: Charlie Inuarak. I can hear.
14 Yes. I can hear you. Very interesting. While I have
15 a chance to speak, thank you for the meeting, public
16 hearing. I'm in Ottawa. You say hi to prime minister
17 so I can tell him.

18 The comments made by Kaujak and her request, I can
19 clarify some things. Madam Chair, I will -- at the end
20 of my comments or explanation, I'll have some
21 questions.

22 First of all, I would like to ask: The Mary River
23 mine has been in operation for a number of years now,
24 and they've been removing ore from the mine -- from the
25 mountain for quite a long time. There's a couple of
26 them. Our ancestors has names for them. We call them

1 Nuluyait, Mary River, and those were the favourite
2 place for caribou, our hunting ground, and the ore that
3 is being removed is being sold. I don't know where,
4 but it's being sold somewhere, and the mine that is --
5 or the ore being removed from the mine is -- it's a
6 huge amount of ore that is being removed, and when they
7 pile it, it's so -- and from afar and they carry that
8 ore by truck to the ship going back and forth, back and
9 forth, and there's two huge ships that are doing the
10 shipping of this ore, and they have a mouth and teeth
11 that seem to show in front of them, and they -- after
12 they come in as huge ships, and when you put the ore in
13 because they're so full of ore that they're almost to
14 the rim of the hull there, and they try -- the Phase 2
15 proposal is a proposal where they want to start mining
16 the other ore, and 18 million or so tonnes a year was
17 being requested in Phase 2, and the 18 million tonnes
18 that was approved for Phase 1, they go through being
19 mined and taken to the port, and they haven't even come
20 to that 18 million amount because they still have some
21 to remove, and on Phase 2, you want additional tonnage
22 on top of that, and that's a lot of ore. That's a lot
23 of earth that's being removed from the mine. And they
24 have 18 million tonnes that they're able to harvest
25 from the mine, but they don't say anything about that,
26 how -- they don't say how much they're removing.

1 And the residents of Hall Beach and Igloolik and
2 Cape Dorset, Iqaluit even, and even in Keewatin
3 communities will have to -- will feel the effects of
4 the shipping industry because those -- when they start
5 shipping additional ships, they're going to need those
6 huge icebreakers to use in the Foxe Basin area, and
7 that's a lot of ice they're going to have to move
8 during shipping season as soon as they approve the
9 Phase 2, and it's astounding to think about. It's
10 huge. How did you think of this? How did you think of
11 removing that much ore from a mine and shipping it and
12 making money? And your investment in the mine
13 guarantees lots of money. You're making lots of money
14 off it, and when it's depleted, you're going to leave
15 then because you won't be able to make any more money
16 off it, and this is a huge amount of earth that's being
17 removed from the land and of course it's affecting our
18 wildlife, and the land, the land that we use.

19 In our area of Pond Inlet, our walrus and our
20 whales and our sea mammals are already being affected.
21 We're feeling it already. Our hunters went out this
22 summer where there used to be a lot of whales. My
23 grandson and I went out hunting, and she came by, and
24 we were at Illiwilik [phonetic]. We had set up our
25 tent there in Bruce Head. We usually had -- when we
26 went to sea, we usually had the younger people to do

1 the monitoring and watch for us during the night, and
2 it was obvious when we were there that -- how much
3 more? There's going to be cumulative effects that will
4 come out of this Phase 2, and what we're going to see
5 is that while you're mining there and what we're going
6 to be trying to harvest our wildlife right by the mine,
7 and we have obviously -- we're just moving along and
8 using our -- both looking for wildlife to harvest, and
9 we don't see anything. We're just travelling, and we
10 don't see wildlife. Why do you need to remove so much
11 ore -- that much ore from the mine? That's too much
12 earth being removed. Who decided -- is it the
13 investors or the people who own the company who had an
14 idea to remove that much earth from the mine? Why not
15 try and work with the people and take your time and
16 remove ore and not try to rush it? It's enough what
17 you get right now. That's one comment I wanted to
18 make.

19 And the other thing that I heard from intervenors
20 from the government and Inuit organizations, DIOs
21 responded to the communities. I asked NIRB -- the
22 organization -- we need an organization in North Baffin
23 or a group to work together to represent the interests
24 of North Baffin, and we're not saying to NTI that we
25 want it at all. That's not the case. We just need to
26 be -- make sure our interests are being met in North

1 Baffin and we have the best representation, which is
2 not happening right now, and the QIA doesn't answer
3 questions. There's no definite answer from them when
4 we ask questions because they keep saying, We'll get
5 back to you, or, We're going to have a meeting about
6 it, and we'll get back to you. That's all we hear.
7 There's no concrete answers for getting anything.

8 And also Levi is part of Mary River committee. He
9 would be going to Igloolik, Arctic Bay, Pond Inlet. He
10 can talk to anybody in the communities about the Mary
11 River project, and he knows everything about it.

12 He was supposed to come to our communities to
13 consult with us, but he never comes to our communities.
14 It's only when there's a major meeting or consultation
15 he comes with groups, but I thought he was supposed to
16 represent us Inuit at -- he comes and asks us questions
17 in each community, and the reports that are coming out
18 from -- concerning the mine are given to the community.
19 Like I said the other day that we have an agreement
20 that -- through IIBA, and that -- I only touched upon
21 the benefits we get for education and socioeconomics,
22 and there's -- there's so many representation from our
23 community who goes to meetings in their own little
24 organizations, and they -- and they're supposed to
25 report back to the community of the outcome, but they
26 shouldn't be just decoration or just -- they're to be a

1 representative. They should actually be doing the work
2 to represent us.

3 And just recently there was -- somebody came into
4 our community. There was a fire recently. They lost
5 all their equipment, their camp stove and their
6 equipment, while they were out whale hunting, and
7 fortunately they were able to be saved, and because
8 of -- if you lose equipment, QIA's supposed to
9 compensate you to help you with compensation, and they
10 were refused by QIA representatives one day requested
11 for vouchers or for equipment, and they come up against
12 the employees, and they were told no because they
13 didn't have a house. They were homeless. And I think
14 that when you're talking and negotiating with federal
15 government, you should make sure that you represent the
16 Inuit even if you're not able to take care of the Inuit
17 the way you're supposed to. It's no good, and right
18 now in the Baffin region it's too huge for QIA
19 responsibility. They're supposed to be representing us
20 as a whole region, but the Kasakan [phonetic]
21 throughout the whole region is too much for them, and
22 that's why I'm stressing that we better have better
23 representation through our Inuit organizations, and I
24 heard Paul is working now for senior advisor for Mary
25 River after being in the government for a long time in
26 various positions, and I guess they needed someone to

1 be able to convince Inuit to go along with a project.

2 Sometimes we can't hear from some of the
3 intervenors or people asking questions because you kept
4 cutting them off even before they finished their
5 question or comments, and I think we really need to
6 reinvent our Inuit organizations to better represent us
7 because we don't even have our representatives of NTI,
8 Inuit organizations, to come and at least alleviate our
9 concerns even though they can afford to charter
10 anywhere they want, and they can select where they want
11 to go.

12 And I just wanted to touch upon what you asked
13 about walrus -- or whales. DFO put tags on narwhal
14 through telemetry to see where they're going, and they
15 know exactly where they go through satellite tracking.
16 And of course on the other hand Inuit Qaujimajatuqangit
17 says they can go -- Inuit know that any type of mammal,
18 cetacean, they migrate everywhere, but they don't like
19 to be in shallow water. Narwhal don't like shallow
20 waters. Beluga whales, like, prefer shallow waters,
21 and also they have a place to congregate in the Baffin
22 Bay area, and we know for a fact as Inuit, Pond Inlet
23 and Clyde River and to Arctic Bay, we have one stock.
24 It's the same group of beluga that migrate through
25 these communities to Kuganajuk [phonetic] and right
26 over to Kugaaruk. They migrate through our communities

1 all the way over to Kugaaruk, the same stock, and on
2 their way back, the same stock goes through Pond Inlet.

3 During the fall -- we were able to harvest some
4 whales during the fall when they were going into inlets
5 during their migration route on the way back to the
6 deep sea, and also during the migration route we
7 usually hear from Pangnirtung, that they're harvesting
8 their whales in Cumberland Sound, and we start hearing
9 from Pangnirtung all the way up to Kuuktujuq, Clyde
10 River, because we communicate with each other that
11 they're going through their communities, and then they
12 come to our area of Pond Inlet, and they go into all
13 these inlets where they usually feed, and DFO did some
14 telemetry through satellite system on these whales, and
15 we have a computer expert who can really show us where
16 they're actually migrating to from
17 Kanakarjuk [phonetic] all the way to -- from Oliver
18 Sound area, and also they go through Admiralty Inlet
19 and also Nubwa [phonetic] through Arctic Bay, and then
20 they go to Igloolik area. There's a pooling area
21 where -- around Foxe Basin area where they migrate
22 through, and they go to Nowyad [phonetic]. All the way
23 through this migration, all the communities are
24 communicating with each other with the same stock going
25 through their community. That's how we know that it's
26 one stock because of our communication with each other,

1 with other Inuit in the other communities, and I know
2 that -- we knew that it was going to affect our whales,
3 and we go out hunting. We go harvesting without
4 thinking about ships or narwhal, without even thinking
5 about the mine.

6 And then when we're out hunting, we don't see
7 whales. We don't see narwhals. We start thinking, I
8 wonder why this is happening? I wonder why there's no
9 whales to share? And then we come to conclusion that
10 the cumulative effects are causing the whales to
11 migrate to somewhere else, and a lot of times the
12 reports we're getting from the studies or monitoring
13 they did only try to report the positive and something
14 that people will want to hear instead of the negative
15 and the cumulative effects that they're having on our
16 narwhal. That's why I'm stressing so hard for myself,
17 why I want you to hear this, and sometimes I
18 reenergize, sometimes I'm tired, but I really
19 appreciate the younger generation who are taking on
20 what we've been doing and fighting for us. Thank you
21 for giving me a chance to speak from my heart.

22 THE CHAIR: It's just after 12:00, so
23 we're going to break for lunch until 1:30. We'll
24 reconvene at 1:30.

25

26 (PROCEEDINGS ADJOURNED UNTIL 1:30 PM)

1 _____
2 (PROCEEDINGS COMMENCED AT 1:38 PM)

3 THE CHAIR: Welcome back, everybody.

4 Before we continue with questions and comments,
5 there's a procedural matter regarding the agreement in
6 principle. NIRB legal counsel.

7 Procedural Matter by Nunavut Impact Review Board Legal
8 Counsel

9 MS. MEADOWS: Thank you, Madam Chair.
10 Teresa Meadows, counsel for the Nunavut Impact Review
11 Board.

12 As discussed at the end of the first day of these
13 proceedings, on Friday, October 29th, the Qikiqtani
14 Inuit Association brought a motion seeking an order
15 from the Nunavut Impact Review Board to require the
16 circulation and posting on the public hearing registry
17 for the Mary River Phase 2 development proposal of the
18 agreement in principle for the Mary River research
19 contribution agreement and data sharing agreement
20 referenced by the Government of Nunavut in its
21 October 8th, 2021, correspondence to the Nunavut Impact
22 Review Board.

23 Last night, the Panel met to consider the motion
24 and has directed me to convey their decision. Noting
25 that Baffinland and the Government of Nunavut, the
26 signatories to the agreement in principle, had no

1 objections to the circulation and posting of the
2 document, the Panel has granted the motion.

3 As noted under Rule 33.3 of the Board's rules of
4 procedure, in permitting the filing of materials on the
5 public registry, the Board has not drawn a conclusion
6 on the relevance of those materials in their entirety.

7 Reflecting the Panel's decision, the Nunavut
8 Impact Review Board will circulate the agreement in
9 principle shortly using the Mary River Phase 2
10 distribution list on the Nunavut Impact Review Board's
11 public registry.

12 Thank you, Madam Chair. Those are my procedural
13 matters, but it is my understanding that the Panel may
14 have a question arising from the agreement in
15 principle.

16 Thank you, Madam Chair.

17 THE CHAIR: Questions from the Board,
18 Catherine.

19 Nunavut Impact Review Panel Questions Government of
20 Nunavut

21 MS. EMRICK: Thank you, Madam Chair.
22 Catherine Emrick, Nunavut Impact Review Board Panel
23 member.

24 My question is for the Government of Nunavut. How
25 long on average has it taken the Government of Nunavut
26 to move from an agreement in principle to implementing

1 a caribou monitoring and data-sharing agreement with
2 existing mines in Nunavut? Thank you.

3 THE CHAIR: Government of Nunavut, Natalie
4 O'Grady.

5 MS. O'GRADY: Thank you, Madam Chair.
6 Natalie O'Grady, Government of Nunavut.

7 I just want to start by saying for the benefit of
8 everyone here that Gabriel Karlik had a family
9 emergency and that's why he had to leave these
10 proceedings, unfortunately, but we do have Jimi Onalik,
11 Deputy Minister of Economic Development and
12 Transportation who will be participating.

13 With respect to this question, how long on average
14 to move from an agreement in principle to implementing
15 the data sample sharing agreement and the second part
16 of it, the contribution agreement.

17 The agreement in principle, without having it in
18 front of me, does outline the time frame to reach those
19 agreements; however, we may have to respond
20 specifically to this perhaps in our closing remarks in
21 a written submission because it's the wildlife research
22 division with the Department of Environment who leads
23 the sort of signing or completion and implementation of
24 these agreements. So apologies for not a specific
25 answer, though we can provide the Board with that
26 information after. We just need to sort of confirm

1 with that division. But I would point all parties and
2 the Board as well to the substance and content of the
3 agreement in principle that lays out that time frame
4 for the specific project and the specific data sample
5 and sharing agreement. Thank you.

6 THE CHAIR: Catherine?

7 MS. EMRICK: Thank you, Madam Chair.

8 Catherine Emrick, Nunavut Impact Review Board Panel
9 member.

10 I'm wondering if it's possible to maybe have that
11 as a deferred response prior to the close of this
12 session? Thank you, Madam Chair.

13 THE CHAIR: Government of Nunavut, Natalie
14 O'Grady.

15 MS. O'GRADY: Thank you, Madam Chair.
16 Natalie O'Grady, Government of Nunavut.

17 Yes. We'll endeavour to have that answer to you
18 deferred to prior to the close of this day. Thank you.

19 THE CHAIR: Continuing with questions and
20 comments from community representatives. Just so the
21 participants are aware, I have a long list of people
22 who have expressed interest in asking questions or
23 making comments.

24 So I'll go through the list, but I'll go to you
25 once, after they respond, then I'll go to you for a
26 follow-up and move on on my list so that people who

1 have been waiting can also have a chance to ask
2 questions or make comments.

3 Baffinland, Udlu Hanson.

4 MS. HANSON: Ujannamiik. Udlu Hanson,
5 Baffinland. I'll ask Lou Kamermans to speak. Thank
6 you.

7 THE CHAIR: Lou Kamermans.

8 MR. KAMERMANS: Lou Kamermans, Baffinland.
9 Thank you, Madam Chair. And, as always, thank you,
10 Charlie, for your comments and always starting with a
11 bit of humour. Please say hi to the Prime Minister for
12 me.

13 Charlie mentioned a lot of items. I just want to
14 focus in on the one, the question of size and scale of
15 the project and why do we need to do so much.

16 I just want -- I want everyone to know that, you
17 know, the mine we're operating right now is really a
18 very small mine, in global standards and in Canadian
19 standards. Projects in Quebec and Labrador generally
20 produce more than 20 million tonnes a year, and those
21 projects aren't fortunate to have the same high quality
22 ore we have.

23 For every tonne of ore or tonne of product that
24 they're able to ship, they have to not only move earth
25 and rock that isn't considered ore, which we have to do
26 ourselves as well, the low grades of their ore mean

1 only so much can be extracted from that.

2 So from one tonne of ore taken out of one of those
3 projects, only 35 percent of that may end up on a ship,
4 and that's only after a processing that leaves large
5 tailing ponds and infilled lakes behind.

6 That's one of the benefits we've always talked
7 about with our project, that the purity of the ore only
8 requires crushing before transport and doesn't require
9 us to manage tailings, but the volume of materials we
10 have to move to get to our ore I think is a story we
11 haven't told very well, that that's another great
12 benefit of our deposits, and what Inuit claimed when
13 the Nunavut land claim agreement was signed, that that
14 deposit did become Inuit-owned lands with subsurface
15 title.

16 Even when we transition to 12 million tonnes, if
17 we were to be approved, that's still considered a very
18 small project. It's not close to the large mines that
19 are found around the world, especially those in
20 Australia and Brazil.

21 The reason we have to transition from 6 to 12 and
22 even 30 is always about stability and insulating
23 ourselves against price markets we can't control. On
24 the world market we're a price taker. Whatever the
25 price is is the price we receive.

26 Megan said this a few times through this hearing,

1 and it's been a theme throughout the past several
2 years, but that is the purpose of Phase 2, is securing
3 our future so that we can operate in the good times and
4 the bad and that Deposit 1 can be extracted not just
5 for the benefit of Baffinland, but also for its Inuit
6 land owners. Thank you. Qujannamiik.

7 THE CHAIR: Qikiqtani Inuit Association,
8 Olayuk Akesuk.

9 MR. AKESUK: Thank you, Madam Chair.
10 Olayuk Akesuk, QIA representative.

11 The Qikiqtani Inuit Association have been
12 representing the Inuit of the Baffin region as much as
13 possible. We have been going -- I believe we have been
14 going in the right direction. We are trying to find
15 more ways to hire and make people work with the mine.
16 We need to -- we're trying to find ways -- innovative
17 ways on how to get more people to start working. So as
18 far as I know and as far as we know, we believe that we
19 are going the right way.

20 We intend to benefit -- we gave \$200 million to
21 the communities of the North Baffin region. We are
22 going to try to help people of the communities as much
23 as we can. We're trying to find ways on how we can
24 help Inuit benefit more.

25 This is a new endeavour. Mining is a new
26 endeavour in the north. It's not everywhere where we

1 can -- where we have mines, so we are going to try to
2 help the communities as much as we can with the
3 benefits. We are trying to find ways to make sure
4 people are employed. Sometimes when we're trying to
5 find ways on how we could -- the ICA agreement, how we
6 could maybe possibly help each of the communities, but
7 sometimes we don't always reach our goals, and not
8 always agree with each other.

9 All the -- all the organizations, including
10 ourselves, we try to find ways on how we could maybe
11 come to a consensus on some of the things that we do
12 disagree with. So we want to represent Inuit as much
13 as possible in a fair way.

14 I can say the board of directors are
15 representatives to each of our communities, and they
16 have been nominated and selected to be on our -- the
17 Board of directors of the QIA, and they all -- we are
18 all, I believe, very true. Each and every one of
19 the -- of the communities, we try to make a balance so
20 that we can operate as a -- an association in a better
21 way.

22 So we try to find ways on how we can help Inuit,
23 and we try to get our staff to make community visits to
24 inform them about what we're doing, not only about
25 mining, but other ways, how we can help Inuit.

26 With regards to wildlife, we are trying to make --

1 we're trying to collect Inuit traditional knowledge.
2 Perhaps through CIRNAC we can -- maybe CIRNAC should
3 try to maybe recognize Inuit more. I think we need to
4 make sure about our culture and how we operate as an
5 association.

6 Going back to the wildlife -- the issue of
7 wildlife, when there's impacts to wildlife, we are
8 impacted as well. Sometimes we can't always control on
9 how -- how to control our wildlife or manage our
10 wildlife better because they're animals and they have
11 their own -- they have their own migration routes, and
12 we can't control that.

13 So Inuit -- the people around the world, there is
14 a pandemic going on. I envision maybe some day that we
15 could maybe work together better so that we have a
16 better future. The RIAs and NTI and other
17 organizations, we need to come together.

18 There's a Nunavut Agreement that was signed in
19 1993 on how we could manage our government better. We
20 need to come up with a better -- with better agreements
21 so that -- so that the words and wisdoms of Inuit are
22 in the agreement and implemented.

23 I hope I made myself clear as much as -- I tried
24 to make myself as clear as possible. Thank you.

25 THE CHAIR: Nunavut Tunngavik, James
26 Eetoolook.

1 MR. EETOOLOOK: Thank you, Madam Chairperson.
2 James Eetoolook, Nunavut Tunngavik -- for some of the
3 questions and comments that were raised earlier and
4 now.

5 The wildlife today, the sea mammals and the
6 terrestrial animals, and following the Inuit
7 Qaujimajatuqangit, we try and use lights and be
8 included in some of the decision-makings and as to how
9 the states of the wildlife are.

10 I know the hunters have the most knowledge about
11 their environment because they live up here
12 permanently. And for the scientific people, they study
13 for part of the winter or a couple years to try and
14 find out the ways of the wildlife, and the hunters live
15 up here and live up here continually. Their knowledge
16 is very useful, and they've been here time immemorial.
17 And for today and for year after year or next day,
18 they'll be here. So for that reason, our tradition
19 here and some of the jurisdictions exist. Particularly
20 the narwhal, they have more abundance of that, and they
21 know where it came from and as to where they travel as
22 well.

23 And recently they go now to other areas they've
24 never been before, like near the Kugluktuk area. And
25 in the past, they are here from way back, and they
26 travel around the area.

1 And what we'd like to see, particularly two
2 things. The Chairperson and also Arctic Bay
3 jurisdiction with mammals and as to how we could fix
4 that, and concerning the whale -- narwhal.

5 So the Inuit have knowledge -- use their knowledge
6 when they say they have to be asked question -- they've
7 got to be asked, and Baffinland has impacted area. I
8 think not just Baffinland, but other mining companies
9 everywhere have impacted the Inuit and the wildlife and
10 the environment of the -- where the mining is.

11 And there's about 10 -- 20 following the Inuit
12 knowledge that we have to be carefully -- treat the
13 wildlife in the area. And today we don't want to lose
14 the wildlife because -- it is good to have job
15 opportunities with the mining companies, but the life
16 span have to end at one point, and the mining companies
17 will be exploring in the future, and that will be the
18 job opportunities for our people. And these gotta be
19 considered concerning the wildlife and also the land,
20 of our environment of our people have to be treated
21 well.

22 And there's many things the wildlife pelts are
23 used for, clothing and other things of our people. Us
24 Inuit, this is our tradition. We know we never lose
25 our tradition and practices, but we have to be
26 conserving, and they -- we use them for consumption and

1 hunting.

2 We have committees for wildlife, and through
3 the -- we can work together, us Inuit groups from the
4 different regions, where many Inuit, we've got to
5 support each other's -- assist each other concerning
6 hunting wildlife so that we can continue to hunt from
7 time immemorial.

8 They've tried to stop us from hunting throughout
9 the -- Greenpeace and other animal lovers, but we care
10 about our -- we manage our wildlife because it's our
11 country food, and we use the clothing -- skins for
12 clothing, and we have a handle on that. And the Inuit
13 association are appointed through IIBA and Inuit
14 Nunavut Agreement, and also the Inuit being recognized
15 with the claims. So these have been negotiated through
16 Inuit associations, and they're appointed to do such
17 work. And appointing people through Inuit association
18 is not -- just the way. So there's boundaries that
19 they have to do work on, and they have to move ahead
20 with some of the hard issues they have to deal with,
21 and I believe if that is not the case with the -- we
22 will never see some of the benefits. Through agreement
23 only we can accomplish those. And they can bring it to
24 our table, and these are the -- our big industries or
25 through fishing or oil companies, and these would be in
26 the near future, I'm sure, come up.

1 And we need to have agreements with these
2 different companies with the Inuit so that the work
3 will be monitored properly. I know it's expensive,
4 but -- and the wildlife, particularly if they're
5 destroyed through the mining companies, Inuit would
6 have to bring up something concrete if they are
7 destroyed by the mining companies and other industries,
8 and we have to do some work on these now in order to
9 protect us and the environment, other organizations and
10 such, so that's the case.

11 And we don't want to go through these in our
12 lives, but we know they will never stop coming up to do
13 explorations. And we know the wildlife, sometimes they
14 don't come back if they are frustrated with the noise
15 and other things. Some of them don't come back.

16 Thank you for the opportunity to speak, and Inuit
17 are trying very hard to relay their messages and what
18 they think because that's where they grew up, and they
19 have their wildlife around them to hunt, and we expect
20 today and tomorrow these things will continue, will not
21 stop. Thank you with the activities of the mine or
22 other things. Thank you.

23 Continued Questioning of Baffinland Iron Mines
24 Corporation, Registered Intervenor, and Nunavut Impact
25 Review Board by the Community Representatives from Pond
26 Inlet, Arctic Bay, and Sanirajak (Community Roundtable)

1 THE CHAIR: Charlie Inuarak. We can't
2 hear him.

3 Enoki.

4 MR. IRQITTUQ: Thank you, Madam Chairperson.
5 Enoki Irgittuq from Sanirajak.

6 I like it, to be an Elder here, and I like that
7 you can see me as an advisor and listen to.

8 When I was an MLA, sometimes -- it seems like I
9 wasn't listened to when I was trying to relay things,
10 and I'm happy to be an Elder and taking part. And I
11 can speak and hopefully you will believe me. That's my
12 desire. Thank you.

13 Thank you. I'm happy to be here. I think we're
14 all here wanting a "yes" answer, and all of us, we want
15 things, each one of us, that we'd like to see.
16 Baffinland want something. As Inuit, we want something
17 as well in return. I'm not against Baffinland. I
18 thank them actually. From the people of Sanirajak,
19 there's many that are working at the mining company,
20 but -- although that's the case, I have many things to
21 say, but if there's anything that is not right -- and I
22 have to bring this matter in the area -- in the
23 Steensby area, I didn't grow up, but I -- we would live
24 there when I was a child. Our future, our past
25 ancestors survived. They were very, very good at what
26 they did, and they were -- we have to compliment them

1 and honour them.

2 And Caleb, his parents -- mother was alive at the
3 time -- in those times, and all of them have a mother.
4 So -- sorry. I'm just joking. We have to laugh a
5 little bit sometimes.

6 And our ancestors were survivors. Thinking on
7 that alone is amazing. Even one particle didn't show
8 in our lands for mining purposes. Special deposits, we
9 didn't see any of it. But our ancestors survived with
10 rocks -- rock. They find rocks and built with it.
11 Bones of the animals were used for purposes to survive.

12 If I hold a rock, I cannot do that today, to
13 survive with it, but our ancestors knew how to use it
14 to make tools and other things from rocks, and they
15 used to cut up the materials from the skins to make
16 clothing with rocks, and these are the survival tools
17 they used -- made. And today, we are here because of
18 their strengths and survival tactics.

19 The interpreter is speaking. I'll speak a little
20 bit slower so she can relay the message properly.

21 But our ancestors, our parents -- our parents,
22 when the white people came up, they were very talented
23 and survivors, but the white people knew when they
24 arrive, Inuit were -- their trades were taken away --
25 anywhere. They lived everywhere. They were nomadic
26 people. If they go travel somewhere else, they would

1 build a camp. And if they leave the old camp because
2 they no longer want to live there, they move somewhere
3 else.

4 And the white people came up. They were trying to
5 survive themselves on the land, but the Inuit started
6 trusting the white people, and if they were social
7 workers, they become the boss in the community and
8 started running things. In those years, that was the
9 case with us. But for myself, my father -- I have my
10 father's blood. If I see a white person, I cannot
11 think anymore, then that person would just run me. I
12 don't think of them as rich people, although they might
13 have a lot of money, but I'm me. Even if he's in
14 authority, whoever "he" is, if I can speak to them, I
15 can tell them what to do, not asking a question.

16 In the past, we were mistreated, and it's not
17 holding me how they treated us when they came up. I
18 have -- it has given me strength instead.

19 And today, these Baffinland, what they would like
20 to desire to get and in place if we agree together and
21 give us what we want. And what you want, we could give
22 it to you. It's not impossible. What we want, if you
23 say "yes" to it, then we could give you something else
24 in turn -- in trade. This is the agreement that we've
25 got to do. Agreement -- and it hasn't begun between
26 us. The shipping routes through our communities is

1 going by, and they're being monitored now.

2 I'm a hunter. When I can, I go hunting. I go
3 anywhere I want to by boat or Ski-Doo. And that area
4 to Steensby area, I use that area to hunt and travel on
5 because there used to be abundance of wildlife and
6 seals, bearded seal particularly, and walrus. For
7 quite a few years now they have depleted. The reason
8 is that some of the stuff that is put down under the
9 water, and people from Igloolik and Sanirajak weren't
10 told before the work was done.

11 As Inuit, our knowledge, we monitor things, and we
12 see things in our lives. When we try and find out
13 before somebody even told us, and there were things
14 that we saw. And for these reasons -- we found out on
15 our own, even before asking questions what they were.

16 And today the ship route -- shipping route through
17 our area, although you don't put something under the
18 water to watch and monitor, you could see through
19 monitors or computers or technology.

20 When I was going to Pond Inlet, although if I
21 didn't use those monitors, I would just use my eyes to
22 travel through that area. Even though I've never gone
23 through it before, I would know which way to go. And
24 for that reason, we are capable.

25 One thing that we are not happy with with the
26 hunters, our wildlife are impacted greatly. And near

1 Sanirajak area, close by, this fall there used to be an
2 abundance of walrus, and there is none anymore.
3 They're impacted so much that -- this is just
4 preparation now. It's not fully in force yet to go out
5 mining.

6 So will we get funding from you to Sanirajak? We
7 never received anything for compensation, although we
8 are hunters full-time. We don't get any fundings from
9 Qikiqtani Inuit Association. If we're going to go
10 hunt, we don't get given gas. And Qikiqtani Inuit
11 Association, they refused to give us anything. When
12 they ship, the fisheries were -- the hunters in
13 Sanirajak never received anything when there's going to
14 be fisheries for many -- quite a few years, although we
15 speak about it to receive some assistance.

16 Us people from Sanirajak has been greatly
17 impacted. There should be an agreement with
18 Baffinland. If we could even produce an agreement with
19 you for shipping purposes and -- because we know the
20 animals might be depleted outright, but I don't think
21 so. But as their habitats have been empty -- I know
22 they won't forever deplete, but it's been impacted.

23 And if you're going to use the sound system --
24 monitoring system under the water, and the ships, if
25 you put something underneath the ship to monitor only
26 few ships -- maybe perhaps you would hit a mammal when

1 you're going by. If you use the monitors underneath,
2 we will never see wildlife again or sea mammals, if you
3 use those acoustic sounds. And the wildlife are -- may
4 have been hit and died off, and I know they won't all
5 be hit by a ship or -- you know, but I wanted to bring
6 these matters up firstly. That's what -- Madam, thank
7 you. Madam Chairperson, thank you.

8 And to say more, when I was an MLA, we were -- as
9 MLAs we used to only ask questions, and now when you
10 ask -- of course the Minister would reply. They would
11 just elaborate and tell a story, and that's how the
12 ministers were treating -- just telling a story on and
13 on and on and telling a different story and -- because
14 they don't want to give you an answer.

15 And today there's -- many had questions. When
16 they try and answer you, they try and elaborate so
17 hard. Yes -- say "yes" and "no". Some of them can
18 just say "yes" and "no" with the answer. You try and
19 tell the story in different ways so -- for us to maybe
20 forget what we asked for.

21 There's two questions that were not answered --
22 that weren't answered. I don't know who I'm going to
23 direct it to, but maybe to the Fisheries Ocean and --
24 Fisheries and Oceans. Caleb asked a question. The
25 acoustic system that -- before they put them under the
26 communities -- adjacent to -- did you ask the

1 communities if you could do that? This is for the
2 Fisheries and Oceans. Thank you.

3 THE CHAIR: First we'll go to Baffinland.
4 Udlu Hanson.

5 MS. HANSON: Qujannamiik. Udlu Hanson,
6 Baffinland.

7 Thank you for your comments earlier in your -- and
8 sharing your stories and talking about how Inuit are
9 experts.

10 I agree entirely. Actually, the other day when we
11 were reading our list of the experts that helped form
12 this team, it's a long, long list, and I couldn't help
13 but think of when we go to Inuit for Inuit knowledge,
14 for expertise, all those expertise that we have
15 individual experts for, we're going to a key few people
16 in the communities with that expertise. It amazes me
17 how much people -- Inuit are experts in all the
18 different types of knowledge like acoustic and
19 atmospheric and marine, and the list goes on and on.
20 So I completely agree.

21 I want to speak specifically to your question
22 about compensation, about benefits, and then I'll pass
23 it to Lou about the acoustic question.

24 I think what's worth noting -- and I really want
25 to stress this with Sanirajak -- is how thankful we are
26 to have so many employees come from Sanirajak. Before

1 COVID, for, you know, a community of your size, we had
2 58 employees. Amazing -- amazing number of employees
3 from a small community, and we will definitely grow
4 that number. I always want to thank Sanirajak for
5 their support that way.

6 The other thing I just wanted to mention in terms
7 of benefits is that when -- under the Inuit Certainty
8 Agreement, we have listed Sanirajak as a community that
9 would benefit from the harvesters enabling program,
10 which is the \$400,000 per year. The fuel vouchers,
11 your community would become eligible for that. And
12 also under the Inuit Certainty Agreement, we have
13 negotiated the -- oh.

14 THE CHAIR: Enoki Irgittuq.

15 MR. IRQITTUQ: My question wasn't for you,
16 but it was for DFO. My question was directed to DFO
17 concerning the hydrophones. I'll have a question after
18 for Baffinland.

19 THE CHAIR: Fisheries and Oceans Canada,
20 Gabriel Bernard-Lacaille.

21 MR. BERNARD-LACAILLE: Thank you, Madam Chair,
22 Gabriel Bernard-Lacaille with Fisheries and Oceans
23 Canada. Thank you for sharing your insight and for
24 your question to Fisheries and Oceans Canada.

25 So in regards to Caleb's question and acoustic
26 recorders, Fisheries and Oceans Canada, we always ask

1 for permission from the local hunters and trappers
2 organization before we put any sort of device into
3 their waters, including acoustic recorders.

4 So, for example, this year Fisheries and Oceans
5 Canada, we asked permission from the Mittimatalik
6 Hunters and Trappers Organization to put some acoustic
7 recorders into waters close to Pond Inlet, and we were
8 not granted permission, so we did not put any devices
9 into the water. And we will always ask for permission
10 before we put anything in waters near Inuit
11 communities. I hope this answers your question.

12 Thank you, Madam Chair.

13 THE CHAIR: Enoki Irgittuq.

14 MR. IRQITTUQ: Enoki Irgittuq from Hall Beach

15 HTO. Thank you.

16 Between Igloolik and Hall Beach, I'm talking
17 about. There's some hydrophone recorders, acoustic
18 monitoring recorders. Do you know anything about those
19 that were put there in the past, DFO? Thank you.

20 THE CHAIR: Fisheries and Oceans Canada,
21 Gabriel Bernard-Lacaille.

22 MR. BERNARD-LACAILLE: Thank you, Madam Chair.
23 Gabriel Bernard-Lacaille with Fisheries and Oceans
24 Canada. Thank you for following up and providing
25 clarification.

26 So Fisheries and Oceans Canada, we often have

1 researchers that go to the waters or the communities
2 near Igloolik and Sanirajak, and we have heard this
3 comment multiple times about some devices in the water.
4 I can't speak to exactly what you are referring to, but
5 what I can confirm is that right now, we have no
6 acoustic recorders near Igloolik or Sanirajak.

7 Thank you, Madam Chair.

8 THE CHAIR: Enoki Irgittuq.

9 MR. IRQITTUQ: Thank you. Enoki Irgittuq,
10 Hall Beach Elder.

11 It's good to say I'm an Elder. Yes. Thank you.
12 I understand what you're saying, but when I go back
13 home, I will get more information and refer them to you
14 and get more information that way. That's that one for
15 now.

16 And those of us, we were -- we heard that phrase,
17 "Hall Beach supported Phase 2 proposal", and it's
18 misinformation. It's misleading, and if you understand
19 me correctly, as Hall Beach residents, we have never
20 been approached to have a meeting. We've never had a
21 public meeting in our community. Whoever is saying
22 that Hall Beach supports the Phase 2 project is just
23 gossiping. It's misleading and misinformation.

24 And if we're going to be approving any type of
25 project, Inuit always consult with their residents and
26 Inuit first before they decide on anything, whether

1 they support a project or not. That's not our culture.
2 That's not our style.

3 And what I said earlier, that we -- we could not
4 say that. Like, we can't help -- we can't help unless
5 you give us 3 million -- it's like was mentioned
6 recently, we don't say that.

7 And there's -- we can apply to Inuit organizations
8 for on-the-land programs, and it's a very technical
9 application process. As an Inuk, when you're trying to
10 get funding for any type of land program, it's very
11 hard to get funding -- Inuit funding because of red
12 tape.

13 How come Baffinland can't directly fund the
14 communities for Pond Inlet, Arctic Bay, Igloolik, and
15 Hall Beach and Clyde River for programs? It's better
16 if you give the funding directly to the affected
17 communities because it would be easier for us to access
18 the funds because those funds that are going to QIA in
19 vast amounts is just being allotted in a way that we
20 can't even access them. Where is the interest going?
21 What are they using the interest for with that amount
22 of money? So I know you can't answer it right off, but
23 I'd like to get a response. Thank you.

24 THE CHAIR: Baffinland, Udlu Hanson.

25 MS. HANSON: Qujannamiik. Udlu Hanson,
26 Baffinland.

1 Thank you for your question. I can answer it
2 right away. Our requirement is to negotiate and have
3 an agreement with the representative -- designated
4 Inuit organization as per the Nunavut Agreement, so I
5 think this question would be better answered by the
6 Qikiqtani Inuit Association, but that's who we're
7 obligated to provide the -- to have the negotiated
8 agreement with as per the Nunavut Agreement.

9 THE CHAIR: Qikiqtani Inuit Association,
10 Olayuk Akesuk.

11 MR. AKESUK: Olayuk Akesuk from the
12 Qikiqtani Inuit Association.

13 Within this agreement in Article 26, we're just
14 going by the clause here. We cannot go outside of this
15 clause agreed to in 1993, and it tells how the
16 agreement should be managed.

17 THE INTERPRETER: Sorry. There's background
18 noise, I can hardly hear the person talking.

19 MR. AKESUK: For the things that we --

20 THE INTERPRETER: Sorry. There's background
21 noise. I can't hear the person talking.

22 THE CHAIR: If you guys can reduce the
23 background noise so the interpreters can hear clearly
24 and interpret. Please put your sound on silence.

25 MR. AKESUK: Olayuk Akesuk from Qikiqtani
26 Inuit Association.

1 As we are working towards these things for the
2 money that's coming in, at that time when Qikiqtani
3 Inuit Association first started, there was some
4 difficulty setting up the organization and how they
5 should manage the organization, but we are now getting
6 to a better foundation and structure within the
7 organization, and we're, you know, better managing
8 money in terms of 75 million and in terms of our
9 operations for Inuit and how we're going to manage the
10 funds that is towards Inuit, and as we try to view
11 everyone the same for those that we are serving.

12 For about -- the little bit of money, 1.1 million,
13 that we mentioned for the five communities that are --
14 it seems small for those five communities when you look
15 at it, but with all our abilities, we try to utilize it
16 to those communities. And in the future, how -- if we
17 can help other Inuit because we're thinking that we're
18 not, you know -- when we're trying to make sure that
19 sometimes we think about whether we should try and save
20 the interest to operate the funding from there, and
21 that's how we're trying to manage things and -- and
22 that's the answer I can give to the question. If I
23 didn't answer properly, I'm sorry. If there's a clause
24 to Article 26 -- it's what we base our agreement on --
25 it says that the Qikiqtani Inuit Association, when they
26 disburse funds, would be to the support of the

1 communities, and we can work with the communities so
2 that -- either the support to the communities or for
3 long-term use so that the support would last longer.

4 Thank you, Chairperson.

5 THE CHAIR: Eli Taqtu.

6 MR. QAQQASIQ-TAQTU: Thank you, Chairperson. Good
7 evening.

8 The questions I have is for Baffinland. As a
9 young person representative, I have some question here,
10 and I've talked to the young people in our community.

11 For the Qikiqtani Inuit Association, as a youth
12 representative for them, I'll be talking to it in
13 English -- I mean in Inuktitut.

14 The first question is: What has Baffinland
15 organized for the youth programs, even for job
16 opportunities and how they would be relating to
17 Nunavut. That's one question.

18 And part of the question also, this proposal for
19 Phase 2 is being put forward. If it's approved, would
20 new jobs be opened especially for youth? Even though
21 new jobs may be open, is there something specific for
22 youth?

23 And also, what programs or targets are being given
24 for youth? For example, sometimes there are not many
25 graduates in Nunavut, so when the jobs open for those
26 that are not graduated, can they still go and apply for

1 work? As a young person or maybe even -- not even as
2 an older person, when you're trying to do stuff on your
3 own, is there support? What support is available for
4 hunters? If there's a reduction to the ability to hunt
5 animals, what support mechanisms are there for those
6 that are impacted to the communities?

7 And lastly, I heard -- so when jobs are being
8 planned, for example, in the mining development area
9 and people are planning jobs, we hear that there's a
10 support or a push. Perhaps they want them trained.
11 Sometimes there's so much of a push that people really
12 don't want to work anymore because there's so much of
13 them to be pushed to promote themselves or do more
14 training. They feel that they're being pushed to train
15 and work really hard to train. How do you do the
16 training? Is it gradual, or are they trying to rush
17 them so much?

18 Thank you, Chairperson.

19 THE CHAIR: Baffinland, Udlu Hanson.

20 MS. HANSON: Qujannamiik. Udlu Hanson,
21 Baffinland. Thank you, Eli, for the question.

22 We just recently held a youth forum in Pond Inlet,
23 just as recent as a couple weeks ago, that got
24 postponed because of COVID -- COVID-19, so we were
25 finally able to meet, but we had originally -- as you
26 know, Eli, we had originally wanted to host it in

1 Arctic Bay, the first one.

2 So we are actually going to be hosting these youth
3 forums in each of the impacted communities because we
4 want to get an understanding from them what we can do
5 for them, what we can do together.

6 Often when we're in the communities, we try to
7 make time -- special time for conversations with youth,
8 but we realize that we also need this information from
9 the youth when they're talking to themselves,
10 organizing it in a way for them to share it with us in
11 a way that they're comfortable with.

12 You had a number of questions, so forgive me if
13 I -- if I don't answer all of them, and I'm trying to
14 get through it quickly.

15 In terms of what sort of job preparation we have
16 for youth, we host employment tours every four months
17 in each community, and we try and get a sense from
18 those tours what the community needs are. What mostly
19 the job applicants are looking for, and what their
20 demographics are. With Phase 2, we're going to be
21 having a -- an office complex that will have a
22 classroom, a training centre, and every six months
23 we'll be bringing on 20 new trainees and conducting
24 training programs within those six months, but also
25 understanding that if somebody has identified a
26 position within Baffinland that requires formal

1 education or, you know, something that we can't provide
2 within those six months, then we'll help them with
3 that. We'll support them.

4 The training we already do provide includes
5 typically what youth are interested in, like pre-trades
6 training and apprenticeship program. We have an
7 internship program at Baffinland so that if you're not
8 sure what you want to be or what you want to do, our
9 internship program is a great way to get introduced to
10 the company and see within a couple years where it is
11 that your interest lies.

12 We just hired two interns in Pond Inlet in the
13 last couple months. We had eight interns the year
14 before COVID, so we'll get those numbers back up.

15 One program in Pond Inlet as well that seems to be
16 attracting a number of youth to the positions is the
17 shipping monitors. I believe we have eight -- six
18 full-time, and then I think -- yeah, another two or
19 three that cover off the other six.

20 In terms of -- oh, I'm sorry. I just got a note.
21 We hired ten, ten shipping monitors in Pond Inlet.

22 In terms of the compensation, your question was
23 around if hunting is impacted, are we able to be
24 compensated. This has come up quite a bit in the last
25 few days -- well, with every gathering, understandably
26 so. There's a number of benefits and support that

1 we're providing, including the \$10,000 per ship in
2 Pond Inlet. But under Phase 2, we'll provide 750,000
3 to -- for the five hunters and trappers organizations
4 to share and decide how they want to spend it.

5 We also have the wildlife compensation fund that
6 the Qikiqtani Inuit Association administers. Right
7 now, Baffinland tops that up whenever it's -- at the
8 end of the year or when it's needed, but under the
9 Inuit Certainty Agreement, it will be 750,000 every
10 year, and we'll be providing a coordinator to help them
11 spend that money to help them ensure that every
12 community can access it for, as you say, if there's an
13 impact on their ability to hunt.

14 There's also the -- in the current agreement, a
15 marine research vessel that will be provided to each
16 community every three years.

17 We have the country food exchange program as well
18 for those that may feel that their harvesting has been
19 impacted, but maybe I'll just leave it there. In case
20 I didn't cover anything, please let me know.
21 Qujannamiik.

22 THE CHAIR: Eli Taqtu.

23 MR. QAQQASIQ-TAQTU: Thank you, Chairperson.

24 And the last question related to a question
25 addressed to Baffinland. I will say it in English
26 because I can't put it into -- keeps asking about the

1 cumulative effects on narwhal, but I would like to ask
2 what the cumulative effects of Baffinland Mine on
3 caribou since Nuluujaat was calving ground. Thank you.

4 THE CHAIR: Baffinland, Udlu Hanson.

5 MS. HANSON: Qujannamiik. Udlu Hanson,
6 Baffinland.

7 I would like Mike Settingington to respond to that
8 question, please, with Environmental Dynamics.

9 THE CHAIR: Mike Settingington.

10 MR. SETTERINGTON: Hello, Madam Chair. Thank you
11 for the question.

12 The question, as I understand it, is about the
13 cumulative effects on caribou, and Nuluujaat has been
14 identified as a calving ground.

15 Madam Chair, we addressed cumulative effects on
16 caribou primarily as a project effect. The calving
17 grounds themselves were identified in particular in
18 Inuit Qaujimajatuqangit traditional knowledge workshops
19 that we held with knowledge holders starting with
20 workshops in 2008 and then with continued participation
21 from Inuit through contemporary knowledge workshops in
22 2015. In Nuluujaat, the Deposit Number 1 itself has
23 been identified as an area where caribou have calved as
24 well as many areas within the entire Mary River Project
25 area in high grounds where caribou disperse to calf.

26 We produced habitat models. We did something in

1 an analysis called the zone of influence to quantify
2 the potential effects. We built on those models
3 through comments coming through technical workshops for
4 this phase as well as previous components of the
5 project with comments coming from communities and other
6 intervenors to look at the sensitivity of analysis. We
7 modelled energetics of caribou to see how the
8 populations could recover through the life of the
9 project giving variable levels of disturbance.

10 Madam Chair, that's how -- and some of the few
11 ways we looked at cumulative effects on caribou. Madam
12 Chair, I hope that answers the question. Thank you.

13 THE CHAIR: Eli Taqtu, did that answer
14 your question? Okay.

15 In Pond Inlet, Jollie Enoogoo. NIRB staff?

16 MS. COSTELLO: Thank you, Madam Chair. Karen
17 Costello for the NIRB staff.

18 Staff have advised that the community member is
19 not presently in the room, so I think you can go to the
20 next person on your list.

21 Thank you, Madam Chair.

22 THE CHAIR: Terry and Apphia Killiktee.

23 MR. KILLIKTEE: We're waiting for Apphia. We
24 were told to go ask our questions together. We were
25 not told to ask individually, but rather to ask our
26 questions together. Apphia -- I wonder if we could

1 wait for Apphia, if you don't mind, Madam Chair. He's
2 not here right now -- or she.

3 THE CHAIR: Next on the list is Joshua
4 Idlout.

5 MR. IDLOUT: Thank you, Madam Chair. I'm
6 going -- I'm going to summarize because I have to
7 attend a meeting in a while.

8 I have questions to CIRNAC and to the Government
9 of Nunavut, especially to -- well, I wanted to speak
10 to -- speak also to QIA and also NTI. We have things
11 that get in our way. The Qikiqtani Inuit Association,
12 there's a -- there's an ICA that's been made.

13 Today -- up to today when we started -- when we
14 started getting the Nunavut land claims agreement, NTI
15 and QIA and the government, the various governments,
16 when we were still part of the Northwest Territories,
17 there was a -- also the development act that was
18 produced, to me, it's -- the Mining Act is also
19 outdated. I wonder if we could get one that's up to
20 date.

21 Qikiqtani Inuit Association and NTI are our voice.
22 So once we had our agreement in place, the agreement up
23 to today, and what we're trying to -- we're trying to
24 come up with an agreement. There are things that are
25 sort of blocking us from making a consensus agreement
26 between the company and ourselves, even with QIA and

1 NTI.

2 I wonder if I could direct my question to NTI and
3 to Qikiqtani. I wonder if their lawyers can maybe give
4 us a short summary if they can renew or make up to date
5 the mining rules or the development -- the parts where
6 it has something to do with mining. Some of the older
7 things that have to do with mining on our lands, it
8 seems very outdated.

9 The person from Sanirajak, yes, was saying the
10 same thing, that Steensby Inlet, once there's a port
11 there -- I wonder if I could maybe ask my -- ask my
12 question to Oceans North, if that area is going to be
13 used as a transportation corridor, I wonder if there
14 is -- if we can still hunt or is hunting going to stop
15 for us. That's a major concern for us hunters.

16 Lou Kamermans yesterday spoke about Inuit
17 Qaujimajatuqangit, Inuit knowledge, that the caribou
18 are going to return, is what he heard from one of the
19 Elders. Yes, they'll return, but once the land is
20 all -- is all impacted, how are you going to restore
21 the land so that there's food available for the caribou
22 once they return and other animals.

23 Also insects, the shoreline has to be restored.
24 We need to think of their -- there are -- I don't know
25 how many species are maybe perhaps depleted as a
26 result -- direct result of mining. There has been no

1 studies. The Crown was saying if they -- said that if
2 they break any of these rules, then the mine would be
3 shut down. It would be nice if they could maybe do
4 some research prior to any impacts. And it's already
5 had impacts on us -- on our land. We've always
6 reemphasized over and over that there's impacts already
7 to -- to the Mary River and Milne site.

8 This is dangerous. The federal government and the
9 NIRB, once the land has been damaged, how fast can
10 this -- how fast can it recover? How fast can the land
11 recover once the impacts have already been done?

12 There is also the quota system that's been talked
13 about during the hearing and throughout the hearing.
14 The quota system is managed by the NTI. There are
15 women in our community that are not able to make warmer
16 clothing because there's no more caribou hides for them
17 to sew. That's had a big direct impact on us.

18 I have to leave quickly. Perhaps these questions
19 that I raise can be answered, even though I'm not here.
20 I would like to hear some answers from each of the
21 bodies that I asked.

22 Once mining is completed, there are -- we have to
23 get our children ready and prepare them for jobs. NTI
24 and QIA, perhaps they can -- perhaps they can look at
25 the terms and conditions or agreements that are in
26 place so that our children have a future.

1 The quota system for hunting narwhals, we had -- I
2 was one of the people that had -- had asked that we get
3 additional tags. Our -- the wildlife and the sea
4 mammals that we have there is the species at risk.
5 They could maybe potentially -- maybe one day be added
6 towards the Species at Risk Act because mining has had
7 an impact on the whales already. Our wildlife, sea
8 mammals, ptarmigans, foxes, wolves, and other land
9 animals in the Milne Inlet area all the way to Steensby
10 Inlet have been impacted by the dust. Their fur and
11 pelts of seals have been seen with red dust on them.

12 Animals are always moving. Have the meat on these
13 animals that I just named, have they been impacted?
14 Have they consumed the iron ore, perhaps maybe causing
15 them harm in their bodies?

16 Yes. We're trying -- there's a climate -- global
17 climate conference going on, and they're trying to get
18 rid of the use of coal, but we don't use coal.

19 I think -- I wonder how are we going -- how we're
20 going to be able to reduce cumulative effects. Perhaps
21 one of our Elders can tell us. I wonder if fish move
22 to other lakes because of the impacts of benthic
23 invertebrates are getting depleted at the ports -- at
24 the port.

25 I'm going to stop here for now. Thank you. If I
26 can get some answers at some time. Even though I'm not

1 here, I'd be glad to receive them. I'm leaving now for
2 my other appointment. Thank you.

3 THE CHAIR: Before we go (INUKTITUT SPOKEN
4 - NO ENGLISH TRANSLATION)
5 (ADJOURNMENT).

6 THE CHAIR: Welcome back, everybody.

7 Continuing with questions and responses, a
8 reminder to those who are responding to questions and
9 statements to keep your answers focused because there's
10 a lot of people who would like to ask questions and
11 make statements.

12 First we'll go to Baffinland, Udlu Hanson.

13 MS. HANSON: Qujannamiik. Udlu Hanson,
14 Baffinland. I will pass it to Lou Kamermans to
15 respond. Thank you.

16 THE CHAIR: Lou Kamermans.

17 MR. KAMERMANS: Lou Kamermans, Baffinland.
18 Thank you, Madam Chair, and thank you for those
19 questions, Joshua.

20 I'll talk briefly about reclamation, the health of
21 wildlife, and just a brief note on our effects
22 predictions. As for closure and reclamation, that is
23 something that formed a large portion of our initial
24 project proposal and was subject to review throughout
25 our original approval process. That still applies to
26 the current project and will be modified for the

1 Phase 2 proposal.

2 On the land, I just want to provide context for
3 everyone. The amount of area we're looking at working
4 to reclaim when the project is complete is very much a
5 fraction of the total of the area of the North Baffin
6 Island. At most, between Milne and Steensby, the
7 percentage of land as a portion of the northern half of
8 Baffin Island is .03 percent. We understand that our
9 project will have an influence outside of that
10 development area, but I think that is an important
11 number for all of us to keep in mind when we're
12 thinking about the potential size of that influence.

13 With closure, our objectives are to achieve a
14 safe, stable, and non-polluting end landscape or an
15 alternative end land use deemed acceptable with Inuit.
16 To achieve those objectives, we've agreed to develop a
17 mine-closure working group which would bring together
18 technical expertise as well as Inuit perspectives, and
19 it would be a combined multidimensional group.

20 You asked about studies starting already, and I'm
21 happy to report that they have, mainly with respect to
22 vegetation. Our objective with vegetation is to
23 promote natural regrowth once activities are complete.
24 So we've been in the field and we've also conducted
25 desktop studies to research natural reclamation in
26 previously disturbed sites in the project area. We're

1 studying these trials with varying surface disturbance
2 preparations, and these studies will continue for the
3 life of the project and will benefit from the formation
4 of the mine-closure working group and the perspectives
5 that brings.

6 With respect to the potential impacts of dust on
7 wildlife, specifically the health of wildlife and the
8 health of harvesters that eat that wildlife, for
9 Phase 2, we carried out an evaluation of potential
10 risks from consuming certain valued ecosystemic
11 components. We looked at specifically caribou
12 blueberry. Throughout the review, we also added char.

13 The conclusion of that study is that ore dust from
14 the project is not predicted to result in levels of
15 metals in the local study area that would be harmful to
16 the health of animals or people harvesting in the area.

17 The last note is more broad. Joshua raised
18 concerns of the potential project effects on animals
19 generally. I want to be clear that we have never and
20 we will never predict and try to maintain that our
21 project is having absolutely no effect. We understand
22 our project will have an effect. There's a mine where
23 no mine existed before. There's activities occurring
24 that weren't occurring before. What we try to do is
25 manage the possible effects so that they're acceptable.
26 There's a very specific method for doing this in

1 environmental assessment, and that's what we've
2 presented and discussed through this review process.
3 It doesn't mean people won't have different
4 interpretations or that some people may feel some
5 effects are more significant than others, but in any
6 case, we acknowledge that our project will have
7 effects. Our predictions that they won't be
8 significant, regardless of the confidence we have in
9 those studies, assessments, predictions, they will hold
10 us to a high bar should the project be approved, and if
11 our monitoring programs don't indicate that we're
12 maintaining our effects within that low bar, that we
13 will act, and we will modify the project as needed.

14 Thank you. Qujannamiik.

15 THE CHAIR: Qikiqtani Inuit Association,
16 Olayuk Akesuk.

17 MR. AKESUK: Olayuk Akesuk, Qikiqtani Inuit
18 Association.

19 Perhaps I'll get the other person to answer. I
20 didn't get the name.

21 THE CHAIR: Who is going to answer?

22 MR. AKESUK: NTI will speak first. Thank
23 you, Madam Chairperson.

24 THE CHAIR: Nunavut Tunngavik
25 Incorporated, James Eetoolook.

26 MR. EETOOLOOK: Thank you, Madam Chairperson.

1 James Eetoolook, Nunavut Tunngavik. Thank you for the
2 question, Joshua Idlout. His questions contain --
3 concerning the mining and territorial lands as to how
4 they are today. Our lands people will speak on it, and
5 also for the reclamation issues, if the mining closes
6 in the future, who will be involved in working with the
7 reclamation? Carson Gillis will speak on the lands
8 issues. Thank you.

9 THE CHAIR: Carson Gillis.

10 MR. GILLIS: Thank you, Madam Chair.

11 Carson Gillis, director NTI.

12 The Territorial Lands Act and the Nunavut mining
13 regulations are federal legislation, and any questions
14 about them, their review, or their amendment should be
15 directed to Crown-Indigenous Relations and Northern
16 Affairs.

17 NTI and the regional Inuit associations together
18 developed a reclamation policy in September of 2008
19 which requires users of Inuit owned lands to return the
20 land to a safe and stable condition that maintains the
21 ecosystemic integrity and that is consistent with Inuit
22 social and cultural needs and aspirations.

23 (INTERPRETER BELL)

24 The policy is available on NTI's website. I can
25 send it to you if you wish, but it contains five
26 objectives and 32 policy statements. The general

1 objectives are to minimize environmental liability to
2 Inuit, to ensure reclamation requirements are
3 incorporated into reclamation plans, to consult with
4 Inuit in relation to those plans and those
5 requirements, and to maximize the benefits of
6 reclamation to Inuit.

7 Reclamation plans and related security issues are
8 coordinated between the Qikiqtani Inuit Association,
9 Crown-Indigenous Relations and Northern Affairs Canada,
10 the Nunavut Impact Review Board, and the Nunavut Water
11 Board through their administrations and public
12 processes. NTI does not have a direct role concerning
13 reclamation but works with the regional Inuit
14 associations if requested.

15 Thank you, Madam Chair.

16 THE CHAIR: The Government of Nunavut,
17 Jimi Onalik.

18 MR. ONALIK: Jimi Onalik, Government of
19 Nunavut. I'm just wondering if I could get
20 clarification on the question, please. Thank you.

21 THE CHAIR: Maybe will someone provide
22 clarification on the questions? We'll go to the other
23 intervenor, Crown-Indigenous Relations and Northern
24 Affairs Canada, Spencer Dewar.

25 MR. DEWAR: Qujannamiik, Madam Chair.
26 Spencer Dewar, Crown-Indigenous Relations and Northern

1 Affairs Canada.

2 I first would like to start off to speak a little
3 bit to the legislation that guides resource
4 development. It is relevantly new. The Nunavut
5 Planning and Project and Assessment Act came into force
6 in 2015. It was codeveloped between the Government of
7 Canada, Nunavut Tunngavik Incorporated, and the
8 Government of Nunavut to meet the spirit and intent of
9 the Nunavut Agreement, and it establishes the Nunavut
10 Impact Review Board, which we believe has been
11 responsive and provided opportunities for participants
12 to better understand the proposed project and the
13 potential impacts.

14 The Nunavut Impact Review Board has also provided
15 opportunities for participants to identify and express
16 concerns related to the Phase 2 project, and further,
17 we're confident that the Nunavut Impact Review Board
18 will consider all the evidence and testimony and
19 address appropriately in their final report to the
20 minister.

21 To speak to reclamation planning, that is a core
22 consideration for Crown-Indigenous Relations and
23 Northern Affairs Canada, and we take it very seriously
24 to ensure that the land can be returned to its natural
25 state. For projects in Nunavut, reclamation security,
26 basically cleanup security, is set during the Nunavut

1 water licencing process held by the Nunavut Water
2 Board, and it's in accordance with the Nunavut Waters
3 and Surface Rights Tribunal Act.

4 In the case of this project, Baffinland, their
5 current water licence has a requirement for an annual
6 security review where the Nunavut Water Board,
7 Baffinland, Crown-Indigenous Relations and Northern
8 Affairs Canada, and the Qikiqtani Inuit Association sit
9 down yearly and reassess the security held for the
10 project.

11 Currently the Qikiqtani Inuit Association holds
12 the vast majority of the security, and we hold a modest
13 amount, and we can get you the exact figures. I
14 couldn't pull them up. So rest assured there is money
15 that's held in trust to clean up the site.

16 THE CHAIR: Qikiqtani Inuit Association,
17 Olayuk Akesuk.

18 MR. AKESUK: Thank you, Madam Chair.
19 Qikiqtani Inuit Association, Olayuk Akesuk.

20 We have contingency funding. We have set aside --
21 I think it's \$20 million now set aside for the
22 remediation of the site, and those funds are put in
23 trust to be used only for cleanup, and they're in the
24 bank, and if the mine was to close down, we would use
25 those funds to help clean up the site.

26 Thank you, Madam Chair.

1 THE CHAIR: Fisheries and Oceans Canada,
2 Gabriel Bernard-Lacaille.

3 MR. BERNARD-LACAILLE: Thank you, Madam Chair.
4 Gabriel Bernard-Lacaille with Fisheries and Oceans
5 Canada.

6 In the statements made by the community member
7 from Mittimatalik, we heard something about the
8 potential for whales, which I assume is narwhal, being
9 listed as a species at risk. Fisheries and Oceans
10 Canada can confirm that narwhal is not currently listed
11 as a species at risk; however, the committee on the
12 status of endangered wildlife in Canada which provides
13 reports on various species and makes recommendations on
14 their status is currently planning an updated report
15 for narwhal in November 2022, but, again, at this time,
16 narwhal is not considered a species at risk by the
17 Government of Canada.

18 We also heard concerns about fish in the Milne
19 Port area. Fisheries and Oceans Canada can confirm
20 that fish monitoring is occurring and that our experts
21 and our fish and fish habitat protection program are
22 looking at these monitoring results, and we can also
23 confirm that Fisheries and Oceans Canada science group
24 and fisheries management group undertake exploratory
25 fisheries research in the area which can provide
26 information on fish in the area. I've tried to keep

1 this brief. Hope this answers their question.

2 Thank you, Madam Chair.

3 THE CHAIR: Mittimatalik, Elijah

4 Panipakcoocho.

5 MR. PANIPAKCOOCHO: Thank you, Madam Chair. I
6 hope you can hear me.

7 THE CHAIR: Yes, we can.

8 MR. PANIPAKCOOCHO: My comments will be brief, and
9 I try to remind you of our wildlife. If you can see
10 this, the question that was posed today concerning
11 narwhal. This is what it looks like. This is -- this
12 picture was taken at Bruce Head monitoring site. These
13 narwhal are looking this way, looking towards a ship
14 that is arriving, and that's why you can actually see
15 that they can hear the ship coming in, and they can
16 hear the ship even though it's not even visible yet.
17 That's how sensitive the hearing is of the narwhal,
18 according to Inuit traditional knowledge, Inuit
19 Qaujimaqatuqangit.

20 This is what it looks like when they're being
21 disturbed when they hear noise, and the lead whale, you
22 can see them. That's how good their hearing is. And
23 this one, although it's written down, but there's a
24 figure there how -- on how far this is from the sound
25 that they're hearing and how far away that they can
26 detect sound, up to 4,000 number, that's how far they

1 can hear and how loud it is for them. This through the
2 ambient environment, and that's how wildlife are able
3 to detect sound from such a faraway place.

4 And this one, these were -- these came from
5 Baffinland planning. This is -- this is a picture of a
6 boat, a ship, and a picture of a railroad, and they're
7 proposal in Phase 2 and what it would look like, and it
8 states how many tonnage that day would be loading on
9 the railroad, and I myself haven't really done my own
10 study or -- about the railroad, but once in a while, we
11 go down south. We have family down there that we go
12 see. When we're visiting our family down south, we
13 sometimes observe a train passing by. There's a
14 railroad track that we have to go over, and there's a
15 railroad crossing. We have to wait at the railroad
16 crossing to cross the track, and we have to wait for
17 them, and you can actually feel the railroad track, the
18 sound of the railroad even when it's not visible yet.
19 You can actually hear it through the railroad track
20 because it's steel, even though we're not trying to
21 actually study it, but as Inuk, we're very observant of
22 our environment and how things work.

23 And I did an experiment one time, 25 cents in your
24 pocket. You know how big that is. If you put it on
25 top of a track, it can -- it can flatten, and it
26 becomes -- it will stretch, and it's really big

1 because -- from the pressure of the railroad, and I
2 tried it myself. I put a 25 cents on the railroad
3 track, and we waited and waited for the railroad, and
4 the very first one that went over the quarter, and it
5 flipped away, and as soon as the railroad passed
6 through -- because it was a very long railroad carrying
7 so much supplies, it became the size of my palm, and
8 those aluminum -- it's almost like a thing -- like
9 aluminum that you use to fry something on a stovetop.
10 That's how big they become from the pressure of the
11 railroad.

12 We've never had a railroad before in the north or
13 in Baffin Island. I know that there is -- there used
14 to be a railroad somewhere further south from here in
15 Nunavut, but not this far north, and I think that we
16 need to do more investigating and research before we go
17 ahead because in anything you do, we have to be well
18 prepared. We have to make sure everything is studied,
19 researched, just like our Elders would do that too.
20 We'd make preparations before we go hunting and before
21 we harvest our animals, we use our scopes, we look at
22 our environment, and we look at what we're walking on,
23 and it's the same process.

24 You have to have good preparation to be
25 successful, and that's what I was thinking. I think we
26 should be well prepared and a thorough study of

1 something that has never happened here before. Perhaps
2 we need to make sure we study our caribou first before
3 we rush into anything, and these railroads are very
4 heavy, and imagine what would happen to the caribou if
5 they were run over, and that's what I thought when my
6 son-in-law was down there, down south, when we observed
7 a railroad on the tracks, and you can actually hear
8 them coming along before you see them. Sorry if I'm
9 talking too fast, but, again, in the north, our
10 environment is cold a majority of the time of the year,
11 and we haven't even studied how the cold will affect
12 the railroad, and we have only limited time during the
13 year of summer.

14 Perhaps we need to do more study about adapting it
15 to the northern environment and make sure that we don't
16 rush into anything like we do as hunters. We are very
17 well prepared long before we even think about
18 harvesting our wildlife. There's so many procedures
19 that we follow or hunting techniques before we harvest
20 our wildlife, and hunters and Inuit, anybody who is
21 working in the mine have to be -- every single
22 individual have to be learned in the environment that
23 they're working in. Teach them, train them how to
24 survive in that environment before we -- before we
25 start damaging our environment and the animals and
26 flora and fauna before it's too late, before we can't

1 get it back, especially the food that we eat is the
2 best, healthiest food there is.

3 And I know that we're provided food from the
4 store, but on the other hand, there's such food
5 insecurity. People going hungry because lack of
6 country food available. That's what I wanted to say.
7 I wanted to summarize my comments.

8 And QIA, who are provided funding, I don't know
9 how much it was every year, but perhaps we'll be able
10 to -- I don't know how many years we'll be able to get
11 compensation from QIA from royalties. Maybe when we go
12 hungry, we'll finally see the money. Maybe perhaps we
13 should have been well prepared better in the past
14 before we got here because QIA has received funding,
15 compensation to our harvesting country food, and
16 perhaps it seems like that's the way I understand it.
17 Perhaps they should have planned better on how to
18 divide that funding for land use and for hunting,
19 harvesting.

20 I know people are getting impatient because we
21 thought we were going to be compensated a long time
22 ago. \$16 for a little over a week. It's not enough to
23 sustain you in our land, and there's -- we have our
24 young people going to school so that they can acquire
25 jobs, but there is none, and right now our harvesters
26 are having a very hard time trying to feed their

1 families and coming home with nothing.

2 I think that QIA should as a board come together
3 and overhaul the compensation to better benefit the
4 Inuit that it was meant for. That's what I wanted to
5 say. And I know I've heard this from others. I just
6 wanted to repeat what others said so you can understand
7 what we're trying to say. Thank you.

8 THE CHAIR: First we'll go to Baffinland,
9 Udlu Hanson.

10 MS. HANSON: Qujannamiik. Udlu Hanson,
11 Baffinland.

12 To address the three different topics, we'll have
13 Patrick Abgrall from Golder, Mike Settingington from
14 Environmental Dynamics, and Joe Tigullaraq with
15 Baffinland. Qujannamiik.

16 THE CHAIR: Patrick Abgrall.

17 MR. ABGRALL: Thank you, Madam Chair, and
18 thank you, Elijah, for your comments and your input,
19 and specifically thank you for all the support that you
20 have provided to the project over the years. We worked
21 together on the Bruce Head project from its very first
22 year, and your experience and your advice helped shape
23 the project into what it's become today.

24 You've had the opportunity to have witnessed what
25 the narwhal reactions were to ships firsthand, and when
26 we talk about our monitoring programs in terms of

1 localized temporary behaviour, you've had the
2 opportunity to see what that means in terms of the
3 narwhal reacting when the vessels are coming close and
4 not when the vessels are right at the narwhal, like you
5 mentioned, but they can hear the ships a few kilometres
6 ahead, and so you've seen that in the field, and that's
7 what we report as the narwhal reacting within a few
8 kilometres of the vessels coming, and we've seen in the
9 field when you were there, narwhal at times moving away
10 from exactly where the vessel is, and after the vessels
11 passed, the narwhal have come back to the area.

12 So that's what our impact assessment refers to in
13 terms of temporary and localized, that it comes when
14 the ship is there, and after the ship has passed, the
15 narwhal have come back to the area and they use the
16 area again, and that's been demonstrated in our other
17 programs, such as the tagging program as well.

18 So your experiences as a hunter and as a
19 researcher in our Bruce Head program confirm what --
20 our monitoring programs had the experiences that the
21 whales hear the ships ahead of the ships being right
22 over the whales, which is also what helps the whales,
23 preventing them from being struck by the vessels, so
24 that's a good thing for the whales as well.

25 And I think that in the last years that you were
26 at the program, you were there also to help provide

1 some advice to the Bruce Head program, and I think that
2 kind of advice and that kind of knowledge would be good
3 in the upcoming years of the program as well if COVID
4 allows it in the coming years, if Elders that have
5 participated in the program in the past are able to
6 come even for a few days early in the program to see
7 what's changed in the program. I know that you've
8 participated as well in the marine environmental
9 working groups, yourself and (INDISCERNIBLE) have
10 participated in these working groups and have
11 participated in the Bruce Head program, and, as such,
12 you have knowledge and experience that you can share
13 with the community of what you've seen and of the
14 studies being done, and I hope that that participating
15 in the programs in the future as well will help give
16 confidence to the community that Baffinland is
17 monitoring what is going on in the environment to
18 ensure that we know what's happening with the whales
19 and that their reactions remain within the predictions
20 of the impact assessment, that is, if their reactions
21 remain to a close distance from the ship and that their
22 reactions are temporary.

23 So, again, thank you very much for your question
24 and your support to the project, whether it'd be in the
25 marine environmental working group, Elijah, and the
26 Bruce Head program. And on that note, I will pass it

1 on to Mike Settingington.

2 Thank you, Madam Chair.

3 THE CHAIR: Mike Settingington.

4 MR. SETTERINGTON: Thank you, Madam Chair. It's
5 Mike Settingington with Environmental Dynamics for
6 Baffinland, and, Elijah, I'll mirror all of Patrick's
7 comments about your participation in our working groups
8 and especially you working with me going back to at
9 least 2008 when we were working together in workshops
10 looking exactly at this at the time, at the southern
11 rail and caribou.

12 And, Madam Chair and Elijah, the information that
13 we're moving forward -- and I can understand Elijah's
14 concerns about the potential effects on rail. This is
15 what we had talked about going back to 2008 with Elijah
16 about how caribou may react to the rail and how we can
17 move forward.

18 And, Madam Chair and Elijah, throughout this
19 hearing, we have talked about the number of
20 precautionary approaches we've been taking, from the
21 design of the rail through to the mitigation procedures
22 that we have in place and the monitoring that we have
23 in place, and I am certainly confident as a wildlife
24 biologist and from working with the traditional
25 knowledge holders that I think we do have a safe path
26 forward for looking at a railway and how caribou can

1 respond to it.

2 So, Madam Chair, we also had some discussions in
3 these workshops too from people that had experience
4 with the Nanisivik Mine and looking at other areas as
5 well where caribou do interact with the rail, and we
6 also found that in the past -- even in the past when
7 caribou were in high numbers when people in Pond Inlet
8 had to even chase caribou away from between houses and
9 off of the airstrip at the time. We do have the
10 impression that caribou certainly can adapt to
11 disturbance. So, Madam Chair, I'll leave it at that.
12 And thank you again very much, Elijah. Thank you,
13 Madam Chair.

14 THE CHAIR: Joe Tigullaraq.

15 MR. TIGULLARAQ: Thank you, Chairperson. Joe
16 Tigullaraq from Baffinland.

17 What Elijah mentioned, we understand that, and
18 because it's also been part of the project in terms of
19 narwhal studies, especially at Bruce Head and also his
20 big help to Baffinland now to -- for his knowledge and
21 to the Inuit. Also in terms of caribou studies and
22 harvesting, we get a better understanding from his
23 knowledge and look for things like caribou footprints
24 and where the trails would be and how the rail might
25 affect the caribou, and I understand this perfectly
26 because he spoke clearly about it. And we also learn

1 from him very much so that as a hunter himself, he
2 would pass on his knowledge to us, and he would tell
3 stories of how things worked that would make us better
4 understand the situation, what Mr. Settingington talked
5 about, so I am thankful to Elijah for his comments
6 about the caribou and -- if the railroad was to go.

7 Thank you, Elijah. Thank you, Chairperson.

8 THE CHAIR: Qikiqtani Inuit Association.
9 Olayuk Akesuk.

10 MR. AKESUK: Thank you, Chairperson.
11 Olayuk Akesuk from the Qikiqtani Inuit Association.

12 In terms of the money that we are putting aside
13 and saving, we are waiting to -- and we have that
14 ability to disburse it through applications. Perhaps
15 Mr. Paton can answer to that question.

16 THE CHAIR: Richard Paton.

17 MR. PATON: Thank you, Madam Chair.
18 Richard Paton, Qikiqtani Inuit Association. I would
19 like to thank Elijah for the many questions raised.
20 Certainly good to see him again, and certainly a
21 response to many of his questions might take a bit of
22 time, but please bear with me.

23 On the impacts to the wildlife and the
24 environment, the Qikiqtani Inuit Association has heard
25 many stories of life on the land through Tusaqtavut.
26 These studies interviewed over 135 Elders, hunters,

1 women, and youth that told us their stories of life on
2 the land.

3 The stories relate to a time before the project
4 and up to today as seen through an Inuit lens.
5 Tusaqtavut describes key issues related to access to
6 traditional resources and the Inuit way of life in the
7 area around the Mary River project, issues that were
8 identified by Inuit of Pond Inlet, Igloolik, Sanirajak,
9 Arctic Bay, and Clyde River.

10 These reports also include maps of important Inuit
11 resources and values, including fish, mammals, whales,
12 migratory birds, water sources, and the passing of
13 knowledge between generations. While there's a lot of
14 information in Tusaqtavut and the reports and maps that
15 were produced, we recognize that not every knowledge
16 holder was able to participate in the studies.

17 Additional stories and questions being asked such
18 as the ones we are hearing through these hearings will
19 add to the vitality of the stories being told and the
20 way that we look at this project. The Tusaqtavut
21 reports will help bridge a current knowledge gap, and
22 through an Inuit-to-Inuit conversation, we can continue
23 to build on the knowledge needed to better understand
24 impacts such as on narwhal or dust and how to approach
25 what is important to Inuit in the current project and
26 into future project proposals by the proponent,

1 including one before the Nunavut Impact Review Board
2 today.

3 For the Qikiqtani Inuit Association, I'd like to
4 clarify for us what the red button means. The red
5 button needs to be built. To build it, the Qikiqtani
6 Inuit Association and communities must do the work to
7 define an Inuit Stewardship Plan where Inuit are
8 identifying thresholds for what is an acceptable level
9 before project changes occur. It requires efforts and
10 shared responsibility between the Qikiqtani Inuit
11 Association and communities.

12 The Qikiqtani Inuit Association has raised many
13 concerns on impacts to wildlife and believes there
14 needs to be improvements to adaptive management before
15 we can answer with support for the mitigations and
16 management plans on monitoring.

17 Qikiqtani Inuit Association asks that communities
18 work with us to advance this work. We understand and
19 respect the frustrations expressed, and we are
20 committed to working on Inuit-defined solutions.

21 In this hearing, the Qikiqtani Inuit Association
22 has heard the impacted communities say that they want
23 benefits to be delivered directly to the impacted
24 communities. Addressing this concern is a key priority
25 for the Qikiqtani Inuit Association. The Qikiqtani
26 Inuit Association established the legacy fund to ensure

1 that Inuit today and Inuit in the future can benefit
2 from compensation because the impacts of this project
3 will last for many generations, and so we have a
4 responsibility to make sure that the benefits last for
5 many generations too.

6 If there was no mine tomorrow, Inuit will still
7 continue to benefit from the monies already received
8 for the Mary River project because of how we structured
9 the legacy fund.

10 The Qikiqtani Inuit Association took steps in the
11 current Inuit Impact and Benefit Agreement to make sure
12 that there are benefits that flow directly to the
13 impacted communities. We recognize that more
14 discussion needs to happen to ensure that the impacted
15 communities experience not just the harmful impacts of
16 the mine but also the benefits and in the right
17 balance.

18 In closing, Madam Chair, I would like to point out
19 a small clarification, if I may, on the question with
20 respect to reclamation security. The Qikiqtani Inuit
21 Association currently holds approximately 120 million.
22 This money is held exclusively for remediating and
23 reclaiming the land the project is on in the event that
24 Baffinland is unable to do so. This money is held
25 specifically for this purpose and not used for any
26 other purpose. Qujannamiik.

1 THE CHAIR: Transport Canada, Jackie
2 Barker.

3 MS. BARKER: Transport Canada, Jackie
4 Barker. Apologies, but we did not hear a question for
5 us. If you could please confirm.

6 THE CHAIR: Transport Canada, do you guys
7 have any information regarding impacts of noise with
8 railway traffic and differences in wintertime? Elijah
9 expressed concerns regarding the proposed railway.
10 Transport Canada, Jackie Barker.

11 MS. BARKER: Yes. Just a minute, please.
12 I am going to pass this to Jason Cram.

13 THE CHAIR: Jason Cram.

14 MR. CRAM: Hello. This is Jason Cram
15 with Transport Canada. I just want to confirm: Can
16 you hear me all right?

17 THE CHAIR: Yes. Go ahead.

18 MR. CRAM: Thanks.

19 I guess first I would like to thank Elijah for
20 expressing his concerns and sharing his experiences
21 with railways and just to note that he is correct that
22 this would be the first railway in the Arctic in
23 Canada. The proposed rail line in the Phase 2 project
24 would be a federally regulated railway and would have
25 to comply with all regulations created under the
26 Railway Safety Act, and Baffinland would have to apply

1 to Transport Canada for a railway operating certificate
2 before they can begin train operations.

3 And while there are no explicit provisions in the
4 Railway Safety Act with respect to the protection of
5 wildlife, Transport Canada has recommended that
6 Baffinland consider the potential conflicts with
7 wildlife when developing its operating procedures.
8 Hopefully that answers some of the concerns expressed
9 by Elijah. Thank you.

10 THE CHAIR: Elijah Panipakcocho.

11 MR. PANIPAKCOOCHO: Thank you, Madam Chair.

12 This design of the railroad and the plan that
13 Baffinland has in place, they want to build a railroad
14 because of the dust, the fugitive dust that's spreading
15 all over the land as a result of using transport
16 trucks.

17 Yes, there may be less dust by using trains. I
18 wonder if there could be a better, lower-ambient
19 whistle because it might impact the herds of caribou.
20 When there's blasting in Milne Inlet, sometimes we
21 would hear a bit of the blasting even though we're
22 quite a ways from the mine site.

23 I'm referring to this picture or figure. There's
24 a place called Kanatjuk. There's always caribou in
25 that area near Arctic Bay, and then there's another
26 place called Kiubua [phonetic]. It's another area

1 where the hunters go hunt caribou,
2 Pingimayok [phonetic]. It was a traditional caribou
3 hunting ground even before explorers started coming up
4 here. There's always an abundance of caribou during
5 the summer months. There's only a few scattered places
6 where there's caribou, and we noticed that there are no
7 more caribou around the Mary River and Milne Inlet
8 area. We're always monitoring to see if there were any
9 caribou. There was just a few that we saw, but further
10 away from the mine site. There's caribou further away,
11 but too far for some people to go to.

12 The comments and concerns that we have, I think
13 that we need to do more research. This is going to --
14 we need to have good -- we need to have good research
15 done so that the conductors and the people that are
16 going to work along the railroad will have better
17 knowledge so that they'll know what to expect, and if
18 they know more knowledge -- the more knowledge they
19 know, then this project would be better.

20 With Inuit traditional knowledge, we need to -- we
21 don't want to see caribous being tagged as well as
22 whales or radio collars put on the animals because as
23 traditional knowledge goes, we were not allowed to
24 touch wildlife while they're still alive. This has
25 been a concern for many, many years by Inuit. This has
26 to be carefully reconsidered. We need to ensure all

1 the employees that work at the mine site, what to watch
2 out for.

3 I don't have too much else to say or to add. For
4 those that are going to work there, you have to really
5 understand nature, wildlife. We always meet as a whole
6 group and talk about wildlife issues in our community.
7 I just wanted to put that out there so that there is
8 harmony with nature and with people.

9 Thank you. There's many more other people that
10 want to speak and want to raise their concerns. Thank
11 you very much.

12 THE CHAIR: First we'll go to Baffinland,
13 Udlu Hanson.

14 MS. HANSON: Qujannamiik. Udlu Hanson.
15 I'll pass it to Lou Kamermans. Thank you.

16 THE CHAIR: Lou Kamermans.

17 MR. KAMERMANS: Lou Kamermans, Baffinland.
18 Thank you, Madam Chair. And thank you, Elijah, for
19 sharing that knowledge with us, as always.

20 Just to quickly touch on two of your points: The
21 first having to do with the whistles and the train. So
22 the plan at the moment and when the operation of the
23 railway begins would be that whistles would be required
24 in all areas where the railway crosses the Tote Road
25 and where we are looking to establish dedicated hunter
26 crossings for either snowmobile or all-terrain

1 vehicles. That's a requirement under the Railway
2 Safety Act and regulations.

3 There is opportunity for us to work with
4 communities and submit exemptions or modifications to
5 that rule if that's what the communities want. That is
6 not something we want to propose immediately while land
7 users get used to the operation of a railway in their
8 area, and that's strictly a matter of safety and, of
9 course, mostly for the hunters. With our project, it's
10 always safety first. With that being said, there is
11 opportunity to work on that in the future if that's
12 what's wanted.

13 As for caribou research, we have fairly big plans
14 for that, and in one more recent commitment we've made
15 that I think is very much in line with what you've been
16 talking about and suggesting are these three dedicated
17 caribou monitoring stations. They would staff over
18 24 Inuit total, 12 at any given time on shift, and they
19 would be for the purpose of researching and conducting
20 surveillance on caribou presence in relation to the
21 project, and that would also fall under a category in
22 the Inuit Impact Benefit Agreement where they would
23 also serve as emergency shelters for harvesters when
24 they're in the area.

25 We also have the agreement that was mentioned
26 earlier today with the Government of Nunavut where

1 we'll provide financial support to the Government of
2 Nunavut as they conduct their regional caribou
3 monitoring, and one thing that's been made very clear
4 to us is that community consultation is a critical part
5 to the Government of Nunavut's planning process for
6 that, and specifically they work -- the work they do
7 with the hunters and trappers organizations in planning
8 their studies, so that would, of course, continue as
9 would our already existing and likely expanding
10 monitoring programs run with Environmental Dynamics
11 Incorporated.

12 You were a big part of establishing components of
13 that program, and as the caribou return to the project
14 area, we expect that program to continue to grow and
15 continue to lean on the expertise of the local
16 knowledge holders and staff the local knowledge
17 holders.

18 And just to quickly reconfirm, I think I've talked
19 about this a couple of times today as well or
20 throughout these proceedings, but establishing the
21 crossing areas, whether they're there for caribou or
22 whether they're for land users, will be done
23 collaboratively with Inuit and with the local land
24 users to make sure they're where they need to be.

25 Thank you. Qujannamiik.

26 THE CHAIR: There may have been something

1 missed in the interpretation. Elijah mentioned how
2 caribou can hear great distances and respond to sounds
3 that even we might not be able to hear from far away,
4 so how are impacts from rail noise, how would they be
5 mitigated? And we'll go to the Government of Nunavut
6 after.

7 Baffinland, Udlu Hanson.

8 MS. HANSON: Qujannamiik. Udlu Hanson.
9 Thank you for flagging that, that we didn't answer.
10 I'd like for Mike Setterington to answer, please.

11 THE CHAIR: Mike Setterington

12 MR. SETTERINGTON: Thank you, Madam Chair. It's
13 Mike Setterington with BDI for Baffinland.

14 I'll just make this a quick response, but, yes, we
15 are aware from folks like Elijah that caribou do have
16 very sensitive hearing, and, Madam Chair, it's
17 important that they actually do hear the trains coming.
18 That would be part of an early-warning system for
19 caribou that something is coming.

20 So, Madam Chair, noise acts as a warning for them,
21 but also something that we mentioned earlier as well is
22 that we also believe a lot from traditional knowledge
23 as well too that caribou will adapt to that noise, but
24 they have to certainly remain aware of the trains
25 coming. We can't run them silently for both human and
26 wildlife safety.

1 Thank you very much, Madam Chair.

2 THE CHAIR: Government of Nunavut, Natalie
3 O'Grady.

4 MS. O'GRADY: Thank you, Madam Chair.
5 Natalie O'Grady, Government of Nunavut.

6 On the noise mitigations with respect to the
7 railway, I think for the whistle question, first and
8 foremost, it is a regulated issue by Transport Canada
9 because it has to do with safety and the road
10 crossings; however, as the -- if and when the rail is
11 commissioned and in operation, there is a potential
12 exemption to the use of whistles that Government of
13 Nunavut may be able to apply for; however, that would
14 require some coordination and collaboration with the
15 community, and first and foremost, safety.

16 I also heard Elijah say -- and thank you, Elijah,
17 for your comments -- more research on caribou and the
18 more knowledge that the proponent and I would say all
19 of us have will make the project better, and I think
20 we're very much in agreement there.

21 I think it ties into as well our deferred response
22 to the Nunavut Impact Review Board regarding the
23 question about the Government of Nunavut's experience
24 on going from an agreement in principle to implementing
25 the things we say we're going to do, such as
26 data-sharing agreement and research contribution for

1 collaring programs.

2 The timelines to reach final research agreements
3 really depends on the two parties' alignment on the
4 terms of the agreement that satisfy their respective
5 obligations. For the Government of Nunavut, through
6 the Nunavut Agreement, we have the ultimate
7 responsibility for wildlife management, and so the
8 Government of Nunavut has a legal constitutional
9 obligation to research and monitor caribou on a
10 regional scale. Baffinland, on the other hand, has an
11 obligation to monitor caribou with respect to impacts
12 their project may have on caribou in the area.

13 To address this gap, we endeavour to work
14 collaboratively with our comanagement partners, the
15 hunters and trappers organizations, and industry
16 because we believe that project-related effects can be
17 mitigated with appropriately informed management plans
18 supported by the Government of Nunavut's data.

19 The agreement in principle lays out a path towards
20 reaching an agreement on collaborative research and a
21 stable source of funding for the Government of Nunavut
22 with respect to caribou monitoring around the project.

23 I would note as well for the Board's question, via
24 the agreement in principle, we've committed to reaching
25 a finalized data-sharing and sample agreement and a
26 contribution agreement by January 2022. Average times

1 for past research agreements the Government of Nunavut
2 has negotiated with other industry partners largely
3 varied depending on the use and scope of proponents'
4 proposed monitoring programs.

5 Specifically with respect to engagement with
6 Baffinland between 2008 and 2011, a successful caribou
7 collaring program in the North Baffin was supported by
8 the proponent in the form of financial and in-kind
9 support such as fuel, accommodation, and use of a
10 helicopter. Financial support began in 2007 and
11 finished in 2010.

12 There was also a second contribution agreement
13 between the Government of Nunavut and Baffinland in
14 2016 for caribou monitoring, and it aimed to provide
15 population estimates and distribution of caribou to
16 inform our territorial management objectives for the
17 Baffin Island herd.

18 So I hope that information is helpful, and I think
19 I'll leave it there. Thank you.

20 THE CHAIR: It's 5:00, so we're going to
21 break for supper and reconvene at 6:30.

22

23 (PROCEEDINGS ADJOURNED UNTIL 6:30 PM)

24

25 (PROCEEDINGS COMMENCED AT 6:37 PM)

26 THE CHAIR: Welcome back. Continuing with

1 questions from community representatives. Mary Kuppaq.
2 Continued Questioning of Baffinland Iron Mines
3 Corporation, Registered Intervenors, and Nunavut Impact
4 Review Board by the Community Representatives from Pond
5 Inlet, Arctic Bay, and Sanirajak (Community Roundtable)
6 MS. KUPPAQ: (INUKTITUT SPOKEN - NO
7 TRANSLATION) probably not going to -- I'm probably not
8 going to say things correctly. I'm just going to say
9 what's on my mind. We all have individual thoughts.
10 The Elders -- as far as I can remember, I grew up
11 around Elders. I used to be around Elders, and I'll
12 speak like them. When we're talking about the topic
13 of -- or the subject of trains, a long time ago before
14 we had snowmobiles, we used to travel by dog team.

15 I am here to represent my community members --
16 members of my community, and I'm very pleased to be
17 selected to come here. While I was running -- I was
18 running along the ice, and I went to the edge and I
19 started listening, and I remember we could hear the
20 dog -- dogs when they were running, and then we could
21 hear the dogs breathing, panting, and I remember that
22 very clearly, and then I recall that as one of my very
23 first things that I knew as a young person when I was
24 with the Elders.

25 The Elders in the past were very, very careful
26 about taking care of things around their environment,

1 and they knew to be one with the things around the
2 environment. They were very smart in doing so. They
3 took good care of everything, and then they were also
4 training us -- to anyone, they never pointed at
5 anybody, Don't do this; don't do that. They just
6 taught us as we grew up to be older.

7 They knew how to speak with one another. They
8 were training us. There was no written books to say,
9 Okay. This is what we're going to learn today. They
10 just -- it was all natural learning, holistic learning.
11 And women knew what to do. Up to today, we're always
12 going to do this for generations to come.

13 I'm very proud about our Elders training younger
14 people today. We all have different ways of teaching.
15 We learn from the Elders. We learn from youth. We
16 learn from women. We learn from each other as we are
17 growing older. It should always be that way. It's
18 working collaboratively with each other, and the youth
19 are going to do the same. They're going to learn as
20 they grow.

21 I'm very pleased how we are doing this hearing.
22 We used to -- we used to live in igloos that were
23 attached to each other, and we had qulliqs as lamps.
24 Once we -- I entered, I used to tell my mother, she --
25 so you're training -- you've learned how to do
26 something. Her children were never just sitting around

1 doing nothing. They always helped -- we always helped
2 our parents.

3 The hunters are also around their natural
4 environment. They're never -- they don't just sit
5 around. They're learning, and they're doing things.
6 Elders are not going to be here for -- for a while --
7 for a long time. We have to keep carrying on our
8 traditions.

9 When I was growing up, these are things that I
10 started to notice, and today I have grandchildren, and
11 now I'm attending hearings such as this one. I'm
12 learning on a daily basis.

13 I notice people in here in this room, they all
14 have knowledge. We're always learning -- continually
15 learning from each other, and things are always
16 changing, and it's always been that way.

17 Sometimes we get to a point where things aren't in
18 agreement with us. If they -- if the people had
19 planned better, we wouldn't be sitting here. The
20 things that we are saying -- the things that I'm
21 saying, if they're all integrated in a better way, we
22 wouldn't have to be sitting around in this room. We're
23 always learning, and it's all part of our -- our lives.

24 The people that are here, they -- I want you to
25 know we are -- we are suddenly here using our
26 knowledge. People here -- the Inuit people here speak

1 holistically. So we're passing on our knowledge, and
2 then pass that on to our children. Don't be just -- be
3 an entity by itself. Please integrate yourself,
4 integrate our culture into your plans, into your
5 development. Don't point at people they're this and
6 that. Let's all become one. All the knowledge that
7 you're attaining in this room, integrate that into your
8 development. This is a step. This is the first step.
9 We're learning as we're going. There's all kinds of
10 ways to bring up our knowledge. Let's not just argue.

11 There's not just only one way of thinking. We
12 have to all -- let's not all just disagree. There's
13 ways to agree and move forward. Let's make sure that
14 you give all that you can. Let's just not talk
15 negatively. Send someone. Let's give -- think about
16 helping everyone.

17 As a woman, we used to -- we always make our seal
18 pelts supple so that we can create garments. It's much
19 easier when we have -- we make our sealskins supple,
20 but it's -- it's almost -- it seems sometimes
21 impossible to create something out of a hide or a skin
22 that's just stiff. We have to make it supple so that
23 we can sew and create clothing, and men are always
24 doing the same thing. They go out hunting. It's cold.
25 Sometimes it's raining. It's almost -- but they never
26 complain, like I said.

1 And then we need our culture to sew. If there's
2 no proper plans in place, then you may not get what you
3 want. Let's all work together and then put proper
4 plans in place so that -- and working together, we'll
5 be able to have one good development plan and develop.

6 We've always worked together as one. Around 1993,
7 Inuit -- I forget what it's called -- there are
8 traditional laws that we have. When we look at a
9 computer, there's things that we have to do in order
10 for the phone -- has to be -- we have to make it work,
11 and we got -- we have to think of ways -- how our
12 traditional culture or how we can renew and make them
13 useful for today's world so that we can work together.
14 And these are the things that I'd like to see -- the
15 things that I was talking about. Those are the ones
16 that I wanted to raise.

17 And here's another thing that I wanted to say
18 also. When I'm excited to -- I was awarded a polar
19 bear tag, and I got -- I got a polar bear pelt from
20 someone, but when I opened it up, it was rotting in
21 some areas. We don't want to see that. I won a polar
22 bear pelt not knowing that it was rotting.

23 But we as women want to have better jobs,
24 especially things that come from our culture as well.
25 We want -- there are things that we want. Yes. There
26 are caribou herds that may be possibly -- well, maybe

1 populate in our regions as well. Before -- it's not
2 always good to just think of money. We need to think
3 of other ways on how we can maybe attain furs and pelts
4 so that we can construct something out of them.

5 We don't rush. We don't rush when we're creating.
6 Never. Never rushing. If we rush, then what we plan
7 is not going to work out as much. We're rushing
8 into -- into this. We need to plan slowly and create
9 and develop slowly. That would have been the ideal.

10 All the legislatures, people that come with rules
11 and regulations, they're just coming up with all these
12 rules and regulations without thinking about the things
13 that are around -- around us. This is not part of my
14 culture. This is my culture when we do things slowly.
15 I have almost been discouraged to make anything because
16 now we don't have any caribou anymore.

17 There is different communities -- in some
18 communities there is more seals than in other places.
19 We have something more. We have different products in
20 each -- each community. They all come from the land.
21 We have to be prepared.

22 Some of the furs and pelts that we are -- that we
23 have, some are not good to work with, and because of
24 that, sometimes the things that we create from furs,
25 they don't turn out the way that we want them to turn
26 out. Let's not do that anymore.

1 There are things in our environment -- have to
2 work so that -- let's use IQ. We need to look at --
3 look at ways on how to use IQ as a tool.

4 And think about our children and our
5 grandchildren. I didn't even know that we were
6 preparing our children for their future. Sometimes
7 there is less -- less of -- less animals in some areas.
8 I am not scared to say -- I'm not scared to say
9 anything to anyone. I'm just voicing my concern, what
10 I feel. I have to ask questions. I'm curious. When I
11 get curious, I have to -- I ask how can I attain this
12 goal that I want to get to. So I always ask, and then
13 they teach me.

14 When we ask questions, we get more help. Let's
15 not just -- let's just not just leave things the way
16 they are. Where can we -- where can we attain our
17 goals, and let's just not continually argue.

18 We can't have plans that we don't understand.
19 That's what I wanted to raise as a concern to the
20 organizations that are here. It could be a question.
21 I could make comments so that -- let's not put each
22 other down. Let's get some answers. Let's get some
23 understanding as to what you're trying to achieve
24 because that's a big thing.

25 I was trained to ask questions and not be shy. I
26 am not pointing at anyone. I'm just following what I

1 learned to do. That's the way I am. Thank you.

2 I'm so happy that women are here at this hearing
3 and are allowed to speak what's on their mind. We have
4 children, grandchildren. Are we trying to attain an
5 achievable goal for them so that they can be involved?
6 I was very, very proud of the youth that raised his
7 concerns. That's the way to do it. I'm so, so happy
8 that he was able to ask questions about things that
9 were on his mind on behalf of his representatives. We
10 can achieve anything. Thank you for allowing me to
11 speak my mind.

12 (APPLAUSE)

13 THE CHAIR: Qikiqtani Inuit Association,
14 Olayuk Akesuk.

15 MR. AKESUK: (INUKTITUT SPOKEN - NO
16 TRANSLATION). Let's not go into little pockets. Let's
17 all --

18 THE INTERPRETER: I'm so sorry. I'm very, very
19 sorry.

20 THE CHAIR: Olayuk Akesuk.

21 MR. AKESUK: Thank you, Madam Chair.
22 Olayuk Akesuk, Qikiqtani Inuit Association.

23 Those were very good words that were said --
24 comments that were said, very happy to hear that.

25 As associations and as boards and organizations,
26 the company, when we work together, we can attain

1 anything. I think we have to ask more questions, and
2 when we do that, we can get stronger. We can only get
3 stronger. I'm very happy about the words that were
4 said by the woman that spoke before me.

5 Yes. We have to think of ways about how to have a
6 good direction so that we can have good, proper
7 development up here. The Government of Nunavut, we
8 have to work together and then use Inuit
9 Qaujimajatuqangit, Inuit traditional knowledge more and
10 integrate that more. I don't -- let's not look at the
11 negative side. Let's look at -- look forward to
12 working together.

13 As a member of my association, I was very pleased
14 to hear and telling us what we should be going towards
15 instead of looking at arguing with each other. Thank
16 you. I'll try to attain that always.

17 Thank you, Madam Chair.

18 THE CHAIR: Nunavut Tunngavik
19 Incorporated, James Eetoolook.

20 MR. EETOOLOOK: Thank you, Madam Chair.
21 James Eetoolook, NTI.

22 Thank you for those words. That was very clear.
23 Yes. We have to -- yes. As Inuit, we always do that.
24 We're always -- when we come upon struggles, we work
25 towards how we can help.

26 When men go out hunting, they try to catch things

1 from the sea such as seal hunting. They try to share
2 so that they can share with the rest of their
3 community. They used to use the fat for heating, used
4 the meat for eating consumption. Yes. Let's use Inuit
5 traditional knowledge and integrate that towards the
6 development.

7 I think we're -- I think we're following too much
8 of Western society. We -- especially we have many
9 social problems. We need to think of ways on using --
10 how we can use our culture, our social values. How we
11 can have better people, turn towards better goals.

12 As Inuit, we don't look at people who do -- who do
13 criminal activity and then they get pinpointed saying
14 Oh, that person is no good. As Inuit, we're not like
15 that. We try to find ways on how to help that person
16 so that they can attain a vision or a goal to strive
17 for. That's our traditional knowledge. We can move
18 forward.

19 Sometimes we struggle when we're trying to come up
20 with agreements. For ten years we were trying to come
21 up with an agreement so that we could have a claim --
22 land claim. That was -- we had many struggles, but at
23 the very last day when we were -- we were able to --
24 when we put it to use, that was our happy day.

25 If we didn't have an agreement, the things that
26 we're doing today like royalties, we wouldn't have

1 those. But since we have an agreement for everyone,
2 there will probably be other things that could maybe
3 benefit us, but the government had to agree while we
4 were negotiating the agreement.

5 We always have to help each other. That's the
6 only way we can solve anything. That's the best way.
7 We have always done things this way.

8 I know that for a fact that we would have been way
9 behind, but -- because it's -- Inuit traditional
10 knowledge involves working together. This is
11 attainable. Anywhere around the world, every culture
12 comes -- there's different religions around the world.
13 There's different cultures, traditions around the
14 world, and, as Inuit, we're one of them.

15 But this -- when we have disagreements, we always
16 think of ways on how to attain and come to an
17 agreement, and that's a consensus amongst Inuit.

18 Thank you.

19 THE CHAIR: Mary Kuppaq.

20 MS. KUPPAQ: Many questions that have been
21 raised are many. We need to have -- we have many
22 questions, and they need to be answered. Some weren't
23 answered properly. I think some of them were
24 forgotten. Are they being written in the recordings on
25 paper as to what we are saying and asking questions or
26 answers to the questions, and that's got to be done.

1 Don't just step on them. We want to see certain things
2 that are viable because people have been impacted
3 greatly in Pond Inlet. We know. They have a beautiful
4 land, environment. There's a lot of abundance of
5 wildlife. How can we protect them? How are you going
6 to protect them? What's going to happen?

7 When you're outside of this work, it's -- we are
8 concerned. Are they being felt what they are relaying
9 to you or what they are saying to you? I identified
10 something earlier. We have to follow what I was saying
11 earlier. Are you following what we are saying? We
12 want to see in paper. Do you have anything in paper
13 that are identified for our concerns?

14 You have the same feelings. Our people have
15 feelings like we do. All of us in Nunavut, we have
16 been hearing people up there are being impacted. What
17 are we going to do? How are we going to deal with it?

18 And the money will be put in the pockets. What
19 are they going -- Elders use? They are impacted
20 greatly, like I said earlier.

21 If we start to sink, when they're 60 years old up
22 to the Elders, maybe you should retribute them for
23 money -- with money to pay them.

24 There's five of us. We're just hearing things on
25 the side. If we are going through like they are going
26 through, would we get support and help, and what are we

1 going to do? Where are we going? This is our land.
2 This is our Nunavut. Arctic. We need protection for
3 our environment and the people.

4 We hear day by day of the impacts that's
5 happening. We want to help them on the side, and still
6 they're being stepped upon of the desires of what they
7 are trying to relay to you. If it was in the past, you
8 would have been scolded by Elders already and be
9 advised about many things.

10 And you're not feeling what they are feeling. We
11 hear -- you hear how they want to get help. It's going
12 from ear to the other -- throughout the other ear.

13 I think this is what I have to say. It's been in
14 me for a very long time, and I just let it out this
15 evening because we are affected. We're impacted.
16 We -- I want to get help. I want to get support. Yes.
17 Not just resources. We're just standing with money.
18 We are surviving with money. I don't want to be
19 sitting around without doing anything. I won't go
20 anywhere. I'm glad students are going to higher
21 education and high schools, and they work for -- in the
22 work force. I know some of what I was saying may not
23 mean a lot, but we see -- they're going to see what we
24 see. Is it going to help them?

25 Thank you. I've said what I wanted to say for a
26 very long time. I'll be more in peace, and I will want

1 to get more information to assist me with answers to
2 some of my questions and concerns.

3 Thank you.

4 THE CHAIR: We'll go to Baffinland. Udlu
5 Hanson.

6 MS. HANSON: Qujannamiik. Udloriak Hanson,
7 Baffinland.

8 Thank you for sharing some very humbling and
9 grateful to -- to hear some of the Inuit
10 Qaujimagatuqangit principles that we should be
11 applying. It's a good reminder that we hear how we
12 need to apply Inuit knowledge into our operations.
13 This is a good reminder of how we need to incorporate
14 it into how we interact, how we -- what kind of
15 relationships we have, our communication. We have lots
16 to learn as a corporation, but I'm not doing this any
17 justice in English. I think it would come across more
18 beautifully and genuinely if Joe could please do it in
19 Inuktitut. Qujannamiik.

20 THE CHAIR: Joe Tigullaraq.

21 MR. TIGULLARAQ: Thank you, Madam Chairperson.
22 Joe Tigullaraq, Baffinland -- from Baffinland. Sorry.

23 It's very good to hear what she is saying to us,
24 and reminding us how we should be doing our work as
25 Elders and understanding -- relaying it to us, and we
26 take it.

1 And what she said earlier, the points she made are
2 very useful for -- we want -- you want to understand
3 everything clearly and perhaps from -- in 2015, Phase 2
4 was -- began our work in coming to the communities, and
5 up to now -- and there's concerns in trying to
6 understand. We used to -- we went to the communities
7 to consult with people in Igloolik, Mittimatalik, Clyde
8 River, Arctic Bay. And the works that we're trying to
9 do at the time in 2015 up to the years, and the NIRB
10 was given mandate to do the hearings.

11 And this Phase 2 that we're trying to work on was
12 brought out. Up to today there's been many changes to
13 it in the plans and the work they want to do, so -- and
14 we hear from people for -- I mention changes that we
15 have to make from hearing from the people that are
16 affected, and what you are saying is very true, and we
17 have to look for answers for the problems that arose.

18 And we've been asked questions concerning our
19 work, and when we were in the communities, sometimes we
20 ask questions from the people of the communities at the
21 same time, and sometimes people misunderstand issues as
22 well. And the communities have had assistance and help
23 through funding, although one person does not get any
24 money, but collectively. So maybe -- and to make a
25 point, I wanted to relay that.

26 And for -- there were -- 400,000 have been given

1 for the past two years for gas for the communities --
2 affected communities for assistance. And also the
3 ships that are coming up, and they were -- 2,000 have
4 been given from Baffinland for -- and \$10,000 per ship
5 has been given to Pond Inlet. It would be in that
6 amount in 2021, and also we help with -- from
7 Baffinland for the homeless, and we assist them with
8 that and the other families, and we also -- for the
9 communities we also give other assistance, and there's
10 an application to fill out for some people that want to
11 get help, and they can use the money for anything they
12 wish to the five communities -- affected communities.

13 I'm just saying we're proud of -- to do that, but
14 it's -- I think it's for helping them in a way they
15 need it for some people. And if Phase 2 goes ahead,
16 the Inuit, we would have -- we have the ICA agreement,
17 and for also -- we would be building a mechanical
18 building to assist them with that, for vehicles and
19 for -- that have vehicles themselves, they would be
20 able to go to that building, a garage to assist them to
21 repair their machines or -- for Hondas or -- that would
22 be built. They would not have to pay fees on top of it
23 for repairs.

24 But for parts they would have to pay for their
25 own, and we would build -- want to build garages
26 through Baffinland -- through the ICA, and through the

1 agreement -- now through the agreement -- through the
2 agreement -- sorry -- and assist them with the garage,
3 repairs and things. So -- and if there should be any
4 broken Hondas or trucks or cars, the communities
5 then -- Hall Beach would be first to get the building
6 going for the garage, and if that's approved -- if
7 Phase 2 is approved -- in that as ICA using through it
8 that we would try and get others -- other services
9 approved and get going in the communities, and
10 Baffinland would also build an office, and the staff,
11 maybe they're seven people that would be employed to
12 assist the people within that office. They would have
13 a learning centre. It will have a capacity of 20
14 people, and this is the plan that those that are being
15 trained in the facilities, every six months after 20
16 students finish, and then other communities would be
17 involved as well from the five affected communities to
18 be trained.

19 So that -- are being trained -- that I was talking
20 about by -- whoever wants to work for Baffinland, it's
21 up to them if they want to work for Baffinland after
22 their training. And they -- even though they were
23 taught by them, but they could also going to other
24 venues to go work anywhere. And if they want to work
25 for Baffinland, it's up to them after the training.

26 So I'm just bringing these up, and the fundings --

1 for fundings for -- I was trying to find out about the
2 funds, but I'd like to say I want to give others an
3 opportunity to speak more on that, and what you were
4 saying was very useful and helpful to us and speaking
5 to each others and talking to each others.

6 Thank you, Madam Chairperson.

7 THE CHAIR: Qikiqtani Inuit Association,
8 Olayuk Akesuk.

9 MR. AKESUK: Thank you, Madam Chairperson,
10 Olayuk Akesuk from QIA.

11 Things that we have to do through the ICA, what we
12 need to fix and do, and Richard Paton will
13 speak -- sorry -- and he goes to the communities as to
14 how we could assist more in those affected communities.

15 Richard.

16 THE CHAIR: Richard Paton.

17 MR. PATON: Thank you, Madam Chair.

18 Richard Paton for the Qikiqtani Inuit Association.

19 I would like to thank Mary for her insight in how
20 we all need to work together.

21 Inuit knowledge holders are the ones who will lead
22 information collection through their understanding of
23 the lands and resources around them. Collective
24 knowledge from everyone, both Inuit and non-Inuit, is
25 how we envision a role for the environmental working
26 groups. This is critical to changing the current

1 project.

2 Inuit have demonstrated and continue to need to be
3 the leaders for environmental monitoring and management
4 for any mine expansion that has an impact on Inuit.

5 Right now, Inuit are sidelined in the
6 decision-making process, and Inuit observations, like
7 yours and others, and the needs of Inuit are not taken
8 seriously enough in the environmental working groups.
9 It is where we need to come together.

10 QIA's -- Qikiqtani Inuit Association's position is
11 that there must be a mechanism whereby Inuit receive
12 advice and information from multiple sources, the
13 working groups being one of those sources, and Inuit
14 are free to consider all the advice and information
15 provided and make decisions about what steps and
16 mechanisms are needed to protect Inuit rights based on
17 Inuit's own independent deliberations.

18 Qujannamiik, Madam Chair.

19 THE CHAIR: Nunavut Tunngavik
20 Incorporated, James Eetoolook.

21 MR. EETOOLOOK: Thank you. James Eetoolook at
22 Nunavut Tunngavik Incorporated.

23 The comments that were made about support and
24 being able to express yourself freely, and that's what
25 it says in the land claim agreement, that we hold
26 public hearings on issues relating to Inuit -- not just

1 in the mine industry, but different development being
2 done in Nunavut, and that's the process. That is what
3 we do through the land claim agreement. Because Inuit
4 must have a say in major developments being done in
5 Nunavut and in area of wildlife and environment. We're
6 the main component to why we negotiate a land claim
7 agreement. And in Canada and Alaska, there's different
8 types of environmental conventions or agreements --
9 international agreements concerning these rights. And
10 also to develop economic development opportunities.
11 And it's not just our organization, but also the
12 federal government and other partners that we have that
13 need to look at it as well, and we're going to have to
14 work together to deal with the issues and concerns that
15 are being discussed today, and these are very major
16 issues that we're talking about. It's about health,
17 socioeconomics, and environment that we are concerned
18 about, and I know that we can work together to resolve
19 these issues.

20 And Inuit are very good at working with others,
21 whether they're the mining industry or the oil or gas
22 development industry or any other projects being
23 proposed in Nunavut. Through the land claim agreement,
24 it says that Inuit have the right to be involved in the
25 decision-making process, and we have to work together
26 and come to agreement not just to introduce something

1 for Inuit to follow, but actually be involved in a --
2 in a way that Inuit want to be involved. And this
3 Western society believes, and Inuit believes is nothing
4 new that we have to deal with.

5 We've had to deal with Western science based on
6 epistemologies, what we have to deal with, and Inuit
7 beliefs are based on anthropological beliefs, Inuit
8 beliefs.

9 And Western science, what they study is what Inuit
10 already hold. Through our traditional beliefs, we are
11 able to pass on our knowledge that the science is
12 trying to figure out today, and not just in mining but
13 in other major developments, and not just through
14 environment but polar bears, seals, whales, marine
15 mammals; in every aspect of our environment and
16 animals, we have to deal with scientists and so-called
17 experts on our animals.

18 And if you can at least try to incorporate Inuit
19 Qaujimajatuqangit -- Inuit Qaujimajatuqangit, it's
20 based on anthropology, 15, 20 years of survival based
21 on facts and life. We learn throughout these
22 generations, and I know our next generations is going
23 to learn them as well. That's all I have. Thank you.

24 THE CHAIR: Crown-Indigenous Relations and
25 Northern Affairs Canada, Spencer Dewar.

26 MR. DEWAR: Qujannamiik, Madam Chair.

1 Spencer Dewar, Crown-Indigenous Relations and Northern
2 Affairs Canada.

3 It's very true what James Eetoolook pointed out is
4 the Nunavut Agreement allows for public participation,
5 which is critical, and Inuit do have to have a voice in
6 major developments in Nunavut.

7 I appreciate that Mary spent a lot of her time
8 talking about inclusion and making sure people work
9 together. I think that's very encouraging, and I can't
10 agree with her more that we all learn something every
11 day.

12 THE CHAIR: We'll take a 15-minute break.

13 (ADJOURNMENT)

14 THE CHAIR: Welcome back, everybody.

15 Continuing with questions. Jopie Kaernerker.

16 MS. KAERNERK: Thank you, Madam Chair. Jopie
17 Kaernerker from Hall Beach, representative. My
18 question -- I have two questions. And I know there was
19 some very interesting comments being made, and I myself
20 would like to encourage everyone to work together, to
21 come together, and there was a question posed to the
22 department of Fisheries and Oceans last couple of days,
23 but I'd like to ask about the hydrophones or acoustics
24 that have been put to record wildlife in the ambient
25 environment.

26 So what exactly do you use them for, and how long

1 are they going to be on the seabed? How long do they
2 last, and how long are you going to be recording? Our
3 hunters in our community, there's very few hunters now
4 going out from our community, and they have noticed
5 that there's hardly any wildlife to hunt anymore, and
6 they feel it's because of those acoustic recorders and
7 the recorders that have been put on our seabed, and I
8 believe there was someone who put these hydrophones and
9 acoustics monitoring recorders on our seabed to --
10 there to help the ships and to make a passageway for
11 the ships because we've noticed there was lots of baby
12 seals before and lots of seals before, but we've
13 noticed that they're in decline.

14 And before even fish, too, is being implemented.
15 We're already feeling the cumulative effects of just
16 the initial stages of the proposal, and I myself would
17 like to stress that you remove those from the seabed,
18 and I'm sure any one of you can investigate this to the
19 computer because you can locate them through the
20 computer because they're recordings through the
21 satellite, and we want to make sure because the ships
22 can use the satellite system for navigation instead of
23 using these devices that you put on the seabed. We
24 would like to have them removed.

25 Thank you. That's my first question.

26 THE CHAIR: Baffinland, Udlu Hanson.

1 MS. HANSON: Qujannamiik. Udlu Hanson,
2 Baffinland. I'd like for Lou Kamermans to answer,
3 please.

4 THE CHAIR: Lou Kamermans.

5 MR. KAMERMANS: Lou Kamermans, Baffinland.
6 Thank you, Madam Chair.

7 So I think what we're talking about here are the
8 acoustic recorders that we discussed earlier in these
9 hearings. You know, when I talked about them at the
10 time, I think I left out a very good example because I
11 was trying to stress how much that these devices --
12 they just listen. They don't emit sounds. They're
13 like a fly on the wall or turning your phone on to
14 record. They just listen, and if they made a noise,
15 that would work against what we're trying to do which
16 is listen to the natural environment and listen to how
17 our vessels may interact with that natural environment.
18 So they're very much there just to listen. They don't
19 cause an acoustic disturbance to animals.

20 We don't have any in the waters near Sanirajak or
21 Igloolik now. The program is entirely run in Milne
22 Inlet and Eclipse Sound. They're put on the sea floor
23 in July of a given year. They'll record through the
24 summer, and then we'll generally pick them up in
25 September where we either remove them completely or
26 just change out equipment and place them back in the

1 water so that they're present the following year when
2 they'll turn on automatically and start listening again
3 to our activities at the beginning of the shipping
4 season.

5 So I just got a clarification as well that when I
6 say there's no recorders in Sanirajak or close to
7 Sanirajak or Igloolik due to the Steensby project, they
8 were never even placed there when we were conducting
9 baseline for Steensby, so they've never -- we've never
10 placed those in any of those waters.

11 And I think you also mentioned that they could be
12 there for shipping aids, but, again, that's not the
13 program they're a part of. They're not meant to help
14 vessels find their way. They're strictly part of a
15 program that we implement under our project
16 certificate. And like I said earlier in the week, that
17 program is going to be discussed with the Marine
18 Environment Working Group given the concerns that
19 people are bringing to us about those acoustic
20 recorders being there, and we look forward to reporting
21 on the results of that meeting, when possible.

22 Thank you. Qujannamiik.

23 THE CHAIR: Fisheries and Oceans Canada,
24 Gabriel Bernard-Lacaille.

25 MR. BERNARD-LACAILLE: Thank you, Madam Chair.
26 Gabriel Bernard-Lacaille with Fisheries and Oceans

1 Canada.

2 Thank you again for the questions and for sharing
3 your concerns related to acoustic recorders.

4 So first of all, as Baffinland has said, these
5 devices are used to record noises, and they do not
6 actually emit any noise. When we use these devices, we
7 are using them to measure sound to have a better idea
8 of what type of noise animals in the water might be
9 experiencing. This is why we have also suggested to
10 Baffinland in recommendations for the Phase 2 project
11 that they engage with the communities to place some of
12 these devices so that we can better understand
13 potential impacts from noise from the project.

14 To our knowledge, using these recorders is the
15 only way to measure noise underwater, and, thus, the
16 only way to better understand impacts from noises in a
17 Western science manner.

18 Finally, as I said earlier, DFO does not have any
19 of these devices in the waters near Sanirajak, and
20 every time that the department would like to deploy one
21 of these devices, we would seek permission from the
22 local hunters and trappers organizations.

23 Thank you, Madam Chair.

24 THE CHAIR: Jopie Kaernerck.

25 MS. KAERNERCK: Thank you, Chairperson. Jopie
26 Kaernerck from Sanirajak.

1 And another question: For the boats, ships going
2 through our waters, are you aware as Fisheries and
3 Oceans department about all the ships that are in our
4 waters? Thank you.

5 THE CHAIR: I think this belongs to
6 Transport Canada, Jackie Barker.

7 MS. BARKER: Jackie Barker, Transport
8 Canada. Jaideep Johar will provide this response.
9 Thank you.

10 THE CHAIR: Jaideep Johar.

11 MR. JOHAR: Good afternoon, Madam Chair.
12 Can you hear me?

13 THE CHAIR: Yes. Go ahead.

14 MR. JOHAR: Good evening, and thank you
15 very much for that question. Transport Canada monitors
16 the ship traffic in the Arctic. We have a 24/7 duty
17 officer which monitors the traffic in the Arctic. We
18 work in conjunction with the Coast Guard to look at the
19 vessels' traffic.

20 The ships are required to report 24 hours before
21 coming into our waters, into the Arctic waters, and
22 then every four hours of their position. We monitor
23 the ship's activity, their passage, and if we think the
24 vessel is not in compliance with our regularity
25 requirements, we will take enforcement actions as
26 required.

1 So just to summarize, at any moment we will have a
2 very good idea of the ships which are transiting in the
3 Arctic, except for a small vessels or pleasure crafts
4 which don't have the equipments, are not required to
5 have the equipments to report. Having said that, there
6 are AIS repeaters in the Arctic which can get that
7 information as well. Thank you, Madam Chair.

8 THE CHAIR: Joanna Inualuk-kunuk.

9 MS. INUALUK-KUNUK: Joanna Inualuk-kunuk. Thank
10 you.

11 Yesterday there was a mention about Inuit
12 Qaujimagatuqangit. I thought of -- yesterday I was
13 remembering when Inuit Qaujimagatuqangit is utilized.
14 I was born in a sad house as an adopted person because
15 the person that adopted me, her children would pass
16 away, and after I was adopted, her children were now
17 able to live, so for these people and what they know,
18 they are true. So even though we seem to have this
19 sort of, you know, on the air kind of belief or belief
20 from grasping air, but I do believe that if the person
21 is not able to look after people even though -- if they
22 believe that if they are adopting a person, that they
23 would have the ability to have more children
24 afterwards, and that's how I was adopted.

25 And my father, I'm thinking of him now because I
26 would love to ask him what he thinks about all this and

1 about his wisdom and his training and his discussions
2 about life in general. I would love to ask him
3 questions. He's been passed away quite some time now.

4 Wow. My parents were there. We were moved to a
5 residential school, like, given from a home community,
6 given to the school to -- because people thought that
7 they were more wise at the school because they had nice
8 things. People believed that they were wiser, so for
9 us that have been shipped off to basically the
10 residential schools, so we had some -- we didn't tell
11 our parents that there was an abuse. We were not
12 allowed to talk to our parents about the abuses, and we
13 were told to pretend to have sex. Sometimes there
14 would be whipping, and we had to -- we had to put the
15 dunce cap and put the gum on top of our nose.

16 I'm not asking for pity. I love myself. And I'm
17 not asking for an apology. I'm not asking about that.
18 These are the things I had to endure. We were alone.
19 When we go through these things, we are alone. But
20 when they started looking into these things about the
21 residential schools and started looking into the
22 records and there was disclosure from the government,
23 all of our health records, how many people are getting
24 help because of mental health? How many suicide
25 attempts have there been? People looking at what's,
26 you know, our medical history about our mental health?

1 And also because -- we would drink because we were
2 hurting, and there was also record looked into myself
3 whether I got police record or not. Perhaps 256 or 259
4 times I was taken into custody by the RCMP because I
5 was hurting. I'm telling you about myself because I've
6 gone through this.

7 And there comes a point when you can be okay.
8 Based on what the Inuit knowledge is, I can be okay.
9 We lost our son who died from illness before he was 27,
10 and then his wife passed away and our youngest passed
11 away, and the person who -- a mother never really
12 thinks about burying their children. It's never in
13 their thought to bury their children. It's not even a
14 concept, but we go through it.

15 I have two grandchildren. They don't have
16 parents. They don't have a mother or father, and the
17 other one doesn't have a -- has one eye that is blind
18 and always has to take medication. He'll never be a
19 hunter. We know that. When it gets darker, he gets
20 more blind. When it's near brightness, he gets -- he
21 won't be able to see more.

22 At one point in my life, I will be leaving them.
23 Who's going to be looking after my children, my
24 grandchildren? They will not be able to look up
25 them -- but the one with the -- the one who has the
26 blindness is very good with computers. He can make

1 some really good stuff with the computers, and I would
2 think about -- I hope he gets recognized about his
3 computer capabilities and that he could be trained, and
4 that -- so that they would be able to look after
5 themselves. So these are the things that the Inuit go
6 through.

7 In Pond Inlet, we didn't have narwhals. Once the
8 narwhal is done, the narwhals came back. They were
9 happy that the dock was finished. That's what it felt
10 like, that way. For two weeks people are hunting
11 caribou, and I was even participating. It was lots of
12 fun, and it was so joyful. I don't even think about
13 what things are happening because there is so much fun.
14 How nice.

15 As I worked at Mary River before, and while I was
16 working there, and I was a cultural advisor for the
17 Inuit, and sometimes I would be interpreting and also
18 to help those who are grieving and people who have
19 lost. Those that are working there could do other
20 things, but sometimes I would be protecting them, but
21 what I like best in working with the Inuit, even though
22 they were not from the same community, when they became
23 orphans with my grandchildren, the other one was
24 clinging to me, so the grandchildren wanted to stay
25 with me, so I was feeling sorry for them, so I quit my
26 job. I needed to bring this child up. Now I had to

1 think about giving them a future all over again. So
2 what are we going to do about these orphans? What
3 future am I planning for them? I don't know. I have
4 absolutely no idea.

5 When I asked for funding from the government about
6 the residential schools, I was writing applications for
7 the residential school funding, and I was looking. I'm
8 thinking I'm worth over a hundred thousand dollars for
9 the apologies that is needed to be given to me because
10 we're here because of money. What about the value of
11 the wildlife? What about the value of the human life?

12 For the government, when they apologize to me, it
13 costs them over a hundred thousand dollars just for me.
14 For this, being an Inuk is very important to me. The
15 words -- if I have to be careful about the words to
16 ensure that if I'm going to write it down or say
17 something, I could, you know, have someone else believe
18 it. Even if I write it -- don't write it properly, I
19 would ask someone who is a grammar expert, Can you give
20 me good grammar for this word that I want to say? I
21 can ask -- so no one can change -- this is me. Only I
22 can change myself.

23 I wish that this project would be properly fixed.
24 Sometimes there are languages written down that don't
25 even seem -- like, the way we're talking -- scary words
26 that are -- that don't come from me. It would be kind

1 of scary for me. I wouldn't be scaring other people
2 like that with very tough words like that, but for my
3 grandchildren and my great grandchildren -- so all of
4 this, my family, they don't have -- I don't have
5 parents. I don't have father or mother. For myself,
6 me, and my grandchildren, I love them very much because
7 they're all that I have. I love them very much. They
8 are very important to me, but I want to leave them a
9 nice thing. How do we help each other? How can we
10 help each other out?

11 I don't want to be a councilor anymore. I just
12 want to help other people. I'll just volunteer and not
13 be on a board. I just wanted to be a volunteer.
14 That's my dream, to be a volunteer. That's my dream.
15 At least I don't have to have a boss. I don't have to
16 listen to people. That would be my ideal job.

17 So yesterday when we were talking about Inuit
18 knowledge, I wanted to mention I'm tired of being
19 scared. I'm tired of being afraid. Whatever may have
20 happened to me in terms of abuse, I'm tired of being
21 abused. I'm not going to be shameful. I'm not going
22 to be ashamed because this is what I went through.
23 Just me. I went through that. I thought I was alone.
24 I felt alone at the time, but I wasn't the only one.
25 There are other people my age who are like me. Maybe
26 they can't stand up yet very well.

1 For the younger people, for the people that were
2 talking about the residential school, we have touched
3 them. Yes. We have touched -- being part of the
4 residential school system, but we can go past that just
5 by talking, by crying, by going through the pain we
6 can -- it can go away. There's a way.

7 I'm proud to be an Inuk. I don't want other
8 people to fix the things that have to be my life with
9 great big words. I don't want other people to speak
10 for me. I would prefer to have -- to speak for myself
11 the truth that I know.

12 So narwhal tusks are very expensive these days, so
13 people were catching narwhals in my household. At one
14 point, they had \$24,000 because of the tusk. They
15 could buy a boat. They can buy motors or guns. No
16 wonder narwhals are something to be wanted to have, and
17 this is the big push because of the money that is
18 involved. I have no more to say. Thank you for
19 listening.

20 THE CHAIR: Moses Koonoo.

21 MR. KOONOO: Thank you, Madam Chair.

22 I'm feeling a bit old. I want to speak alongside
23 the residents of my community and represent them.
24 Sometimes we have -- I have a friend that should be
25 here, but he's having difficulty breathing, so he asked
26 me to come and help represent my community. We didn't

1 even have time to say goodbye. We had a hard time
2 because of COVID, but the hearing continues on. COVID
3 has eased somewhat, and that's why we're here.

4 The members of my communities, I have asked some
5 of my -- the members of my community to come here.
6 There's no one from -- representing our hamlet, and the
7 person that was supposed to come here with me was
8 unable to come, and we have very few staff at the HTO,
9 and we don't have too many -- we don't have too much
10 technology at our office.

11 The people that were going to come and represent
12 the hamlet, they didn't submit their names -- they
13 didn't submit their names on time. They didn't
14 register on time, so that's why we're here. I'm just
15 going to speak and summarize.

16 I am going -- I am wondering if I could speak on
17 behalf of my -- our hunters and trappers organization,
18 and after that, if I get accepted by Madam Chair, I
19 will continue to make a comment.

20 THE CHAIR: Go ahead.

21 MR. KOONOO: Thank you, Madam Chair.

22 I'm just going to speak a little bit about this.
23 There were questions about whales and about how well
24 they can hear. While I was young, I've always been
25 around whales. Today even though as I'm ageing I still
26 see them. I just love whaling in the springtime. I'm

1 going to speak a bit about how well they can hear.

2 While I was at the Montreal Airport and also at
3 another time I was at the Ottawa airport as well, and
4 sometimes I would go by train, and sometimes I would
5 take flights here, short flights to nearby communities.
6 From here to Kimmirut, about the same -- same length
7 of -- the same distance, we -- we noticed that the
8 whales could hear about that distance, far away. If
9 I'm standing here in Kimmirut, when the planes flew by,
10 they could hear the planes flying by. They could hear
11 the radios. My radio number was 926, 354. There was
12 different people with different numbers on their
13 CB radios. The radio -- we could hear the ship leaving
14 from -- they would bellow out "security, security" as
15 they're doing their departure.

16 Just right after that, the whales used to start to
17 move because they heard the ship's captain saying,
18 "security, security". While I was -- I could see the
19 whales. They -- the whales started to disperse
20 about -- about three days later when the ship left, the
21 ship was quite a ways. There were inlets over there.
22 Anywhere else, there's the Admiralty Inlet. It's one
23 of the biggest inlets in the world. The whales can
24 hear great distances.

25 I'm going to speak to the department of Fisheries
26 and Oceans. Sometimes they would say -- there's a

1 place called Eclipse Sound, that beautiful sound by
2 Pond Inlet. There's whales that go there, and across
3 Arctic Bay, the whales would start coming in through
4 Admiralty Inlet and start feeding from the bottom of
5 the sea once they don't -- once they're not disturbed.

6 We have been hearing that there's two different
7 stocks. The whales that are by our community,
8 there's -- I found a buoy that I was trying -- I was
9 trying to get at the buoy, but we weren't able to get
10 it. It got taken by others. There was -- a harpoon
11 had attached to it. The buoy that was attached to the
12 whale would go down because when the whale went down,
13 the float would go down with it.

14 It was caught over in the Pond Inlet area and then
15 was shot. The float was shot, and it was attached to
16 the -- to the whale. It came from a great distance,
17 from near Pond Inlet, and it went and swam all the way
18 to our inlet. I remember that very clearly.

19 After they were going through that area, they
20 would go in circular motion from Pond Inlet to
21 Admiralty Inlet. There's whales that travel through
22 there -- migrate through there. We used to see tagged
23 whales as well. We know by computer which way they
24 migrate through. One of them had a float that was
25 attached to it, so we were watching it for quite a
26 while. It was near Pond Inlet, and then it would go

1 towards our community, and then it would go out through
2 the floe edge, and then it would go in a rougher part
3 of the sea, and then the people of Igloolik used to --
4 used to go near their community and all the way as far
5 as Takivalut [phonetic] region.

6 After it was in that area and then towards the
7 fall time when the migration began to go back towards
8 Hall Beach sea, there was a lot -- a lot of whales in
9 that area and feed there.

10 After I'll speak to another topic. To the
11 Qikiqtani Inuit Association, I would like to ask a
12 question to them. The ICA, before the hearing is over,
13 I wonder if it's possible for your association to read
14 it to us because a lot of us in here don't understand
15 what is in it. If it's going to be part of the Phase 2
16 project, I think -- I think there's parts of it where
17 we are -- where we should know about some of them at
18 least. Only if Phase 2 is to go ahead, the ICA will
19 come into effect.

20 I wonder -- it's okay if I don't get an answer
21 right away, but I would like to see if it's possible
22 for the Inuit association could read it to us. The
23 communities have -- and if some of the hamlets have
24 signed the agreement. I don't know which person it
25 was. Maybe from Sanirajak. The hunters of Arctic Bay,
26 I don't think they've signed that agreement, the ICA

1 agreement, and that's why I wanted to make this
2 comment.

3 Another comment -- Cornilius Nutarak has also
4 spoke to this topic as well. While there's making
5 plans in place, when the trains are going to transport
6 the iron ore, they should be covered. I wonder if
7 that's -- if that's what the -- Baffinland is saying.
8 Can we get an answer? I think that they should be
9 covered when they're transporting the iron ore.

10 When they were getting ready for Steensby Inlet,
11 that it was going to be open, they were going to
12 transport their goods up to Milne Inlet and then
13 transport the iron ore through Steensby Inlet. We had
14 first agreed to that, and then they wanted to transport
15 18 million tonnes, and then the train -- that there was
16 going to be a tunnel through parts, in areas by land.
17 I don't know if we're not ready or if we don't know
18 enough.

19 We were really happy that Milne Inlet was going
20 to -- was not going to be the transportation corridor
21 anymore. We were happy with that, and now they want to
22 do -- they want to -- they want Phase 2.

23 I'm going to make a comment about the employees.
24 85 percent were going to be employed with this -- with
25 the mining company. It seems like there's only
26 20 percent. I think there's even less than 300 or so

1 that are actually Inuit beneficiaries that are working
2 there. I wonder if there's any way -- because they
3 don't seem to really -- it doesn't seem right that they
4 only have hired a few Inuit people there. I want other
5 hunters and trappers organizations to voice their
6 concerns to this company too. I'll stop here for now.

7 THE CHAIR: First we'll go to Baffinland,
8 Udlu Hanson.

9 MS. HANSON: Udlu Hanson, Baffinland.
10 Thank you for the comments and the questions. Before I
11 pass it to Lou, I'd just like to speak to the
12 employment comment. I don't believe there was a
13 question, but -- other than to know how many employees
14 there are. To date, there are 325. It changes, you
15 know, regularly, but we also have 170 potential
16 employees who we've just been on an employment tour
17 that we need to follow up with the recruitment process.

18 In terms of that number and what that means, at
19 one point we had over 450, and we are committing under
20 Phase 2 to increase that number to make it constantly
21 grow, especially when the communities --
22 community-based positions, there will be seven more
23 permanent positions in each community, but then there
24 will also be 40 trainees, so 20 trainees every six
25 months in each community. That amounts to 200.

26 You know, we know that we need to increase our

1 numbers. We know that we will be a better company with
2 more Inuit, with as many Inuit that are willing to work
3 for us. We have very few employment barriers, if any.
4 I don't know if you can call them barriers.

5 One of the questions the youth representative
6 asked -- and I'm sorry I didn't answer it earlier --
7 was about graduation. We have no barrier in terms of
8 education or training, and we don't have any barriers
9 for work experience either, so we're willing to work
10 with anybody who wants to work for us and provide a
11 career path, a training process for them so that they
12 could grow in our company and have it as a career, not
13 just as a job.

14 I'll pass it now to Lou Kamermans. Qujannamiik.

15 THE CHAIR: Lou Kamermans.

16 MR. KAMERMANS: Lou Kamermans, Baffinland.

17 Thank you, Madam Chair.

18 I'm going to take Moses's comments about narwhal
19 and the sounds they can hear as comments and just
20 respond to the -- to his questions around covering of
21 the rail cars to manage dust.

22 That is something that we've committed to include
23 in our adaptive management plans. If our predictions
24 are incorrect, that the rail cars actually do generate
25 dust, that one of the responses we would implement, if
26 that's found to be true, would be to add rail car

1 coverings.

2 The reason we haven't committed to this from the
3 beginning is not -- it's not an easy task. It's not
4 something that we can easily add to the rail cars. The
5 circumstances of the Arctic and just the design of the
6 cars, they're not meant to accept those covers, so what
7 we would end up with would likely be a manual process
8 to put those covers over each rail car after every time
9 they're loaded and remove them once they were to arrive
10 at Milne Port so that the rotary car dumper could empty
11 out the car, and that process would be repeated every
12 day.

13 That would not just add significant time to the
14 rail car circuit; it also means people would be out in
15 fairly harsh conditions for a good part of the year
16 doing that job. It's not to say that we wouldn't do it
17 if it's needed. That's why we've committed it to it as
18 a firm adaptive-management response, and we will agree
19 on the thresholds of dust that would require us to
20 implement that before the project moves forward, but
21 that is -- I just wanted to provide some insight on
22 that because we do try to work with all of the
23 mitigations that are proposed to us, and I think we've
24 shown to do that throughout this review. That's just
25 the rationale behind that measure in particular.

26 We are also going to have the dust audit or dust

1 auditors and the community advisory group look at this
2 as part of the dust audit. One of the expectations of
3 the dust audit is not just looking at our project as it
4 exists now and the controls we have in place to manage
5 dust. It's meant to look at what we're proposing for
6 Phase 2, evaluate those mitigations, and determine if
7 there's any additional mitigations by design we could
8 implement now before we move forward.

9 We've made pretty clear commitments that if that
10 audit produces recommendations that are going to make a
11 difference, then we will implement them. So there's
12 two ways that that could be implemented, and that's
13 where we sit right now on that.

14 If you did have a question, Moses, about the
15 narwhal and the acoustics, please let me know, and I'm
16 happy to follow up. Thank you. Qujannamiik.

17 THE CHAIR: It's 9:00 right now. We are
18 going to stop here tonight, and then we'll reconvene
19 tomorrow, and you can get your answer tomorrow.

20 Thank you to everyone. Thank you for raising your
21 questions, making comments. Thank you for your
22 answers. We'll reconvene tomorrow at 9 AM, and then
23 we'll continue on with the community reps' questions
24 and comments. Have a good evening.

25

26 PROCEEDINGS ADJOURNED UNTIL 9:00 AM, NOVEMBER 5, 2021

1 CERTIFICATE OF TRANSCRIPT:

2

3 We, Sandra Burns and Ester Horvath, certify that
4 the foregoing pages are a complete and accurate
5 transcript of the proceedings taken down by us in
6 shorthand and transcribed from our shorthand notes to
7 the best of our skill and ability.

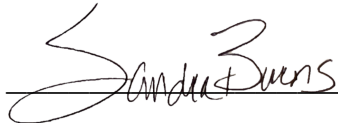
8 Dated at the City of Calgary, Province of Alberta,
9 this 17th day of November 2021.

10

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14 Sandra Burns, CSR(A), RPR, CRR

15 Official Court Reporter

16

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19



20 Ester Horvath, CSR(A)

21 Official Court Reporter

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	160 3488:26	20 3553:20	30 3488:6	
\$	170 3658:15	3559:11 3577:23	3530:17 3554:22	7
	17th 3662:9	3635:13,15	300 3657:26	
\$10,000 3579:1	18 3541:16,17,20,	3639:20 3657:26	32 3590:26	75 3574:8
3634:4	24 3657:15	3658:24	325 3658:14	750,000 3579:2,9
\$16 3599:22	1970 3534:16	200 3658:25	33.3 3550:3	
\$20 3593:21	1993 3557:19	2007 3618:10	3486 3471:5,6	8
\$200 3555:20	3573:15 3623:6	2008 3580:20	3492 3471:7	
\$200,000	1:15 3490:25	3590:18 3603:9,	35 3554:3	85 3657:24
3504:23	1:30 3548:23,24,	15 3618:6	3530 3471:9	8th 3549:21
\$24,000 3652:14	26	2010 3618:11	354 3654:11	
\$250,000	1:38 3549:2	2011 3618:6	3549 3471:15,16	9
3504:15		2014 3528:3	3550 3471:18	
\$400,000	2	2015 3580:22	3561 3471:20	9 3490:22,23
3569:10	2 3473:15	3592:6 3633:3,9	3619 3472:2	3661:22
\$500,000	3486:13 3487:15	2016 3618:14	3662 3472:7	926 3654:11
3504:16	3489:18 3493:2	2019 3520:25		9:00 3661:17,26
	3494:9 3499:12	3524:5	4	9:03 3486:5
0	3505:5,11	2020 3522:24,26		
	3506:7,17	2021 3471:5,15	4 3471:5,15	A
0 3489:17	3507:3,9,12,14	3472:1 3499:13	3472:1 3486:11	
005 3520:4	3508:23 3510:4,6	3549:21 3634:6	4,000 3595:26	abatement
03 3587:8	3513:7,11	3661:26 3662:9	40 3658:24	3503:21
	3520:22 3523:6	2022 3594:15	400,000 3633:26	Abernethy
1	3527:1 3528:18	3617:26	450 3658:19	3481:17
	3529:11,16	22 3499:13		Abgrall 3475:20
1 3473:16	3531:25 3536:24	24 3524:4	5	3600:13,16,17
3489:18 3505:11,	3537:4,10,14,15,	3613:18 3645:20		abilities 3574:15
17 3508:24	22 3538:3	24/7 3645:16	5 3490:22,26	ability 3576:4
3509:2 3541:18	3541:14,17,21	25 3596:23	3661:26	3579:13 3605:14
3555:4 3580:22	3542:9 3543:4	3597:2	58 3569:2	3646:23 3662:7
1.1 3574:12	3549:17 3550:9	256 3648:3	5:00 3618:20	absolutely
10 3559:11	3555:2 3571:17,	259 3648:3		3588:21 3650:4
12 3490:24	22 3575:19	26 3573:13	6	abundance
3554:16,21	3577:20 3579:2	3574:24		3500:3 3558:20
3613:18	3587:1 3588:9	27 3508:23	6 3526:24	3565:5 3566:2
120 3508:14	3592:16 3596:7	3648:9	3537:25 3554:21	3611:4 3630:4
3608:21	3609:23 3633:3,	29th 3549:13	60 3630:21	abuse 3647:11
12:00 3548:22	11 3634:15		6:30 3490:23	3651:20
135 3605:26	3635:7 3644:10	3	3618:21,23	abused 3651:21
15 3639:20	3656:15,18		6:37 3618:25	abuses 3647:12
15-minute	3657:22 3658:20	3 3572:5		accept 3660:6
3490:26 3517:14	3661:6			acceptable
3640:12	2,000 3634:3			3587:15 3588:25

3607:8 accepted 3536:2 3653:18 access 3490:19 3572:17,20 3579:12 3606:5 accessing 3490:9 accidental 3513:19 accommodation 3618:9 accomplish 3560:23 accordance 3593:2 accountable 3523:4 accurate 3490:3 3662:4 achievable 3626:5 achieve 3587:13, 16 3625:23 3626:10 acknowledge 3491:10 3529:10 3539:16 3589:6 acoustic 3567:3, 25 3568:18,23 3569:25 3570:3, 6,17 3571:6 3641:6 3642:8,19 3643:19 3644:3 acoustics 3640:23 3641:9 3661:15 acquire 3599:24 act 3504:7,13,14, 21 3510:18,19, 20,21,22 3511:6, 8,15,16 3512:9, 12,16,17,21,24,26 3513:9,16 3514:4 3515:17,19 3516:19,21	3517:2,4 3582:17,18 3585:6 3589:13 3590:12 3592:5 3593:3 3609:26 3610:4 3613:2 acted 3522:20 Acting 3482:13 3483:23 action 3500:25 3506:18 3511:3 actions 3516:14 3535:2 3645:25 activities 3524:9 3525:25 3526:3 3561:21 3587:23 3588:23 3643:3 activity 3628:13 3645:23 acts 3504:4 3510:23 3515:15, 25 3516:2 3615:20 adapt 3604:10 3615:23 adapting 3598:14 adaptive 3518:25 3519:4 3529:25 3607:14 3659:23 adaptive- management 3660:18 add 3508:18 3510:14 3512:5 3521:9 3606:19 3612:3 3659:26 3660:4,13 added 3585:5 3588:12 addendum 3522:13 additional 3541:21 3542:5 3585:3 3606:17	3661:7 additionally 3513:18 additive 3526:5 address 3506:19 3529:14 3592:19 3600:12 3617:13 addressed 3519:19 3579:25 3580:15 Addressing 3607:24 adequate 3495:9 3508:26 adequately 3495:3 3528:14 adherence 3490:4 3491:3 adjacent 3567:26 ADJOURNED 3548:26 3618:23 3661:26 ADJOURNME NT 3517:16 3586:5 3640:13 adjust 3521:8 administered 3515:25 administers 3579:6 administration 3473:14 3515:25 administrations 3591:11 Admiralty 3539:6,17 3547:18 3654:22 3655:4,21 adopted 3646:14, 15,16,24 adopting 3646:22 advance 3607:18	advice 3515:13 3539:20 3600:22 3602:1,2 3637:12,14 advised 3581:18 3631:9 advisor 3473:15, 16,22,23 3476:20 3478:2,6,7,8,21 3479:8,19 3480:8,14 3484:17 3485:1, 17 3545:24 3562:7 3649:16 advisors 3540:5 advisory 3661:1 afar 3541:7 Affairs 3474:14, 15 3481:11 3503:12,15,18 3504:3 3515:14 3590:16 3591:9, 24 3592:1,23 3593:8 3639:25 3640:2 affect 3505:10 3548:2 3598:11 3604:25 affected 3488:11 3494:18 3527:4,5 3534:24 3542:20 3572:16 3631:15 3633:16 3634:2, 12 3635:17 3636:14 affecting 3496:7, 9 3542:17 afford 3546:9 afraid 3651:19 afternoon 3471:15 3490:1 3491:1 3645:11 age 3651:25 ageing 3653:25	agenda 3490:20 aggregations 3539:7 agree 3496:14 3500:20 3502:6 3503:3 3518:18 3519:18 3533:26 3556:8 3564:20 3568:10,20 3622:13 3629:3 3640:10 3660:18 agreed 3509:13 3518:12,25 3573:15 3587:16 3657:14 agreeing 3519:7 agreement 3501:3,10 3518:5,10,11,13, 17 3519:19,24 3520:2,16,23 3521:5,6,11,16, 23,26 3522:2,5 3529:7 3532:6 3533:10,11,19, 25,26 3534:5,8 3536:1,4,8,9,12, 15,22 3538:8,11 3544:19 3549:5, 18,19,26 3550:8, 14,26 3551:1,14, 15,16,17 3552:3, 5 3554:13 3556:5 3557:18,22 3560:14,22 3564:24,25 3566:17,18 3569:8,12 3573:3,4,8,13,16 3574:24 3579:9, 14 3582:14,22, 24,25 3592:9 3608:11 3613:22, 25 3616:20,24,26 3617:4,6,19,20, 24,25,26 3618:12 3621:18 3628:21,
---	--	--	--	--

25 3629:1,4,17 3634:16 3635:1,2 3637:25 3638:3, 7,23,26 3640:4 3656:24,26 3657:1 agreements 3534:11 3551:19, 24 3557:20 3561:1 3584:25 3617:2 3618:1 3628:20 3638:8,9 ahead 3499:3 3524:16 3534:7 3536:7,26 3560:19 3597:17 3601:6,21 3609:17 3634:15 3645:13 3653:20 3656:18 aids 3643:12 aimed 3618:14 Aipellee 3480:6 air 3482:17,18 3646:19,20 airport 3654:2,3 airstrip 3604:9 AIS 3646:6 Akavak 3480:17 Akesuk 3476:14 3498:4,5,6 3555:8,9,10 3573:10,11,19,25 3589:16,17,22 3593:17,18,19 3605:9,10,11 3626:14,15,20, 21,22 3636:8,9, 10 Akpalialuk 3480:19 Alan 3495:14 3518:3 Alaska 3638:7	Alberta 3662:8 alignment 3617:3 alive 3563:2 3611:24 all-terrain 3612:26 allegation 3516:6 alleviate 3546:8 allocated 3488:21 Allooloo 3540:5, 10 allotted 3572:19 allowed 3526:19 3611:23 3626:3 3647:12 allowing 3626:10 alongside 3652:22 alteration 3513:14 alternative 3587:15 Alternatively 3527:9 aluminum 3597:8,9 Amagoalik 3477:15 Amanda 3504:26 3523:12 3528:19 Amanda's 3529:7 Amaruq 3480:12,15,17, 19,21 amazes 3568:16 amazing 3563:7 3569:2 ambient 3596:2 3640:24 amendment	3486:14 3590:14 amount 3488:16 3503:8 3513:3 3541:6,20 3542:16 3572:21 3587:3 3593:13 3634:6 amounts 3572:19 3658:25 analogy 3526:6 analysis 3581:1,6 Analyst 3477:21 3481:16,17,18, 20,21,22,23,25 ancestors 3540:26 3562:25 3563:6,9,13,21 and/or 3504:15 Anderson 3475:1 3483:25 Andrews 3474:26 Angutikjuaq 3480:8 animal 3506:7,22 3525:24,26 3528:10 3560:9 animals 3525:1, 7,8,9,16,18 3526:2 3527:4, 16,22,26 3530:18,21,25 3534:24 3557:10 3558:6 3563:11 3566:20 3576:5 3583:22 3585:9, 12,13 3588:16,18 3597:21 3598:25 3611:22 3625:7 3639:16,17 3642:19 3644:8 Ankersmit 3482:2 annual 3527:21 3593:5	answering 3497:9 answers 3504:23 3539:23 3544:7 3570:11 3581:12 3584:20 3585:26 3586:9 3595:1 3610:8 3625:22 3629:26 3632:1 3633:17 3661:22 anthropological 3639:7 anthropology 3639:20 anxious 3530:16 anymore 3564:11 3566:2 3576:12 3624:16, 26 3641:5 3651:11 3657:21 apologies 3524:17 3551:24 3609:4 3650:9 apologize 3650:12 apology 3647:17 Appaqaq 3479:13 Apphia 3581:22, 23,26 3582:1 APPLAUSE 3626:12 applicants 3577:19 application 3572:9 3634:10 applications 3605:14 3650:6 Applied 3475:21 applies 3586:25 apply 3519:8,9 3572:7 3575:26 3609:26 3616:13 3632:12	applying 3493:8 3632:11 appointed 3560:13,16 appointing 3560:17 appointment 3586:2 apprenticeship 3578:6 approach 3503:19,20 3519:20 3528:24 3539:21 3606:24 approached 3571:20 approaches 3603:20 appropriately 3592:19 3617:17 approval 3511:8 3586:25 approve 3539:10 3542:8 approved 3496:24 3507:13 3513:8 3533:14, 24 3534:2 3537:11,14 3538:4 3541:18 3554:17 3575:19 3589:10 3635:6, 7,9 approving 3571:24 approximately 3490:24 3608:21 Aqsarniit 3473:1 aquatic 3483:8, 12 3493:1,4,6,20, 25 3494:15,26 3495:4,6 arbitration 3502:26 3518:20 3519:16,17,20
---	---	--	--	---

Arctic 3471:12,
23 3472:5
3476:22,23
3479:16,20
3483:3 3485:9,10
3487:19 3510:20
3530:7 3531:16
3532:11,14
3534:22 3535:3
3538:25 3539:5
3544:9 3546:23
3547:19 3559:2
3561:26 3572:14
3577:1 3606:9
3609:22 3610:25
3619:5 3631:2
3633:8 3645:16,
17,21 3646:3,6
3655:3 3656:25
3660:5

area 3495:7
3507:24 3523:1
3524:1 3525:8
3526:12,17
3535:4 3542:6,19
3546:22 3547:12,
18,20,21
3558:24,26
3559:7,13
3562:22,23
3565:3,4,17,22
3566:1 3576:8
3580:23,25
3583:12 3585:9
3587:3,5,10,26
3588:15,16
3594:19,25,26
3601:11,15,16
3606:7 3610:25,
26 3611:8
3613:8,24
3614:14 3617:12
3638:5 3655:14,
19 3656:6,9

areas 3558:23
3580:24 3604:4
3612:24 3614:21

3623:21 3625:7
3657:16
argue 3622:10
3625:17
arguing 3627:15
arising 3550:14
Arko 3473:12
Arktis 3476:21
Armstrong
3474:5
arose 3633:17
Arreak 3478:3
arrive 3563:24
3660:9
arriving 3595:14
Article 3573:13
3574:24
Ash 3476:21
ashamed
3651:22
Asher 3482:17
asks 3544:16
3607:17
aspect 3639:15
aspects 3536:23
aspirations
3590:22
assess 3508:16
assessed
3507:15,19
3523:19,24
3528:15,26
assessing
3528:25
assessment
3473:21 3481:14,
15 3482:14
3483:20 3484:3,
6,8 3486:12,19,
23 3491:14
3497:16 3504:7
3505:23 3507:8,
9,11,18,26
3508:7,22

3509:23 3510:3,5
3518:6 3522:11,
15 3523:8,23
3524:3,5 3529:5,
12,18 3530:2
3589:1 3592:5
3601:12 3602:20
assessments
3481:8 3589:9
assigned
3488:14,19
assist 3489:22
3560:5 3632:1
3634:7,18,20
3635:2,12
3636:14
assistance
3566:15 3633:22
3634:2,9
Assistant
3477:23 3481:4
Associates
3475:17,18,19,20
3518:8 3523:12
association
3476:12,26
3477:1,2,3,4,5,7,
9,11,13,15
3479:2,11,17,21
3480:2,7,12,16,
18,20,22 3498:4
3501:11 3502:17
3509:19 3518:15
3520:6 3536:11,
20 3549:14
3555:7,11
3556:20 3557:5
3560:13,17
3566:9,11
3573:6,9,12,26
3574:3,25
3575:11 3579:6
3582:11,21
3589:15,18
3591:8 3593:8,
11,16,19 3605:8,

11,18,24 3607:3,
6,11,12,17,21,25,
26 3608:10,21
3626:13,22
3627:13 3636:7,
18 3656:11,13,22
Association's
3637:10
associations
3560:16 3590:17
3591:14 3626:25
assume 3594:8
assure 3488:4
assured 3488:24
3593:14
astounding
3542:9
Atkinson 3481:9
atmosphere
3492:16
atmospheric
3568:19
attached 3620:23
3655:11,15,25
attacking 3492:4
Attagootak
3480:26
attain 3624:3
3625:11,16
3626:4,26
3627:16 3628:16
3629:16
attainable
3629:11
attaining 3622:7
attempts
3647:25
attend 3490:2
3533:9 3582:7
attending 3491:6
3621:11
attracting
3578:16

attributable
3494:9
audio 3490:15
audio-video
3488:24 3489:12
audit 3660:26
3661:2,3,10
auditors 3661:1
Audlakiak
3479:7 3480:9
Austin 3475:21
Australia
3554:20
authority 3512:6
3564:14
authorization
3512:26 3513:26
authorizations
3512:16,21,24
3513:10
authorized
3513:16
authorizes
3513:2
automatically
3643:2
average 3550:25
3551:13 3617:26
avoid 3493:14
3539:21
awarded
3623:18
aware 3497:15
3552:21 3615:15,
24 3645:2

B

Baba 3481:26
baby 3641:11
back 3487:23
3502:15 3511:11
3517:17 3541:8
3544:5,6,25

3547:2,5 3549:3 3557:6 3558:25 3561:14,15 3571:12 3578:14 3586:6 3599:1 3601:11,15 3603:8,15 3618:26 3640:14 3642:26 3649:8 3656:7	3555:5 3559:7,8 3561:23 3562:16, 17 3564:19 3566:18 3568:3,6 3569:18 3572:13, 24,26 3575:8,14 3576:19,21 3577:26 3578:7 3579:7,25 3580:2,4,6 3586:12,14,17 3593:4,7 3596:5 3600:8,11,15 3602:16 3603:6 3604:16,20 3608:24 3609:26 3610:6,13 3612:12,17 3615:7,13 3617:10 3618:6, 13 3619:2 3632:4,7,22 3634:4,7,26 3635:10,20,21,25 3641:26 3642:2,5 3644:4,10 3657:7 3658:7,9 3659:16	barrier 3659:7 barriers 3659:3, 4,8 base 3574:24 based 3495:26 3500:3 3526:9 3529:19 3539:3,6 3637:16 3639:5, 7,20 3648:8 baseline 3521:19 3643:9 basically 3592:26 3647:9 Basin 3542:6 3547:21 basis 3516:17 3621:12 Bastick 3484:8 Bathory 3476:20 3520:16 Bay 3471:12,23 3472:5 3479:16, 20 3480:24 3487:19 3526:24 3530:7 3534:22 3535:3 3538:25 3539:5 3544:9 3546:22,23 3547:19 3559:2 3561:26 3572:14 3577:1 3606:9 3610:25 3619:5 3633:8 3655:3 3656:25 BDI 3615:13 Beach 3542:1 3570:14,16 3571:10,17,19,22 3572:15 3635:5 3640:17 3656:8 bear 3492:13 3500:23 3605:22 3623:19,22 bearded 3565:6	bears 3639:14 Beattie 3483:6 beautiful 3630:3 3655:1 beautifully 3632:18 began 3618:10 3633:4 3656:7 begin 3486:25 3487:4 3610:2 beginning 3643:3 3660:3 begins 3612:23 begun 3564:25 behalf 3486:10 3626:9 3653:17 behaviour 3525:1,6,15,23 3601:1 behavioural 3525:7 3528:4 belief 3646:19 beliefs 3492:4 3639:7,8,10 believed 3515:24 3647:8 believes 3607:13 3639:3 BELL 3516:23 3524:14 3590:23 bellow 3654:14 belongs 3645:5 beluga 3546:20, 24 beneficiaries 3658:1 benefit 3528:20 3551:7 3554:12 3555:5,20,24 3569:9 3588:3 3600:3 3608:1,7, 11 3613:22 3629:3	benefits 3521:4 3544:21 3554:6 3556:3 3560:22 3568:22 3569:7 3578:26 3591:5 3607:23 3608:4, 12,16 benthic 3585:22 Bernard-lacaille 3483:2 3492:20, 23,24 3512:1,2,3 3538:19,20,21 3569:20,21,22 3570:21,22,23 3594:2,3,4 3643:24,25,26 big 3498:20 3508:11 3560:24 3584:17 3596:24, 26 3597:10 3604:20 3613:13 3614:12 3625:24 3652:9,17 biggest 3654:23 binding 3536:9 Bingiuk 3477:10 Bingley 3481:18 biofouling 3493:8 Biological 3476:22,23 biologist 3483:2, 5 3603:24 birds 3606:12 bit 3553:11 3563:5,20 3574:12 3578:24 3592:3 3605:21 3610:21 3652:22 3653:22 3654:1 black 3515:7,8 blasting 3610:20, 21 blind 3648:17,20
---	--	---	---	---

blindness 3648:26 blocking 3582:25 blood 3564:10 blueberry 3588:12 board 3471:11, 16,22 3472:4 3473:4,9,20 3486:9,10 3487:17,26 3488:3,14 3490:14,17 3492:2 3497:3,12 3507:14 3509:25 3515:5 3517:8 3522:2 3523:21 3527:18 3530:5 3533:8,9,12,15 3534:7,10 3536:2 3539:15 3549:7, 11,15,22 3550:5, 8,17,22 3551:25 3552:2,8 3556:14,17 3561:25 3591:10, 11 3592:10,14,17 3593:2,6 3600:2 3607:1 3616:22 3619:4 3651:13 Board's 3486:23 3488:8 3490:9, 12,13,18 3491:17 3497:13 3504:5 3550:3,10 3617:23 boards 3626:25 boat 3565:3 3596:6 3652:15 boats 3645:1 bodies 3584:21 3585:15 body 3508:12 3533:25 Bones 3563:11	books 3620:8 Boon 3484:12 Borcsok 3475:5 born 3646:14 boss 3564:7 3651:15 bothered 3535:3 bothering 3534:26 bottom 3501:7 3655:4 boundaries 3560:18 Brazil 3554:20 break 3490:22, 24,25 3517:15 3548:23 3584:2 3618:21 3640:12 breaks 3490:26 breathing 3619:21 3652:25 bridge 3606:21 briefly 3586:20 brightness 3648:20 bring 3514:7 3531:22 3560:23 3561:6 3562:22 3567:5 3587:17 3622:10 3649:26 bringing 3501:21 3577:23 3635:26 3643:19 brings 3519:21 3588:5 broad 3588:17 broadcasted 3489:11 broader 3515:1,2 broken 3501:9 3635:4 brought 3539:17 3549:14 3633:12	Bruce 3528:5 3542:25 3595:12 3600:21 3601:19 3602:1,11,26 3604:19 build 3514:18 3564:1 3606:23 3607:5 3610:13 3634:25 3635:10 building 3634:17,18,20 3635:5 built 3563:10 3581:2 3607:5 3634:22 buoy 3655:8,9,11 Burns 3486:2 3662:3,14 bury 3648:13 burying 3648:12 Bushie 3484:22 button 3475:11 3495:17,21 3500:24 3501:4, 8,25 3502:3,12, 16,25 3503:1 3518:4,9 3607:4, 5 buy 3652:15	calving 3525:14 3580:3,14,16 camp 3545:5 3564:1 camping 3530:26 Canada 3475:22, 23,24 3481:11 3482:9,12 3483:1,14,15,16, 18,25 3484:1,5, 10,11,12,13,14, 16,22,23 3490:11 3492:20,25 3493:3 3494:2,4, 6 3495:4 3503:12,15,18 3504:4 3510:10, 13,17,19,24,25 3511:1,14,17,26 3512:4,8,19 3513:1,13,21,22 3514:13,15,16, 21,26 3515:4,14, 20,26 3517:6 3538:18,22 3539:2,16 3569:19,23,24,26 3570:5,20,24,26 3591:9,24 3592:1,7,23 3593:8 3594:1,5, 10,12,17,19,23 3609:1,3,6,10,15, 23 3610:1,5 3616:8 3638:7 3639:25 3640:2 3643:23 3644:1 3645:6,8,15 Canada's 3511:23 3516:22 3517:5 Canadian 3510:18 3511:6 3512:14 3515:18 3516:19 3517:2 3553:18	cancelled 3511:20 candies 3508:14 candy 3508:11,12 3526:6 cap 3647:15 capabilities 3649:3 capable 3527:19 3565:24 capacity 3488:22 3635:13 Cape 3542:2 captain 3654:17 car 3659:26 3660:8,10,11,14 carbon 3515:7,8 Cardo 3475:22 care 3545:16 3560:9 3619:26 3620:3 career 3659:11, 12 careful 3619:25 3650:15 carefully 3559:12 3611:26 caribou 3496:16 3498:17 3499:10, 19,25 3541:2 3551:1 3580:3, 13,16,23,25 3581:7,11 3583:17,21 3584:16 3588:11 3598:2,4 3603:11,16,26 3604:5,7,8,10,21, 23,25 3605:6 3610:19,24 3611:1,2,4,6,7,9, 10 3613:13,17,20 3614:2,13,21 3615:2,15,19,23 3616:17 3617:9,
---	--	--	--	--

11,12,22 3618:6, 14,15 3623:26 3624:16 3649:11 caribous 3611:21 carried 3519:25 3520:3 3521:24 3588:9 carries 3492:2 3518:11 carry 3492:9 3527:11 3541:7 carrying 3490:10 3597:6 3621:7 carryover 3524:10 cars 3635:4 3659:21,24 3660:4,6 Carson 3590:7,9, 11 case 3494:26 3497:10 3507:2 3511:13 3521:13 3543:25 3560:21 3561:10 3562:20 3564:9 3579:19 3589:6 3593:4 case-by-case 3516:17 cases 3513:19 catch 3516:25 3627:26 catching 3507:5 3652:13 category 3613:21 Catherine 3486:22 3550:18, 22 3552:6,8 caught 3655:14 causing 3506:6 3532:15,21,22 3548:10 3585:14 CB 3654:13	cease 3518:22 cell 3486:26 centre 3473:2 3577:22 3635:13 cents 3596:23 3597:2 certainty 3518:4, 10,13 3519:24 3520:2,16 3521:15,23,26 3531:23 3532:5 3533:10,19,25 3534:5,8 3536:1 3569:7,12 3579:9 certificate 3472:7 3504:5 3511:21 3515:12 3519:26 3520:4, 13 3521:25 3522:6 3610:1 3643:16 3662:1 certify 3662:3 cetacean 3546:18 Chaikine 3481:16 Chair 3473:5 3486:7 3487:8 3492:23 3495:10, 11,15 3497:7 3498:3,6,14,26 3499:1,3,4 3500:8,9,14 3503:11,13 3504:24,25 3509:6 3510:10, 12 3511:26 3512:2 3514:11, 12,14 3516:24 3517:12,13,17,25 3518:1 3523:10, 11 3524:15 3530:8,9 3531:10 3533:1,4 3535:15,18 3538:18,20 3539:23,24	3540:10,19 3548:22 3549:3,9 3550:12,16,17,21 3551:3,5 3552:6, 7,12,13,15,19 3553:7,9 3555:7, 9 3557:25 3562:1 3568:3 3569:14, 19,21 3570:12, 13,20,22 3571:7, 8 3572:24 3573:9,22 3575:5 3576:19 3579:22 3580:4,9,10,15 3581:10,12,13, 16,21,22 3582:1, 3,5 3586:3,6,16, 18 3589:15,21,24 3590:9,10 3591:15,16,21,25 3593:16,18,26 3594:1,3 3595:2, 3,5,7 3600:8,16, 17 3603:2,3,4,12, 18 3604:2,11,13, 14 3605:8,16,17 3608:18 3609:1, 6,13,17 3610:10, 11 3612:12,16,18 3614:26 3615:11, 12,16,20 3616:1, 2,4 3618:20,26 3626:13,20,21 3627:17,18,20 3629:19 3632:4, 20 3636:7,16,17 3637:18,19 3639:24,26 3640:12,14,16 3641:26 3642:4,6 3643:23,25 3644:23,24 3645:5,10,11,13 3646:7,8 3652:20,21 3653:18,20,21 3658:7 3659:15, 17 3661:17	Chairperson 3485:15 3486:8 3497:6 3498:13 3500:11 3503:10 3533:5,7 3535:14 3558:1 3559:2 3562:4 3567:7 3575:4,6 3576:18 3579:23 3589:23, 26 3604:15 3605:7,10 3632:21 3636:6,9 3644:25 challenging 3518:24 chance 3495:13 3540:15 3548:21 3553:1 change 3482:9,11 3496:7,10 3503:23 3505:9 3507:24 3508:25 3514:12,15,16, 17,21,22,26 3515:4,10,20,26 3516:22 3517:5,6 3525:16 3527:24 3528:1,6,11 3531:19 3532:8 3642:26 3650:21, 22 changed 3602:7 changing 3506:13 3621:16 3636:26 Channel 3489:17,18 char 3588:12 charges 3504:2 3516:8 Chari 3481:2 Charlie 3540:3, 12,13 3553:10,13 3562:1 charter 3546:9	chase 3604:8 check 3509:12 Chief 3474:7 child 3562:24 3649:26 children 3491:16 3492:10 3530:22 3584:23,26 3620:26 3622:2 3625:4,6 3626:4 3646:15,16,23 3648:12,13,23 Chisholm 3484:11 Chris 3504:24 chronic 3525:24 3528:17 circuit 3660:14 circular 3655:20 circulate 3550:8 circulation 3549:16 3550:1 circumstances 3660:5 CIRNAC 3557:2 3582:8 City 3662:8 claim 3554:13 3628:21,22 3637:25 3638:3, 6,23 claimed 3554:12 claims 3560:15 3582:14 clarification 3511:23 3514:9 3570:25 3591:20, 22 3608:19 3643:5 clarify 3510:8 3523:21 3533:8 3540:19 3607:4 clarity 3497:26
--	--	---	---	---

Clark 3474:20	17 3546:23	3543:17 3571:3	communicate	19,20 3488:10
classroom	3547:9 3572:15	3653:19 3657:2,	3547:10	3491:9,18
3577:22	3606:9 3633:7	3,23 3658:12	communicated	3492:18,21
clause 3573:14,	coal 3585:18	comments	3489:23	3495:12 3497:21
15 3574:23	Coast 3645:18	3488:4 3514:26	communicating	3517:19 3520:18
clean 3488:17	codeveloped	3517:14,18	3547:24	3521:10 3523:17
3593:15,25	3592:6	3520:21 3522:10	communication	3530:6,7,26
cleanup 3592:26	cold 3598:10,11	3531:14 3533:3	3547:26 3632:15	3531:15 3538:9
3593:23	3622:24	3538:23 3540:18,	Communication	3544:17,18,23,25
clear 3506:3	collaboration	20 3546:5 3549:4	s 3473:17	3545:4 3547:25
3522:19 3524:2	3538:12 3616:14	3552:20,23	communities	3552:20 3556:23
3557:23,24	collaborative	3553:2,10 3558:3	3488:12 3494:13,	3561:25,26
3588:19 3614:3	3617:20	3568:7 3581:3,5	19 3500:23	3564:7 3569:1,3,
3627:22 3661:9	collaboratively	3595:8 3599:7	3505:16 3521:5,	8,11 3571:21
climate 3482:9,	3614:23 3617:14	3600:18 3603:7	6,13 3538:3,4,16	3575:10 3577:17,
11 3496:7,10	3620:18	3605:5 3611:12	3539:8,9 3542:3	18 3579:12,16
3505:9 3507:24	collaring 3617:1	3616:17 3625:21	3543:21 3544:10,	3581:18 3584:15
3508:25 3514:12,	3618:7	3626:24 3637:23	12,13 3546:25,26	3594:6 3602:13,
15,16,17,21,22,26	collars 3611:22	3640:19 3658:10	3547:11,23	16 3612:6 3614:4
3515:2,4,10,20,	colleague 3512:5	3659:18,19	3548:1 3555:21,	3616:15 3619:1,
26 3516:22	colleagues	3661:21,24	22 3556:2,6,15,	4,5,15,16
3517:5,6	3509:11	commercial	19 3564:26	3624:20 3628:3
3585:16,17	collect 3507:21	3518:16,21	3567:26 3568:1,	3641:3,4 3647:5
clinging 3649:24	3557:1	3520:12	16 3570:11	3649:22 3652:23,
Clinton 3476:2	collection	commissioned	3571:1 3572:14,	26 3653:5 3655:7
close 3524:26	3636:22	3616:11	17 3574:13,14,16	3656:1,4
3525:16 3538:10	Collective	commitment	3575:1,2 3576:6	3658:23,25
3552:11,18	3636:23	3494:8 3613:14	3577:3,6 3581:5	3661:1,23
3554:18 3566:1	collectively	commitments	3607:6,11,17,22,	community-
3570:7 3593:24	3536:18 3633:24	3493:5,12,19	24 3608:13,15	based 3488:5
3601:3 3602:21	College 3531:17	3518:12 3520:11	3613:4,5	3494:10 3658:22
3643:6	comanagement	3536:12 3661:9	3624:17,18	companies
closed 3497:13	3513:23 3539:1,	committed	3633:4,6,19,20,	3511:18 3559:8,
closes 3590:5	14 3617:14	3518:18 3529:14	22 3634:1,2,9,12	15,16 3560:25
closing 3551:20	combined	3607:20 3617:24	3635:4,9,16,17	3561:2,5,7
3608:18	3587:19	3659:22 3660:2,	3636:13,14	company 3496:5
closure 3586:22	comfortable	17	3644:11 3653:4	3497:4 3503:23,
3587:13	3577:11	committed-to	3654:5 3656:23	25 3523:3
clothing 3559:23	commenced	3493:23	3658:21	3543:13 3562:19
3560:11,12	3486:5 3521:8	committee	community	3578:10 3582:26
3563:16 3584:16	3549:2 3618:25	3501:18 3544:8	3471:7,11,12,22,	3626:26 3657:25
3622:23	comment 3489:4	3594:11	24 3472:4,6	3658:6 3659:1,12
Clyde 3480:1,3,4,	3495:17 3535:14,	committees	3478:9,10	company's
5,6 3495:12	16 3540:11	3521:16 3560:2	3479:12,14,22,25	3511:20
3496:4 3500:13,		committing	3480:9,10,26	compensate
		3658:19	3487:10,13,17,	3545:9

compensated 3578:24 3599:21	3499:13	conduct 3511:11 3614:2	3523:22 3525:20 3539:18 3553:25 3554:17 3559:19 3594:16	continually 3558:15 3621:14 3625:17
compensation 3545:9 3566:7 3568:22 3578:22 3579:5 3599:11, 15 3600:3 3608:2	computer 3547:15 3623:9 3641:19,20 3649:3 3655:23	conducted 3516:5 3587:24	consistent 3499:23 3500:5 3590:21	continue 3487:10 3491:9 3517:13 3532:3 3536:14 3537:25 3538:6, 14,16 3549:4 3560:6 3561:20 3588:2 3606:22 3608:7 3614:8, 14,15 3637:2 3653:19 3661:23
complain 3622:26	computers 3565:19 3648:26 3649:1	conducting 3491:2 3494:23 3497:16 3510:26 3577:23 3613:19 3643:8	constantly 3658:20	continued 3471:7,20 3472:2 3492:21 3561:23 3580:20 3619:2
complementary 3524:12,19	concept 3648:14	conductors 3611:15	constitutional 3617:8	continues 3653:2
complete 3521:26 3537:18 3538:2 3587:4,23 3662:4	concern 3493:17 3523:17 3527:8, 12 3583:15 3607:24 3611:25 3625:9,19	conference 3473:1 3532:10 3585:17	construct 3624:4	continuing 3517:18 3529:15 3552:19 3586:7 3618:26 3640:15
completed 3507:12 3510:3 3533:17 3584:22	concerned 3630:8 3638:17	confidence 3589:8 3602:16	construction 3512:22 3523:2 3537:16,18,26	continuum 3515:21
completely 3493:14 3568:20 3642:25	concerns 3487:18 3499:18, 21 3509:22 3529:4 3535:7 3536:16 3546:9 3588:18 3592:16 3594:18 3603:14 3607:13 3609:9, 20 3610:8 3611:12 3612:10 3626:7 3630:13 3632:2 3633:5 3638:14 3643:18 3644:3 3658:6	confident 3592:17 3603:23	consult 3494:18 3544:13 3571:25 3591:3 3633:7	contribution 3549:19 3551:16 3616:26 3617:26 3618:12
completion 3551:23	conclusion 3505:18 3506:15 3548:9 3550:5 3588:13	confirm 3551:26 3571:5 3594:10, 19,23 3601:19 3609:5,15	Consultant 3481:9	control 3495:25 3532:20 3554:23 3557:8,9,12
complex 3577:21	concordance 3510:4	conflicts 3610:6	Consultants 3476:22,23	controls 3661:4
compliance 3510:16,17,26 3515:22 3516:14, 18 3517:1,11 3645:24	concrete 3544:7 3561:6	congregate 3546:21	consultation 3544:14 3614:4	conventions 3638:8
complied 3511:4	condition 3503:22 3590:20	conjunction 3645:18	consumed 3585:14	conversation 3606:22
compliment 3562:26	conditions 3496:25 3504:6, 11,19 3520:4,8 3526:13,22 3584:25 3660:15	Connor 3477:20	consuming 3588:10	conversations 3491:23 3577:7
comply 3490:18 3503:25 3609:25		consensus 3556:11 3582:25 3629:17	consumption 3559:26 3628:4	conversing 3529:8
complying 3511:8 3516:1		consent 3490:17	contact 3490:4 3513:19	convey 3549:24
component 3518:22 3638:6		consequences 3536:10	containers 3523:26	conviction 3516:12
components 3520:1 3581:4 3588:11 3614:12		conservation 3485:8 3512:10 3513:26 3514:6	contemporary 3580:21	convince 3546:1
compound 3526:7		conserving 3559:26	content 3552:2	
comprehensive		consideration 3507:14 3523:25 3592:22	CONTENT 3471:1	
		considered 3488:9 3502:9,16	CONTEXT 3535:25 3587:2	
			contingency 3593:20	

Cook 3476:1 coordinated 3591:8 coordinating 3488:25 coordination 3616:14 coordinator 3473:18 3483:21 3579:10 core 3518:12 3521:13 3523:3 3592:21 Cormack 3480:4 3495:14,15 Cornilius 3657:3 Corning 3476:6 corporation 3471:9,21 3472:3 3474:3,17,19,20, 21,23 3475:1,2,4, 5,6,7,8,9,10,11,12 3530:4 3561:24 3619:3 3632:16 Corporation's 3486:13 correct 3609:21 correctly 3499:8 3519:10 3571:19 3619:8 correspondence 3549:21 corridor 3526:20 3583:13 3657:20 Cory 3489:23 Costello 3473:11 3581:16,17 costs 3650:13 councilor 3651:11 counsel 3471:17 3473:10 3474:5, 6,25,26 3476:13 3478:19 3479:18	3481:2 3482:5 3484:26 3485:14 3549:6,8,10 country 3521:19 3531:2 3532:3 3560:11 3579:17 3599:6,15 couple 3506:5 3518:2 3540:25 3558:13 3576:23 3578:10,13 3614:19 3640:22 court 3486:1,2 3502:14 3514:7 3516:11 3662:15, 21 cover 3578:19 3579:20 covered 3657:6,9 covering 3659:20 coverings 3660:1 covers 3660:6,8 COVID 3569:1 3576:24 3578:14 3602:3 3653:2 COVID-19 3488:18 3491:4 3576:24 craft 3523:2 crafts 3646:3 Cram 3484:21 3609:12,13,14,18 crave 3531:2 create 3508:19 3622:18,21,23 3624:8,24 created 3513:3 3609:25 creating 3624:5 credible 3516:5 criminal 3628:13 critical 3524:9 3614:4 3636:26 3640:5	cross 3596:16 crosses 3612:24 crossing 3596:15,16 3614:21 crossings 3612:26 3616:10 Crown 3584:1 Crown- indigenous 3481:11 3503:11, 14,17 3504:3 3515:13 3590:15 3591:9,23,26 3592:22 3593:7 3639:24 3640:1 CRR 3486:3 3662:14 cruise 3523:26 crushing 3554:8 crying 3652:5 CSR(A) 3486:1,2 3662:14,20 cultural 3590:22 3649:16 culture 3521:1, 17 3530:18 3557:4 3572:1 3622:4 3623:1, 12,24 3624:14 3628:10 3629:11 cultures 3629:13 Cumberland 3547:8 cumulative 3505:3,4,8,13,19, 23 3506:1,3 3507:3,8,11,15, 17,19 3508:7,20 3509:1,4,9,18,20, 22 3510:1,2,6 3518:6 3522:10, 11,17,23 3523:8, 14,20,22,25 3524:6,8,22	3526:22 3527:1 3528:9,15,24 3529:4,17 3530:2 3532:18 3543:3 3548:10,15 3580:1,2,13,15 3581:11 3585:20 3641:15 curious 3625:10, 11 current 3505:10 3506:9,10,21 3512:15 3526:22 3528:3,16 3529:6 3579:14 3586:26 3593:5 3606:21, 25 3608:11 3636:26 custody 3648:4 cut 3563:15 cuts 3508:9 cutting 3546:4 cycles 3506:25 D D'ORAZIO 3477:3 daily 3508:3 3523:23 3621:12 damaged 3584:9 damaging 3598:25 danger 3513:17 dangerous 3510:19 3584:8 Daoust 3473:16 darker 3648:19 data 3525:7 3528:4 3549:19 3551:15 3552:4 3617:18 data-sharing 3551:1 3616:26	3617:25 date 3524:21 3529:13 3582:20 3583:4 3658:14 Dated 3662:8 David 3498:23, 24,26 3499:4 day 3486:11 3487:9,22 3508:11,14 3520:17 3526:23 3527:2,4,7,12,14 3544:19 3545:10 3549:12 3552:18 3557:14 3558:17 3568:10 3585:5 3596:8 3628:23, 24 3631:4 3640:11 3660:12 3662:9 days 3488:6 3506:5 3508:14 3519:1 3578:25 3602:6 3640:22 3652:12 3654:20 deal 3560:20 3630:17 3638:14 3639:4,5,6,16 dealing 3496:5 dealt 3516:16 death 3508:9 3513:13 debate 3509:16 debating 3506:14 Debicki 3484:26 3504:24 decades 3505:16 3508:18 decide 3571:26 3579:4 decided 3543:12 decision 3507:16 3519:2 3549:24 3550:7
---	---	---	---	---

decision-making 3486:23 3488:9 3521:2 3637:6 3638:25 decision- makings 3558:8 decisions 3497:17 3519:21 3521:3 3637:15 decline 3641:13 decoration 3544:26 decreased 3500:4 dedicated 3612:25 3613:16 deemed 3587:15 deep 3525:10 3547:6 deeply 3491:20 default 3518:15 deferred 3552:11,18 3616:21 define 3607:7 defined 3529:24 definite 3544:3 Del 3475:22 delay 3489:8 delaying 3506:18 deliberate 3497:12 deliberations 3637:17 delineate 3540:8 delivered 3607:23 demanding 3525:21 demographics 3577:20 demonstrated 3601:16 3637:2	denied 3490:19 department 3477:24 3481:5 3511:3 3517:9 3534:14 3551:22 3640:22 3644:20 3645:3 3654:25 departments 3514:19 departure 3654:15 depend 3530:20 dependent 3516:15 3536:24 depending 3618:3 depends 3617:3 deplete 3566:22 depleted 3542:14 3565:7 3566:20 3583:25 3585:23 depletion 3539:21 deploy 3644:20 deposit 3554:14 3555:4 3580:22 deposits 3554:12 3563:8 Deputy 3481:3,4 3551:11 describe 3494:1 3507:17 describes 3606:5 Description 3471:3 design 3514:22 3603:21 3610:12 3660:5 3661:7 designated 3487:12 3573:3 designed 3521:6 3524:13,20 3532:6	desire 3562:12 3564:20 desires 3631:6 desk 3490:1 desktop 3587:25 destroyed 3561:5,7 destruction 3513:15 detail 3499:16,22 details 3522:15 3538:8 detect 3494:26 3595:26 3596:3 detected 3493:21 3495:7 detectible 3524:24 detection 3493:16 determine 3505:25 3526:19 3537:3 3661:6 determined 3512:19 develop 3493:5, 17 3520:23 3587:16 3623:5 3624:9 3638:10 developed 3494:24 3520:2 3529:20 3590:18 developing 3494:11 3519:20 3610:7 development 3474:10,12 3486:13 3487:15 3494:17 3521:14, 15,21 3549:17 3551:11 3576:8 3582:17 3583:5 3587:10 3592:4 3622:5,8 3623:5	3627:7 3628:6 3638:1,10,22 developments 3509:3 3638:4 3639:13 3640:6 Devereaux 3475:6 device 3570:2 devices 3570:8 3571:3 3641:23 3642:11 3644:5, 6,12,19,21 Dewar 3481:13 3485:23 3503:12, 13,14 3510:15 3591:24,25,26 3639:25,26 3640:1 Dewar's 3512:6 DFO 3483:9 3494:10 3512:23 3539:21 3546:13 3547:13 3569:16 3570:19 3644:18 Diamond 3515:16 died 3567:4 3648:9 difference 3661:11 differences 3609:8 differs 3539:19 difficult 3491:20 3492:12 3505:20 3534:2 difficulty 3574:4 3652:25 dinner 3490:22, 25 DIOS 3543:20 direct 3521:2,4, 14 3567:23 3583:2,26	3584:17 3591:12 directed 3489:4 3495:19 3498:8, 12 3549:24 3569:16 3590:15 direction 3503:25 3521:12 3555:14 3627:6 directions 3490:12,18 directly 3499:17 3526:14 3572:13, 16 3607:23 3608:12 director 3473:11, 12,13 3474:11 3476:17,19 3477:6,8,10,12, 14,16,22 3481:13 3482:1,2,6,21 3483:8 3485:15, 16 3590:11 directors 3556:14,17 disagree 3509:9 3556:12 3622:12 disagreements 3491:22 3629:15 disburse 3574:26 3605:14 disclosure 3647:22 discouraged 3624:15 discuss 3509:15 3528:20 3535:7 discussed 3488:14 3539:15 3549:12 3589:2 3638:15 3642:8 3643:17 discussing 3529:3 discussion 3538:12 3608:14
---	--	---	---	---

discussions 3491:21 3492:12 3539:22 3604:2 3647:1 disperse 3580:25 3654:19 disrupt 3525:24 disruption 3513:14 3524:9 distance 3602:21 3654:7,8 3655:16 distances 3491:8 3526:16 3615:2 3654:24 distillate 3515:6 distribution 3506:13 3550:10 3618:15 disturbance 3523:14,23 3524:25 3526:21, 26 3527:20,25 3581:9 3588:1 3604:11 3642:19 disturbed 3587:26 3595:21 3655:5 divide 3599:18 diving 3525:9 division 3551:22 3552:1 dock 3512:25 3513:11 3538:1 3649:9 document 3508:23 3524:4 3550:2 dog 3619:14,20 dogs 3619:20,21 dollars 3504:9,22 3650:8,13 Dorset 3542:2 doubt 3521:21	Douville 3475:9 draft 3521:25 drastic 3504:1 drawn 3550:5 dream 3651:14 drilling 3516:11 drink 3648:1 due 3488:16 3643:7 Dufour 3482:22 Duke 3474:25 Dumbrille 3485:7 dumper 3660:10 dunce 3647:15 duration 3509:2 dust 3585:10,11 3588:6,13 3606:24 3610:14, 17 3659:21,25 3660:19,26 3661:2,3,5 duty 3513:12,18 3645:16 Dyer 3482:6 Dynamics 3475:13,14 3580:8 3600:14 3603:5 3614:10	early-warning 3615:18 earth 3541:23 3542:16 3543:12, 14 3553:24 eased 3653:3 easier 3572:17 3622:19 easily 3660:4 Eastern 3490:23, 24 easy 3660:3 eat 3508:10,14 3530:21,22 3588:8 3599:1 eating 3628:4 Eclipse 3500:3 3539:4,18 3642:22 3655:1 economic 3551:11 3638:10 Economics 3476:2 ecosystemic 3588:10 3590:21 Ecosystems 3483:9 edge 3619:18 3656:2 EDI 3475:13,14 EDT 3481:3,5 education 3544:21 3578:1 3631:21 3659:8 Eegeesiak 3479:19 Eetoolook 3477:19 3498:15, 16 3557:26 3558:1,2 3589:25,26 3590:1 3627:19, 20,21 3637:20,21 3640:3	effect 3508:6,12 3515:8 3527:1 3528:15 3580:16 3588:21,22 3656:19 effective 3495:8 3513:6 effects 3496:2 3505:3,4,9,14,17, 19,23 3506:1,3 3507:4,8,11,15 3508:7,18,20,23 3509:1,5,9,18,20, 22 3510:1,2,6 3515:10 3518:6 3522:11,17,18,23 3523:8,14,20,22 3524:3,6,8,10,26 3525:26 3526:4,6 3527:19 3528:25 3529:4,17 3530:2 3532:18 3542:3 3543:3 3548:10, 15 3580:1,2,13, 15 3581:2,11 3585:20 3586:21 3588:18,25 3589:5,7,12 3603:14 3617:16 3641:15 efficiencies 3537:20 Effluent 3515:17 efforts 3607:9 Ejeckam 3482:16 elaborate 3500:6 3567:11,16 Elder 3478:6,7,8 3479:8 3480:8, 14,25 3506:25 3562:6,10 3571:10,11 Elders 3492:3,5,6 3531:2 3532:12 3540:2,3,5,9	3583:19 3585:21 3597:19 3602:4 3605:26 3619:10, 11,24,25 3620:13,15 3621:6 3630:19, 22 3631:8 3632:25 elevated 3519:6 Eli 3575:5 3576:21,26 3579:22 3581:13 eligible 3569:11 Elijah 3595:3 3600:18 3602:25 3603:6,12,15,18 3604:12,17 3605:5,7,19 3609:8,19 3610:9,10 3612:18 3615:1, 15 3616:16 Elijah's 3603:13 eliminated 3522:24 email 3489:24 Emergencies 3482:19 emergency 3551:9 3613:23 Emingak 3473:23 emissions 3515:7,8 emit 3642:12 3644:6 emotional 3491:23 employed 3501:15 3556:4 3635:11 3657:24 employee 3506:21 3507:6 employees 3545:12 3568:26
--	---	--	---	--

3569:2 3612:1 3657:23 3658:13, 16 employment 3577:16 3658:12, 16 3659:3 empty 3488:20 3566:21 3660:10 Emrick 3473:7 3486:22 3550:21, 22 3552:7,8 enabling 3569:9 encourage 3640:20 encouraging 3640:9 end 3533:16 3536:20 3540:19 3549:12 3554:3 3559:16 3579:8 3587:14,15 3660:7 endangered 3594:12 endeavour 3552:17 3555:25, 26 3617:13 endure 3647:18 energetically 3525:20 energetics 3581:7 energy 3537:12 enforce 3510:22 3512:12 3514:4 3515:14 3518:12 enforcement 3496:23 3503:17 3511:15,17 3512:7,9 3514:9, 20 3515:21 3516:13,14,18 3517:1 3520:12 3645:25	enforces 3496:26 3504:4 enforcing 3515:12 engage 3494:18 3526:2 3644:11 engaged 3521:7 engagement 3476:19 3483:22 3520:18 3521:14 3618:5 Engineering 3475:25 3484:21 English 3489:18 3495:18 3530:13, 14 3531:13 3575:13 3579:25 3586:4 3632:17 Enoki 3562:3,5 3569:14 3570:13, 14 3571:8,9 Enoogoo 3478:14 3581:15 ensure 3487:1 3490:2 3493:20 3513:2,4 3514:23 3515:26 3517:11 3532:20 3579:11 3591:2 3592:24 3602:18 3607:26 3608:14 3611:26 3650:16 ensuring 3493:7 enter 3491:7 entered 3620:24 entire 3486:10 3508:5 3537:1 3580:24 entirety 3519:1 3550:6 entity 3622:3 environment 3482:9,11 3496:7 3505:10 3506:23 3507:25 3508:21	3514:12,15,16, 21,26 3515:4,20, 26 3516:22 3517:5,6,10 3551:22 3558:11 3559:10,20 3561:9 3596:2,22 3597:22 3598:10, 15,22,24,25 3602:17 3605:24 3619:26 3620:2 3621:4 3625:1 3630:4 3631:3 3638:5,17 3639:14,15 3640:25 3642:16, 17 3643:18 environmental 3475:13,14 3481:14,15,16, 18,19,21,22,23,24 3482:13,19 3483:20,24 3484:2,6,8,17,18 3505:6 3507:7 3509:14 3515:18 3516:19 3517:2 3520:1 3522:12 3528:22 3529:12 3531:16 3580:8 3589:1 3591:1 3600:14 3602:8, 25 3603:5 3614:10 3636:25 3637:3,8 3638:8 envision 3557:14 3636:25 epistemologies 3639:6 equipment 3545:5,6,8,11 3642:26 equipments 3646:4,5 Eric 3500:10,12 3518:3 3519:18	escalation 3503:26 essence 3527:3 essential 3495:2 3509:25 establish 3612:25 established 3607:26 establishes 3592:9 establishing 3614:12,20 Ester 3662:3,20 estimate 3505:20 estimates 3500:3 3618:15 evaluate 3515:2 3661:6 evaluation 3588:9 evening 3472:1 3490:1,21 3575:7 3631:15 3645:14 3661:24 event 3513:17,23 3518:15 3536:25 3608:23 evidence 3525:3, 7 3526:9 3528:16 3592:18 exact 3524:3,14, 21 3593:13 examples 3497:2 3511:5,22 exceed 3526:25 3529:23 exchange 3492:15 3493:7 3579:17 excited 3623:18 exclusively 3608:22	excuse 3513:19 3515:1 Executive 3473:11 3474:7 3477:23 3485:15 exemption 3616:12 exemptions 3613:4 exhibit 3529:22 exhibiting 3527:7 exist 3516:7 3558:19 existed 3588:23 existence 3533:21,23 3534:19 existing 3513:3 3529:15 3551:2 3614:9 exists 3536:5 3661:4 expanding 3529:15 3614:9 expansion 3505:6 3637:4 expect 3527:16, 23,26 3528:9 3561:19 3611:17 3614:14 expectations 3661:2 expected 3508:24 3525:23 3526:7 expedited 3519:20 expensive 3561:3 3652:12 experience 3492:1 3528:17 3600:22 3602:12 3604:3 3608:15
---	---	--	---	---

3616:23 3659:9	expressed 3499:17,23 3552:22 3607:19 3609:9 3610:8	fate 3537:3	fighting 3548:20	20,21,26 3606:11 3641:14
experienced 3515:11	expressing 3609:20	father 3564:9 3646:25 3648:16 3651:5	figure 3532:23 3595:24 3610:23 3639:12	fisheries 3483:1, 13,14,15,16
experiences 3492:4,7 3601:18,20 3609:20	extended 3486:12 3525:10	father's 3564:10	figures 3593:13	3492:19,24 3493:2 3494:2,4 3495:4 3511:26 3512:3,8,9,12,16, 17,18,21,24,26 3513:1,9,13,16, 21,22 3514:4 3515:17 3516:21 3517:4 3534:13, 15 3538:18,21 3539:1,16 3566:12,14 3567:23,24 3568:2 3569:19, 22,24,26 3570:4, 20,23,26 3594:1, 4,9,19,23,24,25 3640:22 3643:23, 26 3645:2 3654:25
experiencing 3644:9	extensive 3526:1 3529:18	fauna 3598:26	file 3486:24	fishing 3513:20 3560:25
experiment 3596:23	extracted 3554:1 3555:4	favour 3518:19	filing 3550:4	five-day 3519:13
expert 3482:15, 17,18,19,20,22 3483:11,12,13 3496:13 3509:10 3547:15 3650:19	eye 3648:17	favourite 3541:1	fill 3634:10	fix 3559:3 3636:12 3652:8
expertise 3568:14,16 3587:18 3614:15	eyes 3565:21	fear 3531:19,21	final 3520:8 3522:12 3592:19 3617:2	fixed 3650:23
experts 3496:15 3568:9,11,15,17 3594:20 3639:17	F	federal 3497:3 3514:19 3545:14 3584:8 3590:13 3638:12	finalized 3617:25	flagging 3615:9
explain 3503:22	face 3522:22	federally 3609:24	finally 3529:10 3576:25 3599:12 3644:18	flatten 3596:25
explanation 3540:20	facilities 3515:23 3635:15	Fednav 3475:15, 16	Finance 3473:13	fleeing 3525:8
explicit 3610:3	fact 3546:22 3629:8	feed 3488:24 3489:11,23,24 3490:9,10 3531:13 3547:13 3599:26 3656:9	financial 3614:1 3618:8,10	flew 3654:9
explorations 3496:6 3561:13	factored 3507:24 3516:15	feeding 3655:4	find 3500:21 3514:7 3537:20 3555:14,16,23 3556:3,5,10,22 3558:14 3563:10 3565:12 3628:15 3636:1 3643:14	flights 3654:5
exploratory 3594:24	facts 3639:21	feeds 3489:12	finding 3510:2	flipped 3597:5
explorers 3611:3	fair 3556:13	feel 3495:23 3509:25 3510:5 3542:3 3576:14 3579:18 3589:4 3596:17 3625:10 3641:6	fine 3504:9,21,22	float 3655:13,15, 24
exploring 3559:17	Fairbairn 3482:21	feeling 3491:12 3542:21 3631:10 3641:15 3649:25 3652:22	finer 3511:19	floe 3656:2
exposed 3525:4 3526:10,18,20	fairly 3613:13 3660:15	feelings 3495:26 3630:14,15	finish 3635:16	floor 3489:18 3642:22
exposure 3523:24 3526:8 3527:22,23 3528:16	fall 3515:24 3547:3,4 3566:1 3613:21 3656:7	fees 3634:22	finished 3546:4 3618:11 3649:9	flora 3598:26
exposures 3526:1	families 3491:16 3600:1 3634:8	fellow 3486:21	fire 3545:4	flow 3608:12
express 3490:17 3592:15 3637:24	family 3551:8 3596:11,12 3651:4	felt 3630:8 3649:9 3651:24	Firelight 3476:24,25	fly 3642:13
	faraway 3596:3	fewer 3515:7	firm 3660:18	
	fashion 3523:5	field 3509:10 3587:24 3601:6,9	firsthand 3600:25	
	fast 3584:9,10 3598:9		firstly 3499:6 3567:6	
	fat 3628:3		fish 3483:2,3 3501:6 3512:10, 20 3513:2,14,15, 24 3514:5 3585:21 3594:18,	

flying 3654:10 focus 3520:26 3553:14 focused 3493:11 3586:9 folks 3615:15 follow 3496:24 3497:1 3536:11 3537:2 3598:19 3630:10 3639:1 3658:17 3661:16 follow-up 3552:26 food 3521:19 3531:2 3532:3 3560:11 3579:17 3583:21 3599:1, 2,3,4,6,15 foods 3530:20 footprints 3604:23 foraging 3524:10 3525:25 force 3516:9 3566:4 3592:5 3631:22 foregoing 3662:4 foremost 3616:8, 15 forever 3566:22 forget 3535:5 3567:20 3623:7 forgive 3577:12 forgotten 3629:24 form 3568:11 3618:8 formal 3577:26 formation 3588:3 formed 3522:12 3586:23 fortunate 3553:21	fortunately 3545:7 forum 3576:22 forums 3577:3 forward 3501:22 3519:25 3520:3,5 3521:24 3522:1, 4,8 3523:6 3531:14 3535:21, 23 3536:24 3575:19 3603:13, 17,26 3622:13 3627:11 3628:18 3643:20 3660:20 3661:8 Foulds 3477:4 found 3504:8 3554:19 3565:14 3604:6 3655:8 3659:26 foundation 3536:13 3574:6 Founder 3485:16 fourth 3496:19 Foxe 3542:6 3547:21 foxes 3585:8 fraction 3587:5 frame 3551:18 3552:3 framework 3536:13,17 free 3637:14 freely 3637:24 freight 3512:25 Friday 3549:13 friend 3652:24 friends 3491:15 front 3488:1 3489:26 3541:11 3551:18 frustrated 3561:14	frustrations 3607:19 fry 3597:9 fuel 3515:6 3569:10 3618:9 fugitive 3610:14 full 3518:23 3537:26 3541:13 full-time 3566:8 3578:18 fully 3507:15 3566:4 fun 3649:12,13 fund 3485:6 3572:13 3579:5 3607:26 3608:9 funding 3566:6 3572:10,11,16 3574:20 3593:20 3599:8,14,18 3617:21 3633:23 3650:5,7 fundings 3566:8 3635:26 3636:1 funds 3502:23 3503:5,6 3572:18 3574:10,26 3593:22,25 3636:2 fur 3585:10 furs 3624:3,22,24 future 3494:21 3505:21 3509:3,5 3513:9 3530:21 3536:23 3555:3 3557:16 3559:17 3560:26 3562:24 3574:16 3584:26 3590:6 3602:15 3606:26 3608:1 3613:11 3625:6 3650:1,3	G Gabriel 3492:20, 24 3512:1,3 3538:19,21 3551:8 3569:20, 22 3570:21,23 3594:2,4 3643:24,26 gain 3494:13 Gale 3483:19 gap 3606:21 3617:13 garage 3634:20 3635:2,6 garages 3634:25 garments 3622:18 gas 3483:6 3566:10 3634:1 3638:21 gathered 3492:14 gathering 3578:25 gave 3555:20 gear 3513:20 general 3482:1,2 3513:12 3590:26 3647:2 generally 3503:20 3553:19 3588:19 3642:24 generate 3659:24 generation 3530:15 3531:5, 6,8 3548:19 generations 3606:13 3608:3,5 3620:12 3639:22 Genessee 3475:22,23,24	genuinely 3632:18 Gilles 3485:14 Gillis 3477:21 3590:7,9,10,11 give 3492:3 3495:25 3514:2 3531:1 3564:21, 23 3566:11 3567:14 3572:5, 16 3574:22 3583:3 3602:15 3622:14,15 3634:9 3636:2 3650:19 giving 3503:5 3548:21 3581:9 3650:1 glad 3586:1 3631:20 Glasgow 3532:11 Glenen 3476:8 global 3553:18 3585:16 goal 3625:12 3626:5 3628:16 goals 3556:7 3625:17 3628:11 Gold 3496:6 Golder 3475:17, 18,19,20 3518:8 3523:12 3600:13 good 3486:7 3498:5,6 3533:6 3545:17 3555:3 3559:14 3562:25 3571:11 3575:6 3595:22 3597:24 3601:24 3602:2 3605:20 3611:14 3620:3 3623:5 3624:2,23 3626:23 3627:6 3628:14 3632:11, 13,23 3638:20
--	---	---	--	--

3642:10 3645:11, 14 3646:2 3648:26 3649:1 3650:20 3660:15 3661:24 goodbye 3653:1 goods 3510:19 3657:12 Goruk 3475:7 gossiping 3571:23 gotta 3559:18 government 3471:18 3474:13 3481:1,6 3497:3 3543:20 3545:15, 25 3549:20,25 3550:19,24,25 3551:3,6 3552:13,16 3557:19 3582:8, 15 3584:8 3591:16,18 3592:6,8 3594:17 3613:26 3614:1,5 3615:5 3616:2,5, 12,23 3617:5,8, 18,21 3618:1,13 3627:7 3629:3 3638:12 3647:22 3650:5,12 governments 3582:15 grades 3553:26 gradual 3576:16 graduated 3575:26 graduates 3575:25 graduation 3659:7 grammar 3650:19,20 grandchildren 3491:16 3621:10	3625:5 3626:4 3648:15,24 3649:23,24 3651:3,6 grandson 3542:23 granted 3490:17 3550:2 3570:8 grasping 3646:20 grateful 3632:9 great 3554:11 3578:9 3615:2 3651:3 3652:9 3654:24 3655:16 greater 3505:6 greatly 3501:20 3565:26 3566:16 3630:3,20 Greenpeace 3560:9 grew 3561:18 3619:10 3620:6 grieving 3649:18 ground 3504:18 3525:14 3529:16 3541:2 3580:3,14 3611:3 grounds 3516:6 3531:1 3580:17, 25 group 3476:24,25 3479:1 3509:15 3528:22 3543:23 3546:24 3587:17, 19 3588:4 3594:23,24 3602:25 3612:6 3643:18 3661:1 groups 3517:10 3544:15 3560:3 3602:9,10 3603:7 3636:26 3637:8, 13	Groves 3476:26 grow 3562:23 3569:3 3614:14 3620:20 3658:21 3659:12 growing 3620:17 3621:9 Gruda-dolbec 3482:5 guarantee 3536:26 3537:17 guarantees 3542:13 Guard 3645:18 Gudmundson 3484:18 guess 3545:26 3609:19 guides 3592:3 guilty 3504:8 gum 3647:15 guns 3652:15 guys 3573:22 3609:6	24 3653:6,12 hamlets 3656:23 hand 3546:16 3599:4 3617:10 handle 3560:12 hands 3491:7 Haney 3481:7 Hanson 3497:20, 23,24 3517:22,23 3531:10,11 3535:15,16 3553:3,4 3568:4, 5 3572:24,25 3576:19,20 3580:4,5 3586:12,13 3600:9,10 3612:13,14 3615:7,8 3632:5, 6 3641:26 3642:1 3658:8,9 Hanson-main 3478:21 happen 3494:20, 21 3496:23 3506:1,16 3598:4 3608:14 3630:6 happened 3598:1 3651:20 happening 3498:21 3507:25 3532:19 3539:12 3544:2 3548:8 3602:18 3631:5 3649:13 happy 3562:10, 13 3565:25 3587:21 3626:2, 7,24 3627:3 3628:24 3649:9 3657:19,21 3661:16 harbour 3523:2 hard 3534:3 3548:16 3560:20	3561:17 3567:17 3572:11 3576:15 3599:26 3653:1 harm 3585:15 harmful 3513:14 3588:15 3608:15 harmony 3612:8 harpoon 3655:10 harsh 3660:15 harvest 3538:26 3541:24 3543:6,8 3547:3 3597:21 3598:19 harvesters 3532:15 3569:9 3588:8 3599:25 3613:23 harvesting 3532:1 3547:7 3548:3 3579:18 3588:16 3598:18 3599:15,19 3604:22 Hatch 3475:25 He'll 3648:18 head 3474:15 3482:13 3528:5 3542:25 3595:12 3600:21 3601:19 3602:1,11,26 3604:19 health 3483:18, 25 3490:4 3491:3 3586:20 3588:7, 8,16 3638:16 3647:23,24,26 healthiest 3599:2 healthy 3491:5 3530:21 hear 3496:13 3498:1,11 3499:2 3528:23 3535:9 3540:3,9,13,14 3544:6 3546:2 3547:7 3548:14,
---	--	---	---	---

17 3562:2 3573:18,21,23 3576:9 3584:20 3595:6,15,16,21 3596:1,19 3598:7 3601:5,21 3609:4,16 3610:21 3615:2, 3,17 3619:19,21 3626:24 3627:14 3631:4,11 3632:9,11,23 3633:14 3645:12 3653:24 3654:1, 8,10,13,24 3659:19 heard 3520:25 3521:4 3535:22 3538:12,24 3543:19 3545:24 3571:2,16 3576:7 3583:18 3594:7, 18 3600:5 3605:24 3607:22 3616:16 3654:17 hearing 3473:5 3486:12 3487:11 3488:7,8 3489:21 3490:3,16 3491:11,15 3497:14 3519:23 3520:25 3533:16 3538:17 3540:16 3547:8 3549:16 3554:26 3584:13 3595:17,22,25 3603:19 3606:18 3607:21 3615:16 3620:21 3626:2 3630:16,24 3633:15 3653:2 3655:6 3656:12 hearings 3490:10 3491:18 3537:3 3606:18 3621:11 3633:10 3637:26 3642:9	heart 3548:21 heartbroken 3531:5 heated 3491:23 heating 3628:3 heavy 3598:4 held 3491:20 3507:7 3576:22 3580:19 3593:1, 9,15 3608:22,24 helicopter 3618:10 helped 3568:11 3600:22 3621:1 helpful 3618:18 3636:4 helping 3622:16 3634:14 helps 3500:7 3514:8 3601:22 Hemp 3477:1 Henriksen 3482:1 herd 3618:17 herds 3610:19 3623:26 hide 3622:21 hides 3584:16 Higdon 3476:22 high 3530:10,12 3531:3,13 3553:21 3580:25 3589:10 3604:7 3631:21 high-level 3519:15 high-risk 3493:22 3518:24 3519:6,13 high-stress 3525:11,21 3527:8 higher 3513:3 3631:20	highest 3495:8 3507:7 highlight 3503:21 hire 3555:15 hired 3578:12,21 3658:4 history 3520:18 3647:26 hit 3566:26 3567:4,5 Hoffman 3484:13 Hoggarth 3483:8 hold 3563:12 3589:9 3593:12 3637:25 3639:10 holder 3606:16 holders 3580:19 3603:25 3614:16, 17 3636:21 holding 3564:17 holds 3593:11 3608:21 holistic 3620:10 holistically 3622:1 Holt 3482:18 home 3571:13 3600:1 3647:5 homeless 3545:13 3634:7 Hondas 3634:21 3635:4 honour 3563:1 hope 3494:20 3495:9 3500:7 3504:23 3510:8 3511:22 3514:8 3530:1 3533:6 3539:22 3557:23 3570:11 3581:12 3595:1,6 3602:14 3618:18 3649:2	hoping 3505:2 Horvath 3486:1 3662:3,20 host 3576:26 3577:16 hosting 3577:2 Hotel 3473:1 hour 3526:23 3527:7 hours 3527:2 3645:20,22 house 3545:13 3646:14 household 3652:13 houses 3604:8 Howland 3483:12 HTO 3495:19 3496:1 3500:12 3502:13,23 3570:15 3653:8 huge 3541:6,9,12 3542:6,10,16 3545:18 hull 3541:14 human 3615:25 3650:11 humbling 3632:8 humour 3553:11 hundred 3504:9, 21 3650:8,13 hungry 3599:5, 12 hunt 3530:22,25 3532:16 3560:6 3561:19 3565:4 3566:10 3576:4 3579:13 3583:14 3611:1 3641:5 hunted 3525:12 hunter 3565:2 3601:18 3605:1 3612:25 3648:19	hunters 3478:17, 22,24 3479:1,10, 16,20 3480:1,6, 12,15,17,19,21 3495:20 3500:9 3533:7,12 3534:3,21 3535:26 3538:5, 24 3539:9 3542:21 3558:10, 14 3565:26 3566:8,12 3570:1,6 3576:4 3579:3 3583:15 3598:16,20 3605:26 3611:1 3613:9 3614:7 3617:15 3621:3 3641:3 3644:22 3653:17 3656:25 3658:5 hunting 3530:18 3532:1 3534:22 3538:25 3541:2 3542:23 3545:6 3548:3,6 3560:1, 6,8 3565:2 3578:23 3583:14 3585:1 3597:20 3598:19 3599:18 3611:3 3622:24 3627:26 3628:1 3649:10 hurting 3648:2,5 hydrophone 3570:17 hydrophones 3569:17 3640:23 3641:8 I ICA 3501:3,10 3503:7 3556:5 3582:12 3634:16, 26 3635:7
--	---	--	---	---

3636:11 3656:12, 18,26	immemorial 3558:16 3560:7	3631:15	impression 3604:10	increase 3505:11 3658:20,26
ice 3515:9 3542:7 3619:18	imminent 3513:17	impacts 3487:16 3499:24 3501:17 3505:10,20,24,25 3506:8,11,18 3507:19,20,21 3508:16 3512:20 3514:5 3515:3 3524:6 3527:14 3531:24,25 3532:6,24 3557:7 3584:4,5,6,11 3585:22 3588:6 3592:13 3605:23 3606:24 3607:13 3608:2,15 3609:7 3615:4 3617:11 3631:4 3644:13, 16	imprisonment 3504:10	increased 3528:2
ice-covered 3526:13	impact 3471:10, 16,18,22 3472:4 3473:4,9,20,21 3476:2 3481:7 3486:9,19 3495:23 3496:10 3497:3 3501:24 3503:6 3504:5 3505:7 3507:9,17 3508:19 3510:5 3513:24,25 3514:8 3517:7 3522:2,13 3524:2,21,23 3529:17,22 3530:5 3532:2 3533:15 3534:12 3549:7,10,15,21 3550:8,10,19,22 3552:8 3561:24 3579:13 3584:17 3585:7 3591:10 3592:10,14,17 3601:12 3602:20 3607:1 3608:11 3610:19 3613:22 3616:22 3619:3 3637:4	improve 3493:20	improved 3522:13 3528:24	increases 3499:20
icebreaker 3524:5		improvements 3529:5 3607:14	in-kind 3618:8	increasing 3528:12
icebreakers 3542:6		in-person 3488:7 3489:20	incident 3514:2 3516:9	incremental 3509:1
idea 3543:14 3644:7 3646:2 3650:4		include 3512:21, 26 3606:10 3659:22	included 3500:16 3509:23 3516:16 3519:24,25 3522:7,9 3538:8 3558:8	independent 3485:12,18 3490:8 3637:17
ideal 3624:9 3651:16		includes 3529:18 3578:4	including 3491:18 3507:21 3508:25 3509:3, 11 3511:18 3522:17 3523:1 3529:20 3531:16 3539:14 3556:9 3570:3 3579:1 3606:11 3607:1	indicator 3529:1 3534:23,24
identified 3493:22 3577:25 3580:14,17,23 3606:8 3630:9,13		impatient 3599:20	inclusion 3640:8	indicators 3505:26 3519:11 3529:19,20
identify 3493:17 3494:15 3499:14 3592:15		implement 3518:24 3534:4 3643:15 3659:25 3660:20 3661:8, 11	incorporate 3632:13 3639:18	INDISCERNIB LE 3602:9
identifying 3489:6 3607:8		implemented 3529:26 3557:22 3641:14 3661:12	incorporated 3477:18,20,25 3498:15 3499:5 3514:22 3589:25 3591:3 3592:7 3614:11 3627:19 3637:20,22	individual 3499:11 3500:6 3539:3 3568:15 3598:22 3619:9
Idlout 3478:4 3582:4,5 3590:2		implementing 3550:26 3551:14 3616:24	incorrect 3528:14 3659:24	individually 3581:25
Igloolik 3479:1,3 3542:1 3544:9 3547:20 3565:9 3570:16 3571:2,6 3572:14 3606:8 3633:7 3642:21 3643:7 3656:3	impacted 3498:18 3500:23 3501:5,7,8,12,19, 20,22,25,26 3502:2,11 3503:4,6 3527:6 3536:19 3557:8 3559:7,9 3565:26 3566:3,17,22 3576:6 3577:3 3578:23 3579:19 3583:20 3585:10, 13 3607:22,23 3608:13,14 3630:2,16,19	implied 3522:21		individuals 3488:2 3538:15
igloos 3620:22		importance 3491:13 3493:11		industries 3498:21 3560:24 3561:7
IIBA 3498:10 3544:20 3560:13		important 3491:24 3492:13 3493:15 3509:8 3525:5 3532:10 3587:10 3606:10, 25 3615:17 3650:14 3651:8		industry 3542:4 3617:15 3618:2 3638:1,21,22
IKAJUTIT 3479:16		impossible 3564:22 3622:21		infilled 3554:5
Illiwilik 3542:24				influence 3581:1 3587:9,12
illness 3648:9				inform 3556:24 3618:16
images 3490:16				information 3489:15 3492:1, 15 3511:5 3516:4 3551:26 3571:13, 14 3577:8 3594:26 3603:12
imagine 3598:4				
immediately 3513:22 3613:6				

3606:14 3609:7 3618:18 3632:1 3636:22 3637:12, 14 3646:7 informed 3507:16 3617:17 Ings 3473:13 3489:24 initial 3514:25 3521:12 3522:12 3586:23 3641:16 initially 3537:15 initiate 3493:23 initiated 3494:19 inlet 3471:12,23 3472:5 3473:20 3474:18 3478:1, 3,4,5,11,22,24 3486:16,26 3487:14,21,24 3488:23 3489:1, 12,14,25 3495:20 3496:1 3501:5 3510:26 3520:15 3521:19 3530:6, 12 3538:9 3539:4,6,17 3542:19 3544:9 3546:22 3547:2, 12,18 3561:26 3565:20 3570:7 3572:14 3576:22 3578:12,15,21 3579:2 3581:15 3583:10 3585:9, 10 3604:7 3606:8 3610:20 3611:7 3619:5 3630:3 3634:5 3642:22 3649:7 3654:22 3655:2,4,14,17, 18,20,21,26 3657:10,12,13,19 inlets 3547:4,13 3654:21,23	innovative 3555:16 input 3521:7 3524:5 3600:18 insects 3583:23 insecurity 3599:5 inside 3534:10 insight 3569:23 3636:19 3660:21 inspect 3510:24 inspection 3503:17 3514:1 inspections 3511:1 3515:22, 23 3516:3,13 inspectors 3503:18 3510:17, 25 installed 3526:13 Institution 3485:3 insulating 3554:22 integrate 3622:3, 4,7 3627:10 3628:5 integrated 3621:21 integrity 3590:21 intend 3555:20 intended 3493:6 intent 3519:17 3522:25 3592:8 interact 3604:5 3632:14 3642:17 interacts 3508:21 interest 3552:22 3572:20,21 3574:20 3578:11 interested 3578:5	interesting 3540:14 3640:19 interests 3543:23,26 international 3638:9 interns 3578:12, 13 internship 3578:7,9 interpret 3573:24 interpretation 3489:10,11 3615:1 interpretations 3589:4 interpreter 3516:23,25 3524:14,16 3563:19 3573:17, 20 3590:23 3626:18 Interpreter/ translator 3485:22,23,24,25 interpreters 3573:23 INTERPRETE RS/ TRANSLATOR S 3485:21 interpreting 3649:17 intervenor 3591:23 intervenors 3471:10,21 3472:3 3476:10 3487:16,25 3488:6 3489:3 3509:21 3510:1 3517:20 3523:17 3530:5 3543:19 3546:3 3561:24	3581:6 3619:3 interviewed 3605:26 Intrinsik 3476:3 introduce 3638:26 introduced 3578:9 introduction 3495:3 Inualuk-kunuk 3478:11 3646:8,9 Inuarak 3478:12,24 3540:4,12,13 3562:1 Inuit 3476:12,26 3477:1,2,3,4,5,7, 9,11,13,15 3495:22 3498:4, 7,19 3499:23 3500:5,16,24 3501:4,11,12,13, 15,17,18,19,22 3502:17 3509:19 3518:4,9,13,14 3519:7,24 3520:2,6,15 3521:1,15,16,17, 20,23,25 3529:21 3532:5,11 3533:10,19,25 3534:5,7 3536:1, 11,20 3539:16 3543:20 3544:16 3545:16,23 3546:1,6,8,16,17, 22 3548:1 3549:14 3554:12 3555:5,7,11,12, 24 3556:12,22,25 3557:1,3,13,21 3558:6 3559:5,9, 11,24 3560:3,4, 12,13,14,16,17 3561:2,5,16	3562:16 3563:24 3564:5 3565:11 3566:9,10 3568:8,13,17 3569:7,12 3570:10 3571:25, 26 3572:7,11 3573:4,6,9,12,26 3574:3,9,10,17, 25 3575:11 3579:6,9 3580:18,21 3582:11,21 3583:16,17 3587:15,18 3589:15,17 3590:17,19,21 3591:2,4,6,8,13 3593:8,11,16,19 3595:18 3598:20 3600:4 3604:21 3605:8,11,18,24 3606:4,6,8,10,25 3607:3,6,7,10,12, 17,21,25,26 3608:1,6,10,11, 20 3611:20,25 3613:18,22 3614:23 3621:26 3623:7 3626:13, 22 3627:8,9,23 3628:4,12,14 3629:9,14,17 3632:9,12 3634:16 3636:7, 18,21,24 3637:2, 4,5,6,7,10,11,13, 16,26 3638:3,20, 24 3639:1,2,3,6, 7,9,18,19 3640:5 3646:11,13 3648:8 3649:5, 17,21 3651:17 3656:11,22 3658:1,4 3659:2 Inuit's 3637:17
--	---	--	--	--

Inuit-defined 3607:20	involves 3629:10		Johnson 3475:4	3583:16 3586:14, 16,17 3612:15, 16,17 3642:2,4,5 3659:14,15,16
Inuit-led 3519:9 3520:26	Ipeelie 3480:21	J	join 3487:20	Kanakarjuk 3547:17
Inuit-owned 3554:14	IQ 3476:19 3498:19 3500:16 3529:20 3625:2,3	J.F. 3482:22	joining 3486:17	Kanatjuk 3610:24
Inuit-to-inuit 3606:22	Iqaluit 3473:2,9 3474:4 3486:16, 26 3487:21 3488:15 3489:1, 13,17,25 3542:2	J.I. 3480:8	joking 3563:4	Karen 3581:16
Inuk 3572:9 3596:21 3650:14 3652:7	Irngaut 3477:22	Jackie 3510:10, 13 3609:1,3,10 3645:6,7	Jollie 3581:15	Karlik 3481:4 3551:8
inuktitut 3489:19 3496:17, 22 3575:13 3586:3 3619:6 3626:15 3632:19	iron 3471:9,20 3472:2 3474:3, 17,19,20,21,23 3475:1,2,4,5,6,7, 8,9,10,11,12 3486:13 3498:8 3530:4 3533:22 3534:6 3561:23 3585:14 3619:2 3657:6,9,13	Jaideep 3645:8, 10	Jonart 3484:14	Kasakan 3545:20
invasive 3483:12 3493:1,4,7,21,25 3494:16,26 3495:4,6	Irqittuq 3479:8 3562:4,5 3569:14,15 3570:13,14 3571:8,9	James 3498:15 3557:25 3558:2 3589:25 3590:1 3627:19,21 3637:20,21 3640:3	Jones 3485:3	Katsak 3485:24
invertebrates 3585:23	Island 3500:19 3587:6,8 3597:13 3618:17	Janes 3485:25	Jopie 3640:15,16 3644:24,25	Kaujak 3533:4 3539:24 3540:18
invested 3537:11	issue 3506:26 3507:17 3509:7 3540:1 3557:6 3616:8	January 3617:26	Joshua 3582:3 3586:19 3588:17 3590:2	Kautuk 3478:9
investigate 3641:18	issued 3511:19	Jarrat 3476:5	July 3642:23	Kaviq 3486:8
investigating 3597:16	issues 3487:18 3489:22 3499:15 3501:25 3502:1, 9,19,25 3503:6 3506:12 3509:16 3536:16 3560:20 3590:5,8 3591:7 3606:5,7 3612:6 3633:21 3637:26 3638:14,16,19	JASCO 3475:21	Junior 3473:23 3481:24	Keane 3475:16
investigations 3515:22 3516:5, 8,13	items 3518:17 3553:13	Jason 3609:12, 13,14	jurisdiction 3516:23 3517:5 3559:3	Keenan 3485:10
investing 3529:8 3537:9		Jayko 3540:5,10	jurisdictions 3558:19	Keewatin 3542:2
investment 3542:12		Jaypoody 3477:13	justice 3632:17	key 3489:5 3568:15 3606:5 3607:24
investors 3543:13		Jeetaloo 3540:4	justified 3508:26	killer 3525:13
inviting 3492:16		Jimi 3551:10 3591:17,18	justify 3533:18	Killiktee 3478:15 3581:22,23
involved 3536:18 3590:6 3626:5 3635:17 3638:24 3639:1,2 3652:18		Joanna 3646:8,9		kilometres 3526:24 3601:5,8
involvement 3520:14		job 3559:14,18 3575:15 3577:15, 19 3649:26 3651:16 3659:13 3660:16	K	Kimmirut 3654:6,9
		jobs 3575:20,21, 25 3576:7,9 3584:23 3599:25 3623:23	Kabanguka 3482:19	kind 3602:2 3632:14 3646:19 3650:26
		Joe 3600:14 3604:14,15 3632:18,20,22	Kaernerck 3479:9 3640:15,16,17 3644:24,25,26	kinds 3622:9
		Johar 3484:20 3645:8,10,11,14	Kakee 3480:14	Kiubua 3610:26
			Kalcsics 3483:22	Klarenbach 3484:23
			Kalluk 3479:22	Klengenber 3473:18
			Kaluraq 3473:5 3486:8	knew 3548:2 3563:13,23 3619:23 3620:1,
			Kamermans 3474:11 3517:24, 25,26 3553:5,7,8	

7,11 Knight 3476:1 knowing 3623:22 knowledge 3486:18 3487:18 3492:1 3498:20 3540:7 3557:1 3558:10,15 3559:5,12 3565:11 3568:13, 18 3580:18,19,21 3583:17 3595:18 3602:2,12 3603:25 3604:20, 23 3605:2 3606:13,15,21,23 3611:17,18,20,23 3612:19 3614:16 3615:22 3616:18 3621:14,26 3622:1,6,10 3627:9 3628:5,17 3629:10 3632:12 3636:21,24 3639:11 3644:14 3648:8 3651:18 Komangapik 3478:22 3533:4,5 3539:24,25 Koonark 3478:5 Koonoo 3479:20 3652:20,21 3653:21 Kowbel 3474:6 Krizan 3475:14 Kugaaruk 3546:26 3547:1 Kuganajuk 3546:25 Kugluktuk 3526:24 3558:24 Kunuk 3485:16 Kupaq 3479:12 Kuppaq 3619:1, 6 3629:19,20	Kuuktujuq 3547:9 L L.R. 3475:24 Labrador 3553:19 lack 3599:5 lakes 3554:5 3585:22 lamps 3620:23 land 3476:13 3496:3 3504:18, 19,20 3521:1,18 3530:19 3542:17, 18 3554:13 3555:6 3559:19 3564:5 3572:10 3582:14 3583:19, 21 3584:5,9,10 3585:8 3587:2,7, 15 3590:20 3592:24 3599:18, 23 3605:25 3606:2 3608:23 3610:15 3613:6 3614:22,23 3624:20 3628:22 3630:4 3631:1 3637:25 3638:3, 6,23 3657:16 lands 3476:18 3477:22 3554:14 3563:8 3583:7 3590:3,4,7,12,19 3636:23 landscape 3587:14 lane 3526:14,16, 23,25 language- specific 3489:15 languages 3650:24	large 3554:4,18 3586:23 largely 3618:2 larger 3508:19 lastly 3576:7 late 3502:20 3598:26 laugh 3563:4 Lavallée 3477:25 laws 3623:8 lawyers 3495:24 3583:3 lay 3504:1 lays 3552:3 3617:19 lead 3476:16,17 3483:5,6 3485:7, 9 3516:8 3518:26 3595:21 3636:21 leaders 3637:3 leading 3521:21 leads 3551:22 lean 3614:15 learn 3604:26 3620:9,15,16,19 3632:16 3639:21, 23 3640:10 learned 3598:22 3620:25 3626:1 learning 3620:10 3621:5,12,14,15, 23 3622:9 3635:13 lease 3518:16,21 3520:12 leases 3504:19 leave 3532:25 3542:14 3551:9 3564:1 3579:19 3584:18 3604:11 3618:19 3625:15 3651:8	leaves 3554:4 leaving 3525:8 3586:1 3648:22 3654:13 led 3516:11 3521:20 Lee 3477:24 3498:23,24,26 3499:1,4 Leech 3476:24 left 3492:17 3642:10 3654:20 legacy 3607:26 3608:9 legal 3471:17 3473:10 3474:5, 6,25,26 3476:13 3478:19 3479:18 3481:2 3482:5 3484:26 3485:14 3549:6,7 3617:8 legally 3536:9 Legault 3475:15 legislation 3504:18 3516:9, 21 3517:4 3590:13 3592:3 legislatures 3624:10 length 3528:21 3654:6 lens 3606:4 letter 3503:24 level 3519:14 3520:14 3523:24 3527:17 3529:11 3607:8 levels 3519:6 3526:11,15,18,25 3528:3,12 3581:9 3588:14 Levi 3544:8 liability 3510:21 3591:1	licence 3504:11 3593:5 licencing 3593:1 lies 3578:11 life 3559:15 3581:8 3588:3 3605:25 3606:1,6 3639:21 3647:2 3648:22 3650:11 3652:8 lights 3558:7 likelihood 3537:19 limit 3488:16 3495:1 3514:4 limited 3475:15, 16,26 3524:7,25, 26 3598:12 linked 3488:25 links 3488:26 Lipsett 3485:17 list 3488:2 3492:19 3497:22 3529:18 3550:10 3552:21,24,26 3568:11,12,19 3581:20 3582:3 listed 3497:8 3569:8 3594:9,10 listen 3491:25 3497:17 3562:7 3642:12,14,16,18 3651:16 listened 3562:9 listening 3491:12 3492:18 3510:7 3535:8 3540:4,6 3619:19 3643:2 3652:19 live 3490:9,10 3558:11,14,15 3562:23 3564:2 3620:22 3646:17 lived 3563:25
--	--	--	---	---

lives 3561:12
3565:12 3621:23
living 3492:8
loaded 3660:9
loading 3596:8
local 3491:3
3539:21 3570:1
3588:15 3614:15,
16,23 3644:22
localized 3515:8
3524:7 3601:1,13
locate 3641:19
location 3489:20
long 3502:22,24
3519:18 3526:19
3527:3 3540:25
3545:25 3550:25
3551:13 3552:21
3568:12 3597:6
3598:17 3599:21
3619:13 3621:7
3631:14,26
3640:26 3641:1,2
long-term
3525:26 3575:3
longer 3525:19
3537:19 3564:2
3575:3
looked 3496:8,14
3534:16 3581:11
3588:11 3648:2
Lord-hoyle
3474:9 3535:16,
18,19
lose 3545:8
3559:13,24
loss 3513:2
lost 3545:4
3648:9 3649:19
lot 3499:22
3505:8 3509:16
3530:19 3531:18
3532:13 3534:26
3535:22 3537:9
3538:7,12

3541:22 3542:7,
22 3548:11
3553:13 3564:13
3586:10 3606:13
3615:22 3630:4
3631:23 3640:7
3656:8,14
lots 3542:13
3632:15 3641:11,
12 3649:11
Lou 3517:24,25,
26 3531:21
3553:5,7,8
3568:23 3583:16
3586:14,16,17
3612:15,16,17
3642:2,4,5
3658:11 3659:14,
15,16
loud 3596:1
loudest 3526:15
love 3646:26
3647:2,16
3651:6,7 3653:26
lovers 3560:9
low 3519:5,10
3553:26 3589:12
low-level
3525:22 3527:9,
14
lower 3522:24
lower-ambient
3610:18
lowering
3518:13
lunch 3490:25
3548:23
Lyall 3477:23
Lyrette 3483:24

M

Macdonald
3476:25

machines
3634:21
Madam 3492:23
3495:10,15
3497:6 3498:6,13
3499:1 3500:8,
11,14 3503:10,13
3504:25 3510:12
3512:2 3514:11,
14 3517:12
3518:1 3523:11
3530:9 3538:20
3539:23 3540:19
3549:9 3550:12,
16,21 3551:5
3552:7,12,15
3553:9 3555:9
3558:1 3562:4
3567:6,7 3569:21
3570:12,22
3571:7 3580:10,
15 3581:10,11,
16,21 3582:1,5
3586:18 3589:23,
26 3590:10
3591:15,25
3593:18,26
3594:3 3595:2,5
3600:17 3603:2,
4,12,18 3604:2,
11,13 3605:17
3608:18 3610:11
3612:18 3615:12,
16,20 3616:1,4
3626:21 3627:17,
20 3632:21
3636:6,9,17
3637:18 3639:26
3640:16 3642:6
3643:25 3644:23
3645:11 3646:7
3652:21 3653:18,
21 3659:17
made 3493:19
3496:21 3505:3,
18 3506:1,3
3511:16 3515:5

3519:2,22
3520:11,22
3524:6 3535:25
3536:12 3540:18
3557:23 3563:17
3582:12 3594:6
3613:14 3614:3
3633:1 3637:23
3640:19 3642:14
3661:9
Madeleine
3486:22
Maher 3484:10
main 3507:19
3638:6
maintain 3491:8
3588:20
maintaining
3589:12
maintains
3539:20 3590:20
maintenance
3512:22
major 3514:23
3544:14 3583:15
3638:4,15
3639:13 3640:6
majority
3527:11 3593:12
3598:10
make 3495:5
3496:10 3497:17
3505:5 3507:3,16
3510:6 3511:7
3534:8 3535:6
3538:14 3542:15
3543:18,26
3545:15 3553:2
3555:15 3556:3,
19,23,26 3557:4,
24 3563:14,15
3574:18 3577:7
3583:4 3584:15
3586:11 3597:18,
20 3598:2,15
3605:3 3608:4,11

3614:24 3615:14
3616:19 3622:13,
17,19,22
3623:10,12
3624:15 3625:21
3633:15,24
3637:15 3641:10,
21 3648:26
3653:19 3657:1,
23 3658:20
3661:10
makes 3594:13
making 3521:2,3
3542:12,13
3552:23 3582:25
3640:8 3657:4
3661:21
Malcolm 3475:3
Malliki 3485:18
mammal
3483:10 3513:20
3546:17 3566:26
mammals
3496:17 3505:14,
18 3512:11
3542:20 3558:5
3559:3 3567:2
3585:4,8 3606:11
3639:15
manage 3494:15
3495:1 3529:26
3554:9 3557:9,19
3560:10 3574:5,
9,21 3588:25
3659:21 3661:4
managed
3493:22 3538:26
3573:16 3584:14
management
3476:18 3481:13
3482:4 3483:13
3493:9 3511:11
3512:10 3518:26
3519:4 3529:25
3539:2,15
3594:24 3607:14,

16 3617:7,17 3618:16 3637:3 3659:23 Manager 3473:17,21 3474:13 3481:7, 14,15 3482:7 3483:19,23 3484:18,20,21 managing 3574:7 mandate 3633:10 manner 3644:17 manual 3660:7 maps 3606:10,14 March 3499:13 Marcoux 3483:10 marine 3483:10 3484:20 3485:7 3496:17 3505:14, 18 3509:14 3510:20,21 3511:9 3512:11 3513:20 3517:10 3522:16 3528:22 3568:19 3579:15 3602:8,25 3639:14 3643:17 Mark 3489:24 market 3554:24 markets 3554:23 Mary 3486:14 3496:3,11 3540:22 3541:1 3544:8,10 3545:24 3549:17, 18 3550:9 3580:24 3584:7 3606:7 3608:8 3611:7 3619:1 3629:19 3636:19 3640:7 3649:15	mask 3491:7 materials 3550:4,6 3554:9 3563:15 matter 3471:16 3549:5,7 3562:22 3613:8 matters 3492:13 3550:13 3567:6 maximize 3591:5 Mayor 3478:3 3479:7 Mcclintock 3476:4 McLennan 3483:15 McLeod 3475:10 Meadows 3473:10 3549:9, 10 meaning 3525:17 3526:6 3527:21 means 3491:5 3601:2 3607:4 3658:18 3660:14 meant 3536:15, 17 3600:4 3643:13 3660:6 3661:5 measure 3494:22 3515:9 3644:7,15 3660:25 measured 3526:11 measures 3493:9,13 3494:1 3529:25 meat 3585:12 3628:4 mechanical 3634:17 mechanism 3637:11	mechanisms 3511:2 3532:5 3576:5 3637:16 media 3490:6,13 medical 3647:26 medication 3648:18 meet 3531:14 3576:25 3592:8 3612:5 meeting 3491:3 3528:20 3535:6 3539:13 3540:15 3544:5,14 3571:20,21 3582:7 3643:21 meetings 3488:7 3499:18 3502:8 3520:24 3529:8 3533:9 3544:23 Megan 3535:16, 18,19 3554:26 Melissa 3514:13, 15 3516:24 melt 3515:9 member 3473:6, 7 3478:12,13,14, 15 3479:4,13,23, 24 3533:8 3550:23 3552:9 3581:18 3594:6 3627:13 members 3486:21 3487:13, 23 3523:17 3528:21,23 3619:15,16 3653:4,5 members' 3487:17 men 3622:23 3627:26 mental 3647:24, 26	mention 3532:9 3534:11 3535:12 3569:6 3633:14 3646:11 3651:18 mentioned 3494:5 3520:14 3521:23 3536:6 3537:5 3553:13 3572:5 3574:13 3601:5 3604:17 3613:25 3615:1, 21 3643:11 Merkosak 3474:21 message 3563:20 messages 3561:17 met 3511:12 3543:26 3549:23 Metal 3515:16 metals 3588:15 method 3588:26 microphone 3487:3 3489:5 microphones 3488:17 migrate 3540:8 3546:18,24,26 3547:21 3548:11 3655:22,24 migrating 3547:16 migration 3540:1 3547:5,6, 23 3557:11 3656:7 migratory 3606:12 Mike 3480:15 3580:7,9 3600:13 3603:1,3,5 3615:10,11,13 Mikki 3479:4 million 3537:25	3541:16,17,20,24 3553:20 3554:16 3555:20 3572:5 3574:8,12 3593:21 3608:21 3657:15 Milne 3510:26 3584:7 3585:9 3587:6 3594:18 3610:20 3611:7 3642:21 3657:12, 19 3660:10 mind 3492:14 3497:26 3582:1 3587:11 3619:9 3626:3,9,11 mine 3495:23 3512:13 3518:26 3540:23,24 3541:4,5,23,25 3542:11,12 3543:6,11,14 3544:18 3548:5 3553:17,18 3555:15 3561:21 3580:2 3584:2 3588:22,23 3593:24 3598:21 3604:4 3608:6,16 3610:22 3611:10 3612:1 3637:4 3638:1 mine-closure 3587:17 3588:4 mined 3541:19 mines 3471:9,20 3472:2 3474:3, 17,19,20,21,23 3475:1,2,4,5,6,7, 8,9,10,11,12 3486:13 3530:4 3551:2 3554:18 3556:1 3561:23 3619:2 minimize 3532:24 3591:1
--	---	---	--	---

mining 3482:16 3483:6 3498:9 3515:16 3533:22 3534:6 3536:7 3541:15 3543:5 3555:25 3556:25 3559:8,10,15,16 3561:5,7 3562:19 3563:8 3566:5 3576:8 3582:18 3583:5,6,7,26 3584:22 3585:6 3590:3,5,12 3638:21 3639:12 3657:25 minister 3481:3, 4 3540:16 3551:11 3553:11 3567:10 3592:20 ministers 3567:12 minor 3507:21 3527:14 minute 3609:11 minutes 3510:15 3531:22 mirror 3603:6 misinformation 3571:18,23 misleading 3501:1 3571:18, 23 missed 3507:4 3615:1 mistake 3496:21 mistreated 3564:16 misunderstand 3633:21 mitigate 3493:6, 24 3515:9 mitigated 3615:5 3617:17 mitigation 3603:21	mitigations 3607:15 3616:6 3660:23 3661:6,7 Mittimatalik 3478:17 3500:9, 12 3502:13,23 3530:12 3535:26 3538:5,24 3570:5 3594:7 3595:3 3633:7 MLA 3562:8 3567:8 MLAS 3567:9 model 3492:10 modelled 3492:8 3581:7 models 3580:26 3581:2 moderate 3519:5,13 modest 3593:12 modifications 3613:4 modified 3586:26 modify 3589:13 moment 3507:17 3612:22 3646:1 monetary 3511:13 money 3542:12, 13,15 3564:13 3572:22 3574:2, 8,12 3579:11 3593:14 3599:12 3605:12 3608:22, 24 3624:2 3630:18,23 3631:17,18 3633:24 3634:11 3650:10 3652:17 monies 3608:7 monitor 3501:14 3505:25 3506:2 3510:17,24	3513:4 3523:20 3565:11,18 3566:25 3617:9, 11 3645:22 monitored 3509:24 3561:3 3565:1 monitoring 3493:12,15,20 3494:3,4,10 3506:4,7,10,17 3507:1,4,10 3509:1 3510:16 3512:22 3513:9 3517:7,8 3519:11 3520:26 3521:18 3522:16,20 3524:20 3527:19 3528:5,21,25 3529:2,6,13,15 3530:2 3543:1 3548:12 3551:1 3566:24 3570:18 3589:11 3594:20, 22 3595:12 3600:26 3601:20 3602:17 3603:22 3607:16 3611:8 3613:17 3614:3, 10 3617:22 3618:4,14 3637:3 3641:9 monitors 3565:19,21 3567:1 3578:17, 21 3645:15,17 months 3577:16, 22,24 3578:2,13 3611:5 3635:15 3658:25 Montreal 3654:2 Moore 3474:13 3476:3 Morash 3479:3 morning 3471:5 3486:7 3487:4	3490:1 3491:1 3498:5,6 3501:13 3509:6 3533:6 Morrison 3473:21 Moses 3652:20 3661:14 Moses's 3659:18 mother 3563:2,3 3620:24 3648:11, 16 3651:5 motion 3533:11, 14 3535:25 3549:14,23 3550:2 3655:20 motors 3652:15 mountain 3540:25 mouth 3541:10 move 3498:3 3520:5 3523:6 3535:21,23 3542:7 3550:26 3551:14 3552:26 3553:24 3554:10 3560:19 3564:2 3585:21 3603:17 3622:13 3628:17 3654:17 3661:8 moved 3647:4 movement 3488:16 movements 3506:23,26 moves 3522:1,4 3660:20 moving 3535:2 3536:24 3543:7 3585:12 3601:9 3603:13 multidimensiona l 3587:19 multigeneration al 3509:7	multiple 3493:3 3505:15,26 3571:3 3637:12 Murphy 3478:19 muted 3487:2 N Nagmalik 3479:10 named 3585:13 names 3497:22 3540:26 3653:12, 13 Nanisivik 3604:4 narwhal 3483:10 3499:10,19,26 3500:2 3501:6 3506:13 3508:6 3522:24 3523:15, 20 3524:9,22 3525:3,12,22 3526:20 3527:6 3528:5,16,17 3529:22 3538:26 3539:2,7 3540:1, 2 3546:13,19 3548:4,16 3558:20 3559:4 3580:1 3594:8, 10,15,16 3595:11,13,17 3600:25 3601:3, 4,7,9,11,15 3604:19 3606:24 3649:8 3652:12 3659:18 3661:15 narwhals 3526:10,18 3534:21,23 3548:7 3585:1 3649:7,8 3652:13,16 Natalie 3551:3,6 3552:13,16 3616:2,5
---	---	---	--	---

Natanine 3480:3 natural 3484:1 3587:23,25 3592:24 3620:10 3621:3 3642:16, 17 nature 3612:5,8 Naullaq 3479:14 Navigable 3510:18 3511:6 navigation 3641:22 nearby 3496:6 3654:5 needed 3510:9 3545:26 3579:8 3589:13 3606:23 3637:16 3649:26 3650:9 3660:17 negative 3548:14 3627:11 negatively 3622:15 negotiate 3573:2 3638:6 negotiated 3503:9 3520:1 3560:15 3569:13 3573:7 3618:2 negotiating 3545:14 3629:4 negotiation 3520:15 negotiations 3520:20 neighbours 3491:15 Network 3485:12,19 3490:8 Ngwa 3481:15 nice 3584:3 3647:7 3649:14 3651:9	night 3543:1 3549:23 nights 3506:20 NIRB 3486:9 3487:26 3489:22 3490:2 3496:12 3519:23 3543:21 3549:6 3581:15, 17 3584:9 3633:9 NIRB's 3486:11 3491:4 noise 3523:14,24, 25 3526:10,11, 21,25 3527:6 3528:15 3561:14 3573:18,21,23 3595:21 3609:7 3615:4,20,23 3616:6 3642:14 3644:6,8,13,15 noises 3644:5,16 nomadic 3563:25 nominated 3556:16 non-inuit 3636:24 non-polluting 3587:14 non-project 3523:25 noncompliance 3520:11 nonindigenous 3493:25 normal 3525:1, 23 3526:2 north 3482:14 3483:7 3484:25 3485:2 3488:12 3496:2,11 3504:24 3505:1 3509:21 3515:11 3523:13 3526:5 3543:22,24,26 3555:21,26	3583:12 3587:5 3597:12,15 3598:9 3618:7 northern 3474:15 3481:11 3482:4 3503:12, 14,18 3504:3 3515:14 3587:7 3590:15 3591:9, 23,26 3592:23 3593:7 3598:15 3639:25 3640:1 Northwest 3582:16 nose 3647:15 note 3489:9 3515:21 3523:7 3525:5 3578:20 3586:21 3588:17 3602:26 3609:21 3617:23 noted 3550:3 notes 3505:3 3662:6 notice 3514:2 3621:10,13 noticed 3611:6 3641:4,11,13 3654:7 notify 3513:13, 18,22 noting 3549:24 3568:24 November 3471:5,15 3472:1 3520:25 3594:15 3661:26 3662:9 Nowyad 3547:22 NTI 3496:21 3499:9,11,14 3539:12 3543:24 3546:7 3557:16 3582:10,14,21 3583:1,2 3584:14,23	3589:22 3590:11, 17 3591:12 3627:21 NTI's 3590:24 Nubwa 3547:19 Nuluujaat 3580:3,13,22 Nuluyait 3541:1 number 3499:15, 21 3513:5 3516:15 3524:12, 19 3540:23 3569:2,4 3577:12 3578:16,26 3580:22 3587:11 3595:26 3603:19 3654:11 3658:18, 20 numbers 3506:13 3522:24 3578:14 3604:7 3654:12 3659:1 numerous 3499:18 Nunami 3476:5, 6,7,8 Nunavut 3471:10,16,18, 19,21 3472:3 3473:2,4,9,20 3477:18,20,25 3481:1,6 3485:12,18 3486:8 3490:8 3496:15,20 3497:2 3498:14 3499:5 3504:5,6, 12,13 3517:7 3522:2 3530:5 3533:14 3539:14 3549:7,10,15,20, 21,25 3550:7,10, 19,20,22,24,25 3551:2,3,6 3552:8,13,16 3554:13 3557:18,	25 3558:2 3560:14 3561:24 3573:4,8 3575:17,25 3582:9,14 3589:24 3590:1, 12 3591:10,16,19 3592:4,7,8,9,14, 17,25,26 3593:1, 2,6 3597:15 3607:1 3613:26 3614:2 3615:5 3616:2,5,13,22 3617:5,6,8,21 3618:1,13 3619:3 3627:7,18 3630:15 3631:2 3637:19,22 3638:2,5,23 3640:4,6 Nunavut's 3614:5 3616:23 3617:18 Nutarak 3478:7 3530:8,9 3533:1, 2 3657:3 Nuturak 3478:10 O O'GRADY 3481:6 3551:4,5, 6 3552:14,15,16 3616:3,4,5 O'SOUP 3484:22 objections 3550:1 objective 3587:22 objectives 3587:13,16 3590:26 3591:1 3618:16 obligated 3573:7
--	---	--	--	---

obligation 3617:9,11 obligations 3617:5 observant 3596:21 observations 3500:5 3637:6 observe 3596:13 observed 3499:25 3529:26 3598:6 obtain 3516:4 obvious 3543:2 occur 3505:15 3607:9 occurred 3516:7 3522:26 3531:24 occurring 3499:24 3513:17 3532:13 3588:23, 24 3594:20 occurs 3513:25 Ocean 3567:23 Oceanography 3485:4 Oceans 3483:1, 14,15,16 3484:25 3485:2 3492:19, 24 3493:3 3494:2,4 3495:4 3496:1,11 3504:24,26 3509:21 3511:26 3512:3,8,18 3513:1,13,21,22 3523:13 3526:5 3534:14,15 3538:18,21 3539:1,16 3567:24 3568:2 3569:19,22,24,26 3570:4,20,23,26 3583:12 3594:1, 4,9,19,23	3640:22 3643:23, 26 3645:3 3654:26 October 3549:13,21 offence 3504:14, 16,21,22 3516:6, 7 offences 3504:7 office 3482:4 3577:21 3635:10, 12 3653:10 officer 3474:8 3482:16 3484:3 3645:17 officers 3514:6 official 3486:1,2 3494:23 3662:15, 21 officials 3502:7 offset 3526:16 offsetting 3512:23,26 3513:1,5 oil 3483:6 3560:25 3638:21 Okalik 3485:9 Olayuk 3498:4,6 3555:8,10 3573:10,11,25 3589:16,17 3593:17,19 3605:9,11 3626:14,20,22 3636:8,10 older 3576:2 3583:6 3620:6,17 Oliver 3547:17 on-the-land 3572:8 Onalik 3481:3 3551:10 3591:17, 18	ongoing 3521:7 online 3474:24 3487:1 3489:16, 23 3490:7 3491:11,25 3516:19 3517:2 Ootoovak 3478:20 3500:10, 11,12 open 3492:16 3526:12 3529:3 3575:21,25 3657:11 opened 3575:20 3623:20 opening 3471:6 3486:6 3487:5,7 operate 3532:8 3555:3 3556:20 3557:4 3574:20 operating 3511:20 3553:17 3610:1,7 operation 3520:19 3529:6 3537:15,23 3540:23 3612:22 3613:7 3616:11 operational 3529:19 operations 3505:11 3506:22 3510:25 3511:19 3512:15 3518:22 3574:9 3610:2 3632:12 operators 3513:21 opinion 3496:8 opinions 3491:20 3492:15 opportunities 3559:15,18 3575:16 3592:11, 15 3638:10	opportunity 3487:14 3488:12 3500:15 3523:18 3561:16 3600:24 3601:2 3613:3,11 3636:3 oral 3520:21 order 3526:23 3527:2 3549:14 3561:8 3623:9 ordering 3511:18 ore 3498:9 3512:25 3513:11 3533:22 3538:1 3540:24 3541:2, 5,6,8,10,12,13,16, 22 3542:11 3543:11,16 3553:22,23,25,26 3554:2,7,10 3585:14 3588:13 3657:6,9,13 organization 3478:17,23,25 3489:4 3495:20 3500:10 3533:7, 10,12 3534:3 3535:26 3538:5 3543:22 3570:2,6 3573:4 3574:4,5, 7 3638:11 3653:17 organizations 3497:8 3535:9 3537:8 3538:15 3539:10 3543:20 3544:24 3545:23 3546:6,8 3556:9 3557:17 3561:9 3572:7 3579:3 3614:7 3617:15 3625:20 3626:25 3644:22 3658:5 organized 3575:15	organizing 3577:10 orientation 3525:17 original 3586:25 originally 3576:25,26 orphans 3649:23 3650:2 Osborne 3475:19 other's 3491:26 3560:5 Ottawa 3540:16 3654:3 Ottenhof 3476:17 outcome 3544:25 outcomes 3522:20 outdated 3582:19 3583:8 outline 3551:18 Outreach 3473:18 outright 3566:20 outstanding 3499:21 overhaul 3600:3 oversight 3511:14,24 3520:10 owned 3590:19 owners 3555:6 Oyukuluk 3479:23,24
P				
pages 3662:4 pain 3652:5 Palituq 3480:10 palm 3597:7				

pandemic 3557:14 panel 3471:18 3473:6,7 3486:21,23 3488:9 3549:23 3550:2,13,19,22 3552:8 Panel's 3550:7 Pangnirtung 3547:7,9 Panipakcocho 3478:8 3595:4,5, 8 3610:10,11 panting 3619:21 paper 3629:25 3630:12 parents 3563:2, 21 3621:2 3647:4,11,12 3648:16 3651:5 Parks 3484:5,10, 11,12,13,14 part 3487:12 3488:8 3516:25 3521:13 3522:12 3523:3 3537:24 3539:2,11 3544:8 3551:15 3558:13 3562:10 3575:18 3582:16 3604:18 3614:4,12 3615:18 3621:23 3624:13 3643:13, 14 3652:3 3656:2,15 3660:15 3661:2 participants 3488:26 3490:3 3552:21 3592:11, 15 participate 3606:16 participated 3602:5,8,10,11	participating 3488:23 3489:16 3491:10 3539:22 3551:12 3602:14 3649:11 participation 3580:20 3603:7 3640:4 particle 3563:7 parties 3490:6, 13,17 3522:17 3536:18 3537:7, 11 3552:1 parties' 3617:3 partner 3532:22 partners 3513:23 3539:14 3617:14 3618:2 3638:12 Partridge 3483:23 parts 3583:5 3634:24 3656:16 3657:16 party 3528:23 Pashkoski 3483:14 pass 3508:1,3 3518:8 3522:19 3523:7 3531:7 3568:22 3586:14 3602:26 3605:2 3609:12 3612:15 3622:2 3639:11 3646:15 3658:11 3659:14 passage 3645:23 passageway 3641:10 passed 3597:5 3601:11,14 3647:3 3648:10 passes 3508:4,5 passing 3596:13 3606:12 3622:1	past 3502:18 3505:21 3511:18 3522:22 3535:24 3555:1 3558:25 3562:24 3564:16 3570:19 3599:13 3602:5 3604:6 3618:1 3619:25 3631:7 3634:1 3652:4 Patel 3482:20 path 3603:25 3617:19 3659:11 pathway 3524:3 patience 3489:7 patient 3489:2 Paton 3476:19 3605:15,16,17,18 3636:12,16,17,18 Patrick 3600:13, 16 Patrick's 3603:6 Paul 3545:24 pause 3524:16 Pawley 3481:14 pay 3503:7 3630:23 3634:22, 24 peace 3631:26 Pelletier 3473:22 3475:24 pelt 3623:19,22 pelts 3559:22 3585:11 3622:18 3624:3,22 penalized 3497:3 penalties 3496:26 3511:13 Penney 3474:7 people 3491:19 3494:12 3497:8 3501:4 3502:21 3503:2 3506:16 3530:11 3532:2	3535:12 3542:26 3543:13,15 3546:3 3548:14 3552:21,26 3555:15,17,22 3556:4 3557:13 3558:12 3559:18, 20,23 3560:17 3562:18 3563:22, 23,26 3564:4,6, 12 3565:9 3566:16 3568:15, 17 3575:10 3576:9,11 3585:2 3586:10 3588:16 3589:3,4 3590:4 3599:5,20,24 3604:3,7 3611:11,15 3612:8,9 3620:14 3621:13,18,24,26 3622:5 3624:10 3628:11,12 3630:2,14,16 3631:3 3633:7, 14,15,20,21 3634:10,15 3635:11,12,14 3640:8 3643:19 3646:17,21 3647:6,8,23,25 3649:10,18 3651:1,12,16,25 3652:1,8,9,13 3653:11 3654:12 3656:3 3658:4 3660:14 perceive 3522:22 percent 3554:3 3587:8 3657:24, 26 percentage 3587:7 perfectly 3604:25 performed 3515:23	period 3525:2 3537:17,21 Periodically 3487:22 periods 3525:9, 10,19 permanent 3658:23 permanently 3558:12 permission 3570:1,5,8,9 3644:21 permit 3513:25 permits 3504:19 3512:16,18 permitting 3550:4 person 3489:6 3491:6,25 3499:6 3564:10,11 3573:18,21 3575:9 3576:1,2 3581:20 3583:9 3589:19 3619:23 3628:14,15 3633:23 3646:14, 15,20,22 3648:11 3653:7 3656:24 personal 3492:4, 7 persons 3515:23 3516:1 perspective 3523:19 3530:1 perspectives 3587:18 3588:4 pertaining 3498:25 Pfeiffer-major 3481:24 phase 3486:13 3487:15 3493:2 3494:9 3499:12 3505:5,11,17
--	---	--	--	---

3506:7,10,17 3507:3,9,12,14 3508:23,24 3509:2,4 3510:4, 6 3513:7,11 3520:22 3523:6 3527:1 3528:18 3529:11,16 3531:25 3536:24 3537:4,10,14,15, 22 3538:3 3541:14,17,18,21 3542:9 3543:4 3549:17 3550:9 3555:2 3571:17, 22 3575:19 3577:20 3579:2 3581:4 3587:1 3588:9 3592:16 3596:7 3609:23 3633:3,11 3634:15 3635:7 3644:10 3656:15, 18 3657:22 3658:20 3661:6 Phil 3518:8 3522:14,19 3523:7,10,11 3531:22 phone 3486:17 3488:26 3491:12, 25 3623:10 3642:13 phones 3486:26 phonetic 3542:24 3545:20 3546:25 3547:17,19,22 3610:26 3611:2 3656:5 phrase 3571:16 physical 3491:8 pick 3642:24 picture 3595:12 3596:5,6 3610:23 piece 3504:18 3517:7	pile 3541:7 Pingimayok 3611:2 pinpointed 3628:13 Pinto 3482:11 3514:13,14,15 3516:24,26 pity 3647:16 Piésold 3476:1 place 3486:26 3490:22 3498:10 3507:1,10 3534:26 3535:11 3541:2 3546:21 3564:20 3582:22 3584:26 3596:3 3603:22,23 3610:13,24,26 3623:2,4 3642:26 3644:11 3655:1 3657:5 3661:4 places 3611:5 3624:18 plan 3493:18,24 3494:7,8,17,24 3495:6,24 3518:26 3519:4, 16 3521:17 3535:11 3537:13, 21 3607:7 3610:12 3612:22 3623:5 3624:6,8 3635:14 planes 3654:9,10 planned 3539:13 3576:8 3599:17 3621:19 planning 3504:6 3535:10 3536:25 3537:5,6,7 3538:11 3576:9 3592:5,21 3594:14 3596:5 3614:5,7 3650:3	plans 3493:13 3494:3,25 3522:3 3591:3,4,7 3607:16 3613:13 3617:17 3622:4 3623:2,4 3625:18 3633:13 3657:5 3659:23 Plc 3476:4 pleased 3619:16 3620:21 3627:13 pleasure 3646:3 PM 3490:24 3548:26 3549:2 3618:23,25 pocket 3596:24 pockets 3626:16 3630:18 point 3527:12 3531:1 3532:18 3552:1 3559:16 3608:18 3621:17 3622:5 3633:25 3648:7,22 3652:14 3658:19 pointed 3528:19 3620:4 3640:3 pointing 3625:26 points 3612:20 3633:1 polar 3623:18,19, 21 3639:14 police 3648:3 policies 3516:18 3517:1 policy 3477:21 3481:20,21,22, 23,24 3485:1 3516:15,16 3590:18,24,26 pollution 3510:20 3516:20 3517:3 pond 3471:11,23 3472:5 3473:20	3474:18 3478:1, 3,4,5,11,22,24 3486:16,26 3487:14,21,23 3488:23 3489:1, 12,14,25 3495:20 3496:1 3501:5 3520:15 3521:19, 20 3522:7 3530:6,12 3538:9 3539:4 3542:19 3544:9 3546:22 3547:2,12 3561:25 3565:20 3570:7 3572:14 3576:22 3578:12, 15,21 3579:2 3581:15 3604:7 3606:8 3619:4 3630:3 3634:5 3649:7 3655:2, 14,17,20,26 ponds 3554:5 pooling 3547:20 populate 3624:1 population 3524:11 3618:15 populations 3506:7 3581:8 port 3512:13 3541:19 3583:10 3585:24 3594:19 3660:10 Portfolio 3476:16 portion 3487:11 3522:24 3527:14 3586:23 3587:7 ports 3585:23 posed 3499:14 3517:22 3535:21 3595:10 3640:21 position 3577:26 3637:10 3645:22 positions	3509:12 3545:26 3578:16 3658:22, 23 positive 3548:13 possibly 3556:6 3623:26 posting 3549:16 3550:1 postponed 3576:24 potential 3487:15 3493:17 3495:2,3 3499:24 3581:2 3587:12 3588:6,9,18 3592:13 3594:8 3603:14 3610:6 3616:11 3644:13 3658:15 potentially 3488:11 3585:5 power 3503:24 3514:7 3520:9 powers 3511:17 practical 3528:26 practices 3492:9 3559:25 prayer 3487:5,7, 9 pre-trades 3578:5 precautionary 3603:20 precipitation 3514:24 predict 3505:23 3531:25 3588:20 predicted 3524:7 3532:7 3588:14 predicting 3529:12,13 prediction 3505:26 3524:23
---	---	--	---	---

3529:22	pretty 3661:9	procedure 3550:4	3507:10 3511:24	3518:22,23
predictions 3524:2,5,14,21 3529:11,17,23 3586:22 3589:7,9 3602:19 3659:23	prevent 3531:26 3532:2	procedures 3598:18 3603:21 3610:7	3514:1 3519:11 3521:18,19 3528:5,6 3569:9 3572:10 3578:6, 7,9,15 3579:17 3594:21 3601:17, 19,26 3602:1,3,5, 6,7,11,26 3614:13,14 3618:7 3642:21 3643:13,15,17	3519:12,26 3520:4,5,10,12 3521:25 3522:1, 4,6 3523:1,24 3527:15 3528:18 3536:19 3544:11 3546:1 3552:4 3553:15 3554:7, 18 3571:22,25 3572:1 3580:16, 24 3581:5,9 3586:24,26 3587:4,9,26 3588:3,14,18,21, 22 3589:6,10,13 3592:5,12,16 3593:4,10 3600:20,21,23 3602:24 3604:18 3606:3,7,20,25, 26 3607:9 3608:2,8,23 3609:23 3611:19 3613:9,21 3614:13 3616:19 3617:12,22 3637:1 3643:7,15 3644:10,13 3650:23 3656:16 3660:20 3661:3
prefer 3546:20 3652:10	prevention 3493:12 3510:20 3516:20 3517:3	proceed 3513:8	programs 3484:19 3493:16 3506:8,11 3507:1 3519:8,9 3521:12,22 3522:1,4,20 3524:13,20 3527:19 3528:17, 21 3529:16 3530:2 3572:8,15 3575:15,23 3577:24 3589:11 3600:26 3601:17, 20 3602:15 3614:10 3617:1 3618:4	project-related 3617:16
preparation 3566:4 3577:15 3597:24	previous 3488:7 3490:14 3491:18 3499:18 3538:26 3581:4	proceeding 3516:12	prohibitions 3504:12	projections 3515:2
preparations 3588:2 3597:20	previously 3488:14 3521:24 3587:26	proceedings 3473:1 3486:5 3487:12 3489:10, 21 3490:7,9,14, 19,21 3491:13 3492:6 3548:26 3549:2,13 3551:10 3614:20 3618:23,25 3661:26 3662:5	prohibits 3490:14	projects 3482:4 3496:3,9 3505:21 3507:23 3523:1 3553:19,21 3554:3 3592:25 3638:22
prepare 3584:23	price 3554:23,24, 25	process 3486:19 3493:2 3494:9 3518:18 3520:23 3521:14 3522:14 3537:1,2,12 3572:9 3586:25 3589:2 3593:1 3597:23 3614:5 3637:6 3638:2,25 3658:17 3659:11 3660:7,11	progresses 3528:8	prolonged 3525:3,9
prepared 3502:21 3514:23 3597:18,26 3598:17 3599:13 3624:21	primarily 3499:25 3580:16	processes 3591:12	project 3481:7 3482:7,16 3486:15 3493:14 3496:4,16,24 3499:9,12,20 3504:5,7 3505:14,15 3506:11 3507:20, 23 3508:1,17,21, 23 3509:7 3510:3 3511:2 3513:7 3514:10,18,22 3515:3,12,16	promise 3507:12 3533:20 3536:4, 8,22
preparing 3625:6	primary 3504:4	processing 3554:4		
presence 3613:20	prime 3540:16 3553:11	produce 3553:20 3566:18		
present 3490:6 3494:14 3505:21 3521:5 3643:1	principle 3549:6, 18,26 3550:9,15, 26 3551:14,17 3552:3 3616:24 3617:19,24	produced 3580:26 3582:18 3606:15		
presentation 3500:22	principles 3632:10	produces 3661:10		
presentations 3501:1 3509:17	prior 3552:11,18 3584:4	product 3553:23		
presented 3589:2	priority 3607:24	products 3624:19		
presenting 3529:9	prison 3504:16, 17	program 3483:3 3494:5,10,12		
presently 3581:19	Prno 3475:26			
President 3474:7 3476:14,20 3477:19 3478:20	proactively 3493:9,16			
presidents 3518:20	problem 3505:7 3509:14			
pressure 3597:1, 10	problems 3506:9 3628:9 3633:17			
pretend 3647:13	procedural 3471:16 3490:12 3549:5,7 3550:12			

promote 3576:13 3587:23	proposing 3661:5	3570:24 3579:1, 10	put 3488:2 3498:10 3501:12	9,11,13,15
promotion 3515:22	prosecuted 3504:8	Province 3662:8	3518:15 3522:8	3498:4,7
proper 3507:8 3623:2,3 3627:6	prosecution 3504:2	provisions 3516:1,20 3517:3 3610:3	3541:12 3546:13	3501:11,13,15, 17,23 3502:17
properly 3507:4 3561:3 3563:20 3574:23 3629:23 3650:18,23	protect 3561:9 3630:5,6 3637:16	ptarmigans 3585:8	3565:8,17	3509:19 3518:14
proponent 3474:1 3487:16, 24 3489:3 3504:8 3511:7 3513:4 3514:7,23 3515:6 3517:19 3606:26 3616:18 3618:8	protecting 3649:20	public 3474:14 3478:12,13,14,15 3479:4,13,23,24 3486:12 3487:11, 13,23 3488:5,7 3490:4,10,16 3491:3,11,14,17 3497:11 3520:25 3537:2 3540:15 3549:16 3550:5, 11 3571:21 3591:11 3637:26 3640:4	3566:25 3567:25 3570:2,6,8,10,19 3573:24 3575:19 3579:26 3593:22 3596:24 3597:2 3611:22 3612:7 3623:3 3625:21 3628:24 3630:18 3640:24 3641:7, 8,23 3642:22 3647:14,15 3660:8	3520:6 3536:11, 20 3549:13 3555:7,11 3566:9,10 3573:6,9,12,25 3574:2,25 3575:11 3579:6 3582:11,21 3583:3 3589:15, 17 3591:8 3593:8,11,16,19 3605:8,11,18,24 3607:3,5,10,12, 17,21,25 3608:10,20 3626:13,22 3636:7,18 3637:10 3656:11
proponent's 3507:23	protection 3512:10 3513:26 3514:6 3515:19 3516:19 3517:2 3594:21 3610:4 3631:2	Pudluk 3477:9	putting 3605:12	
proponents' 3618:3	protocols 3488:18 3491:4	pull 3593:14	Q	
proportion 3526:10	proud 3620:13 3626:6 3634:13 3652:7	punishment 3497:1	Qammaniq 3477:5	3608:10,20 3626:13,22 3636:7,18 3637:10 3656:11
proposal 3486:13 3487:15 3499:12 3506:3 3507:18 3533:24 3534:1 3537:4,24 3541:15 3549:17 3571:17 3575:18 3586:24 3587:1 3596:7 3641:16	prove 3513:5	purify 3554:7	Qaqqasiq-taqtu 3479:25 3575:6 3579:23	quality 3482:15, 17,18,20,22 3553:21
proposals 3606:26	proven 3529:1	purpose 3521:9 3555:2 3608:25, 26 3613:19	Qaujimajatuqan git 3546:16 3558:7 3580:18 3583:17 3595:19 3627:9 3632:10 3639:19 3646:12, 13	quantify 3581:1
propose 3613:6	provide 3487:26 3488:1 3490:3 3492:26 3511:4 3514:9 3515:13 3536:17 3551:25 3573:7 3578:1,4 3579:2 3587:2 3591:21 3594:25 3601:26 3614:1 3618:14 3645:8 3659:10 3660:21	purposely 3497:9	QIA 3501:2 3544:2 3545:10, 18 3555:10 3556:17 3572:18 3582:10,15,26 3584:24 3599:8, 11,14 3600:2 3636:10	quarter 3597:4
proposed 3486:14 3499:20 3505:6 3513:10 3519:25 3520:8 3521:25 3522:16 3592:12 3609:9, 23 3618:4 3638:23 3660:23	provided 3488:6 3489:10,15,24 3493:3 3494:24 3500:1 3510:15 3511:22 3514:18, 26 3579:15 3592:11,14 3599:3,8 3600:20 3637:15	purposes 3563:8, 11 3566:19	QIA's 3545:8 3637:10	Quebec 3553:19
proposes 3533:21	providing 3492:11 3535:25	pursuant 3504:6, 12,19	Qikiqtani 3476:12,26 3477:1,2,3,4,5,7,	question 3489:3 3495:10 3496:12, 19,21 3498:1,17, 25 3499:7,8,17 3500:13,17 3503:16 3504:23 3505:2,3,4 3506:16 3510:8 3514:17 3517:21 3518:10 3523:13 3530:10 3534:14 3539:23,26 3546:5 3550:14, 24 3551:13 3553:14 3559:6 3564:15 3567:24
		push 3495:17 3500:18,24 3501:4,9 3502:2, 3 3576:10,11 3652:17		
		pushed 3501:26 3502:12,25 3503:1 3576:13, 14		

3568:21,23 3569:15,16,17, 24,25 3570:11 3573:1,5 3574:22 3575:9,14,17,18 3576:21 3578:22 3579:24 3580:8, 11,12 3581:12,14 3583:2,12 3590:2 3591:20 3595:1, 10 3602:23 3605:15 3608:19 3609:4 3616:7,23 3617:23 3625:20 3640:18,21 3641:25 3645:1, 15 3656:12 3658:13 3661:14 Questioning 3471:9,20 3472:2 3530:4 3561:23 3619:2 questions 3471:8,18 3487:14,24 3488:13 3492:19, 22 3493:1 3495:13,16,19 3497:5,9 3498:1, 7,25 3499:12,14 3509:22 3517:14, 18 3518:2,6 3535:21 3540:21 3544:3,4,16 3546:3 3549:4 3550:17,19 3552:19,22 3553:2 3558:3 3565:15 3567:9, 15,21 3575:8 3577:12 3581:24, 26 3582:8 3584:18 3586:7, 8,10,19 3590:2, 13 3591:22 3605:19,21 3606:17 3619:1	3625:10,14,25 3626:8 3627:1 3629:20,22,25,26 3632:2 3633:18, 20 3640:15,18 3644:2 3647:3 3653:23 3658:10 3659:5,20 3661:21,23 quick 3491:2 3615:14 quicker 3519:21 quickly 3493:23 3519:22 3577:14 3584:18 3612:20 3614:18 quit 3649:25 Qujannamiik 3497:24 3503:13 3523:9 3531:9 3532:25 3553:4 3555:6 3568:5 3572:25 3576:20 3579:21 3580:5 3586:13 3589:14 3591:25 3600:10, 15 3608:26 3612:14 3614:25 3615:8 3632:6,19 3637:18 3639:26 3642:1 3643:22 3659:14 3661:16 qulliqs 3620:23 Qumuatuq 3473:6 3486:22 quota 3584:12,14 3585:1 quote 3531:3 R radio 3611:22 3654:11,13 radios 3654:11, 13	rail 3484:21 3538:1 3603:11, 14,16,21 3604:5, 24 3609:23 3615:4 3616:10 3659:21,24,26 3660:4,8,14 railroad 3596:6, 9,10,14,15,17,18, 19 3597:1,2,3,5, 6,11,12,14 3598:7,12 3605:6 3610:12,13 3611:16 railroads 3598:3 railway 3499:20 3510:22 3511:15, 18,20 3513:10 3603:26 3609:8, 9,22,24,26 3610:1,4 3612:23,24 3613:1,7 3616:7 railways 3609:21 raining 3622:25 raise 3495:16 3584:19 3612:10 3623:16 3625:19 raised 3509:21 3536:16 3558:3 3588:17 3605:19 3607:12 3626:6 3629:21 raises 3506:15 raising 3661:20 range 3515:2 3525:16,23 ranges 3524:26 rapid 3493:18,24 3494:24,25 rationale 3660:25 RCMP 3648:4 reach 3551:18 3556:7 3617:2	reached 3506:15 reaching 3617:20,24 react 3495:3 3603:16 reacting 3601:3, 7 reactions 3600:25 3602:19, 20,22 read 3495:18 3530:14 3531:4 3656:13,22 reading 3568:11 ready 3536:25 3584:23 3657:10, 17 real 3506:26 realize 3577:8 reason 3501:3,11 3533:15,26 3534:1 3535:4,6 3554:21 3558:18 3565:7,24 3660:2 reasonable 3516:6 reasons 3536:1 3537:8 3565:14 reassess 3593:9 reassessment 3509:20 rebroadcasting 3490:15 recall 3619:22 receive 3554:25 3566:15 3586:1 3637:11 received 3566:7, 13 3599:14 3608:7 Receivers 3489:13 recent 3576:23 3613:14	recently 3545:3,4 3558:23 3572:6 3576:22 reclaim 3587:4 reclaiming 3608:23 reclamation 3586:20,22 3587:25 3590:5, 7,18 3591:2,3,6, 7,13 3592:21,25 3608:20 recognize 3523:16 3557:3 3606:15 3608:13 recognized 3560:14 3649:2 recommendatio n 3515:5 recommendatio ns 3493:3,19 3521:3 3594:13 3644:10 3661:10 recommended 3520:5 3610:5 reconfirm 3614:18 reconsidered 3611:26 reconvene 3490:25 3548:24 3618:21 3661:18, 22 reconvening 3490:23 record 3488:8 3490:3 3497:11, 12 3640:24 3642:14,23 3644:5 3648:2,3 recorded 3497:15 recorders 3526:14 3569:26 3570:3,7,17,18
--	--	---	--	---

3571:6 3641:6,7, 9 3642:8 3643:6, 20 3644:3,14 recording 3490:15 3641:2 recordings 3629:24 3641:20 records 3647:22, 23 recover 3581:8 3584:10,11 recruitment 3658:17 red 3495:21 3500:24 3501:4, 8,25 3502:3,12, 16,24 3503:1 3518:4,9 3572:11 3585:11 3607:4 reduce 3493:6,9 3573:22 3585:20 reduction 3576:4 reemphasized 3584:6 reenergize 3548:18 refer 3499:11 3571:13 reference 3510:4 referenced 3549:20 referring 3571:4 3610:23 refers 3601:12 Reflecting 3550:7 refused 3545:10 3566:11 regard 3509:8 3539:12 regime 3511:9 region 3483:4 3545:18,20,21 3555:12,21	3656:5 regional 3481:17 3482:1,6,21 3483:8,19,23 3484:17,18 3495:7 3524:1 3590:17 3591:13 3614:2 3617:10 regions 3560:4 3624:1 register 3653:14 registered 3471:10,21 3472:3 3474:3, 17,23 3476:12 3477:18 3478:1, 18 3479:2,6,17 3480:2,12,24 3481:1,12 3482:9 3483:1,18 3484:1,5,16,25 3485:6,12 3487:16 3517:20 3530:5 3561:24 3619:3 registry 3549:16 3550:5,11 regrowth 3587:23 regularity 3645:24 regularly 3510:26 3658:15 regulated 3609:24 3616:8 regulations 3496:25 3504:14, 20 3511:1,4,16 3512:13 3515:15, 17,18 3590:13 3609:25 3613:2 3624:11,12 regulators 3509:26 regulatory	3509:12 3511:23 3512:6 reinvent 3546:6 relate 3606:3 related 3493:1,19 3494:15 3511:2 3523:13 3529:4, 17 3579:24 3591:7 3592:16 3606:5 3644:3 relating 3575:16 3637:26 relation 3522:26 3591:4 3613:20 Relations 3474:13 3481:11 3503:11,14,18 3504:3 3515:14 3590:15 3591:9, 23,26 3592:22 3593:7 3639:24 3640:1 relationships 3632:15 relative 3525:17 3529:5 relay 3561:17 3562:9 3563:20 3631:7 3633:25 relaying 3630:8 3632:25 relevance 3550:6 relevant 3519:26 relevantly 3592:4 relies 3517:6 religions 3629:12 rely 3532:3 remain 3499:21 3602:19,21 3615:24 remarks 3471:6 3486:6 3551:20	remediating 3608:22 remediation 3593:22 remember 3491:24 3619:10, 19,21 3655:18 remembering 3646:13 remind 3486:25 3489:17 3595:9 reminded 3490:6 3509:6 reminder 3488:10 3491:2 3586:8 3632:11, 13 reminding 3632:24 remotely 3486:17 3488:24 remove 3541:21 3543:10,14,16 3641:17 3642:25 3660:9 removed 3541:3, 5,6,23 3542:17 3543:12 3641:24 removing 3540:24 3541:26 3542:11 renew 3583:4 3623:12 rep 3530:12 repair 3634:21 repairs 3634:23 3635:3 repeat 3516:25 3600:6 repeated 3523:14,23 3526:7 3527:20, 22,25 3528:9,15 3660:11	repeaters 3646:6 reply 3567:10 report 3497:14 3513:19 3517:8 3544:25 3548:13 3587:21 3592:19 3594:14 3601:7 3645:20 3646:5 Reporter 3486:1, 2 3662:15,21 reporting 3500:22 3643:20 reports 3517:8 3544:17 3548:12 3594:13 3606:10, 14,21 represent 3543:23 3544:16 3545:2,15 3546:6 3556:12 3619:15 3652:23,26 3653:11 representation 3544:1,22 3545:23 representative 3471:7 3478:9,10 3479:12,14,22,25 3480:9,10,25,26 3492:18,21 3498:7 3545:1 3555:10 3573:3 3575:9,12 3640:17 3659:5 representatives 3471:11,23 3472:5 3487:13, 19,20 3488:11 3495:12 3497:21 3517:19 3530:6 3532:12 3545:10 3546:7 3552:20 3556:15 3561:25 3619:1,4 3626:9 representing 3545:19 3555:12
---	---	---	--	---

3653:6 reproduction 3524:10 reproductive 3525:25 reps' 3661:23 request 3503:22 3539:10 3540:18 requested 3541:17 3545:10 3591:14 require 3491:6 3499:22 3515:5 3522:3 3549:15 3554:8 3616:14 3660:19 required 3488:17,18 3505:22 3507:9 3510:25 3512:17, 18 3513:8 3514:2 3612:23 3645:20, 26 3646:4 requirement 3573:2 3593:5 3613:1 requirements 3490:5 3491:4 3510:22 3511:8, 12 3520:1 3591:2,5 3645:25 requires 3513:21 3521:26 3538:11 3554:8 3577:26 3590:19 3607:9 research 3534:16,17,18 3549:18 3551:21 3579:15 3584:4 3587:25 3594:25 3597:16 3611:13, 14 3613:13 3616:17,26 3617:2,9,20 3618:1	researched 3597:19 researcher 3535:4 3601:19 researchers 3571:1 researching 3613:19 residential 3531:6 3647:5, 10,21 3650:6,7 3652:2,4 residents 3542:1 3571:19,25 3652:23 resiliency 3499:19 RESOLUTE 3480:24 resolution 3498:9 3519:21 resolve 3535:24 3638:18 resource 3476:18 3481:13 3521:1, 17 3592:3 resources 3484:1 3537:9,12 3606:6,11 3631:17 3636:23 respect 3491:26 3492:3 3499:19, 24 3514:19 3518:9 3551:13 3587:21 3588:6 3607:19 3608:20 3610:4 3616:6 3617:11,22 3618:5 respectful 3499:16 respective 3617:4 respond 3489:7 3514:17 3517:24	3518:5 3522:10, 18 3535:13 3538:16 3551:19 3552:25 3580:7 3586:15 3604:1 3615:2 3659:20 responded 3523:4 3543:21 responding 3499:15 3586:8 response 3492:26 3493:12, 18,24 3494:3,24, 25 3495:9,10 3510:14 3512:6 3518:3,7,25 3525:3 3527:5, 17,24 3528:1,2,4, 7,8,11 3536:8 3538:26 3552:11 3572:23 3605:21 3615:14 3616:21 3645:8 3660:18 responses 3471:7 3492:18,21 3499:12 3514:18 3524:22,24,25 3525:11,21,22 3527:8,10,11 3529:24 3586:7 3659:25 responsibility 3545:19 3607:10 3608:4 3617:7 responsible 3489:6 3506:22 3511:14 3512:8 responsive 3592:11 rest 3593:14 3628:2 restating 3500:2 restore 3583:20 restored 3583:23 restrict 3511:19	result 3494:8 3515:7 3522:23 3524:8 3525:24 3583:26 3588:14 3610:15 results 3524:21 3594:22 3643:21 resumed 3486:11 retransmitting 3490:15 retribute 3630:22 return 3562:17 3583:18,19,22 3590:19 3614:13 returned 3592:24 returning 3525:1 review 3471:10, 16,18,22 3472:4 3473:4,9,20 3486:9 3494:23 3495:5 3497:3 3499:13 3501:15 3502:4 3504:5 3509:25,26 3510:1 3514:25 3517:7,9 3520:22 3522:2,14 3530:5 3533:15 3534:9 3537:1,12 3549:7,10,15,22 3550:8,10,19,22 3552:8 3561:25 3586:24 3588:12 3589:2 3590:14 3591:10 3592:10, 14,17 3593:6 3607:1 3616:22 3619:4 3660:24 reviewing 3512:19 revised 3528:24 revoked 3518:21 RIAS 3557:16	rich 3564:12 Richard 3605:16,18 3636:12,15,16,18 rid 3585:18 rig 3516:11 rightly 3528:19 rights 3504:13 3593:3 3637:16 3638:9 rim 3541:14 risk 3493:6,9,14 3494:15 3585:4,6 3594:9,11,16 risks 3588:10 River 3480:1,3,4, 5,6 3486:15 3495:12 3496:3, 4,11 3500:13,17 3540:22 3541:1 3544:8,11 3545:25 3546:23 3547:10 3549:17, 18 3550:9 3572:15 3580:24 3584:7 3606:7,9 3608:8 3611:7 3633:8 3649:15 road 3512:25 3612:24 3616:9 Robinson 3479:18 robust 3493:15 3529:13 rock 3553:25 3563:10,12 rocks 3563:10,14, 16 role 3521:2,21 3591:12 3636:25 rollout 3521:8 room 3488:1,15, 16 3489:16 3490:7 3521:8,9
---	---	--	---	--

3540:11 3581:19 3621:13,22 3622:7	rushing 3624:6,7	satisfy 3617:4	3655:5 3656:3,8	sense 3577:17
Rose 3481:23	S	save 3574:19	seabed 3641:1,7, 9,17,23	sensitive 3595:17 3615:16
rotary 3660:10	sad 3646:14	saved 3545:7	seal 3483:16	sensitivity 3528:7 3581:6
rotting 3623:20, 22	safe 3491:5 3496:16 3499:10 3587:14 3590:20 3603:25	saving 3605:13	3565:6 3622:17 3628:1	sentences 3524:16
Rouget 3475:17 3518:8 3523:10, 11,12 3524:17	safety 3484:20,21 3510:22 3511:15 3609:26 3610:4 3613:2,8,10 3615:26 3616:9, 15	scale 3527:20,21 3553:14 3617:10	seals 3565:6 3585:11 3624:18 3639:14 3641:12	separate 3506:8, 11,18
rougher 3656:2	Salluviniq 3480:25	scared 3530:23 3625:8 3651:19	sealskins 3622:19	September 3590:18 3642:25
roundtable 3471:8,13,24 3472:6 3487:10 3491:9 3492:22 3530:7 3561:26 3619:5	saltwater 3516:10	scaring 3651:1	season 3508:5 3522:22,25 3527:24 3528:8 3542:8 3643:4	serve 3613:23
roundtables 3491:18	sample 3551:15 3552:4 3617:25	scary 3650:25 3651:1	seasonal 3527:20	Service 3504:13
route 3540:1 3547:5,6 3565:16	Sandra 3662:3, 14	scenario 3527:1, 16 3528:18	seat 3488:19,21 3489:13	services 3473:12 3535:10 3635:8
routes 3557:11 3564:26	sangoya 3478:6 3487:6	school 3530:10, 13 3531:3,6,13 3599:24 3647:5, 6,7 3650:7 3652:2,4	seating 3488:15	serving 3574:11
royalties 3599:11 3628:26	Sanirajak 3471:12,24 3472:6 3479:6,7, 9,10 3487:20 3530:7 3561:26 3562:5,18 3565:9 3566:1,6,13,16 3568:25,26 3569:4,8 3571:2, 6 3583:9 3606:8 3619:5 3642:20 3643:6,7 3644:19,26 3656:25	schools 3531:15 3631:21 3647:10, 21 3650:6	seats 3488:20	session 3471:5,15 3472:1 3490:1,21 3491:19 3552:12
RPR 3486:2 3662:14	Sangoya 3478:6 3487:6	science 3483:9 3499:26 3500:4 3529:20 3539:19 3594:23 3639:5, 9,11 3644:17	Secretary 3476:15	sessions 3488:7
rule 3550:3 3613:5	Sanirajak 3471:12,24 3472:6 3479:6,7, 9,10 3487:20 3530:7 3561:26 3562:5,18 3565:9 3566:1,6,13,16 3568:25,26 3569:4,8 3571:2, 6 3583:9 3606:8 3619:5 3642:20 3643:6,7 3644:19,26 3656:25	Sciences 3475:21	securing 3521:9 3555:2	set 3519:10 3522:2 3529:24 3537:15 3542:24 3592:26 3593:20, 21
rules 3496:25 3497:2,4 3511:16 3550:3 3583:5 3584:2 3624:10, 12	Sanirajak 3471:12,24 3472:6 3479:6,7, 9,10 3487:20 3530:7 3561:26 3562:5,18 3565:9 3566:1,6,13,16 3568:25,26 3569:4,8 3571:2, 6 3583:9 3606:8 3619:5 3642:20 3643:6,7 3644:19,26 3656:25	scientific 3494:23 3558:12	security 3484:20 3510:21 3591:7 3592:25,26 3593:6,9,12 3608:20 3654:14, 18	Settingerton 3475:13 3580:7, 9,10 3600:13 3603:1,3,4,5 3605:4 3615:10, 11,12,13
ruling 3518:19	sanitize 3491:7	scientist 3484:7 3540:8	seed 3521:11	setting 3519:7 3574:4
run 3564:11 3598:5 3614:10 3615:25 3642:21	satellite 3546:15 3547:14 3641:21, 22	scientists 3496:13,15 3499:9 3639:16	seek 3504:2 3644:21	severe 3495:23 3504:7
running 3564:8 3619:17,18,20	satisfied 3511:12	scolded 3631:8	seeking 3549:14	severity 3527:23 3528:1
rush 3543:16 3576:16 3598:3, 16 3624:5,6		scope 3618:3	Sefsik 3475:23	sew 3584:17 3622:23 3623:1
		scopes 3597:21	select 3546:10	Sewell 3475:2
		Scripps 3485:3	selected 3556:16 3619:17	sex 3647:13
		sea 3501:7 3515:9 3542:20,26 3547:6 3558:5 3567:2 3585:3,7 3628:1 3642:22	send 3590:25 3622:15	Shafi 3482:7
			senior 3481:16, 19 3482:16 3483:2 3484:2 3485:1 3545:24	shallow 3546:19, 20

shameful 3651:21	21 3643:3,12	significant 3505:19 3507:22 3508:1,3,4,6 3520:9 3589:5,8 3660:13	slightly 3525:18	sound 3489:8,18 3500:3 3526:14, 17,18 3539:4,18 3547:8,18 3566:23 3573:24 3595:24,26 3596:3,18 3642:22 3644:7 3655:1
shape 3600:22	ships 3494:14 3508:4 3523:26 3525:1,8,10,15 3541:9,12 3542:5 3548:4 3566:24, 26 3600:25 3601:5,21 3634:3 3641:10,11,21 3645:1,3,20 3646:2	significantly 3500:4	slow 3524:15	sources 3520:9 3606:12 3637:12, 13
share 3487:17,25 3488:13 3523:18 3532:5 3548:9 3577:10 3579:4 3602:12 3628:1,2	shore 3525:12	signing 3551:23	slower 3563:20	south 3596:11,12 3597:14 3598:6
shared 3491:19 3607:10	shoreline 3583:23	silence 3573:24	slowly 3624:8,9, 14	southern 3603:10
sharing 3486:18 3532:26 3538:23 3549:19 3551:15 3552:5 3568:8 3569:23 3609:20 3612:19 3632:8 3644:2	short 3583:4 3654:5	silent 3487:1	small 3482:13 3489:8 3507:21 3508:18 3523:2 3553:18 3554:18 3569:3 3574:14 3608:19 3646:3	span 3559:16
shelters 3613:23	short-term 3524:25	silently 3615:25	smart 3620:2	speak 3487:2 3488:2,4 3489:2 3494:5 3499:26 3502:19 3522:15 3523:8 3524:2 3540:15 3548:21 3553:5 3561:16 3562:11 3563:19 3564:14 3566:15 3568:21 3571:4 3582:9,10 3589:22 3590:4,7 3592:2,21 3612:10 3619:12 3620:7 3621:26 3626:3,11 3636:3,13 3652:9,10,22 3653:15,16,22 3654:1,25 3656:10 3658:11
shift 3613:18	shorthand 3662:6	similar 3506:24	Smith 3483:13	speaker 3489:5
ship 3508:1 3526:10,17,21 3541:8 3553:24 3554:3 3565:16 3566:12,25 3567:5 3579:1 3595:13,15,16 3596:6 3601:14 3602:21 3634:4 3645:16 3654:13, 20,21	shot 3655:15	Similarly 3511:9 3527:26 3528:10	SNC-LAVALIN 3481:26	speakers 3474:3, 17,23 3476:12 3477:18 3478:1,
ship's 3645:23 3654:17	show 3525:13 3527:26 3533:13 3541:11 3547:15 3563:7	simply 3522:21	snowmobile 3612:26	
shipped 3647:9	showing 3506:10	simultaneous 3489:9	snowmobiles 3619:14	
shipping 3485:7 3499:20 3508:5 3510:19 3511:9 3515:6 3522:25 3523:26 3524:8, 22 3525:4 3526:14,16,20, 22,23,25 3527:2, 15,17 3528:2,8, 12,18 3541:10 3542:4,5,8,11 3564:26 3565:16 3566:19 3578:17,	shown 3506:20 3527:6 3660:24	single 3598:21	so-called 3639:16	
	shut 3518:26 3584:3	sink 3630:21	social 3521:18 3564:6 3590:22 3628:9,10	
	shutdown 3519:14	sit 3593:8 3621:4 3661:13	society 3628:8 3639:3	
	shy 3625:25	site 3512:13 3514:1,3 3519:1 3584:7 3593:15, 22,25 3595:12 3610:22 3611:10 3612:1	Socioeconomic 3481:17	
	side 3627:11 3630:25 3631:5	sites 3587:26	socioeconomics 3544:21 3638:17	
	sidelined 3637:5	sitting 3526:20 3620:26 3621:19, 22 3631:19	sold 3541:3,4	
	sign 3489:26	situation 3605:4	solution 3536:15	
	sign-in 3489:14	situations 3493:22 3519:6 3527:13	solutions 3476:21 3607:20	
	signatories 3549:26	size 3553:14 3569:1 3587:12 3597:7	solve 3629:6	
	signed 3554:13 3557:18 3656:24, 26	Ski-doo 3565:3	son 3648:9	
		skill 3662:7	son-in-law 3598:6	
		skin 3622:21	Sorckoff 3483:5	
		skins 3560:11 3563:15	sort 3496:26 3538:7 3551:23, 26 3570:2 3577:15 3582:25 3646:19	

18 3479:2,6,17 3480:2,13,24 3481:1,12 3482:10 3483:1, 18 3484:1,5,16, 25 3485:6,13 3488:18 speaking 3504:26 3530:11 3563:19 3636:4 special 3476:20 3563:8 3577:7 Specialist 3475:3 3483:22,24 3484:9 3485:7,9, 10 species 3483:12 3493:1,4,7,17,18, 21,26 3494:16 3495:1,4,7 3501:7 3583:25 3585:4,6 3594:9, 11,13,16 specific 3538:9 3551:24 3552:4 3575:21 3588:26 specifically 3507:10 3515:15 3519:19 3520:20 3529:21 3551:20 3568:21 3588:7, 11 3600:19 3608:25 3614:6 3618:5 Spencer 3503:12, 14 3510:15 3512:5 3591:24, 26 3639:25 3640:1 spend 3579:4,11 spending 3525:18 spent 3509:16 3640:7 spill 3511:13 3516:10,11	spirit 3592:8 spoke 3583:16 3604:26 3627:4 3657:4 SPOKEN 3496:17,22 3586:3 3619:6 3626:15 spread 3493:10, 25 3495:2 spreading 3610:14 springtime 3653:26 stability 3554:22 stable 3587:14 3590:20 3617:21 staff 3473:9,20 3487:26 3489:22 3556:23 3581:15, 17,18 3613:17 3614:16 3635:10 3653:8 stage 3537:9 stages 3641:16 stand 3651:26 standard 3507:8 standards 3495:9 3553:18, 19 standing 3631:17 3654:9 stands 3534:5 Staniewski 3481:22 Stantec 3476:5,6, 7,8 start 3487:9 3523:16 3541:15 3542:4 3547:8 3548:7 3551:7 3555:17 3592:2 3598:25 3630:21 3643:2 3654:16	3655:3,4 started 3495:24 3521:23 3564:5,8 3574:3 3582:13, 14 3611:3 3619:19 3621:10 3647:20,21 3654:19 starting 3487:4 3492:17 3534:16 3553:10 3580:19 3587:20 state 3501:12 3528:14 3592:25 stated 3506:5,21 3507:6 statement 3508:26 3520:9 3533:17 statements 3509:26 3586:9, 11 3590:26 3594:6 states 3501:3 3503:7 3558:9 3596:8 stations 3613:17 status 3594:12,14 stay 3488:19 3537:26 3649:24 steel 3596:20 Steensby 3562:23 3565:4 3583:10 3585:9 3587:6 3643:7,9 3657:10,13 step 3494:17 3504:1 3622:8 3630:1 Stephen 3520:16 stepped 3631:6 steps 3494:20 3608:10 3637:15 Stevenson	3477:2 stewardship 3495:24 3521:17 3607:7 Stewart 3476:23 stiff 3622:22 stock 3539:3,5,6, 19,20 3546:23 3547:1,2,24,26 stocks 3539:3,18 3655:7 Stoddart 3484:6 stop 3495:23,25, 26 3500:5,18,24 3511:7,19 3518:21,23 3560:8 3561:12, 21 3583:14 3585:25 3658:6 3661:18 store 3599:4 store-bought 3530:20 stories 3568:8 3605:3,25 3606:1,3,17,19 story 3554:10 3567:11,12,13,19 stove 3545:5 stovetop 3597:9 strength 3564:18 strengths 3563:18 stress 3525:24 3527:18 3528:10, 18 3568:25 3641:17 3642:11 stressing 3545:22 3548:16 stretch 3596:26 strictly 3613:8 3643:14 strive 3628:16	strong 3491:21 stronger 3627:2, 3 struck 3601:23 structure 3574:6 structured 3608:8 struggle 3628:19 struggles 3627:24 3628:22 student 3531:3 students 3530:10,13 3531:16 3631:20 3635:16 students' 3531:13 studied 3597:18 3598:11 studies 3496:14 3548:12 3584:1 3587:20,25 3588:2 3589:9 3602:14 3604:19, 21 3605:26 3606:16 3614:8 study 3494:7,10 3495:7 3521:19 3524:1 3526:12 3558:12 3588:13, 15 3596:10,21 3597:26 3598:2, 14 3639:9 studying 3588:1 stuff 3534:10 3565:8 3576:2 3649:1 style 3572:2 subject 3586:24 3619:13 subjected 3527:25 submission 3522:3,13,14
---	--	--	---	---

3551:21 submissions 3488:5 3520:22 submit 3513:9 3613:4 3653:12, 13 submitted 3512:23 submitting 3520:7 subsequent 3528:2 substance 3521:22 3522:7 3552:2 subsurface 3554:14 successful 3597:25 3618:6 suddenly 3621:25 suffer 3527:22 suggest 3528:17 suggested 3520:3 3526:5 3529:5 3644:9 suggesting 3506:23 3613:16 suggestion 3529:7 suggestions 3528:23 suicide 3647:24 Sula 3530:8 3533:1 sum 3522:5 summarize 3500:2 3582:6 3599:7 3646:1 3653:15 summary 3528:13 3583:4 summer 3534:20 3539:6 3542:22	3598:13 3611:5 3642:24 summering 3539:3,20 supper 3618:21 supple 3622:18, 19,22 supplies 3597:7 support 3515:13 3521:10 3524:4 3539:20 3560:5 3569:5 3572:1 3574:26 3575:2,3 3576:3,5,10 3578:3,26 3600:19 3602:24 3607:15 3614:1 3618:9,10 3630:26 3631:16 3637:23 supported 3571:17 3617:18 3618:7 supporting 3508:23 3526:9 supports 3571:22 supposed 3544:12,15,24 3545:8,17,19 3653:7 surface 3525:19 3588:1 3593:3 surveillance 3613:20 survival 3563:16, 18 3639:20 survive 3563:11, 13 3564:5 3598:24 survived 3562:25 3563:9 surviving 3631:18	survivors 3563:6,23 suspended 3511:20 sustain 3599:23 Sustainability 3475:3 Sustainable 3474:9,11 swam 3655:17 switching 3487:23 3489:1 system 3539:1 3547:14 3566:23, 24 3567:25 3584:12,14 3585:1 3615:18 3641:22 3652:4	3622:14 3647:12 talked 3554:6 3575:10 3584:12 3603:15,19 3605:4 3614:18 3642:9 talking 3495:22 3498:23 3500:18 3509:17 3532:12 3545:14 3568:8 3570:16 3573:18, 21 3575:12 3577:9 3598:9 3613:16 3619:12 3623:15 3635:19 3636:5 3638:16 3640:8 3642:7 3650:25 3651:17 3652:2,5 Tanguay 3480:5 Tapardjuk 3477:11 tape 3572:12 Taptuna 3473:17 Taqialuk 3475:12 Taqtu 3575:5 3579:22 3581:13 targets 3575:23 task 3660:3 taught 3492:5 3530:19 3620:6 3635:23 teach 3530:21 3598:23 3625:13 teaching 3620:14 team 3483:6 3489:7 3568:12 3619:14 tech 3489:8 3531:16 technical 3473:12,15,16, 22,23 3476:17 3478:2,21	3479:19 3482:15, 17,18,20,22 3485:17 3499:18 3508:22 3514:25 3520:21,24 3524:4 3572:8 3581:3 3587:18 techniques 3598:19 technology 3565:19 3653:10 teeth 3541:10 telemetry 3546:14 3547:14 Television 3485:12,18 3490:8 telling 3567:12, 13 3627:14 3648:5 tells 3573:15 temporary 3524:7 3601:1,13 3602:22 ten 3578:21 3628:20 tent 3542:25 Teresa 3549:10 term 3503:21 terms 3490:20 3492:11 3496:25 3504:6,11 3510:4 3513:12 3515:12 3520:3,8 3522:3 3523:19 3527:15 3569:6 3574:8 3577:15 3578:20, 22 3584:25 3600:26 3601:2, 13 3604:18,21 3605:12 3617:4 3651:20 3658:18 3659:7 terrestrial 3499:25 3517:9
--	---	---	---	--

3558:6 territorial 3504:20 3590:3, 12 3618:16 Territories 3582:16 territory 3490:11 Terry 3581:22 test 3524:13,20 3529:21 Tester 3478:2 testimony 3592:18 thankful 3568:25 3605:5 theme 3555:1 thing 3508:13,15 3532:4,9 3543:19 3565:25 3569:6 3583:10 3597:8 3601:24 3614:3 3622:24 3623:17 3625:24 3651:9 things 3496:26 3502:14 3505:5 3506:24 3507:3 3508:25 3510:6 3525:5 3535:5,8 3536:3,14 3540:19 3556:11 3559:2,22,23 3561:15,20,22 3562:9,15,20 3563:14 3564:8 3565:11,12,13 3573:19 3574:1, 21 3582:10,24 3583:7 3596:22 3604:23 3605:3 3616:25 3619:8, 23,26 3620:1 3621:5,9,15,17, 20 3623:9,14,15, 24,25 3624:12, 14,24 3625:1,15	3626:8 3627:26 3628:25 3629:2,7 3630:1,24 3631:9 3635:3 3636:11 3647:8,18,19,20 3649:5,13,20 3652:8 thinking 3497:9 3519:4 3548:4,7 3563:6 3574:17 3587:12 3597:25 3622:11 3624:12 3646:25 3650:8 thinks 3646:26 3648:12 thought 3540:10 3544:15 3598:5 3599:21 3646:12 3647:6 3648:13 3651:23 thoughts 3619:9 thousand 3504:9,22 3508:9 3650:8,13 threshold 3519:15 3526:26 thresholds 3519:7,8,9,13 3529:19,24 3607:8 3660:19 tie 3520:11 ties 3616:21 Tigullaraq 3474:15 3600:14 3604:14,15,16 3632:20,21,22 time 3486:18 3488:3,17 3489:26 3490:23, 24 3498:20 3502:22 3507:22 3509:2,16 3510:7 3519:18 3526:1, 2,7,10 3528:12 3529:8 3530:3, 23,24 3537:12,	13,21 3540:25 3543:15 3545:25 3551:18 3552:3 3558:16 3560:7 3563:3 3574:2 3577:7 3585:26 3594:15 3596:23 3598:10,12 3599:21,26 3603:10 3604:9 3605:22 3606:3 3613:18 3619:13 3621:7 3631:14, 26 3633:9,21 3640:7 3642:10 3644:20 3647:3 3651:24 3653:1, 13,14 3654:3 3656:7 3660:8,13 timelines 3617:2 times 3500:17 3528:20 3548:11 3554:26 3555:3 3563:3 3571:3 3601:9 3614:19 3617:26 3648:4 tired 3548:18 3651:18,19,20 title 3554:15 TMAC 3516:10 today 3486:21 3487:19 3488:4 3490:20,21 3492:14 3535:6 3558:5,17 3559:13 3561:20 3563:12,17 3564:19 3565:16 3567:15 3582:13, 23 3590:4 3595:10 3600:23 3606:4 3607:2 3608:1 3613:26 3614:19 3620:9, 11,14 3621:10 3628:26 3633:12	3638:15 3639:12 3653:25 today's 3623:13 told 3502:18,19 3545:12 3554:11 3565:10,13 3581:24,25 3606:1,19 3647:13 tomorrow 3488:10 3561:20 3608:6 3661:19, 22 tonight 3661:18 tonnage 3541:21 3596:8 tonne 3553:23 3554:2 tonnes 3537:25 3541:16,17,24 3553:20 3554:16 3657:15 tool 3494:25 3538:11 3625:3 tools 3495:2 3518:14 3563:14, 16 top 3541:22 3596:25 3634:22 3647:15 topic 3529:9 3619:12 3656:10 3657:4 topics 3491:21 3600:12 tops 3579:7 total 3587:5 3613:18 Tote 3512:25 3612:24 touch 3518:2 3546:12 3611:24 3612:20 touched 3544:20	3652:2,3 tough 3651:2 tour 3658:16 tours 3577:16,18 tracing 3490:4 track 3596:14,16, 17,19,25 3597:3 tracking 3546:15 tracks 3598:7 trade 3564:24 trades 3563:24 tradition 3492:3 3558:18 3559:24, 25 traditional 3540:6 3557:1 3580:18 3595:18 3603:24 3606:6 3611:2,20,23 3615:22 3623:8, 12 3627:9 3628:5,17 3629:9 3639:10 traditions 3621:8 3629:13 traffic 3524:1 3609:8 3645:16, 17,19 trails 3604:24 train 3576:14,15 3596:13 3598:23 3610:2 3612:21 3654:4 3657:15 trained 3576:10 3625:25 3635:15, 18,19 3649:3 trainees 3577:23 3658:24 training 3576:14, 16 3577:22,24 3578:4,6 3620:4, 8,13,25 3635:22, 25 3647:1 3659:8,11
--	--	---	---	---

Varadarajan 3475:8 variable 3526:15 3581:9 varied 3618:3 varying 3588:1 vast 3572:19 3593:12 vegetation 3587:22 vehicles 3613:1 3634:18,19 venue 3488:21 3491:7 venues 3635:24 versions 3500:26 vessel 3511:10 3513:20,21 3525:17,18,19 3526:1,11 3579:15 3601:10 3645:24 vessel-exposure 3525:2 vessels 3523:26 3525:13 3601:3, 4,8,10,23 3642:17 3643:14 3646:3 vessels' 3645:19 viable 3630:2 Vice 3477:19 Vice-president 3474:9 video 3490:16 3506:20 3507:6 view 3539:17,19 3574:10 viewing 3491:11 views 3487:18,25 3488:13 3492:15 3497:13 Vigna 3481:21	violated 3516:9 violation 3503:20 visible 3595:16 3596:18 vision 3628:16 visit 3510:26 visiting 3596:12 visits 3556:23 vitality 3606:19 voice 3582:21 3640:5 3658:5 voicing 3625:9 volume 3554:9 voluntary 3503:21 volunteer 3651:12,13,14 vouchers 3545:11 3569:10	3600:4,6 3612:7 3613:12 3623:16, 17 3625:19 3631:25 3633:25 3649:24 3651:13, 18 3652:16 3657:1,14 3660:21 wanting 3562:14 warmer 3584:15 warming 3515:10 warning 3519:10 3615:20 watch 3543:1 3565:18 3612:1 watching 3655:25 water 3482:15, 20,22 3493:8 3494:7,14 3504:11,14 3511:10,11 3526:12 3546:19 3565:9,18 3566:24 3570:9 3571:3 3591:10 3593:1,5,6 3606:12 3643:1 3644:8 waters 3504:12 3510:18,20 3511:6 3512:14 3546:20 3570:3, 7,10 3571:1 3593:2 3642:20 3643:10 3644:19 3645:2,4,21 ways 3492:8 3503:19 3507:19 3532:16 3555:15, 16,17,23 3556:3, 5,10,22,25 3558:14 3567:19 3581:11 3610:22 3620:14 3622:10,	13 3623:11 3624:3 3625:3 3627:5 3628:9,15 3629:16 3654:21 3661:12 wear 3491:6 weather 3514:24 website 3590:24 week 3599:22 3643:16 weeks 3576:23 3649:10 weight 3491:13 3518:4,11 3522:6,7 Westdal 3485:2 Western 3628:8 3639:3,5,9 3644:17 whale 3545:6 3559:4 3595:21 3655:12,16 whales 3525:13 3542:20,22 3546:13,20 3547:4,8,14 3548:2,7,9,10 3585:7 3594:8 3601:21,22,24 3602:18 3606:11 3611:22 3639:14 3653:23,25 3654:8,16,19,23 3655:2,3,7,21,23 3656:8 whaling 3653:26 whipping 3647:14 whistle 3610:19 3616:7 whistles 3612:21, 23 3616:12 white 3563:22,23 3564:4,6,10	wife 3648:10 wildlife 3477:24 3481:9 3485:6 3506:26 3516:21 3517:4 3534:12 3535:7,8 3539:14 3542:18 3543:6, 8,10 3551:21 3556:26 3557:6, 7,9,10 3558:5,9, 14 3559:9,13,14, 19,22 3560:2,6, 10 3561:4,13,19 3565:5,26 3567:2,3 3579:5 3585:3,7 3586:21 3588:7,8 3594:12 3595:9 3596:2 3598:18,20 3603:23 3605:23 3607:13 3610:5,7 3611:24 3612:5,6 3615:26 3617:7 3630:5 3638:5 3640:24 3641:5 3650:11 Williamson 3476:20 Wilson 3482:15 3483:20 winter 3558:13 Winterbottom 3475:18 wintertime 3609:8 wisdom 3647:1 wisdoms 3557:21 wise 3647:7 wiser 3647:8 witnessed 3600:24 wolves 3585:8 woman 3622:17 3627:4
--	--	--	--	--

women 3480:9
3584:15 3606:1
3620:11,16
3623:23 3626:2
won 3623:21
wondering
3552:10 3591:19
3653:16
Wood 3476:4
word 3650:20
words 3557:21
3626:23 3627:3,
22 3650:15,25
3651:2 3652:9
work 3492:2
3494:12 3503:24
3509:11,12
3511:7 3512:11,
19 3532:23
3536:14,19
3537:21,22
3538:6,7,14
3543:15,23
3545:1 3555:15
3557:15 3560:3,
17,19 3561:2,8
3565:10 3575:1
3576:1,12,15
3596:22 3607:6,
18 3611:16
3612:1,4 3613:3,
11 3614:6
3617:13 3623:3,
10,13 3624:7,23
3625:2 3626:26
3627:8,24 3630:7
3631:21,22
3632:24 3633:4,
11,13,19
3635:20,21,24
3636:20 3638:14,
18,25 3640:8,20
3642:15 3645:18
3659:2,9,10
3660:22

worked 3493:5
3600:20 3605:3
3623:6 3649:15
workers 3564:7
working 3479:1
3492:8 3502:22
3503:2,22
3509:15 3517:10
3520:6 3528:22
3536:21 3538:13
3545:24 3555:17
3562:19 3574:1
3587:3,17 3588:4
3590:6 3598:21,
23 3602:9,10,25
3603:7,8,9,24
3607:20 3620:18
3623:4 3627:12
3629:10 3636:25
3637:8,13
3638:20 3643:18
3649:16,19,21
3658:1
works 3508:7
3512:23 3591:13
3633:8
workshops
3580:18,20,21
3581:3 3603:9
3604:3
world 3485:6
3554:19,24
3557:13 3623:13
3629:11,12,14
3654:23
worried 3527:3
3530:16
worse 3496:11
3507:3
worth 3568:24
3650:8
Wow 3647:4
write 3503:24
3650:16,18
writing 3650:6

written 3490:17
3503:7 3530:13
3551:21 3595:23
3620:8 3629:24
3650:24
wrong 3509:13
3519:3
wrote 3499:8
Wyoming
3475:22,23,24

Y

year 3504:10,15,
17 3528:11,20
3541:16 3553:20
3558:17 3569:10
3570:4 3578:13
3579:8,10
3598:10,13
3599:9 3600:22
3642:23 3643:1
3660:15
year-over-year
3527:21
yearly 3593:9
years 3491:17
3513:5 3528:2
3530:17 3537:19,
21 3540:23
3555:2 3558:13
3564:8 3565:7
3566:14 3578:10
3579:16 3599:10
3600:20 3601:25
3602:3,4 3611:25
3628:20 3630:21
3633:9 3634:1
3639:20
yesterday
3487:11 3491:19
3492:17 3494:6
3495:11 3506:25
3531:19,20
3583:16 3646:11,
12 3651:17

young 3530:11
3575:9,10 3576:1
3599:24 3619:23
3653:24
younger 3542:26
3548:19 3620:13
3652:1
youngest
3648:10
youth 3478:10
3479:14,25
3480:10 3530:12,
15 3575:11,15,
20,22,24 3576:22
3577:2,7,9,16
3578:5,16 3606:1
3620:15,18
3626:6 3659:5

Z

zone 3581:1
Zoom 3486:17
3488:26 3489:24