

NUNAVUT IMPACT REVIEW BOARD

AGNICO EAGLE MINES LIMITED  
MELIADINE EXTENSION PROJECT PROPOSAL  
NIRB FILE NUMBER 11MN034

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PUBLIC HEARING

VOLUME 4

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Rankin Inlet, Nunavut

September 15, 2023

1	TABLE OF CONTENTS		
2			
3	Description		Page
4			
5	September 15, 2023	Morning Session	441
6	Opening Remarks		441
7	Agnico Eagle Mines Limited Responds to		446
8	Deferred Questions		
9	Nunavut Tunngavik Incorporated Questions Agnico		448
10	Eagle Mines Limited		
11	Kangiqliniq Hunters and Trappers Organization		465
12	Questions Agnico Eagle Mines Limited		
13	Sayisi Dene First Nation and Northlands		481
14	Denesuline First Nation Questions Agnico Eagle		
15	Mines Limited and Government of Nunavut		
16	Nunavut Impact Review Board Staff Questions		492
17	Government of Nunavut and Agnico Eagle		
18			
19	September 15, 2023	Afternoon Session	498
20	Procedural Matters by Nunavut Impact Review		499
21	Board Legal Counsel		
22	GABRIEL NIRLUNGAYUK, RAYMOND MERCER, BERT		500
23	DEAN, AND EZRA GREENE, Affirmed		
24	Presentation by Nunavut Tunngavik		500
25	Incorporated (Agnico Eagle Mines Limited's		
26	(AEM's) Meliadine Extension Project Proposal		

1	Government of Nunavut Questions Nunavut	508
2	Tunngavik Incorporated	
3	Procedural Matters By Nunavut Impact Review	508
4	Board Legal Counsel	
5	DAVID LEE, Affirmed	509
6	Northlands Denesuline First Nation Questions	510
7	Nunavut Tunngavik Incorporated	
8	Athabasca Denesuline Ne Ne Land Corporation	514
9	Questions Nunavut Tunngavik Incorporated	
10	Nunavut Impact Review Board Chair Questions	516
11	Nunavut Tunngavik Incorporated	
12	Procedural Matters by Nunavut Impact Review	518
13	Board Legal Counsel	
14	LUIS MANZO, MATTHEW MCDUGALL, ANNE GUNN,	520
15	CRAIG BEARDSALL, AND ALAN SEXTON, Affirmed	
16	Presentation by the Kivalliq Inuit	520
17	Association (Environmental Assessment of the	
18	Meliadine Extension Proposal, Technical	
19	Presentation of Final Environmental Impact	
20	Statement Addendum)	
21	Government of Nunavut Questions Kivalliq	542
22	Inuit Association	
23	Fisheries and Oceans Canada Questions	545
24	Kivalliq Inuit Association	
25	Kangiqliniq Hunters and Trappers Organization	547
26	Questions Kivalliq Inuit Association	

1	Northlands Denesuline First Nation and	554
2	Sayisi Dene First Nation Questions Kivalliq	
3	Inuit Association	
4	Athabasca Denesuline Ne Ne Land Corporation	556
5	Questions Kivalliq Inuit Association	
6	Agnico Eagle Mines Limited Questions Kivalliq	560
7	Inuit Association	
8	Nunavut Impact Review Board Staff Questions	570
9	Kivalliq Inuit Association	
10	Nunavut Impact Review Board Panel Questions	578
11	Kivalliq Inuit Association	
12	Nunavut Impact Review Board Chair Questions	582
13	Kivalliq Inuit Association	
14		
15	September 15, 2023 Evening Session	589
16	Procedural Matters by Nunavut Impact Review	589
17	Board Legal Counsel	
18	SPENCER DEWAR, FELEXCE NGWA, Sworn	590
19	ADAM DOWNING, Affirmed	591
20	Presentation by Crown-Indigenous Relations	592
21	and Northern Affairs Canada (Agnico Eagle	
22	Mines Limited's Meliadine Extension Project	
23	Proposal)	
24	Presentation by Transport Canada (Final	602
25	Hearing Comments -- Reconsideration of Agnico	
26	Eagle Mines Limited's "Meliadine Extension"	

1	Project Proposal)	
2	Procedural Matters by Nunavut Impact Review	605
3	Board Legal Counsel	
4	VICTORIA SHORE, Affirmed	606
5	Presentation by Environment and Climate	606
6	Change Canada (Agnico Eagle Mines Ltd.	
7	Meliadine Extension Public Hearing	
8	Presentation)	
9	Procedural Matters by Nunavut Impact Review	613
10	Board Legal Counsel	
11	PAUL HARPER, JOSE AUDET-LECOUFFE, Affirmed	614
12	Presentation by Fisheries and Oceans Canada	615
13	(Meliadine Mine Extension Project	
14	Reconsideration)	
15	Procedural Matters By Nunavut Impact Review	621
16	Board Legal Counsel	
17	JULIE ANDERSON, JOEL KAUSHANSKY, AND WENDY	622
18	WILSON, Affirmed	
19	Presentation by Health Canada (Meliadine Mine	622
20	Extension Project Health Canada's Final	
21	Hearing Presentation)	
22	Procedural Matters By Nunavut Impact Review	631
23	Board Legal Counsel	
24	PETER UNGER, Affirmed	631
25	Presentation by Natural Resources Canada	632
26	(For the Reconsideration Process of Agnico	

1	Eagle Mines Limited's "Meliadine Extension"	
2	Project Proposal)	
3	Certificate of Transcript	647
4		
5		
6	EXHIBITS	
7	Description	Page
8		
9	EXHIBIT 7 - Hard Copy PowerPoint Presentation	500
10	"Agnico Eagle Mines Limited's (AEM's)	
11	Meliadine Extension Project Proposal	
12	EXHIBIT 8 - Hard Copy PowerPoint Presentation	519
13	"Environmental Assessment of the Meliadine	
14	Extension Proposal: Technical Presentation of	
15	Final Environmental Impact Statement Addendum"	
16	(English)	
17	EXHIBIT 9 - Hard Copy, PowerPoint Presentation	519
18	"Environmental Assessment of the Meliadine	
19	Extension Proposal: Technical Presentation of	
20	Final Environmental Impact Statement Addendum"	
21	(Inuktitut)	
22	EXHIBIT 10 - Hard Copy PowerPoint Presentation,	591
23	"Agnico Eagle Mines Limited's Meliadine	
24	Extension Project Proposal", Crown-Indigenous	
25	Relations and Northern Affairs Canada	
26	(English/Inuktitut)	

1	EXHIBIT 11 - Hard Copy PowerPoint Presentation,	591
2	"Agnico Eagle Mines Limited's Meliadine	
3	Extension Project Proposal", Crown-Indigenous	
4	Relations and Northern Affairs Canada (French)	
5	EXHIBIT 12 - Hard Copy PowerPoint Presentation,	591
6	"Agnico Eagle Mines Limited's Meliadine	
7	Extension Project Proposal", Crown-Indigenous	
8	Relations and Northern Affairs Canada (Dene	
9	Dialect 1)	
10	EXHIBIT 13 - Hard Copy PowerPoint Presentation,	591
11	"Agnico Eagle Mines Limited's Meliadine	
12	Extension Project Proposal", Crown-Indigenous	
13	Relations and Northern Affairs Canada (Dene	
14	Dialect 2)	
15	EXHIBIT 14 - Hard Copy PowerPoint Presentation,	592
16	"Final Hearing Comments -- Reconsideration of	
17	Agnico Eagle Mines Limited's "Meliadine	
18	Extension" Project Proposal"	
19	(English/Inuktitut)	
20	EXHIBIT 15 - Hard Copy PowerPoint Presentation,	592
21	"Final Hearing Comments -- Reconsideration of	
22	Agnico Eagle Mines Limited's "Meliadine	
23	Extension" Project Proposal" (French)	
24	EXHIBIT 16 - Hard Copy PowerPoint Presentation,	592
25	"Final Hearing Comments -- Reconsideration of	
26	Agnico Eagle Mines Limited's "Meliadine	

1	Extension" Project Proposal" (Dene Syllabics)	
2	EXHIBIT 17 - Hard Copy PowerPoint Presentation,	592
3	"Final Hearing Comments -- Reconsideration of	
4	Agnico Eagle Mines Limited's "Meliadine	
5	Extension" Project Proposal" (Dene Roman	
6	Orthography)	
7	EXHIBIT 18 - Hard Copy PowerPoint Presentation,	606
8	"Agnico Eagle Mines Ltd. Meliadine Extension	
9	Public Hearing Presentation"	
10	(English/Inuktitut)	
11	EXHIBIT 19 - Hard Copy PowerPoint Presentation,	606
12	"Agnico Eagle Mines Ltd. Meliadine Extension	
13	Public Hearing Presentation" (French)	
14	EXHIBIT 20 - Hard Copy PowerPoint Presentation,	606
15	"Agnico Eagle Mines Ltd. Meliadine Extension	
16	Public Hearing Presentation" (Dene)	
17	EXHIBIT 21 - Hard Copy PowerPoint Presentation,	614
18	"Meliadine Mine Extension Project	
19	Reconsideration" (English/Inuktitut)	
20	EXHIBIT 22 - Hard Copy PowerPoint Presentation,	614
21	"Meliadine Mine Extension Project	
22	Reconsideration" (English/French)	
23	EXHIBIT 23 - Hard Copy PowerPoint Presentation,	614
24	"Meliadine Mine Extension Project	
25	Reconsideration" (English/Sayisi Syllabics)	
26	EXHIBIT 24 - Hard Copy PowerPoint Presentation,	615

1	"Meliadine Mine Extension Project	
2	Reconsideration" (Dene Roman Orthography)	
3	EXHIBIT 25 - Hard Copy PowerPoint Presentation,	622
4	"Meliadine Mine Extension Project Health	
5	Canada's Final Hearing Presentation"	
6	(English/Inuktitut)	
7	EXHIBIT 26 - Hard Copy PowerPoint Presentation,	622
8	"Meliadine Mine Extension Project Health	
9	Canada's Final Hearing Presentation"	
10	(English/French)	
11	EXHIBIT 27 - Hard Copy PowerPoint Presentation,	622
12	"Meliadine Mine Extension Project Health	
13	Canada's Final Hearing Presentation"	
14	(English/Dene)	
15	EXHIBIT 28 - Hard Copy PowerPoint Presentation	632
16	"For the Reconsideration Process of Agnico	
17	Eagle Mines Limited's "Meliadine Extension"	
18	Project Proposal" (English/Inuktitut)	
19	EXHIBIT 29 - Hard Copy PowerPoint Presentation	632
20	"For the Reconsideration Process of Agnico	
21	Eagle Mines Limited's "Meliadine Extension"	
22	Project Proposal" (English/Dene)	
23		
24		
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1 Proceedings taken at Singiitug Complex Recreation Hall,  
 2 Rankin Inlet, Nunavut

3

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4 NUNAVUT IMPACT REVIEW BOARD

5	K. Kaluraq	Chair of Hearing
6	P. Kadlun-Omingmakyok	Panel Member
7	G. Alikut	Panel Member
8	P. Kusugak	Panel Member
9	A. Ehaloak	Panel Member
10	C. Emrick	Secretary-Treasurer

11

12 NUNAVUT IMPACT REVIEW BOARD STAFF

13	T. Meadows	Legal Counsel
14	R. Barry	Executive Director
15	T. Arko	Director, Technical Services
16	K. Gillard	Manager, Project Monitoring
17	L. Klassen	Technical Advisor II
18	E. Koide	Technical Advisor III
19	L. Atatahak	Administration Support

20

21 PROPONENT

22

23 AGNICO EAGLE MINES LIMITED (REGISTERED SPEAKERS)

24	B. Armstrong	Legal Counsel
25	C. Kowbel	Legal Counsel
26	M. Turmel	Superintendent, Permitting and

1		Regulatory Affairs
2	C. Prather	Permitting Technical Advisor,
3		Water Management
4	J. Range	Regulatory Specialist
5	E. Malindzak	Permitting Specialist,
6		Aquatics
7	S. Lacourse	Permitting Specialist, Social
8		& Land
9	D. Kritterdlik	IQ & Wildlife Advisor
10	P. Kusugak	Director, Nunavut Affairs
11	A. Buchan	Director, Nunavut Affairs;
12		Stakeholder Engagement
13	L. Syvret	Director, Shared Services
14		Nunavut
15	L. Chouinard	Project Manager, Meliadine
16		Extension
17	M. Gillman	Environment Superintendent
18	S. Savoie	Environment General Supervisor
19	J-C. Blais	General Manager, Meliadine
20		Operations
21	C. Fernandes	General Superintendent, Mining
22		Operations
23	D. Rodrigue	General Superintendent
24	J. Aggark	Community Liaison Officer,
25		Chesterfield Inlet
26	N. Allen	Project Manager, Nunavut

1		Decarbonization
2	D. Coulton	Consultant, Senior Wildlife
3		Biologist
4	G. Sharam	Consultant, Senior Wildlife
5		Biologist
6	V. Young	Consultant, Acoustic Scientist
7	J. Quesnel	Director, Permitting and
8		Regulatory Affairs
9	C. Paradis St-Onge	Nunavut Communication
10		Coordinator
11	K. Chenel-Fournier	Communication Counselor
12		
13	INTERVENORS	
14		
15	NUNAVUT WATER BOARD (REGISTERED SPEAKERS)	
16	A. Shaikh	Technical Advisor
17		
18	NUNAVUT TUNNGAVIK INCORPORATED (REGISTERED SPEAKERS)	
19	N. Gonzalez	Legal Counsel
20	D. Nouvet	Legal Counsel
21	P. Irngaut	Vice President
22	G. Nirlungayuk	Director, Wildlife and
23		Environment
24	B. Dean	Assistant Director, Wildlife
25		and Environment
26	R. Mercer	Resource Management

1		Coordinator
2	E. Greene	Senior Research and Technical
3		Advisor
4	H. Uniuqsaraq	Acting Chief Operations
5		Officer
6	D. Lee	Biologist
7		
8	KIVALLIQ INUIT ASSOCIATION (REGISTERED SPEAKERS)	
9	J. Katz	Legal Counsel
10	L. Manzo	Director of Land
11	D. Kuksuk	Vice President
12	G. Karlik	Chief Executive Officer
13	A. Sexton	Geologist
14	M. McDougall	Aquatic Biologist
15	A. Gunn	Aurora Research
16		
17	GOVERNMENT OF NUNAVUT (REGISTERED SPEAKERS)	
18	E. Carroll	Legal Counsel, Justice
19	N. Pudluk	Assistant Deputy Minister of
20		Environment
21	D. Haney	Manager, Land Use and
22		Environmental Assessment,
23		Department of Environment
24	S. Atkinson	Wildlife Biologist, Department
25		of Environment
26	A. Cyr-Parent	Director, Mineral and

1		Petroleum Res., ED&T
2	D. Lapierre	Manager, Environmental
3		Assessment and Regulation,
4		ED&T
5		
6	CROWN-INDIGENOUS RELATIONS NORTHERN AFFAIRS CANADA	
7	(REGISTERED SPEAKERS)	
8	S. Dewar	Director, Resource Management
9	F. Ngwa	Manager, Impact Assessment
10	A. Roy	Senior Environmental
11		Assessment Specialist
12	J. Walsh	Senior Environmental
13		Assessment Analyst
14	M. Staniewski	Environment Policy Analyst
15	T. Brown	Technical Expert - Arcadis Canada
16		
17	ENVIRONMENT AND CLIMATE CHANGE CANADA (REGISTERED	
18	SPEAKERS)	
19	S. Forte	Technical Specialist, Water
20		Quality
21	V. Shore	Senior Environmental Assessment
22		Officer
23	S. Mallon	A/Senior Environmental
24		Assessment Officer
25	E. Walker	A/Head Environmental
26		Assessment

1 DEPARTMENT OF FISHERIES AND OCEANS (REGISTERED  
2 SPEAKERS)

3 J. Audet-Lecouffe Senior Biologist Fish and Fish  
4 Habitat  
5 P. Harper Biologist, Fish and Fish  
6 Habitat  
7 A. Beattie Unit Head, Fish and Fish  
8 Habitat

9

10 HEALTH CANADA (REGISTERED SPEAKERS)

11 J. Anderson Impact Assessment Specialist  
12 J. Kaushansky Impact Assessment Specialist  
13 W. Wilson Senior Environmental Health  
14 Advisor  
15 N. Lyrette Senior Environmental Health  
16 Advisor

17

18 TRANSPORT CANADA (REGISTERED SPEAKERS)

19 J. McHattie Legal Counsel  
20 S. Tielesh Legal Counsel  
21 A. Downing Regional Senior Environmental  
22 Supervisor, Technical and  
23 Environmental Services  
24 R. King Indigenous Relations Unit  
25 N. D'Souza Project Officer, Environmental  
26 Assessment

1 K. Magee A/Senior Project Manager,  
2 Environmental Assessment  
3  
4 NATURAL RESOURCES CANADA (REGISTERED SPEAKERS)  
5 P. Unger A/Director, Impact Assessment  
6 Division  
7 P-O. Edmond Manager, Impact Assessment and  
8 Consultation  
9 R. Goulet Manager, Lands and Minerals  
10 J. Cole Senior Researcher, Lands and  
11 Minerals  
12  
13 KANGIQLINIQ HUNTERS AND TRAPPERS ORGANIZATION  
14 (REGISTERED SPEAKERS)  
15 N. Kaludjak HTO  
16 R. Pilakapsi HTO  
17  
18 ATHABASCA DENESULINE NE NE LAND CORPORATION (REGISTERED  
19 SPEAKERS)  
20 K. Rasmussen Ecological Consultant  
21 R. Robillard President and Chief Negotiator  
22 K. MacDonald Admin  
23 K. Mercredi Chief  
24  
25  
26

1 SAYISI DENE AND NORTHLANDS DENESULINE FIRST NATION  
 2 (REGISTERED SPEAKERS)

3	K. Olson	Legal Counsel
4	G. Bussidor	Sayisi Dene First Nation
5		Chief Negotiator
6	B. Denechezhe	Northlands Denesuline
7		First Nation
8		Chief Negotiator
9	D. Chranowski	Wildlife Biologist Advisor

10

11 HAMLET OF RANKIN INLET (REGISTERED SPEAKERS)

12	M. Hickes	Community Representative
13	A. Kabvitok	Community Representative
14	L. Curley	Community Representative

15

16 HAMLET OF BAKER LAKE (REGISTERED SPEAKERS)

17	D. Owingayak	Community Representative
18	E. Elytook	Community Representative
19	L. Nukik	Community Representative

20

21 HAMLET OF WHALE COVE (REGISTERED SPEAKERS)

22	P. Kabloona	Community Representative
----	-------------	--------------------------

23

24 HAMLET OF CHESTERFIELD INLET (REGISTERED SPEAKERS)

25	S. Sammurtok	Community Representative
26	H. Aggark	Community Representative

1	L. Mimialik	Community Representative
2		
3	TADOULE LAKE (REGISTERED SPEAKERS)	
4	E. Bussidor	Community Representative
5	K. Clipping	Community Representative
6		
7	LAC BROCHET (REGISTERED SPEAKERS)	
8	M. Antsanen	Community Representative
9	N. Denechezhe	Community Representative
10	T. Shaoullie	Community Representative
11		
12	BLACK LAKE (REGISTERED SPEAKERS)	
13	C. Sayazie	Community Representative
14	J. Laban	Community Representative
15	D. Bigeye	Community Representative
16		
17	FOND DU LAC (REGISTERED SPEAKERS)	
18	L. Mercredi	Community Representative
19	M.N. Pacquette	Community Representative
20	D. McDonald	Community Representative
21		
22	HATCHETT LAKE (REGISTERED SPEAKERS)	
23	B. Tsannie	Community Representative
24	E.M. Denechezhe	Community Representative
25	P. Gazandlare	Community Representative
26		

## 1 INTERPRETERS/TRANSLATORS (INUKTITUT)

2 J. Tucktoo Language Translator

3 M.R. Angoshadluk Language Translator

4 B. Dean Language Translator

5

## 6 INTERPRETERS/TRANSLATORS (DENE)

7 D. Alphonse Language Translator

8 N. Pacquette-Mercredi Language Translator

9

## 10 COURT REPORTERS

11 D. Lopez, CSR(A), RPR Official Court Reporter

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

13 CRR

14

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1 (PROCEEDINGS COMMENCED AT 9:09 AM)

2 Opening Remarks

3 THE CHAIR: Good morning, everyone. My  
4 name is Kaviq Kaluraq. I'm the chairperson of the  
5 Nunavut Impact Review Board, or NIRB. On behalf of the  
6 Board, I would like to welcome you back to Day 4 of the  
7 NIRB's assessment of Agnico Eagle Mines Limited's  
8 Meliadine extension proposal, which is a modification  
9 of the existing Meliadine Gold Mine project.

10 Thank you to the community of Rankin Inlet for  
11 hosting us during this public hearing. A quick  
12 reminder, please turn off your cell phones or put them  
13 on "silent" before we begin.

14 We're starting this morning with an opening prayer  
15 given by Mary Rose.

16 Opening Prayer

17 THE CHAIR: Matna, Mary Rose.

18 The Nunavut Impact Review Board is holding this  
19 public hearing to hear evidence, ask questions, and  
20 listen to comments and concerns of registered  
21 intervenors, community representatives, and members of  
22 the public in order to assess the potential ecosystemic  
23 and socioeconomic effects of the changes to the  
24 existing Meliadine Gold Mine project proposed by Agnico  
25 Eagle under the extension proposal.

26 This morning we will be picking up where we left

1 off yesterday from Day 2, Agenda Item 9, Subsection 2  
2 with questions from the intervenors to the Government  
3 of Nunavut and Agnico Eagle in respect of their  
4 presentations on caribou movement.

5 As you can see, we continue to be behind on our  
6 planned agenda, and so we will be extending our session  
7 today with an evening session to help us get back on  
8 track. Depending on our progress today, we may have to  
9 modify the schedule further, and we appreciate  
10 everyone's efforts today to be direct and concise with  
11 their questions and answers.

12 For those of you in the hall, we ask that you sign  
13 in at the table as you enter the hall for each of the  
14 sessions today, morning, afternoon, and evening. This  
15 will help the Board keep an accurate record of  
16 attendance.

17 Although the Board has designed this public  
18 hearing to take place in person, the Board has also  
19 provided an audio-video link for this hearing so that  
20 parties providing support to the representatives in the  
21 room can view the proceedings remotely. We will do  
22 everything we can to ensure that the remote link  
23 remains stable; however, if the online link is  
24 disrupted, the Board will continue with the in-person  
25 proceedings.

26 Simultaneous interpretation of the proceedings is

1 being provided throughout the meetings from  
2 interpreters here in Rankin Inlet. In the Zoom feed  
3 you can choose the language feed you want to hear, but  
4 when you go to speak, you may have to turn off the  
5 interpretation feed to avoid feedback.

6 For the people here in Rankin Inlet, receivers are  
7 available from the sign-in table, and the receivers are  
8 set to: Channel 1 is the floor sound; Channel 2 is  
9 English; Channel 3 is Inuktitut; and Channel 4 is Dene.

10 Please have patience as we shift between speakers,  
11 and for the sake of our interpreters and sound tech,  
12 please wait until I call your name before you speak.  
13 If you are participating by Zoom, when your name is  
14 called, please click on the "raise your hand" button at  
15 the bottom of the screen. This will help the techs  
16 identify you more quickly so that they can unmute your  
17 line and turn on your camera.

18 If you're having trouble hearing the proceedings,  
19 please see our technical support, Ryan Dempster, from  
20 Pido at the side of the room. If you're having issues  
21 with the online feed, please email Emily Koide at  
22 [ekoide@nirb.ca](mailto:ekoide@nirb.ca).

23 The Board reminds everyone participating in this  
24 hearing that no one is allowed to record or rebroadcast  
25 the images, video, or audio of these proceedings in any  
26 form without the express written -- express consent of

1 the Nunavut Impact Review Board. Failing to follow  
2 these directions may result in sanctions by the Board,  
3 including suspending access to the live feed or being  
4 asked to leave the hall.

5 The NIRB is generating a transcript from these  
6 proceedings, which will be available following the  
7 hearing on the NIRB's public registry.

8 If your organization has had new representatives  
9 join the hearing today, please advise the Board's legal  
10 counsel, Teresa Meadows, so we can make sure to update  
11 our list.

12 As you may have noticed, these proceedings are  
13 open to the media and are being attended by media  
14 representatives. To members of the media attending the  
15 meetings in person, we ask that you check in at the  
16 front table and wear a press badge or a similar  
17 identification throughout these proceedings so that it  
18 is clear to parties which media outlet you are  
19 representing. Media participating online should  
20 provide notice to Ryan Barry, the Board's interim  
21 executive director, at rbarry@nirb.ca, and  
22 inquiries -- sorry. I'm listening to the  
23 interpretation. Inquiries for information from media  
24 representatives should also be sent to Ryan.

25 The Board welcomes the media providing information  
26 about these meetings to those who cannot attend;

1     however, the Board members and our staff cannot take  
2     questions or provide interviews to the media or make  
3     public comments regarding these meetings while we're  
4     underway.

5             Before we turn to our agenda, I have a few quick  
6     housekeeping matters. The washrooms are located  
7     outside this room in the lobby area. Exits are located  
8     through the main doors to the lobby and on the side of  
9     the room at the front and back corners. As you will  
10    see from the agenda, today's technical sessions are  
11    scheduled for 9 AM to 5 PM central time, and the Board  
12    has added an additional evening session from 6:30 PM to  
13    9 PM.

14            There will be a mid-morning break, a lunch break  
15    around noon central time, and mid-afternoon break,  
16    supper break, and an evening health break. We will not  
17    have catering for the evening session, so please bring  
18    your own snacks to get you through the evening.

19            When you're leaving the hall for breaks or at the  
20    end of the day, please turn the interpretation  
21    receivers off and return them to the table as you exit  
22    the hall.

23            The Board appreciates everyone continuing to  
24    comply with the Board's directions for the public  
25    hearing. I'm not going to restate them but remind  
26    everyone to be aware of our interpreters and court

1 reporters when you are speaking so that we can ensure  
2 everyone is heard and understood.

3 Now we'll return to the technical session of the  
4 public hearing. First, there are two deferred  
5 questions -- deferred items from yesterday both  
6 directed to Agnico Eagle, and I ask that Agnico Eagle  
7 provide their responses to the following questions.  
8 The first one from the -- from Nunavut Tunngavik  
9 Incorporated to Agnico Eagle: What is the herd that  
10 interacts with Raglan Mine and is their population at  
11 the same levels? And the second question from Natural  
12 Resources Canada to Agnico Eagle: Can Agnico Eagle  
13 confirm that its groundwater model included lakes of  
14 intermittent elevation with open taliks in their  
15 models?

16 Agnico Eagle, Manon Turmel.

17 Agnico Eagle Mines Limited Responds to Deferred  
18 Questions

19 MS. TURMEL: Manon Turmel, Agnico Eagle.

20 Thank you, Madam Chair. Good morning.

21 I will go for the first question. So around the  
22 Raglan Mine, it is the Leaf River herd, Leaf River  
23 Herd, and their level are approximately around 180,000  
24 caribou. And I will have Colleen answer the second  
25 deferred question. Thank you.

26 THE CHAIR: Colleen Prather.

1 MS. PRATHER: Thank you, Madam Chair.

2 Colleen Prather, Agnico Eagle.

3 In response to Natural Resources Canada, I will  
4 speak to four items. The first was the hydrogeological  
5 model and intermediate lakes. Agnico Eagle confirms  
6 that a model was prepared that considers open taliks in  
7 intermediate lakes. This was submitted to the Nunavut  
8 Impact Review Board in the May 2023 submission as  
9 Appendix G4.

10 Natural Resources Canada also raised three other  
11 items which we feel can be addressed further through  
12 the Nunavut Water Board process; however, we'll provide  
13 some clarification.

14 Climate change models. As part of response to  
15 Natural Resources Canada Number 7, Agnico Eagle will  
16 consider the recommendations regarding climate change  
17 scenarios in the final closure and reclamation plan.

18 Regarding Natural Resources Canada Comment  
19 Number 9, this was around thermal models for in-pit  
20 storage of water. The alternative to store saline and  
21 contact water in pits is already part of the strategy  
22 at Meliadine Mine; however, Agnico Eagle will consider  
23 refining the thermal modelling as design of temporary  
24 storage of water in pits progresses.

25 In response to Natural Resources Canada Number 11,  
26 this is thermal modelling of in-pit deposition of

1 tailings or waste rock. As noted in the proposed term  
2 and condition for in-pit deposition, a thermal study to  
3 assess the degradation of permafrost within the pits  
4 would be completed if this alternative activity is  
5 required. As noted, we have provided this information  
6 for the Board's understanding of the technical  
7 comments. We have confirmed with Natural Resources  
8 Canada that with this clarification, all technical  
9 comments are resolved. Thank you.

10 THE CHAIR: Continuing with questions to  
11 the presentations from yesterday, questions from  
12 intervenors to the Government of Nunavut or Agnico  
13 Eagle about the caribou movement animation or Agnico's  
14 response. Nunavut Tunngavik Incorporated, Gabriel  
15 Nirlungayuk.

16 Nunavut Tunngavik Incorporated Questions Agnico Eagle  
17 Mines Limited

18 MR. NIRLUNGAYUK: Just a follow-up question, and  
19 I appreciate that -- Gabriel Nirlungayuk, Nunavut  
20 Tunngavik Inc. I appreciate the response from Agnico  
21 Eagle on the Leaf River herd for Raglan Mines.

22 Just a note that this population is -- is in  
23 decline from 600,000 in early 2000s to about 180,000,  
24 which was stated.

25 We have one -- David Lee on the line would like to  
26 ask questions to -- to the presenters yesterday, Madam

1 Chair.

2 THE CHAIR: Agnico Eagle, Manon Turmel. I  
3 missed that. Government of Nunavut -- sorry. I was  
4 listening to two ...

5 Gabriel Nirlungayuk.

6 MR. NIRLUNGAYUK: Yes. We have -- David Lee,  
7 our biologist online, would like to ask questions.  
8 Qujannamiik.

9 THE CHAIR: David Lee. David Lee, you  
10 need to unmute your line.

11 MR. LEE: Hello?

12 THE CHAIR: Go ahead, David Lee.

13 MR. LEE: Yeah. Sorry about that.  
14 Thank you, Madam Chair. David Lee, with Nunavut  
15 Tunngavik Incorporated. Again, I apologize for not  
16 being there in person.

17 I have one question for Agnico Eagle Mining and  
18 one question for the GN. My first question to AEM, or  
19 Agnico Eagle, is with respect to Commitment 38 and the  
20 statement that the report that was produced is  
21 scientifically defensible. I share many of the  
22 concerns expressed in the Kivalliq Inuit Association's  
23 submission, and rather than spend time on questions  
24 about the report, I would like to ask AEM if they  
25 are -- if they have had the report independently  
26 reviewed by scientific peers or experts in those

1 methods, and, if not, would they be open to such a  
2 review? Thank you.

3 THE CHAIR: Agnico Eagle, Manon Turmel.

4 MS. TURMEL: Manon Turmel, Agnico Eagle. I  
5 will start and Daniel Coulton will continue.

6 So Commitment 38 is a commitment that we made as  
7 part of the waterline process. It is not related to  
8 Meliadine extension. I would also like to mention that  
9 both Greg and Dan, who developed the study design in  
10 collaboration with intervenors, are not working for the  
11 same company and so have challenged each other, and I  
12 will let Dan explain a bit more. Thank you.

13 THE CHAIR: Dan Coulton.

14 MR. COULTON: Thank you, Madam Chair. Dan  
15 Coulton, WSP.

16 So development of the study design included a  
17 number of different caribou experts that are part of  
18 the terrestrial advisory group. It also included IQ  
19 and local knowledge holders who contributed to the  
20 study design. The analysis itself included a modern  
21 method and considered all available collar data in  
22 accordance to the approved plan. The analysis was  
23 comprehensive and rigorous and was carried out in  
24 accordance to the plan that was approved by the  
25 terrestrial advisory group.

26 The results show that caribou are not responding

1 or altering their behaviour in response to the mine in  
2 AWAR but are moving in accordance to habitat. Thank  
3 you.

4 THE CHAIR: Nunavut Tunngavik  
5 Incorporated, David Lee.

6 MR. LEE: Thank you, Madam Chair. David  
7 Lee with Nunavut Tunngavik Incorporated.

8 Thank you, Manon and Dan, for your responses. I  
9 appreciate that. That, unfortunately, did not answer  
10 my question directly, which was whether the report had  
11 been independently reviewed, and, if not, would AEM be  
12 open to such a review?

13 For sake of time, I'll move on to my next  
14 question, which is to the Government of Nunavut. Based  
15 on your presentation, prior to construction, it appears  
16 that caribou crossed the area you've termed as "the  
17 narrows", but after construction, some major changes  
18 occurred, specifically that they stopped crossing into  
19 that area. With maps that were submitted, caribou have  
20 historically utilized that area. So could you  
21 elaborate on these observations and, more specifically,  
22 what sort of factors the GN believes may have  
23 contributed to this change in behaviour and, because it  
24 was mentioned repeatedly, the effectiveness of the  
25 caribou protection measures? Thank you.

26 THE CHAIR: Government of Nunavut, Stephen

1 Atkinson.

2 MR. ATKINSON: Thank you, Madam Chair,  
3 Stephen Atkinson on behalf of the Government of  
4 Nunavut.

5 Thanks for your question, David. You're correct.  
6 During the animations I did point out that in the years  
7 that we showed, 2015 to 2017, the collared caribou did  
8 cross at the narrows crossing, and then following 2018  
9 and every single year after the project was  
10 constructed, none of the collared caribou crossed at  
11 the narrows.

12 Now, I would like to stress that these were  
13 collared caribou, and, as was pointed out yesterday, we  
14 only have up to 50 collars on the herd at any point in  
15 time, so this does not represent every caribou in the  
16 herd; however, they do provide us with a broad picture,  
17 as was mentioned by Agnico yesterday, of caribou  
18 movements. And what this suggests is not necessarily  
19 that caribou have stopped completely using the narrows,  
20 but there has been a significant -- a noticeable  
21 reduction in the use that coincides precisely with the  
22 construction and operation of the project.

23 So with that in mind, it did -- has led the  
24 Government of Nunavut to express some concerns that  
25 this sudden change could be the result of the presence  
26 of the project, and, in particular, at a time when the

1 caribou protection measures of the project were being  
2 implemented, the 5-kilometre zone and the 50-caribou  
3 threshold, if this is the result of the project having  
4 an impact on caribou, it does lead us to wonder how  
5 effective those measures are.

6 Now, that being said, we don't have -- there is  
7 still some information that we don't have. For  
8 example, it was suggested yesterday that ice might be a  
9 factor in preventing crossing at the narrows; however,  
10 I don't have ice data, and I didn't see any ice data in  
11 the FEIS addendum. So this is, at this point, more  
12 conjecture than anything. Thank you very much.

13 THE CHAIR: Agnico Eagle, Manon Turmel.

14 MS. TURMEL: Manon Turmel, Agnico Eagle.

15 I would just like to reiterate that in the  
16 presentation yesterday, we observed that caribou are  
17 still going through the narrow using field  
18 observations. We -- as Stephen alluded to, there might  
19 be other factors that are explaining why they're not  
20 crossing in the recent years as migration patterns have  
21 moved closer to -- to the mine.

22 And I just would like to mention that there's no  
23 evidence that's been provided regarding the -- the  
24 ice -- the ice conditions. Mr. Atkinson and Daniel and  
25 Greg have responded to it, and they have provided the  
26 evidence that caribou are still using the narrow.

1 Thank you.

2 THE CHAIR: Nunavut Tunngavik Incorporated,  
3 David Lee.

4 MR. LEE: Thank you, Madam Chair, and  
5 thank you, Stephen, for that response and, Manon, for  
6 that response.

7 Just in response, as submitted in my curriculum  
8 vitae, I have been involved in every Qamanirjuaq  
9 calving survey since approximately 2008. We rely on  
10 the collar data for delineating the calving grounds for  
11 the most part, and it has been highly relevant and  
12 useful for describing the location of the majority of  
13 the population. Those are my questions.

14 Thank you, Madam Chair. I turn it back to  
15 Gabriel.

16 THE CHAIR: Nunavut Tunngavik  
17 Incorporated, Gabriel Nirlungayuk.

18 MR. NIRLUNGAYUK: Thank you, Madam Chair.  
19 Gabriel Nirlungayuk. Neida Gonzalez would like to ask  
20 some questions.

21 THE CHAIR: Neida Gonzalez.

22 MS. GONZALES: Neida Gonzalez, Nunavut  
23 Tunngavik.

24 So my question is to Agnico Eagle, particularly  
25 Slide 25 of their presentation yesterday.

26 The last two points, just some clarification. We

1 do understand there was a June 28th terrestrial  
2 advisory group meeting. At that meeting, we do not  
3 have record that there was a recommendation to issue a  
4 final report, and we see in the final point by Agnico  
5 Eagle that the report was issued July 14th, and it  
6 says, "and as requested by the parties". We want  
7 clarification that that does not mean a terrestrial  
8 advisory group recommendation to issue that report and  
9 that that was some -- some other decision that was not  
10 a terrestrial advisory group recommendation. Thank  
11 you. Qujannamiik.

12 THE CHAIR: Agnico Eagle, Manon Turmel.

13 MS. TURMEL: Manon Turmel, Agnico Eagle.

14 Thank you for your question. The Commitment 56  
15 was requested by the Ghotelnene K'odtineh Dene First  
16 Nations that Agnico Eagle conduct a study -- develop a  
17 study design, conduct the study, and provide a final  
18 report in time for the Meliadine extension public  
19 hearing. So what we had committed to was to issue the  
20 report by mid-July so it could be integrated into  
21 Ghotelnene K'odtineh Dene First Nations' final written  
22 submissions. So that's why the final report was issued  
23 as per commitment made. Thank you.

24 THE CHAIR: Nunavut Tunngavik

25 Incorporated, Neida Gonzalez.

26 Government of Nunavut, Daniel Haney.

1 MR. HANEY: Thank you, Madam Chair.

2 Daniel Haney, Government of Nunavut.

3 I just want to make a correction, Commitment 56  
4 was actually made to the Government of Nunavut in  
5 response to Technical Review Comment Number 7, and  
6 there was no timeline associated with that. Thank you.

7 THE CHAIR: Nunavut Tunngavik, Neida  
8 Gonzalez.

9 MS. GONZALES: Neida Gonzalez, Nunavut  
10 Tunngavik.

11 I appreciate those comments. Thank you. But to  
12 answer the question, can you clarify whether it was a  
13 terrestrial advisory group recommendation that  
14 compelled Agnico Eagle to issue that report? Our  
15 understanding is that it was not, so we just want to  
16 clarify the involvement of the terrestrial advisory  
17 group in making that decision.

18 THE CHAIR: Agnico Eagle, Manon Turmel.

19 MS. TURMEL: Manon Turmel, Agnico Eagle.

20 The Commitment 38 was made during the waterline  
21 project, which was over a few years ago now. It was  
22 the objective that Agnico would work with the  
23 interested parties on developing such study design, so  
24 it's been in everyone's minds for over two years now.

25 In December at the TAG meet -- terrestrial  
26 advisory group meeting, preliminary discussions were

1 held on the study design with an understanding that the  
2 draft study design incorporating those comments would  
3 be provided for further inputs. The draft study design  
4 was provided, and, in April, a long session was held  
5 with the terrestrial advisory group to go over all the  
6 assumptions. Some of the assumptions were adjusted  
7 based on the comments that were made. The method was  
8 refined with everyone around the table, and everybody  
9 was okay with the study design for execution. WSP then  
10 went ahead with the execution of the study, and that's  
11 what was presented.

12 Agnico Eagle mentioned in the terrestrial advisory  
13 group that it is willing to continue discussions as  
14 part of the terrestrial advisory group about a movement  
15 analysis, but, to us, Commitment 38 is resolved. Thank  
16 you.

17 THE CHAIR: Nunavut Tunngavik  
18 Incorporated, Neida Gonzalez.

19 MS. GONZALES: Thank you. Neida Gonzalez,  
20 Nunavut Tunngavik. No further questions. Thank you.

21 THE CHAIR: KIA, Luis Manzo.

22 MR. MANZO: Good morning, Madam Chairman,  
23 members of the board and intervenors. Luis Manzo,  
24 Kivalliq Inuit Association. I will pass our questions  
25 to our biologist. Thank you.

26 THE CHAIR: Anne Gunn.

1 MS. GUNN: Anne Gunn, consultant to  
2 Kivalliq Inuit Association. Madam Chair, I have three  
3 questions for Agnico Eagle and a question for GN. I'll  
4 start with Agnico Eagle.

5 The -- we're looking for clarification about the  
6 relevance of Commitment 38 to the extension project.  
7 The Commitment 38 analysis was unable to discriminate  
8 between the caribou responses to the all-weather access  
9 road and the mine site, and our concern that the  
10 analysis is relevant to the extension project is  
11 because of the caribou responses to the mine site.

12 So can you -- given the caribou responses to the  
13 mine site, can you clarify why Commitment 38 wouldn't  
14 be relevant to the extension project? Thank you.

15 THE CHAIR: Agnico Eagle, Manon Turmel.

16 MS. TURMEL: Manon Turmel, Agnico Eagle.

17 Commitment 38 was made as part of the waterline  
18 Nunavut Impact Review Board process. I agree that the  
19 results of the study are informative moving forward for  
20 the operation of the mine, but discussions should  
21 continue as part of the terrestrial advisory group,  
22 which role is to look at existing monitoring mitigation  
23 measures and make any adjustments where required.  
24 Thank you.

25 THE CHAIR: Kivalliq Inuit Association,  
26 Anne Gunn.

1 MS. GUNN: Thank you, Madam Chair. Thank  
2 you, Agnico Eagle.

3 I mean, I have a second question, then. Does  
4 Agnico Eagle agree that the report for Commitment 38  
5 analysis included a statement about the limitations of  
6 sample size -- and "sample size" in this case means the  
7 number of caribou years -- whether the sample size, the  
8 number of caribou years is sufficient to reach strong  
9 conclusions? Thank you.

10 THE CHAIR: Agnico Eagle, Manon Turmel.  
11 Dan Coulton.

12 MR. COULTON: Thank you, Madam Chair. Dan  
13 Coulton, WSP.

14 So the analysis considered all available collar  
15 data per the approved plan, and the plan was approved  
16 by the terrestrial advisory group. This included  
17 constraints on -- that were related to space and time.  
18 The analysis was comprehensive and rigorous and carried  
19 out in accordance to the plan, and the results show  
20 that caribou are not altering their behaviour in  
21 response to the mine or the all-weather access road.  
22 Thank you.

23 THE CHAIR: Kivalliq Inuit Association,  
24 Anne Gunn.

25 MS. GUNN: Thank you, Madam Chair. In  
26 the interests of time and the Kivalliq Inuit

1 Association will be presenting later today, I'll move  
2 on to my third question.

3 Can Agnico Eagle clarify exactly how they  
4 understand the process of approval within TAG. Agnico  
5 Eagle made a statement a few moments ago that the TAG  
6 approved the Commitment 38 report. Please could they  
7 provide more details, exactly how they see the TAG'S  
8 approval process. Thank you.

9 THE CHAIR: Agnico Eagle, Manon Turmel.

10 MS. TURMEL: Manon Turmel, Agnico Eagle.

11 Thank you for your question, Anne. The approval  
12 was for the study design following the April workshop  
13 where we went through the different components of the  
14 study, and at that time parties were okay for WSP to  
15 proceed with the execution of the study. That's what  
16 we -- that's what we meant. Thank you.

17 THE CHAIR: Kivalliq Inuit Association,  
18 Anne Gunn.

19 MS. GUNN: Thank you, Madam Chair. Anne  
20 Gunn, a consultant for Kivalliq Inuit Association.

21 The study design was supported, but my question  
22 was about the report, that you stated that the report  
23 was approved.

24 I'm not trying to split hairs, Madam Chair, but I  
25 think there's a difference between "support" and  
26 "approval", and that was the basis of my question.

1 Thank you.

2 THE CHAIR: Agnico Eagle, Manon Turmel.

3 MS. TURMEL: Manon Turmel, Agnico Eagle.

4 Thank you for your question.

5 We do understand that as part of the terms of  
6 reference of the terrestrial advisory group, there's an  
7 approval process. Kivalliq Inuit Association and  
8 Agnico Eagle are familiar with those terms of  
9 reference. I won't go into them now, but basically the  
10 report -- the study design was to be developed by the  
11 terrestrial advisory group, and that report was  
12 completed by Agnico Eagle for consideration by the  
13 terrestrial advisory group, but that's, in the end,  
14 Agnico Eagle's report following the study design that  
15 was approved. Thank you.

16 THE CHAIR: Kivalliq Inuit Association,  
17 Anne Gunn.

18 MS. GUNN: Anne Gunn, consultant for  
19 Kivalliq Inuit Association. Thank you, Madam Chair.  
20 Thank you, Agnico Eagle.

21 The final report was not actually -- the TAG did  
22 not have access to the final copy. We saw the TAG did  
23 have the presentation. The TAG did support the design,  
24 so I think the best way to look at it is there is still  
25 further work to be done with -- with how the TAG works,  
26 and I think it's probably best, in the interests of

1 time, to leave it at that. And I did have a question  
2 for the Government of Nunavut, if I may proceed.

3 THE CHAIR: You can continue, and if you  
4 guys have comments, you can provide them during your  
5 intervention.

6 MS. GUNN: Anne Gunn, consultant for  
7 Kivalliq Inuit Association. Thank you, Madam Chair.

8 My question for the Government of Nunavut is to  
9 thank them for the animations, which is a visualization  
10 of the movements of the collared caribou, and the  
11 visualization was helpful to show the shift -- the  
12 seasonal shift in the movements of the caribou,  
13 especially the calving -- the shift in the calving.

14 So does Government of Nunavut consider the  
15 visualization as a basis for further analysis of the  
16 shift in the calving? Thank you.

17 THE CHAIR: Government of Nunavut, Stephen  
18 Atkinson.

19 MR. ATKINSON: Thank you, Madam Chair.  
20 Stephen Atkinson on behalf of the Government of  
21 Nunavut.

22 Certainly the illustration of the -- the changes  
23 that are illustrated on the animations do -- do suggest  
24 that there is further work that needs to be done to  
25 examine the shift that has under -- has occurred in the  
26 calving and the post-calving distribution of the herd.

1           As expressed in our final, written submission, we  
2   are -- the Government of Nunavut has been concerned  
3   about the calving and post-calving distribution  
4   becoming ever closer and more interactive with the  
5   project. Thank you.

6   THE CHAIR:                           Kivalliq Inuit Association,  
7   Anne Gunn.

8   MS. GUNN:                           Anne Gunn, consultant for  
9   Kivalliq Inuit Association. Thank you, Madam Chair.

10           As a follow-up: So Government of Nunavut, if I  
11   understand your reply, you are considering that the  
12   animations, the visualization of the seasonal shift,  
13   will lead to further analyses of the calving  
14   distribution -- shift in calving distribution. Is --  
15   do I understand you correctly?

16   THE CHAIR:                           Government of Nunavut, Stephen  
17   Atkinson.

18   MR. ATKINSON:                       The Government of Nunavut --  
19   thank you, Madam Chair. Stephen Atkinson on behalf of  
20   the Government of Nunavut.

21           The Government of Nunavut does periodically  
22   analyze these data to look for things such as shifts in  
23   range and to delineate calving and post-calving  
24   grounds. I don't know when the next delineation will  
25   occur; however, that does not preclude or prevent the  
26   terrestrial advisory group, in conjunction with Agnico

1 Eagle, from undertaking such delineation activities if  
2 they have the data-sharing agreement in place to do so.

3 THE CHAIR: Kivalliq Inuit Association,  
4 Anne Gunn.

5 MS. GUNN: Anne Gunn, consultant for  
6 Kivalliq Inuit Association. Thank you, Madam Chair,  
7 and we have no further questions. Thank you.

8 THE CHAIR: Government of Nunavut, Stephen  
9 Atkinson.

10 MR. ATKINSON: Thank you, Madam Chair.  
11 Stephen Atkinson on behalf of the Government of  
12 Nunavut. I have one question for Agnico.

13 Yesterday, in your presentation on Slide 7, you  
14 show photographs of -- from a game camera of caribou  
15 that are near the narrows water crossing that were  
16 taken, I believe, in 2020, July 3rd, 2020. My question  
17 is: Do you have any -- there are two parts. First of  
18 all, do you have any similar photographs of that area  
19 in years -- from game cameras in years prior to the  
20 construction and operation of the project that show the  
21 same type of view at the same time of year to  
22 illustrate whether there are caribou there and in what  
23 sort of numbers? Thank you.

24 THE CHAIR: Agnico Eagle, Manon Turmel.  
25 Greg Sharam.

26 MR. SHARAM: Thank you, Madam Chair, Greg

1 Sharam from ERM.

2 The camera program began in 2020. We had one year  
3 with -- with cameras on the narrows, which was in 2020,  
4 and that camera picked up multiple incidences of  
5 caribou in that area of the narrows.

6 THE CHAIR: Government of Nunavut, Stephen  
7 Atkinson.

8 MR. ATKINSON: Stephen Atkinson on behalf of  
9 the Government of Nunavut.

10 Thank you for that answer, Greg. I think I just  
11 wanted to clarify that you had been showing the  
12 conditions in 2020, but apparently -- just so I'm  
13 correct, you don't have any photographs or any images  
14 from -- prior to project construction.

15 I have no further questions. Thank you, Madam  
16 Chair.

17 THE CHAIR: Crown-Indigenous Relations and  
18 Northern Affairs Canada, Spencer Dewar.

19 MR. DEWAR: Qujannamiik, Madam Chair,  
20 Spencer Dewar, Crown-Indigenous Relations and Northern  
21 Affairs Canada. The Government of Canada has no  
22 questions.

23 THE CHAIR: Kangiqliniq Hunters and  
24 Trappers Organization, Noel Kaludjak.

25 Kangiqliniq Hunters and Trappers Organization Questions  
26 Agnico Eagle Mines Limited

1 MR. KALUDJAK: Thank you, Madam Chair. I  
2 have a few questions in regards to the presentation of  
3 Government of Nunavut, Mr. Atkinson, and AEM.

4 When Atkinson made a presentation, an animation of  
5 the caribou migrations over the years before and after  
6 the operation of the mine, I was a bit shocked -- we  
7 were a bit shocked that what we have been saying is  
8 true, that activities on the land affect the migration  
9 routes of the caribou.

10 The saying of the old Inuit is when the caribou  
11 are migrating, we don't disturb the first few animals  
12 or herds so they can make a trail for the ones behind.  
13 And on the land -- when we're out on the land -- when  
14 we are out on the land, as anyone might see, the  
15 ancient trail of caribou that are visible throughout  
16 the tundra, the Inuit told their children or younger  
17 family members to not even step foot on the ancient  
18 trails as the caribou will smell the human. That is  
19 how sensitive the caribou are.

20 When Mr. Atkinson made the presentation, I could  
21 feel the energy that our -- we Inuit feel to see the  
22 animals' ancient migration be disrupted. It affects  
23 their behaviour and their generational pattern. We  
24 could see it on their calving grounds that we have  
25 never seen before.

26 I don't know what causes -- caused them to calf

1 closer to Meliadine Lake. I will have to convey with  
2 some Elders in Rankin and ask them about it. I will  
3 end my questions for now, but I will have more to say  
4 after I get my response. Thank you.

5 THE CHAIR: Government of Nunavut, Stephen  
6 Atkinson.

7 MR. ATKINSON: Thank you, Madam Chair.  
8 Stephen Atkinson on behalf of the Government of  
9 Nunavut.

10 You mentioned that it was good to see on the  
11 animations that it was true what you were seeing, but I  
12 would put it the other way around, is that what you're  
13 seeing was true and the animations are perhaps just  
14 showing us what you already knew, but -- yes. Thank  
15 you.

16 THE CHAIR: Kangiqliniq Hunters and  
17 Trappers Organization, Noel Kaludjak.

18 MR. KALUDJAK: Thank you, Madam Chair.  
19 Kangiqliniq Hunters and Trappers Organization, Noel  
20 Kaludjak.

21 Now I will get into my questions and comments.

22 We heard an Elder lady speak yesterday. She asked  
23 twice, but she was not answered. The caribou have  
24 senses. They have the hearing. They have the smell  
25 that is very sensitive. They also have eyes that see  
26 for miles.

1           This question I was going to ask anyway, but I am  
2   glad she strengthened my question, and I will ask it  
3   again.

4           If and when you install the wind turbines, they  
5   are 300 metres high and they will be moving and turning  
6   out in the tundra. The caribou will see that further  
7   than 5 kilometres when they are turning, and they will  
8   be alerted. Like the Elder lady said yesterday, the  
9   caribou will see the humongous tall turbine turning,  
10   and it will affect tremendously their migration that we  
11   saw yesterday.

12          Has AEM took that into consideration, the seeing  
13   caribou and the smelling caribou? I see in the future,  
14   as a local user of the animals, it will have a profound  
15   effect on their migration when they see these  
16   humongous, white, turning objects in their line of  
17   migration. We did not hear AEM present -- make a  
18   presentation on that area. Yes, they talked about the  
19   hearing aspect of the animal, but they did not talk  
20   about the seeing aspect of the animal. Please explain.  
21   Thank you.

22   THE CHAIR:                   Agnico Eagle, Manon Turmel.

23          Before you answer, it's 10:15, so we're going to  
24   take a 15-minute break and continue with questions.

25   (ADJOURNMENT)

26   THE CHAIR:                   For the awareness of

1 participants in Rankin Inlet, KIA has a local recycling  
2 program for plastic bottles and cans, so Bernadette is  
3 going to put a -- a bin in the back. You can put your  
4 recycling, only plastic bottles and cans, to contribute  
5 to their recycling program.

6 Agnico Eagle, Manon Turmel.

7 MR. KRITTERDLIK: Thank you, Madam Chair. My  
8 name is David Kritterdlik.

9 Also I am involved with Agnico for the past four  
10 or five years working with them. We are mainly having  
11 contact with the Kivalliq communities about Inuit  
12 tradition, and we have to keep informing, and also the  
13 communities and the mining companies and the Government  
14 of Nunavut and the other mining companies.

15 This is what my -- this is where I stand as a  
16 position. The -- and we also collect community  
17 concerns and what is coming up. Every meeting -- every  
18 time we have meetings regarding the water, the rivers,  
19 and regarding to -- we constantly hear about the  
20 animals. And this will not stop because they live here  
21 and they've been here for a long time, and we have to  
22 make sure everything is well looked after, and our  
23 land, the land that we use.

24 We get -- we get our country food -- we -- it just  
25 has to be well-protected, and all the things that I've  
26 worked on, and they say that I'm one of the good

1 consultants, but us alone, even though we're Inuit, we  
2 don't have all the knowledge even though we're supposed  
3 to know this and that.

4 This is my -- part of my job to contact Kivalliq  
5 communities and to hear from them, try to get an  
6 understanding of -- because where I work, so that  
7 when they want information -- we tried to contact the  
8 Kivalliq communities, and I'm going to be talking --  
9 elaborating to you regarding the caribou, the  
10 animals -- the -- every meeting, every time we have  
11 meetings, every time we have hearings, we talk about --  
12 constantly talk about caribou, and these are protected  
13 by everyone.

14 It used to only be back then that the caribou  
15 living in these areas -- we knew each other. We used  
16 to look after them very well, and -- the ones that are  
17 on mainland. But today our way of living has changed,  
18 and it's all new. Like, we're losing our tradition  
19 even though it's being used well. It's like we're  
20 losing and being taught new -- like, there's a mixture  
21 of what's new and what's old even though it helps in a  
22 way.

23 These caribou, when they were talking about --  
24 talking about the caribou, we -- every time we meet, we  
25 talk about Inuit tradition and the knowledge about the  
26 caribou, even though it's still the same; it hasn't

1 changed.

2 We had to -- we were taught by our ancestors about  
3 how to care for a caribou. But because everything's  
4 changing, Inuit -- us Inuit -- even us Inuit are not  
5 listening to the Inuit tradition. Especially our young  
6 people today have been told over and over, and we've  
7 told them over and over, but they don't listen too.

8 There's some -- because we're leaving our  
9 traditional ways. Every meeting -- every meeting we  
10 hear Inuit who -- if they ask, the beneficiaries are  
11 asking, and how they were raised, they know -- they  
12 will continue asking for those new people that are  
13 coming up or to non-Inuit. Like, there's answers that  
14 are coming -- coming from them, always get new answers.

15 Maybe I could say it in English. (NO ENGLISH  
16 FEED) have been answered with that technical question.  
17 That doesn't solve anything very much because we get a  
18 question from local communities about which is usually  
19 a traditional IQ question, and then when we look for  
20 answers, and the answer to it usually get -- the  
21 communities usually get technical -- technical answers.  
22 So that's what happened, part of my job to interpret  
23 this technical knowledge into plain language so that  
24 local knowledge can try to understand each other.

25 I was trying to say it in English so everyone will  
26 understand. I'll speak my mother tongue. Those that

1     were talked about, always talking about the first herd  
2     of caribou. Like, they do have leaders. Caribous have  
3     leaders. We're told not to go after them. Like, we  
4     can't just run and -- like, when they're coming -- the  
5     herd is coming, it's like -- we -- it's like people go  
6     see them. This is not the traditional way, but  
7     today -- and we still have to keep that tradition. We  
8     can't bother the first herd.

9             And like I was saying, everything is changing now.  
10     We still need to keep our traditional way. We can't  
11     touch the first herd. The second herd will be  
12     following the first herd, and people don't realize --  
13     like, the Nunavut government or the geologist looking  
14     into calving ground, and the calving ground Inuit  
15     traditional way they know, there -- there's not only  
16     one -- the Qamanirjuaq and Kipjalik herd go back to the  
17     tree line every year, and they go back and forth, and  
18     they come back here.

19            These -- like, the abundance of caribou herd when  
20     they're walking, they are along the way having their --  
21     they don't just stay in one place to have calving  
22     ground anywhere -- anywhere they are. Like, they are  
23     going to -- it's not always only one place where they  
24     have calves every year. It's really pretty hard to  
25     tell. Like, we can't just say they only have one area  
26     of calving ground. This is what I wanted to mention to

1     you.

2             For so many years, our tradition is changing,  
3     like -- and there is mining companies, explorations  
4     taking place. It's no wonder our young people -- like,  
5     you need to realize they do need them too down the  
6     future, and we still have to use the new tradition.  
7     Our young people will be using these, and they will be  
8     surviving from our country food. I -- I really, really  
9     hope that we won't lose our tradition, but we need to  
10    make our young people understand that it's been a  
11    tradition for so many years and that we can follow the  
12    traditional ways.

13            This is what I wanted to mention to you  
14    regarding -- I know we're going to continue hearing  
15    about the caribou every meeting and new ideas, like,  
16    answers -- the answers that -- traditional ways. They  
17    don't get proper answer. It's no wonder we're living a  
18    new way. Like -- like, we have to go through that.

19            But with my position, I understand that our Elders  
20    today in the communities, they don't have very much of  
21    what they used to because they are trying to think of  
22    new ways for the young people and to let them have  
23    better life for our -- we are more supportive to the  
24    new life. Like, this is -- we understand our Elders  
25    are saying that they want to support the young people.  
26    I'm hoping that our young people will listen,

1 especially the land, the animals. Thank you. Thank  
2 you.

3 THE CHAIR: Kangiqliniq Hunters and  
4 Trappers Organization, Noel Kaludjak.

5 MR. KALUDJAK: Thank you, Madam Chair. (NO  
6 ENGLISH FEED).

7 Thank you AEM, David Kritterdlik, for your  
8 comments. He was my teacher by the way in school at  
9 one time. He taught me the word "complicated".

10 Yeah. Thank you. That is very important  
11 information. Good information. Yes. Also, I would  
12 like to let the public know. When I speak, I speak  
13 with my father's spirit. He lived on the land, moved  
14 on the land, lived on the land with my mother and their  
15 children. I speak with my father's spirit when I speak  
16 of the land and animals. I don't speak from my own  
17 experience. Some, but not all. When I speak like  
18 this, I think of my father and what he would say  
19 because he taught me a lot, and he's said some words  
20 that I will never forget. I might not be an Elder, but  
21 I speak with my father's spirit. In saying that, I  
22 will move on to the next question.

23 When Mr. Atkinson from the Government of Nunavut  
24 made his presentation of the movement of the 50-or-so  
25 collared caribou from 2015 to 2018, the majority of the  
26 caribou used "the narrows", as you call it. We call it

1 "sadlik". It affected the movement of the caribou, but  
2 it did not decline the caribou. We are happy. But if  
3 you add more activity to the mine, be careful, be  
4 vigilant of the activities you provide, you do, and  
5 also of the contamination that is being put on the  
6 land, the fishes, and the animals.

7 My next question. When Mr. Atkinson provided the  
8 movement in 2015 to 2018 and thereafter up to 2023, the  
9 answer from the -- the -- answer or so from the AEM  
10 that was provided saying -- in Number 7 of the  
11 slideshow, 7 and 8, AEM provided a photograph of the  
12 caribou heading towards the mine area through "the  
13 narrows", as you call it. And on the bottom page, you  
14 have actual satellite or something, visual of where  
15 they are and the numbers.

16 On the top photo, you see caribou heading towards  
17 the mine, so they seem. But no video. And on  
18 Slide 19, a photograph on Slide 19, the photograph on  
19 the left says a lot to me. The caribou on the photo on  
20 the left are walking away from the narrows, seem to be  
21 walking away. And just by the looks of their eyes and  
22 their features, they are alert, and they look scared or  
23 running away, moving away from something quickly. It's  
24 just a photograph. There is no video.

25 I am not saying stop operations. Please put into  
26 consideration the activities in the mine have an affect

1 on the caribou and their calves. Please take into  
2 consideration those things. It's -- don't brush it off  
3 and say, Yeah, They used it. But please be aware it  
4 affects the herd regardless of what you say. Thank  
5 you.

6 THE CHAIR: Agnico Eagle, Manon Turmel.

7 MS. TURMEL: Manon Turmel, Agnico Eagle.

8 We will have Greg -- Greg go first and then Matt.  
9 Thank you.

10 THE CHAIR: Greg Sharam.

11 MR. SHARAM: Thank you, Madam Chair. Greg  
12 Sharam from ERM.

13 Just a point of clarification. The photo on  
14 Slide 19 is actually from about 2 kilometres south of  
15 the mine at an esker which follows a lake east-west  
16 where we were interested in how many caribou are using  
17 that esker as a movement path. So it's not actually at  
18 the narrows on Slide 19. Thank you.

19 MR. GILLMAN: Thank you, Madam Chair.  
20 Matt Gillman, Agnico, Meliadine superintendent for  
21 environment.

22 We hear you that we need to be careful as we  
23 continue with the current operation as well as future  
24 operations, and that is -- that is why we feel it is --  
25 is crucial and very important that we continue to work  
26 very closely with the Rankin Inlet Hunters and Trappers

1 Organization and the Kivalliq Inuit Association,  
2 including their field staff, so that we can be in the  
3 field together observing the caribou and working  
4 closely to make decisions every day in the fields  
5 during the migration with those indigenous groups'  
6 field staff and, moreover, with the terrestrial  
7 advisory group reviewing the data that we do collect in  
8 the fields with the collars and through behaviour  
9 monitoring and respond and adapt accordingly. Matna.

10 THE CHAIR: Kangiqliniq Hunters and  
11 Trappers Organization, Noel Kaludjak.

12 MR. KALUDJAK: Thank you, Madam Chair.  
13 Noel Kaludjak, Kangiqliniq Hunters and Trappers  
14 Organization -- Organization.

15 Roger Pilakapsi will say a few words.

16 THE CHAIR: Roger Pilakapsi.

17 MR. PILAKAPSI: Thank you, Chair. Roger for  
18 HTO Rankin.

19 The crossing of the caribou on the road is -- my  
20 question was you said you're going to put a -- a wire  
21 that's about 3 or 4 inches diameter, and you said it's  
22 going to be on the edge of the road. Sometimes there  
23 will be thousands and thousands of caribou crossing  
24 over. I'm pretty sure they're going to stop and take a  
25 quick look, see what that black cable is. When they  
26 start walking over it, I'm pretty sure there will be

1 sharp rocks and other stuff, and they will open it up,  
2 and that's going to become a live wire, and that can  
3 kill a lot of animals. Not only caribou. It could be  
4 fox, rabbit, siksik, wolverine, or whatever they chew  
5 on. Like, they're always curious, and ...

6 The other one was, like, if you have that wire on  
7 the side of the road during winter, when it freezes up,  
8 anything you run over, even flying debris, like a wood  
9 or something, will hit it and open it up. It will be a  
10 live wire. So my recommendation would be either cover  
11 it or deal with what you have to do to accomplish that  
12 wire on the road -- side of the road. I'm pretty sure  
13 there's always extremities during winter and stuff, so  
14 I'm pretty sure some vehicles went right off the road,  
15 and -- and there's going to be -- like -- the wire,  
16 when they run over it, I'm pretty sure it's going to  
17 crack up 'cause -- that plastic's guaranteed to crack  
18 up anything you run over, like, a cable like that.  
19 Thank you.

20 THE CHAIR: Agnico Eagle, Manon Turmel.

21 Nicholas Allen.

22 MR. ALLEN: Thank you, Madam Chair.

23 Nicholas Allen, Agnico Eagle.

24 One clarification for these cables that are on the  
25 ground. It's not the same cables that we have here in  
26 Rankin, for example. They are specifically made for

1 the arctic, and they have extra protection on the  
2 outside. And we do have a lot of examples of them  
3 being used. We already used them in Meliadine between,  
4 for example, the vent raise and the -- the power plant,  
5 and also there's examples in other mine sites.

6 So one example that we have been using is -- is  
7 the Raglan Mine. They have these cables going for 30,  
8 40 kilometres already, and it has been proven. So we  
9 are confident that this type of cable, which is  
10 different than the overhead lines here, is safe. Thank  
11 you. Matna.

12 THE CHAIR: Kangiqliniq Hunters and  
13 Trappers Organization, Roger Pilakapsi.

14 MR. PILAKAPSI: Thank you, Chair.

15 And my other question was, like, I'm pretty sure  
16 in Baker Lake mining camp, same as Rankin here before,  
17 when they used to blow up some dynamite and stuff, it  
18 kind of made a quite a bit of shock wave. Did it  
19 affect how the animals that are new to camp like  
20 rabbits, fox, and other stuff? Did you think of any of  
21 that? Did you guys ever check to see how it reacted  
22 and stuff like that?

23 'Cause I -- I used to work at a mine at Baker at  
24 Meadowbank, and one day it blew up, like, 300-plus more  
25 dynamite at the same time. Boy, it had a pretty good  
26 shockwave. And if that's happening here on the open

1 mine pit where you guys want to operate, develop, and  
2 open up, will you guys use dynamite or only heavy  
3 equipment?

4 And the other one is, like, the -- the vegetation  
5 they eat, are you guys going to cover up that area,  
6 your tailings or the gravel or where you guys said on  
7 that -- on that -- on that map there? It shows that  
8 it's going to be a pretty big area. Are you guys going  
9 to cover up that vegetation that caribou eat, or is it  
10 going to be, like, all sandy area and gravel area where  
11 there's hardly anything like that? That's my question.

12 THE CHAIR: Agnico Eagle, Manon Turmel.

13 MS. TURMEL: Manon Turmel, Agnico Eagle.

14 We'd just like to confirm I understood correctly  
15 your two questions. The first one, if we are going to  
16 use dynamite or explosives for the mining activities,  
17 and the second one, you would like to know how we are  
18 going to cover the tailings storage facility? Am I  
19 understanding you correctly?

20 MR. PILAKAPSI: Yes. Yes, that's my question.  
21 Yeah.

22 MS. TURMEL: Manon Turmel, Agnico Eagle.

23 So, yes, as part of our existing open-pit and  
24 underground activities at the Tiriganiaq deposit, we  
25 are using explosives or material to blast the rock that  
26 can then be retrieved by the heavy equipment. So we

1 will continue to utilize that. I am not sure if you  
2 were part of the site tour with us earlier this week,  
3 but when we stopped to see the wind farm area, there  
4 was an area just behind our back. That's where the  
5 explosives or material to blast the rock is being  
6 prepared.

7 As for your second question, yes, the tailing  
8 storage facility will be covered with waste rock or  
9 rock that does not have any gold. We will cover -- we  
10 will cover it at closure, and it will be -- with years,  
11 it will naturally revegetate. Thank you.

12 THE CHAIR: Kangiqliniq Hunters and  
13 Trappers Organization, Roger Pilakapsi.

14 MR. PILAKAPSI: Thank you, Chair.

15 And, yeah, those -- those were my questions  
16 that -- the way -- the way you -- like, you see the  
17 caribou migrate every year. You'll see that. I would  
18 like to thank all the -- the KIA and NTI here. They're  
19 the people who watch over the road and stuff. Thank  
20 you for keeping informed everybody in Rankin Inlet.  
21 And thank you.

22 Sayisi Dene First Nation and Northlands Denesuline  
23 First Nation Questions Agnico Eagle Mines Limited and  
24 Government of Nunavut

25 THE CHAIR: Northlands Denesuline  
26 First Nation, Kelly Olson.

1 MR. OLSON: Thank you, Madam Chair.

2 Kelly Olson, legal counsel for Sayisi Dene First Nation  
3 and Northlands Denesuline First Nation.

4 This question is for Agnico Eagle in relation to  
5 Slides 25 and 26 about the Commitment 38 study. In the  
6 technical comments made in November 2020 during the  
7 waterline reconsideration process, Sayisi Dene  
8 First Nation requested that Agnico Eagle provide a  
9 concise, consolidated technical description report on  
10 the crossings and deflections of caribou in relation to  
11 the all-weather access road to address deflections of  
12 caribou, to address the proponent's assumption that  
13 caribou can be expected to cross the waterline road  
14 infrastructure in the same manner that they cross the  
15 existing all-weather access road.

16 The technical memorandum dated January 8th, 2021,  
17 was filed with the Nunavut Impact Review Board.  
18 Comments were made by several parties to the waterline  
19 reconsideration process including Sayisi Dene  
20 First Nation and Northlands Denesuline First Nation,  
21 raising significant concerns about the memorandum.

22 As part of the public hearing process for the  
23 waterline reconsideration, Agnico Eagle committed to  
24 revising the technical memorandum, which became  
25 Commitment 38. In the final hearing report from  
26 July 2021, the Board confirmed that revisiting this

1 assessment was crucial to understanding the impacts of  
2 the waterline project activities along with the  
3 existing project activities, noting that without  
4 sufficient background data, analysis on any adverse  
5 impacts from increased linear infrastructure along the  
6 all-weather access road or positive impacts from the  
7 decrease in trucking cannot be reliably predicted  
8 and/or monitored. The Board's view was that this  
9 update to the baseline assumptions underlying  
10 monitoring of caribou interactions with the all-weather  
11 access road should be completed in advance of the  
12 installation of the waterlines to greatly reduce  
13 uncertainty and provide a baseline --

14 THE CHAIR: Can you slow down for the  
15 interpreter. Go back two sentences.

16 MR. OLSON: Sure. Thank you.

17 The Board's view was that this update to the  
18 baseline assumptions underlying monitoring of caribou  
19 interactions with the all-weather access road in  
20 advance of the installation of the waterlines should  
21 greatly reduce uncertainty and provide a baseline from  
22 which to identify trends and thresholds before  
23 potential effects associated with the waterline's  
24 proposal are identified.

25 Through subsequent Crown consultations between  
26 Canada, Sayisi Dene, and Northlands Denesuline, the

1 responsible ministers agreed that this revised  
2 memorandum was required prior to construction of the  
3 project to enable effective monitoring and mitigation  
4 of potential effects to caribou. The responsible  
5 ministers incorporated this matter into Revised Term  
6 and Condition 44 of the project certificate.

7 Can you please confirm that Commitment 38 -- the  
8 Commitment 38 study is intended to address the Revised  
9 Term and Condition 44 of the project certificate?

10 Thank you.

11 THE CHAIR: Agnico Eagle, Manon Turmel.

12 MS. TURMEL: Manon Turmel, Agnico Eagle.

13 Thank you for your question. Yes, it is. Thank  
14 you.

15 THE CHAIR: Northlands Denesuline  
16 First Nations, Kelly Olson.

17 MR. OLSON: Thank you, Madam Chair. No  
18 further questions.

19 THE CHAIR: Sayisi Dene First Nation,  
20 Geoff Bussidor.

21 MR. BUSSIDOR: Sayisi Dene First Nation,  
22 Geoff Bussidor.

23 Good morning. Thank you. I just wanted to say  
24 thank you to Government of Nunavut for providing the  
25 animated movements of the caribou from 2015 to 2023 and  
26 also for Agnico Eagle making everybody aware that

1     collared caribou are just a small number compared to  
2     the actual number of caribou. This all brings it to a  
3     clear visual of, you know, the actual activity.

4             My colleague here, Dan Chranowski, biologist, has  
5     comments. And I'm done here. Thank you, Madam Chair.

6     THE CHAIR:                     Dan Chranowski.

7     MR. CHRANOWSKI:               Good morning, everyone. My  
8     name is Dan Chranowski. I'm with Matrix Solutions, and  
9     I'm a wildlife biologist advisor with Sayisi Dene and  
10    Northlands Denesuline First Nations.

11            And I would -- would also support what Geoff has  
12    mentioned that I am grateful for seeing the visual  
13    representation of caribou movements in and around this  
14    mine site development. They definitely put into  
15    perspective what we talk about but really always can't  
16    see. And so it was great to have those representations  
17    and visualizations.

18            I have two or three questions either to Agnico  
19    Eagle and -- and one to Government of Nunavut. In  
20    Agnico Eagle's presentation about caribou -- collared  
21    caribou yesterday -- this is in reference to Slide 7  
22    related to a picture of caribou moving in the  
23    neighbourhood of the Meliadine narrows crossing. And  
24    in context -- well, first of all, it indicates the date  
25    as July 3rd, 2020.

26            And I'd like to know if Agnico Eagle has any

1 evidence that -- from this picture that the caribou  
2 actually crossed at that location. It indicates  
3 they're close to it. Did they actually cross? Do you  
4 have -- and if you do, is there evidence in the form of  
5 a camera photo, or is there evidence in the form of  
6 height of land direct visual observations?

7 THE CHAIR: Agnico Eagle, Manon Turmel.

8 Dan, can you turn your mic off, please. Thanks.

9 Greg Sharam.

10 MR. SHARAM: Thank you, Madam Chair. Greg  
11 Sharam from ERM.

12 If we refer to the -- well, let -- let me start  
13 again. The objective of the camera program is  
14 primarily to look at caribou interactions with the  
15 road. There was a -- we had one camera at the crossing  
16 in 2020. Until -- until this hearing, we haven't  
17 really heard a lot about whether caribou were using the  
18 crossing or not; otherwise we would have had additional  
19 cameras there. The cameras trigger within about  
20 30 metres, which is the distance across to the other  
21 table. And so once caribou leave that area around the  
22 camera, it stops triggering.

23 So we pick up the caribou passing the camera  
24 heading towards the narrows, but once they move away  
25 from the camera, we don't get any further photographs.  
26 We compared this image to the monitoring records for

1     that day. There was a large group of caribou,  
2     presumably the same group, located on the north side of  
3     the narrows, and by morning, that group of caribou had  
4     left the area presumably crossed.

5             So we don't have photos of them actually in the  
6     crossing; however, on other days, the monitoring  
7     records from site have observations of the same group  
8     of caribou crossing -- at the crossing. So both on the  
9     north side and on the south side of the crossing.  
10    Thank you.

11   THE CHAIR:                     Sayisi Dene First Nation,  
12   Dan Chranowski.

13   MR. CHRANOWSKI:               Thank you, Madam Chair.

14             Thanks, Greg. So you mentioned that there is  
15   documentation of observing caribou at this crossing on  
16   one side to the north, and then not on this particular  
17   date, but at other times when Agnico Eagle is doing  
18   height of land surveys that they are observed on this  
19   side at the north side of the crossing and on the south  
20   side of the crossing. Is that your statement?

21   THE CHAIR:                     Agnico Eagle, Greg Sharam.

22   MR. SHARAM:                    Thank you, Madam Chair.

23             Yes. On Slide 9, we can see a group of caribou  
24   picked up on the daily monitoring that have crossed the  
25   narrows.

26   THE CHAIR:                     Sayisi Dene First Nation,

1 Dan Chranowski.

2 MR. CHRANOWSKI: Thank you, Madam Chair.

3 So on the Slide 9, the caribou group is indicated  
4 to be on the south side of that general area. I'm  
5 asking for what evidence you have that shows that while  
6 they're there on that side that they actually crossed.  
7 Caribou can be seen on one side, and they can also be  
8 seen on the other side. But our interpretation of  
9 crossing means actually crossing, not being near or  
10 beside, because they may actually have gone another  
11 direction. So I'm asking if there's actual documented  
12 evidence through visual height of land surveys or  
13 cameras at that particular site, the narrows, that  
14 shows that they actually crossed. And, in particular,  
15 in July 3rd of 2020, this image. Thank you.

16 THE CHAIR: Agnico Eagle, Greg Sharam.

17 MR. SHARAM: Thank you, Madam Chair.

18 If you look at the -- at Slide 9, the report --  
19 the polygon that shows where caribou were observed is  
20 actually across the narrows showing that those animals  
21 were in -- in the process of crossing. Thank you.

22 THE CHAIR: Sayisi Dene First Nation,  
23 Dan Chranowski.

24 MR. CHRANOWSKI: Thank you, Madam Chair.

25 And thank you for your interpretation. I would  
26 hesitate to say that it's an actual crossing because it

1 doesn't prove anything. It proves that they're near  
2 the crossing, and it doesn't prove that they crossed.

3 I'd like to move on to another question somewhat  
4 related to this. On Slide 12, Agnico Eagle indicates  
5 that in 2020 and 2021, collared caribou passed by the  
6 site when the narrows had open water, and I believe  
7 their indication of this is that since ice was not  
8 there at that time, that wouldn't be an impediment to  
9 the caribou to cross at that location. Am I correct to  
10 assume that is your -- your interpretation?

11 THE CHAIR: Agnico Eagle, Dan Coulton.  
12 Pujjut Kusugak.

13 MR. KUSUGAK: Thank you, Madam Chair.  
14 Pujjut Kusugak, Agnico Eagle.

15 From the knowledge that I've heard from  
16 grandparents and uncles, if there's ice on the lake, if  
17 there's any threat of a caribou being injured to its  
18 shins, to its legs, it will not cross because any  
19 injury means that it's life-threatening. And if  
20 they're not going to cross, they're not going to take  
21 their calves across either. So there has to be  
22 assurance that it's going to be safe. So if there's  
23 ice there, then they're not crossing. Matna.

24 THE CHAIR: Dan Coulton.

25 MR. COULTON: Thank you, Madam Chair. Dan  
26 Coulton, WSP.

1           So the point here that we were trying to convey is  
2   that there are conditions from -- that have been  
3   identified by local land users in which the crossings  
4   may not be used by caribou. The photo kind of gives a  
5   sense of what that might look like. And we're just  
6   making the statement that the conditions when caribou  
7   move through the area during July 2020 and 2021 was  
8   when there was open water. Thank you.

9   THE CHAIR:                               Sayisi Dene First Nation,  
10   Dan Chranowski.

11   MR. CHRANOWSKI:                        Thank you, Madam Chair.

12           Thank you for your answer.

13           So I would like to redirect the question to  
14   Government of Nunavut. If ice was not there --  
15   available near the crossing in those years and caribou  
16   didn't seem to cross based on animations, examples,  
17   would the Government of Nunavut agree that there's  
18   possibly other reasons why the caribou didn't cross?  
19   Because ice was not an impediment in those years, would  
20   it possibly be that it was the mine visual disturbance  
21   that caused caribou not to cross in those years? Thank  
22   you.

23   THE CHAIR:                               Government of Nunavut,  
24   Stephen Atkinson.

25   MR. ATKINSON:                           Thank you, Madam Chair.

26   Stephen Atkinson on behalf of the Government of

1 Nunavut.

2 The answer -- straight answer is yes, it could  
3 possibly be the mine. Thank you.

4 THE CHAIR: Sayisi Dene First Nation,  
5 Dan Chranowski.

6 MR. CHRANOWSKI: Thank you, Madam Chair.

7 I have one more question related to Slide 11 of  
8 the Agnico Eagle presentation. The slide indicates  
9 that -- the caribou animations indicated a calving  
10 movement within the regional study area northwest of  
11 the mine. And Agnico Eagle has identified that there  
12 was a -- a group of caribou actually closer to the mine  
13 than the caribou animations on May 31st, 2023.

14 Can Agnico Eagle confirm whether the group that  
15 was observed -- and I'm assuming from a height of land  
16 survey -- was there any calves in that group? And do  
17 you have documentation of that?

18 THE CHAIR: Agnico Eagle, Manon Turmel.

19 MS. TURMEL: Manon Turmel, Agnico Eagle.

20 Thank you for your question. Our objective when  
21 we do the height of land survey is to identify the  
22 number of caribou and their location with reference to  
23 the 5-kilometre threshold. So, no, we do not record if  
24 there has been calves or -- just the number that we're  
25 looking at. Thank you.

26 THE CHAIR: Sayisi Dene First Nation,

1 Dan Chranowski.

2 MR. CHRANOWSKI: Thank you, Madam Chair.

3 Thank you for your answer. It is possibly, then,  
4 a good reason that other types of data could be  
5 collected when you're doing those observations. That  
6 would be very interesting to know what was there other  
7 than just the entity of -- I can't read it, but -- a  
8 thousand caribou.

9 Yes. Thank you. I have no further questions.

10 THE CHAIR: Athabasca Denesuline Ne Ne  
11 Land Corporation, Diane McDonald.

12 MS. MCDONALD: Good morning. Diane McDonald,  
13 Athabasca Denesuline Ne Ne Land Corporation.

14 I just want to say good morning, everyone, and for  
15 the Elder for the opening prayer for this morning. At  
16 this time we do not have any questions. Thank you.  
17 Nunavut Impact Review Board Staff Questions Government  
18 of Nunavut and Agnico Eagle

19 THE CHAIR: Nunavut Impact Review Board  
20 staff, Tara Arko.

21 MS. ARKO: Thank you, Madam Chair.

22 We have just a couple questions. We'll try and  
23 keep them brief. Regarding the caribou collar  
24 movement -- and this is directed to the Government of  
25 Nunavut -- when you look at the movement at the local  
26 level around the project, there's a visible shift once

1 the project was constructed. We have heard concerns  
2 that there are larger shifts -- or -- sorry --  
3 larger-scale shifts in the herd's movement.

4 Is there a shift visible when you look at the  
5 movement at a more regional scale? And, if so, what  
6 may the factors be that are causing that?

7 THE CHAIR: Government of Nunavut,  
8 Stephen Atkinson.

9 MR. ATKINSON: Thank you, Madam Chair.  
10 Stephen Atkinson on behalf of the Government of  
11 Nunavut.

12 There -- there certainly is a -- a shift at a more  
13 regional, larger scale in terms of the -- the  
14 distribution of the herd in both -- in -- in calving,  
15 post-calving, and summer. There is a memo that was  
16 submitted by Agnico Eagle dated August 2023. It was  
17 entitled "Brownian Bridge Motion [sic] Model" which  
18 shows a series of maps through time showing the  
19 location of the -- the herd's calving, post-calving,  
20 and summer ranges, and shows you the -- the shift that  
21 has occurred.

22 In terms of factors responsible for that shift, at  
23 a regional scale, we -- we don't have a definitive  
24 answer although natural, normal shifts in range occur  
25 in -- in all caribou herds. Calving grounds move,  
26 post-calving grounds move, and migratory pathways would

1 also move over time because of natural causes. Thank  
2 you.

3 THE CHAIR: NIRB staff, Tara Arko.

4 MS. ARKO: Thank you, Madam Chair.  
5 Tara Arko, Nunavut Impact Review Board staff.

6 This one is, again, directed at the Government of  
7 Nunavut. In Agnico Eagle's wind farm management plan  
8 and terrestrial environment and mitigation plan, Agnico  
9 Eagle has proposed to use collar data to evaluate the  
10 current state and changes to caribou movement and  
11 distribution.

12 Can the Government of Nunavut describe what it  
13 sees as limitations in considering collar -- caribou  
14 collar data for evaluating these aspects? Are there  
15 any limitations, basically? Thank you.

16 THE CHAIR: Government of Nunavut,  
17 Stephen Atkinson.

18 MR. ATKINSON: Thank you, Madam Chair.  
19 Stephen Atkinson on behalf of the Government of  
20 Nunavut.

21 In terms of the limitations of collar data, we --  
22 it was discussed yesterday by Agnico Eagle that one of  
23 the limitations is there being only up to 50 collars  
24 and that this might not be representative of the herd.  
25 That is a potential limitation, although you did hear  
26 from Dr. David Lee from NTI earlier, who's experienced

1 with working with caribou collar data and surveying  
2 herds concurrently, is that they do typically reflect  
3 quite accurately the distribution of the herd.

4 But, nevertheless, it is somewhat of a limitation.  
5 However, the collar data themselves are very detailed  
6 in the sense that we have multiple locations for each  
7 individual per day, so they provide a very fine scale  
8 of -- of movement and behaviour, these collars. So in  
9 that sense, they do provide a very, very valuable tool  
10 for assessing the movements and distribution change of  
11 caribou around the project.

12 And their one strength above all else in  
13 comparison to other forms of monitoring around the  
14 project such as behavioural studies and height of land  
15 surveys is that they provide us with what we call  
16 over-the-horizon monitoring. That is -- that is  
17 monitoring at a greater distance beyond that which  
18 human -- human eyes can see. Road surveys typically  
19 are only effective up to a distance of about a  
20 kilometre. Beyond that, they tend to be less -- less  
21 effective. Most people can't see caribou beyond 3 or  
22 4 kilometres if you're lucky, whereas the collars can  
23 give us information on what caribou are doing at  
24 5 kilometres, 10 kilometres, 20 or 30 kilometres. And  
25 that is extremely important when you are looking at the  
26 effects of a potential project such as the wind farm

1     because we have concerns that the -- the effects of the  
2     farm on caribou movements and distribution will -- will  
3     have a spatial footprint of tens of kilometres, not  
4     just a few hundred metres. So we need that -- we need  
5     that larger-scale data to be able to look at those  
6     bigger zones of influence that we cannot detect through  
7     ground-based observation. Thank you.

8     THE CHAIR:                             NIRB staff, Tara Arko.

9     MS. ARKO:                             Thank you, Madam Chair.

10    Tara Arko, Nunavut Impact Review Board staff.

11           This one is directed at both the Government of  
12    Nunavut as well as Agnico Eagle. Given some of the  
13    limitations of caribou collar data, how confident are  
14    both Agnico Eagle and the Government of Nunavut in  
15    using this caribou collar data to understand changes or  
16    impacts to caribou movement and distribution? Thank  
17    you, Madam Chair.

18    THE CHAIR:                             Government of Nunavut,  
19    Stephen Atkinson.

20    MR. ATKINSON:                         Thank you, Madam Chair.  
21    Stephen Atkinson on behalf of the Government of  
22    Nunavut.

23           In the interest of time, I'll answer that very  
24    quickly. Very confident. The collar data have a  
25    demonstrated use in published literature as a -- as a  
26    valid means of assessing the impacts of -- of

1 infrastructure. Thank you.

2 THE CHAIR: Agnico Eagle, Manon Turmel.

3 MS. TURMEL: Manon Turmel, Agnico Eagle.

4 So collaring is one of the tool that we have in  
5 our toolbox, but as part of the wind farm management  
6 plan and the terrestrial plan, we also have behavioural  
7 monitoring. We're using cameras, on-the-ground  
8 observation. So it's one of the tools. Thank you.

9 THE CHAIR: NIRB staff, Tara Arko.

10 MS. ARKO: Thank you, Madam Chair.

11 Tara Arko, Nunavut Impact Review Board staff.

12 Last question directed to the Government of  
13 Nunavut. Does the Government of Nunavut have any  
14 information about caribou density in the project area  
15 prior to the commencement of operations that can be  
16 shared as part of this assessment? Thank you, Madam  
17 Chair.

18 THE CHAIR: Government of Nunavut,  
19 Stephen Atkinson.

20 MR. ATKINSON: Thank you, Madam Chair.

21 Stephen Atkinson on behalf of the Government of  
22 Nunavut.

23 There are two parts to the answer. In terms of  
24 overall herd density, we will have to check and -- and  
25 get back to you to see whether there are existing data;  
26 however, with respect to establishing an index of

1 density using collar locations, that would be possible,  
2 although that is an analysis that would not be  
3 completed in the space of this hearing. Thank you.

4 THE CHAIR: Before we continue with  
5 questions, we're going to take a lunch break until  
6 1:00. It's 11:45 right now. Just so we can beat the  
7 lunch hour traffic. We'll see you after lunch. We'll  
8 reconvene at 1.

9 (PROCEEDINGS ADJOURNED UNTIL 1 PM)

10 (PROCEEDINGS RECOMMENCED AT 1:03 PM)

11 THE CHAIR: Welcome back, everyone.  
12 Continuing where we left off before the lunch break.  
13 Questions from NIRB staff, Tara Arko.

14 MS. ARKO: Thank you, Madam Chair. Tara  
15 Arko, Nunavut Impact Review Board.

16 From that response, I believe we acknowledge that  
17 some of the analysis may not be immediately available,  
18 and we will take the other portion as deferred to be  
19 followed up tomorrow.

20 Thank you, Madam Chair. That's it for the NIRB  
21 staff.

22 THE CHAIR: We will now start with the  
23 intervenor presentations and Agenda Item 10.

24 During this part of the technical sessions,  
25 intervenors will deliver an overview presentation about  
26 their jurisdiction and outstanding and resolved

1 technical issues regarding the Meliadine extension  
2 proposal.

3 The first presentation will be from the Nunavut  
4 Tunngavik Incorporated. I'll ask that our legal  
5 counsel swear or affirm the next group of presenters  
6 and mark the exhibits so that we can begin with  
7 presentations. NIRB legal counsel.  
8 Procedural Matters by Nunavut Impact Review Board Legal  
9 Counsel

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

13 So if I can have the witnesses please state and  
14 spell your name for the record, and if you would like  
15 to use the microphones that are over there for your  
16 entire panel to be sworn in or affirmed at the same  
17 time, please do so. Thank you.

18 MR. NIRLUNGAYUK: My name is Gabriel  
19 Nirlungayuk, G-A-B-R-I-E-L N-I-R-L-U-N-G-A-Y-U-K.

20 MR. MERCER: Raymond Mercer,  
21 R-A-Y-M-O-N-D M-E-R-C-E-R.

22 MR. GREENE: My name is Ezra Greene,  
23 E-Z-R-A, last name G-R-E-E-N-E.

24 MR. DEAN: Thank you. Bert Dean,  
25 B-E-R-T; the last name Dean, D-E-A-N.

26 MS. MEADOWS: Thank you.

1           Teresa Meadows, legal counsel for the Nunavut  
2   Impact Review Board.

3           Do the witnesses wish to be sworn or affirmed?

4   MR. NIRLUNGAYUK:           Affirmed.

5   MR. MERCER:                Affirmed, please.

6   MR. GREENE:                Affirmed.

7   MR. DEAN:                  And affirmed.

8   GABRIEL NIRLUNGAYUK, RAYMOND MERCER, BERT DEAN,  
9   AND EZRA GREENE, Affirmed

10   MS. MEADOWS:              Thank you, Madam Chair.

11   Teresa Meadows for the Nunavut Impact Review Board.

12           So, Madam Chair, I have a hard copy of the  
13   presentation materials that are -- have been filed with  
14   the Board but that will be presented here, and I  
15   propose to mark that as the next exhibit in this public  
16   hearing, and those are my procedural matters, Madam  
17   Chair.

18           EXHIBIT 7 - Hard Copy PowerPoint Presentation

19           "Agnico Eagle Mines Limited's (AEM's)

20           Meliadine Extension Project Proposal

21   THE CHAIR:                Thank you, Teresa.

22           Nunavut Tunngavik Incorporated, you can proceed.

23   Presentation by Nunavut Tunngavik Incorporated (Agnico

24   Eagle Mines Limited's (AEM's) Meladine Extension

25   Project Proposal

26   MR. NIRLUNGAYUK:           Thank you, Madam Chair. I'm

1 very pleased that we're invited here. We're here  
2 representing Nunavut Tunngavik. Thank you to the Board  
3 for holding the public hearing on an important mining  
4 proposal in our region, and I'm -- if there's any  
5 questions to be made, our staff here is willing to --  
6 will be willing to answer any questions that are  
7 arising.

8 David Lee is not present here in person, but he's  
9 online. I'm Gabriel Nirlungayuk. I work for NTI,  
10 Nunavut Tunngavik. I'm not originally from here, but  
11 I've been living here for the past 25 years here in  
12 Rankin. I am originally and was raised in Kugaaruk,  
13 and I'm from the Netsilik Clan. When I moved here, I  
14 realized that I was amongst people of the caribou.

15 I want to remember some of my friends that have  
16 passed on, especially Ittinuar. He was a great hunter.  
17 As an Elder, he did an excellent job, and he was also  
18 my mentor, and he was a great person to educate me more  
19 on my culture and on my hunting ways.

20 Thank you here in Rankin. Thank you again for  
21 being able to give us our presentation coming from  
22 Nunavut Tunngavik here at this hearing that's being  
23 held by the Nunavut Impact Review Board holding this  
24 public hearing on an important mining proposal in our  
25 region, and I'm happy to be here with you and all the  
26 participants here in Rankin.

1           We have some concerns that are still outstanding  
2   issues with the Meliadine extension proposal, including  
3   potential impacts to the Meliadine -- to Meliadine  
4   Lake. We need to get more detail with regards to  
5   Meliadine, and there are already impacts to the lake  
6   and also to the caribou herd. There are already  
7   impacts to the Qamanirjuaq caribou herd and Inuit  
8   harvesting. As Inuit, we love to hunt. It's our  
9   source of country food.

10           Before we begin our presentation, Nunavut  
11   Tunngavik Incorporated will go into -- maybe introduce  
12   ourselves or who NTI is. NTI is a -- in 1993 the  
13   agreement was put in place about our land claim  
14   agreement and aboriginal rights, such as a duty to  
15   consult under Section 35 of the Canadian Constitution,  
16   and treaty rights, meaning Nunavut Agreement rights and  
17   obligations. This is an agreement, and rights and  
18   obligations are to be treated as such.

19           I'm going to speak in English for -- like,  
20   briefly. It's NTI's role to ensure that processes like  
21   this hearing fully respects the Nunavut Agreement and  
22   the Nunavut Planning and Project Assessment Act as well  
23   as uphold Inuit participation and consultation  
24   requirements.

25           In this public hearing, Nunavut Tunngavik is  
26   supporting the Kivalliq Inuit Association, the Kivalliq

1 wildlife board, and the Kangiqliniq Hunters and  
2 Trappers Organization, and the community  
3 representatives here in Rankin Inlet and surrounding  
4 communities.

5 In addressing issues that are of concern to Inuit,  
6 including the promotion of Inuit culture and the  
7 safeguarding of wildlife, environment, our culture, our  
8 land, and our economy. Our economy is a little bit  
9 different than what is the economy of Agnico Eagle.

10 Regarding unresolved issues at this public  
11 hearing, NTI continues to be concerned about  
12 increase -- increasing the discharge into the Meliadine  
13 Lake. It is our drinking water. We eat the fish  
14 there, and we enjoy the scenery over there. And like  
15 the hunters and trappers alluded to yesterday, the  
16 streams go all over, not just to Ijiralik but to Peter  
17 Lake and the surrounding areas.

18 The Board has heard that the discharge level into  
19 Meliadine Lake is changing the quality of the water and  
20 impacting its use by Inuit. Inuit have to go a little  
21 bit further to go get safe drinking water.

22 And people talk a little bit about the tea. Inuit  
23 know what the quality of tea looks like, so there  
24 shouldn't be any argument against that, the colour of  
25 the tea.

26 In 2021, Agnico Eagle Mines committed to

1 minimizing or eliminating surface contact discharge to  
2 Meliadine Lake, Term and Condition 25A of the project  
3 certificate.

4       The assessment of the Kivalliq Inuit Association  
5 is the actual discharge to Meliadine Lake will increase  
6 substantially with the Meliadine extension proposal,  
7 and this is a major concern for Inuit. NTI views this  
8 is a significant adverse impact that has not been  
9 resolved. NTI believes a solution is needed that  
10 diverts discharges away from Meliadine Lake to Itivia  
11 Harbour, and the development of a new term and  
12 condition that sets quantitative limits on actual  
13 discharge to Meliadine Lake through this NIRB process.

14       Impacts on caribou. NTI, Nunavut Tunngavik,  
15 shares concerns expressed by the Kivalliq Hunters and  
16 Trappers Association and the Kivalliq Inuit Association  
17 regarding the potential impacts of the wind farm on  
18 barren-ground caribou behaviour and its migration.

19       Research on wind farm caribou interaction is  
20 scarce, and some results indicate potential impacts.  
21 For example, studies undertaken in northern Scandinavia  
22 have identified a zone of influence that extended  
23 beyond 10 kilometres. However, because these caribou  
24 are semi-domesticated, some of the movements and  
25 disturbances avoidance pattern are likely conditioned  
26 by the Sami herders. We do not herd our caribou.

1           For this reason, observed responses in Scandinavia  
2   may not be directly comparable to mainland migratory  
3   barren-land caribou such as the Qamanirjuaq herd.  
4   Therefore, there remains a high degree of uncertainty.  
5   The Elders from Saskatchewan indicated that we do not  
6   know, so it's a very high uncertainty what's going to  
7   happen.

8           The value of Qamanirjuaq herd to Kivalliq Inuit  
9   cannot be underestimated. The proposed location of the  
10  wind farm is prime hunting area critical for food  
11  security. The community of Rankin Inlet relies on that  
12  area to be able to harvest caribou for our families and  
13  beyond.

14          NTI agrees with the Kivalliq Inuit Association and  
15  the Kivalliq Hunters and Trappers Organization that our  
16  current lack of understanding of the impacts of the  
17  proposed wind farm on their behaviour and migration of  
18  the Qamanirjuaq caribou creates a high risk to the herd  
19  that is unacceptable. Nunavut Tunngavik Incorporated  
20  supports the Kivalliq Inuit Association and the hunters  
21  and trappers organization in their submissions  
22  regarding the significant and adverse potential impacts  
23  of the proposed wind farm on the Qamanirjuaq caribou  
24  herd.

25          Nunavut Tunngavik Incorporated opposes the wind  
26  farm at the current proposed location due to the risk

1 to caribou and harvesting. A high risk of impact to  
2 the Qamanirjuaq caribou herd poses a significant impact  
3 to Inuit harvesting and food security from the proposed  
4 wind farm. Agnico Eagle Mines' additional information  
5 does not sufficiently address potential impacts on  
6 Inuit harvesting rights from the proposed wind farm.

7 It is NTI's view that Agnico Eagle Mines'  
8 commitment to resolve outstanding concerns regarding  
9 Caribou Commitment 38, which we've been talking a  
10 little bit this morning -- it's still remaining  
11 outstanding, but we understand that AEM and KIA will be  
12 in discussions to resolve this issue.

13 NTI views the terrestrial advisory group as an  
14 important tool to assist in incorporating Inuit  
15 Qaujimajatuqangit and the community knowledge in the  
16 mine operations to ensure terrestrial values, like  
17 caribou, are protected.

18 For Commitment 38, the terrestrial advisory group  
19 was presented draft results on the movement at the June  
20 meeting. Members expressed that more work, discussions  
21 was needed. As far as Inuit Qaujimajatuqangit, the  
22 report should include more details about what Inuit  
23 Qaujimajatuqangit was used and how it was incorporated.

24 There was no TAG recommendation to endorse the  
25 report as final. For the terrestrial advisory group to  
26 function well, the work cannot be rushed, and more

1 effort should be made to reach the consensus.

2 In conclusion, the information provided by Agnico  
3 Eagle Mines does not fully address Inuit concerns  
4 regarding impacts and, in some areas, does not fully  
5 reflect or consider Inuit Qaujimajatuqangit.

6 NTI welcomes Agnico Eagle Mines' efforts to date  
7 but encourages Agnico Eagle Mines to seek alternatives  
8 that addresses the concerns expressed by Inuit.  
9 Concerns remaining -- regarding the Meliadine extension  
10 proposal, particularly regarding significant adverse  
11 impacts to Meliadine Lake and its use by Inuit as well  
12 as to caribou and Inuit harvesting, these issues must  
13 be resolved.

14 NTI thanks the Board for considering our  
15 submission and holding this public hearing here in  
16 Rankin Inlet to carefully assess the Meliadine  
17 extension proposal, taking into account the knowledge  
18 provided by Inuit organizations, community  
19 representatives, and all the intervenors. We look  
20 forward to continued involvement in this review  
21 process. Thank you.

22 THE CHAIR: Thank you, Nunavut Tunngavik  
23 Incorporated, for your presentation.

24 Now questions to Nunavut Tunngavik Incorporated.  
25 Kivalliq Inuit Association, Luis Manzo.

26 MR. MANZO: Luis Manzo, Kivalliq Inuit

1 Association. No questions at this time.

2 THE CHAIR: Government of Nunavut, Stephen  
3 Atkinson.

4 Government of Nunavut Questions Nunavut Tunngavik  
5 Incorporated

6 MR. ATKINSON: Thank you, Madam Chair.  
7 Stephen Atkinson on behalf of the Government of  
8 Nunavut.

9 One question I would have for NTI is whether or  
10 not you do have any recommendations -- if a wind farm  
11 were operating, if you have any recommendations on how  
12 it should be managed in response to caribou in terms of  
13 shutting it down or anything like that? Thank you.

14 THE CHAIR: Kivalliq Inuit Association,  
15 Gabriel Nirlungayuk.

16 MR. NIRLUNGAYUK: Gabriel Nirlungayuk.

17 Thanks, Government of Nunavut, for that question.  
18 I would like our biologist, who is online, David Lee,  
19 to answer that question.

20 THE CHAIR: NIRB legal counsel.  
21 Procedural Matters By Nunavut Impact Review Board Legal  
22 Counsel

23 MS. MEADOWS: Thank you, Madam Chair.  
24 Teresa Meadows, legal counsel for the Nunavut Impact  
25 Review Board.

26 For those of you in the room, you just saw that

1 Madam Chair is way ahead of me on this one.

2 Mr. Lee, if I can get you to state and spell your  
3 name for the record, and then I will administer the  
4 oath because you've not yet been sworn in.

5 MR. LEE: Yes. Thank you. Just  
6 confirming you can hear me?

7 THE CHAIR: Yeah, we can hear you.

8 MR. LEE: Thank you, Madam Chair, and  
9 thank you, legal counsel. My name is David Lee,  
10 D-A-V-I-D L-E-E.

11 MS. MEADOWS: Thank you, Mr. Lee.

12 Teresa Meadows, legal counsel for the Nunavut  
13 Impact Review Board.

14 DAVID LEE, Affirmed

15 MS. MEADOWS: Thank you, Mr. Lee.

16 Those are my procedural matters.

17 THE CHAIR: You may proceed.

18 MR. LEE: Thank you, Madam Chair.

19 In response to the Government of Nunavut's  
20 question, I'll have to apologize because it will not  
21 directly answer your question.

22 We have not -- I had not considered options should  
23 a wind farm be established because from a precautionary  
24 approach, provided the uncertainty that's been  
25 presented in this meeting and from literature review,  
26 our recommendation is not to construct a wind farm at

1     that location. So providing any recommendations would  
2     be disingenuous. Thank you.

3     THE CHAIR:                     Government of Nunavut, Stephen  
4     Atkinson.

5     MR. ATKINSON:                 Stephen Atkinson on behalf of  
6     the Government of Nunavut. No further questions.  
7     Thank you.

8     THE CHAIR:                     Crown-Indigenous Relations and  
9     Northern Affairs Canada, Spencer Dewar.

10    MR. DEWAR:                     Qujannamiik, Madam Chair,  
11    Spencer Dewar, Crown-Indigenous Relations and Northern  
12    Affairs Canada. The Government of Canada has no  
13    questions at this time.

14    THE CHAIR:                     Kangiqliniq Hunters and  
15    Trappers Organization, Noel Kaludjak.

16    MR. KALUDJAK:                 Thank you, Madam Chair. Noel  
17    Kaludjak, Kangiqliniq Hunters and Trappers  
18    Organization.

19             We would like to thank Nunavut Tunngavik  
20    Incorporated with their presentation, and we agree with  
21    them. Thank you.

22    THE CHAIR:                     Northlands Denesuline First  
23    Nation, Benjamin Denechezhe.

24    Northlands Denesuline First Nation Questions Nunavut  
25    Tunngavik Incorporated

26    MR. DENECHYZHE:               Thank you. Benjamin

1 Denechezhe, Northlands First Nation.

2 I would like to thank NTI for their presentation.  
3 It was well thought out and very interesting points  
4 that you make clear here.

5 I also want to mention for the record when TAG --  
6 when you said Tadoule Lake Northlands First Nations are  
7 also part of TAG, and Tadoule Lake and Northlands are  
8 participants of the terrestrial advisory group.

9 One of the significant concerns that -- I have  
10 addressed it before, but your presentation has set it  
11 out real clear, when you say country food. Where we  
12 reside from is the border, the treeline area, and year  
13 after year, the caribou, they migrate the same route  
14 every time they come around our area.

15 I've seen the patterns of the caribou right from  
16 the '70s. In the '70s, the migration route for the  
17 caribou -- actually, the barren-lands that migrate to  
18 this part of the country, they usually come around all  
19 over southern -- northern Saskatchewan and part of  
20 Manitoba. There used to be plenty.

21 In the '70s since they started the mines around  
22 northern Saskatchewan, they started to decline and move  
23 away. And later on there was a power line that was  
24 being built that also affected. Now, northern  
25 Saskatchewan, our neighbours that are here today, they  
26 go many miles for the caribou every winter.

1           As you know, you've heard before there is also  
2   consideration of the climate change, and the mine  
3   somehow affects the pattern and the behaviour of the  
4   migration. Like I said yesterday when I was speaking,  
5   no one knows in this room how the caribou are going to  
6   react or behave. All we're talking about is  
7   speculations, assumptions, think that this is how  
8   they're going to do because of some various information  
9   that we gathered. But, like I said, it might affect  
10   our way of life, and I'm really very concerned because  
11   we depend on the caribou. Year after year we depend on  
12   it.

13           So somehow this migration route, the caribous have  
14   been coming here in the same pattern ever since I  
15   remember. Ever since I was a child, my grandpa told me  
16   about this, that they come into this area for the  
17   little ones to be born, and they go back, and they  
18   still do it today.

19           And these development -- the mining industry and  
20   all that, somehow it's going to affect. We don't know.  
21   As I've heard some presentations about the water  
22   quality that are going into the Meliadine Mine, it's  
23   going to affect other lakes. I tell you that.

24           Where we come from in Northern Manitoba, somehow  
25   these mining industries affect our way of life because  
26   our next-door neighbour is one of the highest uranium

1 producers in the world in northern Saskatchewan, and  
2 lately our people are passing on in sickness by cancer.

3 As I speak here, three of my siblings, two of them  
4 are diagnosed with cancer, and one is still trying to  
5 find out if it is.

6 So my recommendation is the location of the wind  
7 farm should be thought of and put in an area where it's  
8 suitable for everybody because NTI just mentioned that  
9 the source food in the prime area for our -- their  
10 hunting area.

11 Inuit and Dene, they are no different. They  
12 depend on the caribou. So whenever it's possible that  
13 we, as one, have to protect our way of life. Our land  
14 are a little bit different, but our lifestyle is  
15 identical, that we love the land, and we love the  
16 caribou, and we love the water and the fish.

17 So with that, I would like to thank NTI for their  
18 presentations and Mahsi cho.

19 THE CHAIR: Sayisi Dene First Nation,  
20 Geoff Bussidor.

21 MR. BUSSIDOR: Thank you, Madam Chair.  
22 Sayisi Dene First Nation representative, Geoff  
23 Bussidor. No comments at this time, but ditto on  
24 Benjamin Denechezhe's comments, and thank you, NTI, for  
25 the presentation. We agree with you too. Masi.

26 THE CHAIR: Athabasca Denesuline Ne Ne

1 Land Corporation, Diane McDonald.  
2 Athabasca Denesuline Ne Ne Land Corporation Questions  
3 Nunnavut Tunngavik Incorporated  
4 MS. MCDONALD: Diane McDonald, Athabasca  
5 Denesuline Land Corporation.

6 Good afternoon, everyone. I'd like to thank the  
7 NTI for their presentation. Certainly we do support  
8 NTI's presentation in terms of the opposition to the  
9 wind turbines in the proposed location.

10 We also support and acknowledge the importance of  
11 country foods. As Dene people, for time immemorial, we  
12 follow the caribou, our ancestors. We lived off the  
13 land, and the main food source for us is the caribou  
14 with -- including, you know, the Inuit. This is the  
15 primary food source for us in Saskatchewan, and without  
16 the caribou migrating down into Saskatchewan or the  
17 northern portion and Northwest Territory, giving us the  
18 impacts of industry would take the way of life away  
19 from us as Dene people, and we must understand that and  
20 respect that.

21 Socially, economically, that's what the caribou --  
22 would have an effect on our harvesting rights as Dene  
23 people in Saskatchewan. And we are very mindful for  
24 the Inuit and respecting their territory, as we are  
25 here this past week. And certainly for the protection  
26 and the harvesting rights is very important for us,

1 including the areas, the harvesting areas, the  
2 migration routes, the post-calving grounds. These are  
3 key components.

4 As my late grandfather would say, that the caribou  
5 is the blood line of the people. Where the caribou  
6 calf is like the mother womb, and if you disturb that,  
7 it's like a woman having a child and taking away those  
8 fundamental things that those -- the child as they grow  
9 up, and that's the same thing for the caribou. So in  
10 terms of that, that we must understand and respect the  
11 caribou and the people. We are connected. We are  
12 connected to the land. We are connected to the water.

13 We've faced many challenges in Saskatchewan. We  
14 have 32 abandoned mines surrounding us. We understand  
15 the impacts that we faced over -- over the years, and  
16 we still have continued mining of uranium and other  
17 potential mines that could lead to development and  
18 exploration.

19 So the challenges that we faced over the years  
20 helps us maybe educate what we faced in terms of the  
21 challenges on the impacts to our land, the wildlife,  
22 the birds, the fish, the quality of water. So for that  
23 reason, I want to say that the food source, in terms of  
24 that, we also support NTI for the presentation. With  
25 that, masi.

26 THE CHAIR: Agnico Eagle, Manon Turmel.

1 MS. TURMEL: Manon Turmel, Agnico Eagle.

2 We do not have any questions and are looking  
3 forward to continuing to work with Nunavut Tunngavik as  
4 part of the terrestrial advisory group. Thank you.

5 THE CHAIR: Nunavut Impact Review Board  
6 staff, Tara Arko.

7 MS. ARKO: Thank you, Madam Chair.  
8 Nunavut Impact Review Board staff.

9 We do not have questions for NTI at this time.  
10 Thank you, Madam Chair.

11 THE CHAIR: Any questions from the Board?  
12 Nunavut Impact Review Board Chair Questions Nunavut  
13 Tunngavik Incorporated

14 THE CHAIR: I have a couple of questions.  
15 On your slide for impacts to caribou, you mentioned  
16 that for reindeer they have a 10-kilometre -- I can't  
17 remember off the top of my head the way you phrased,  
18 but is it because the turbines are visible from  
19 10 kilometres and they react to the turbines when they  
20 see them, or can you elaborate on what the factors are  
21 with that 10-kilometre boundary?

22 Nunavut Tunngavik Incorporated, Gabriel  
23 Nirlungayuk.

24 MR. NIRLUNGAYUK: Gabriel Nirlungayuk, Nunavut  
25 Tunngavik. I would like our biologist, David Lee, to  
26 answer that question.

1 THE CHAIR: David Lee.

2 MR. LEE: Thank you, Madam Chair.

3 Yes, essentially that's correct. And a review of  
4 studies done by Skarin and Alhman in 2014, they  
5 reported that semi-domesticated reindeer exhibited  
6 avoidance behaviour up to 12 kilometres away from  
7 infrastructure and related activities. While visual  
8 factors could not be necessarily confirmed, we did hear  
9 from the Government of Nunavut that based on another  
10 study from reindeer herders, that as soon as they  
11 brought their herd above a ridge where there was visual  
12 line of sight, there was clear avoidance behaviour.

13 I hope that helps answer that question. Thank  
14 you.

15 THE CHAIR: And I would also like to know  
16 if NTI is leading or is aware of any Inuit-led regional  
17 monitoring programs that include caribou that can help  
18 inform any potential gaps in caribou data or  
19 information that we've heard so far within the region  
20 or if there are any planned.

21 Nunavut Tunngavik Incorporated, Gabriel  
22 Nirlungayuk.

23 MR. NIRLUNGAYUK: Gabriel Nirlungayuk. I'll let  
24 David Lee answer that.

25 THE CHAIR: David Lee.

26 MR. LEE: Thank you, Madam Chair.

1 I am not aware of any activity of that nature  
2 except for specific interactions by the different  
3 parties, Kivalliq Inuit Association and Kangiqliniq HTO  
4 and AEM, on some of the recent research regarding the  
5 cameras -- remote cameras. Thank you.

6 THE CHAIR: Thank you for your responses,  
7 and thank you for your presentation.

8 We're going to continue with the agenda. Now to  
9 the presentation of the Kivalliq Inuit Association.

10 I will ask that our legal counsel swear or affirm  
11 the next group of presenters and mark the exhibits so  
12 that we can begin with preparations. NIRB legal  
13 counsel.

14 Procedural Matters by Nunavut Impact Review Board Legal  
15 Counsel

16 MS. MEADOWS: Thank you, Madam Chair.  
17 Teresa Meadows, legal counsel for the Nunavut Impact  
18 Review Board.

19 So, Madam Chair, while the Panel for the Kivalliq  
20 Inuit Association gets settled, I will just advise the  
21 participants that I have before me two hard copy  
22 presentations that the Kivalliq Inuit Association will  
23 now be presenting, one in English, one in Inuktitut,  
24 and I will be marking those as the next two exhibits in  
25 this public hearing, and I will just wait a second 'til  
26 the Kivalliq Inuit Association is settled in.

1 EXHIBIT 8 - Hard Copy PowerPoint Presentation  
2 "Environmental Assessment of the Meliadine  
3 Extension Proposal: Technical Presentation of  
4 Final Environmental Impact Statement  
5 Addendum" (English)

6 EXHIBIT 9 - Hard Copy, PowerPoint  
7 Presentation "Environmental Assessment of the  
8 Meliadine Extension Proposal: Technical  
9 Presentation of Final Environmental Impact  
10 Statement Addendum" (Inuktitut)

11 MS. MEADOWS: Thank you, Madam Chair.  
12 Teresa Meadows, legal counsel for the Nunavut Impact  
13 Review Board.

14 If I can have the witnesses for the next panel  
15 state and spell your name for the record, please.

16 MR. MANZO: Thank you, Madam Chairman. My  
17 name is Luis Manzo, Director of Lands,  
18 L-U-I-S M-A-N-Z-O.

19 MR. MCDOUGALL: Thank you. Matt McDougall,  
20 M-A-T-T M-C-D-O-U-G-A-L-L.

21 MS. GUNN: Anne Gunn, A-N-N-E G-U-N-N.

22 MR. BEARDSALL: Craig Beardsall, Kivalliq  
23 Inuit Association. Craig, C-R-A-I-G; Beardsall,  
24 B-E-A-R-D-S-A-L-L.

25 MR. SEXTON: Alan Sexton. The first name  
26 Alan, A-L-A-N; last name Sexton, S-E-X-T-O-N.

1 THE CHAIR: Thank you.

2 Teresa Meadows, legal counsel for the Nunavut  
3 Impact Review Board.

4 Do the witnesses wish to be sworn or affirmed?

5 MR. MANZO: Affirm.

6 MR. MCDOUGALL: I'll affirm.

7 MS. GUNN: Affirm.

8 MR. BEARDSALL: Affirm.

9 MR. SEXTON: Yeah, affirm.

10 LUIS MANZO, MATTHEW MCDOUGALL, ANNE GUNN, CRAIG  
11 BEARDSALL, AND ALAN SEXTON, Affirmed

12 MS. MEADOWS: Teresa Meadows, legal counsel  
13 for the Nunavut Impact Review Board. Thank you, Madam  
14 Chair, those are my procedural matters.

15 THE CHAIR: Kivalliq Inuit Association,  
16 you may proceed.

17 Presentation by the Kivalliq Inuit Association  
18 (Environmental Assessment of the Meliadine Extension  
19 Proposal, Technical Presentation of Final Environmental  
20 Impact Statement Addendum)

21 MR. MANZO: Thank you, Madam Chairman.

22 Luis Manzo, Kivalliq Inuit Association. My name is  
23 Luis Manzo, Director of Lands, Kivalliq Inuit  
24 Association.

25 I'll be delivering the presentation with the  
26 assistance of Alan Sexton, Matt McDougall and -- Alan

1     Sexton, geology; Anne Gunn, wildlife biology; and Craig  
2     Beardsall, wildlife officer in environment for the  
3     monitoring on the road; and our legal counsel, Jonathan  
4     Katz.

5             First I will start with thanks to the Nunavut  
6     Impact Review Board for organizing the public hearings  
7     and allowing the Kivalliq Inuit Association community  
8     members, others, and all other parties the chance to  
9     meet today and review the Meliadine extension proposal.

10            Thank you to the hamlet of Rankin Inlet, the  
11     entire community, and those of the Kivalliq region who  
12     are here this week to speak on behalf of their own  
13     communities.

14            We also -- we'd like a special welcome to the  
15     Northlands Denesuline First Nation, Sayisi Dene First  
16     Nation, and Athabasca Denesuline Ne Ne Land  
17     Corporation. We welcome everyone to Rankin Inlet.

18            The Kivalliq Inuit Association is representing  
19     Inuit in administrative provisions of the Nunavut land  
20     claims in the Kivalliq region with respect to surface  
21     Inuit-owned land rights and management.

22            The Kivalliq Inuit Association's mission is to  
23     represent Inuit in a fair and democratic manner in the  
24     development, protection, and administration and  
25     advancement of the rights and benefits of Inuit.

26            The Nunavut Agreement, Article 17, provide that

1 the purpose of Inuit-owned land is to promote  
2 self-reliances and the cultural and social well-being  
3 of Inuit now and into the future. As the land manor is  
4 anonymous, Inuit-owned lands must be managed in a way  
5 that sustain and enhance the value of the land and  
6 protect future generations. It cannot be forgotten  
7 that the Inuit associations -- the rights through the  
8 Nunavut Agreement to secure the future for generations  
9 to come, and that any development on surface  
10 Inuit-owned lands must be supported by Inuit and the  
11 Kivalliq region.

12 The objectives of the Kivalliq Inuit Association  
13 are to review -- for the Meliadine extension proposal  
14 are to ensure that the potential impacts and benefits  
15 are comprehensively assessed to ensure Inuit  
16 Qaujimajatuqangit values are incorporated into impact  
17 determinations, mitigation matters, project design,  
18 monitoring, and, most important, to ensure that the  
19 voice of the Inuit are heard and respected.

20 The Kivalliq Inuit Association has submitted 16  
21 initial information requests and 13 technical comments.  
22 The final written mission with the Kivalliq Inuit  
23 Association were submitted to the Nunavut Impact Review  
24 Board in July 26, 2023, and these final written  
25 submission remain the core positions of the Kivalliq  
26 Inuit Association.

1           The comments put forward by the Kivalliq Inuit  
2 Association to date related to Inuit empowerment, Inuit  
3 social and cultural and economic well-being, harvesting  
4 rights, including impacts on caribou, which are of  
5 upmost importance to Inuit, the deposition with the  
6 in-pit tailing and -- or waste rock impact in Meliadine  
7 Lake in surface contact water.

8           Today the majority of the technical comments for  
9 the Kivalliq Inuit Association remain unresolved and  
10 require further discussion with the proponent and other  
11 participants. I want to emphasize that the Minister of  
12 Northern and Indian Affairs', on August 5th of 2022,  
13 advice was to focus the review and the impacts to  
14 caribou and impacts to the Meliadine Lake for this  
15 specific assessment.

16           The Kivalliq Inuit Association has listened to the  
17 hunters and trappers organizations and the community  
18 members and wants to voice clearly that it objects --  
19 that it objects to wind farms taking place in the mine  
20 site. Through this presentation, it will be made clear  
21 why a precautionary approach is necessary when  
22 assessing the Meliadine extension proposal,  
23 specifically to the wind farms.

24           The remainder of this presentation will be  
25 structured into four components: The first being the  
26 socioeconomic environment, the second being impact on

1 caribou, that they're being in-pit deposition intended  
2 of waste rocks and -- for discharge to Meliadine lake.

3 And we'll find from this presentation that the  
4 issues of utmost importance to the Kivalliq Inuit  
5 Association and Inuit are the impacts to caribou and  
6 the impacts to the Meliadine Lake. (INDISCERNIBLE)  
7 issues, which the minister mentions and (INDISCERNIBLE)  
8 to be the focus in this review. The issues relating to  
9 caribou, the placements of the wind farm on Inuit-owned  
10 lands and impacts to Meliadine Lake are as significant  
11 to Inuit as they're related to rights, warranty on  
12 their (INDISCERNIBLE) agreement.

13 So socioeconomic environment. The Kivalliq Inuit  
14 Association wishes to advise the Nunavut Impact Review  
15 Board that the Technical Review Comments 10 and 11  
16 relating to the state of the socio, cultural, and  
17 economic well-being in the Kivalliq region have not  
18 been addressed, and that concern with respect to the  
19 food security raised and because all the proposed  
20 Meliadine extensions are also outstanding, the Kivalliq  
21 Inuit Association anticipate that discussions of this  
22 nature will occur with Agnico Eagle as they related to  
23 the amendments to the Inuit impact and benefit  
24 agreement to address the Meliadine extension.

25 The remainder of this presentation will be  
26 delivered by a panel, biologist Anne Gunn, Alan Sexton,

1 and Matthew McDougall. So I will pass the microphone  
2 to Anne Gunn.

3 THE CHAIR: Anne Gunn.

4 MS. GUNN: Anne Gunn, consultant for the  
5 Kivalliq Inuit Association. Thank you, Madam Chair.

6 Yesterday you asked if the parties would comment  
7 on the technical advisory committee, so I would like to  
8 preface our presentation with -- with the -- a few  
9 comments on the technical advisory committee, if that's  
10 appropriate. Okay.

11 Through -- there's quite a bit of experience with  
12 technical advisory committees through the  
13 recommendations of NIRB that they are required for  
14 other mine projects. It's similar in the Northwest  
15 Territories where there's quite a long history of --  
16 they're either called "oversight bodies" or "technical  
17 advisory committees". And, for example, we heard quite  
18 a bit about Diavik Diamond Mine, and they have an  
19 oversight technical advisory committee that's called  
20 "The Environmental Monitoring Advisory Board", and it's  
21 composed of indigenous peoples as well as government  
22 representatives, and they provide advice to whoever is  
23 owning, running the diamond mine.

24 Kivalliq Inuit Association is not sure that all  
25 that experience is being used within the Meliadine  
26 technical advisory committee, but it's also true that

1 the technical advisory committee for Meliadine is very  
2 young. It's only had three meetings, and it takes time  
3 to have the experience, to build trust, and -- but we  
4 are concerned specifically about how the TAG, the  
5 terrestrial advisory group, the advice is given and  
6 used, and we suggest that the Meadowbank TAG is a model  
7 for how advice is given and recorded by Agnico Eagle.

8 And so with that, Madam Chair, I'll move to our  
9 presentation.

10 Our presentation on how the extension project will  
11 impact caribou follows from Kivalliq Inuit  
12 Association's information request and technical  
13 comments, and our presentation is in three parts: Will  
14 the extension project add to existing impacts; how has  
15 the Qamanirjuaq herd changed since the 2014 assessment;  
16 and will caribou be significantly impacted? And by  
17 "significant", we follow NIRB's definition.  
18 "Significant" means measurable impacts to the herd  
19 likely to decrease its resilience and increase its risk  
20 and disrupt opportunities for traditional and  
21 non-traditional use.

22 To describe the existing impacts, we first of all  
23 have to look at how the caribou use the mine site,  
24 because most of the extension project is an increase in  
25 the activities at the mine site as well as the wind  
26 farm.

1           This map from Agnico Eagle, it has Inuit  
2   knowledge, which are the grey straight lines indicating  
3   historic caribou movements. It has ground trails that  
4   were mapped in the vegetation in the year 2021, and  
5   then all the yellow or orange lines are collared  
6   caribou pathways for 2018 to 2022. But the sets of  
7   information are not integrated, and I think that was  
8   kind of revealed in some of the conversations this  
9   morning with, on the one hand, the collars show this;  
10   on the other hand, the photographs show something else.

11           So I think those conversations really make the  
12   point about how we need analyses that integrate the  
13   different sets of information.

14           Agnico Eagle's maps have shown -- their maps and  
15   their use of the collars have shown recent increasing  
16   use of caribou but for the regional study area, not  
17   specifically for the mine site. And as they've  
18   explained, the proportion of the herd based on the  
19   collars has increased from about 20 percent in 2014 to  
20   almost three quarters of the collars or three-quarters  
21   of the herd by 2022.

22           Additionally, the time, the number of days spent  
23   in the regional study area has increased since 2014.  
24   It varies from year to year, but recently it increased  
25   to 29 and 23 days. So this is why Kivalliq Inuit is  
26   recommending in our Technical Review Comment Number 1

1 an analysis of caribou movements for the mine site and  
2 its vicinity to integrate all the sets of information  
3 and Inuit knowledge.

4 So our next slide is to answer the question of has  
5 the use of the mine site and its vicinity by caribou  
6 changed since 2014? And to illustrate this, we took a  
7 screen grab from the Government of Nunavut's  
8 animations. The map on the left with the yellow lines  
9 is for the 11th of July, 2017, and I have to correct a  
10 mistake we made when we submitted our presentation. We  
11 had the 17th of July. It's actually the 17th of June,  
12 which is the green lines, and the map on the right  
13 showing the mine in the centre and the caribou  
14 pathways.

15 And the point of these two maps is to show how the  
16 caribou were in the vicinity of the mine site nearly a  
17 month earlier in 2023. And, again, it comes back to  
18 the need for a detailed analysis to show how the  
19 caribou's use of the mine site has changed over time.

20 So now considering how do the caribou respond to  
21 the current activities at the mine site, and the short  
22 answer is it's really not known in detail how the  
23 caribou are responding at the mine site because up  
24 until this year, most of the monitoring, the remote  
25 cameras, and the behaviour studies were focused on the  
26 all-weather access road. So there's a gap in our own

1 information about how the caribou respond.

2 In terms of mitigation, currently the mine shuts  
3 down when 50 or more caribou are within 5 kilometres.  
4 However, the mine shutdown still includes what are  
5 called "light duties", "light-duty activities", which  
6 continue during the work suspension, and those  
7 activities include refueling the generators and  
8 refeeding the buggy bin with pre-crushed ore, and it is  
9 shielded from view by a sea-can stacked too high, but  
10 there will still be some noise and dust and activity,  
11 and that leaves us in the position of not knowing how  
12 effective the mitigation -- the shutdown is.

13 The shift in calving towards the mine site in the  
14 recent years, specifically 2023, which is not just the  
15 collars, but it's also Inuit observations of calving at  
16 north Meliadine Lake. That shift in calving means the  
17 cows are much more sensitive, and the calves -- the  
18 newborn calves are potentially at greater risk, and so  
19 for those reasons, Kivalliq Inuit Association in its  
20 Technical Review Comment Number 2 recommends a specific  
21 calving protection plan is needed to modify Term and  
22 Condition 54. Term and Condition 54 is to ensure that  
23 the project infrastructure does not prevent or unduly  
24 limit the movement to wildlife.

25 Continuing on with existing impacts and how do  
26 caribou respond to the all-weather access road and the

1 mine site, the monitoring -- Agnico Eagle's monitoring  
2 has done an excellent job in showing the behavioural  
3 responses of the caribou, and those behavioural  
4 responses include brief interruptions in caribou  
5 foraging. And they are brief interruptions because the  
6 caribou resume their feeding within 3 to 6 minutes in  
7 response to, like, if a truck or an ATV goes by.

8       While the interruption is brief, depending on how  
9 often the disturbance happens, it can add up to reduced  
10 food intake. Typically a cow in early summer needs to  
11 spend eleven hours feeding, and so if the number of  
12 interruptions reached, you know, ten or more, that is a  
13 distinct definite reduction in her forage intake at a  
14 time of year when she's producing milk for her calf and  
15 trying to rebuild her body condition.

16       Agnico -- the collar pathway maps in the  
17 animations suggest that caribou may deflect from or  
18 parallel the all-weather access road. This is the  
19 visualization of the collar information. Agnico  
20 Eagle's analysis of the collared caribou, which was  
21 Commitment 38, there they concluded that the caribou  
22 responded more to their habitat than the all-weather  
23 access road or the mine site.

24       The Kivalliq Inuit Association has technical  
25 difficulties with Commitment 38, and we've -- we  
26 invited Agnico Eagle and the other intervenors

1 including Denesuline, Government of Nunavut, and NTI to  
2 a sidebar discussion during these hearings to try and  
3 resolve some of those issues to figure out a pathway  
4 forward. We've had that sidebar discussion. We have  
5 made some progress in a pathway forward to work through  
6 the TAG to resolve those technical issues.

7 The addendum for the extension project did not  
8 include an assessment pathway -- an assessment pathway  
9 for the wind farm. And the reason that is important is  
10 because a primary assessment pathway is the means for  
11 assessing the magnitude, the duration, and the impacts,  
12 and, therefore, the uncertainty associated with the  
13 caribou responses to the wind farm.

14 As you've heard, most of the experience with wind  
15 farms is for domesticated reindeer, and they're herded,  
16 and they have a very different relationship with  
17 people. The Nenets, the Sami people, they have a long  
18 relationship with reindeer, and so the reindeer have  
19 this very different relationship, and so their  
20 responses are not necessarily going to be the same or  
21 even similar as barren-ground caribou seeing a wind  
22 farm for the first time.

23 This map shows -- we've heard a lot of talk about  
24 Diavik because it has four wind turbines that were  
25 operational in 2012. The map shows -- the brown is the  
26 footprint of the Diavik Mine, and it takes up most of

1 the habitat -- caribou habitat on a small island in Lac  
2 de Gras. And the coloured lines are the pathways of  
3 collared caribou, and it's important to realize that  
4 relatively few caribou from the Bathurst and the  
5 Beverly herd actually use the area. There was only 10  
6 of the 212 collars from the Bathurst herd in '7; 218  
7 collars were within 3 kilometres of the Diavik Mine  
8 from 2010 to 2021. So that's not enough to really  
9 learn how those caribou are responding to the four  
10 turbines at the mine site.

11 As well as the observations of caribou behaviour,  
12 it's a similar thing. There were just too few caribou  
13 to draw credible conclusions, and, in addition, the  
14 group sizes are small, and it only occurs mostly in  
15 winter.

16 So turning now to the question of whether the  
17 proposed mitigation for the wind farm is likely to be  
18 effective.

19 We've already heard that there is uncertainty  
20 about the distances that caribou will notice the  
21 turbines. Agnico Eagle has suggested that for people,  
22 the turbines will be visible up to 12 kilometres, but  
23 caribou that have their eyes at the side of their head,  
24 they don't have two eyes looking forward measuring  
25 distance and size of an obstacle. So we don't really  
26 know how a caribou realizes how close and how big the

1 turbines will seem because their vision is so  
2 different. They're looking out for wolves and bears  
3 rather than how we see things.

4       There's also been mention they have very good  
5 hearing, and they rely a lot on their scent. But the  
6 other thing is that they create their memories through  
7 the -- how they travel, like, the pathways they take.  
8 So their first experience when they're exposed to  
9 something new is going to lead to the basis of their  
10 memories and their subsequent responses.

11       So it makes -- it makes it difficult for us,  
12 because we don't have that experience, to develop  
13 appropriate thresholds for either group size or the  
14 number of caribou or the distances, and we also have to  
15 be very aware of the -- that has been mentioned, the  
16 Inuit and the Dene talk about the concept of  
17 leadership. So those first caribou that encounter  
18 something new on their horizons, it's very important to  
19 be conservative.

20       So, in addition, there's also the greatest -- as I  
21 mentioned, the greater responsiveness of cows with  
22 newborn calves, and so that is the basis, the complete  
23 uncertainty of what is a safe distance for a threshold,  
24 what is the number of caribou and young calves, is why  
25 the Kivalliq Inuit Association in our technical review  
26 Comment Number 3 recommended the wind farm management

1 be revised.

2       Turning now to how incremental -- incremental is  
3 the additive impacts, how it accumulates over time.  
4 The length of the mine will be extended another  
5 11 years, and so how do these impacts add up? There  
6 were four pathways, assessment pathways. There were  
7 three for habitat and one for movements and migration.  
8 Agnico Eagle showed that the disturbance may cause  
9 caribou to avoid habitat, so it would be indirect  
10 habitat loss, and then there was direct habitat loss,  
11 but these impacts are not integrated. The habitat  
12 impacts are not integrated to show their effect on the  
13 caribou themselves, and so it's more difficult to have  
14 an overall assessment of the impacts on the caribou.

15       In addition, as we all know the climate is getting  
16 warmer. It's getting hotter. And how the change in  
17 climate will impact the caribou responses was not  
18 analyzed.

19       So the Kivalliq Inuit Association recommends in  
20 Technical Review Comment 6 for Agnico Eagle to  
21 collaborate with TAG, the technical advisory group, to  
22 design an alternative approach and analysis to  
23 integrate the habitat assessment pathways, to -- and a  
24 warmer climate, to estimate incremental and cumulative  
25 impacts on caribou.

26       So moving on to the second part of our

1 presentation, the question of has the Qamanirjuaq herd  
2 changed since the 2014 assessment? And the graph shows  
3 on the left the caribou numbers along the bottom, the  
4 years when the Government of Nunavut undertakes a  
5 census of the caribou numbers, and it shows the herd  
6 declined between 1994 and 2014, and then it has not  
7 measurably increased based on surveys in 2014 and '17  
8 and 2022. And so given the lack of recovery, it is  
9 likely that the herd is less resilient to changes.

10 A second major change which is -- there's been  
11 quite a bit of information about is the calving has  
12 recently shifted and reached the north shores of  
13 Meliadine Lake closer to the mine site.

14 And the third change since 2014 is the conditions  
15 for the caribou during spring migration has changed.  
16 There is much less snow on their migration routes. The  
17 vegetation, greening up, which is peak nutrition value  
18 for the cows, is much earlier, and also, in addition,  
19 warmer summers mean more severe mosquito harassment,  
20 and it is likely that those changes, particularly  
21 during spring migration and green up, have contributed  
22 to the shifts in the calving ground.

23 So our third part and final part is will the  
24 extension project significantly impact caribou from the  
25 Qamanirjuaq herd? A precautionary answer for whether  
26 the extension project will significantly impact the

1 caribou is that without enhanced mitigation, the impact  
2 will be significant.

3 Previously in 2014 and then again in 2022, AEM  
4 assessed the project as non-significant. But when  
5 they -- when they rated it as non-significant in 2014,  
6 they did note that only a small part of the Qamanirjuaq  
7 herd would be impacted. And, as mentioned, there's a  
8 large-scale change in the proportion. Almost three  
9 quarters of the collared cows are now within the  
10 regional study area, so a larger part of the herd will  
11 be impacted. The -- so that the change in calving, the  
12 change in the proportion of the herd, the unknown  
13 effectiveness of the mitigation, and the warmer climate  
14 without enhanced mitigation leads Kivalliq Inuit  
15 Association to rate the impacts, the magnitude of the  
16 impacts as moderate in comparison to AEM who rated them  
17 as low in both 2014 and 2022.

18 And the magnitude of the impacts depends on the  
19 proportion of the herd that is impacted, and so our  
20 rationale for increasing the rating of the magnitude is  
21 the increased exposure and the shift in the calving  
22 distribution.

23 To be clear, Kivalliq Inuit Association sees  
24 enhanced mitigation as including collaboration to  
25 refine adaptive mitigation, specifically protection  
26 plans for cow -- or a protection plan for cows with

1 newborn calves, revised wind farm management, greater  
2 inclusion of indigenous knowledge, and alternative  
3 approaches to assessment to reduce the risk to caribou  
4 and to food security.

5 Thank you, Madam Chair.

6 MR. MCDOUGALL: Matt McDougall for the  
7 Kivalliq Inuit Association. I'll present this one  
8 slide on behalf of our geologist, Alan Sexton.

9 The Kivalliq Inuit Association wishes to confirm  
10 that it generally supports the term and condition that  
11 Crown-Indigenous Relations and Northern Affairs Canada  
12 and Agnico Eagle have agreed on. However, the Kivalliq  
13 Inuit Association requires modifications that would  
14 include new minimum -- or -- sorry -- a minimum review  
15 time of one year and updates to plans upon the  
16 completion of the mining of open pits. The Kivalliq  
17 Inuit Association maintains that one year is a cautious  
18 approach based on the nature of the information  
19 acquired. We anticipate that agreement will be reached  
20 on the exact wording of the required term and condition  
21 by the conclusion of this public hearing.

22 The preservation of Meliadine Lake is of utmost  
23 importance to the Kivalliq Inuit Association. Impacts  
24 to the lake due to mining activities have already been  
25 observed even though many of these impacts were  
26 predicted in 2014. At the time, there were no viable

1 alternatives presented to discharge to Meliadine Lake.  
2 However, concerns from the community were raised to the  
3 Kivalliq Inuit Association about contact water after  
4 the emergency water license amendment in 2020.

5 When the dual waterline for saline discharge was  
6 proposed, the Kivalliq Inuit Association worked with  
7 Agnico Eagle to ensure our priorities were addressed.  
8 It was suggested that contact water be diverted from  
9 Meliadine Lake, where Inuit collect drinking water and  
10 harvest fish, to Itivia Harbour, where Inuit can easily  
11 avoid drinking the water and picking mussels in the  
12 area.

13 At the time, the proponent assured the Kivalliq  
14 Inuit that with the waterline, we reduce significantly  
15 the amount of water going to Meliadine Lake. Some  
16 years it might be zero, and others we might have more,  
17 but less than we were originally planning.

18 The Meliadine extension represents a significant  
19 increase in discharge to the lake, even with the  
20 operational waterline to Itivia Harbour.

21 According to responses to our information request,  
22 the proponent has discharged an average of 475,000  
23 cubic metres to Meliadine each year since the project  
24 began operation, with a peak discharge of 1.03 million  
25 cubic metres in 2020.

26 With the extension, contact water discharge to

1 Meliadine Lake would increase to an average of  
2 1.4 million cubic metres annually, with a peak of  
3 2.5 million cubic metres during the operations phase.

4 For reference, 2.5 million cubic metres would fill  
5 this room, not including the stage, approximately 1000  
6 times over.

7 The proponent has not followed through with their  
8 promise to use the saline waterline to bring discharge  
9 to Meliadine to near zero, a promise that persuaded the  
10 Kivalliq Inuit Association to support the waterline in  
11 spite of possible impacts on the tundra, berry-picking  
12 areas, trucking income, and caribou crossing. Limiting  
13 discharge -- oh. Limiting discharge to Meliadine Lake,  
14 as we propose in our water board submission, would  
15 mitigate further impacts to this culturally important  
16 area.

17 The proponent has consistently stated that water  
18 management, including discharge volumes to Meliadine  
19 Lake, is an issue for the water board. However, the  
20 infrastructure detailed in this extension is inadequate  
21 to manage the projected increases in contact water and  
22 any strategies --

23 THE CHAIR: Can you --

24 MR. MCDOUGALL: Too fast?

25 THE CHAIR: The interpreter -- back to  
26 water board, and please pause between sentences so she

1 has time to explain what you're saying.

2 MR. MCDOUGALL: Thank you. Apologies to the  
3 translators.

4 However, infrastructure detailed in this extension  
5 proposal is inadequate to manage the projected  
6 increases in contact water, and any strategies to  
7 minimize or eliminate discharge to the lake would  
8 require further environmental assessment. This would  
9 include assessments of impacts to caribou and water  
10 bodies downstream of the lake.

11 This information is required to sufficiently  
12 address discharge to Meliadine Lake and avoid  
13 additional impact assessments on this same issue in the  
14 future.

15 I'll now pass the mic to Luis to conclude our  
16 presentation.

17 THE CHAIR: Luis Manzo.

18 MR. MANZO: Thank you, Madam Chairman.  
19 Luis Manzo, Kivalliq Inuit Association.

20 In conclusion, as the minister has recommended in  
21 the letter to the Nunavut Impact Review Board, this  
22 will usually focus potential impacts to caribou and  
23 Meliadine Lake. Our comments have highlighted the  
24 vulnerability of caribou as the impacts will be  
25 significant without enhanced mitigation. It increases  
26 discharge to Meliadine Lake contrary to the intentions

1 of Term and Condition 25 or the amendment project  
2 certificate as developed by Agnico Eagle and Kivalliq  
3 Inuit Association and respond to community concerns.

4 The Kivalliq Inuit Association recommendations  
5 will ensure that if Meliadine extension is approved, it  
6 will be approved in a way that ensures long-lasting  
7 benefits to Inuit while not unduly impacts our  
8 traditional ways of life.

9 We appreciate the opportunity to provide this  
10 presentation, and thanks to Nunavut Impact Review Board  
11 and all the intervenors and participants who have the  
12 valuable and knowledge to this review. Thank you.

13 THE CHAIR: Thank you to the Kivalliq  
14 Inuit Association for your presentation.

15 Now to questions to the Kivalliq Inuit Association  
16 starting with the Nunavut Tunngavik Incorporated,  
17 Gabriel Nirlungayuk.

18 MR. NIRLUNGAYUK: Thank you to Kivalliq Inuit  
19 Association for that presentation.

20 We don't have any questions to Kivalliq Inuit  
21 Association, but we look forward to working with the  
22 organization from here on in and continue to work on  
23 caribou protection measures and Inuit harvesting  
24 rights. Qujannamiik.

25 THE CHAIR: Government of Nunavut, Stephen  
26 Atkinson and Daniel Haney.

1 MR. HANEY: Thank you, Madam Chair.

2 Daniel Haney, Government of Nunavut. Just give me a  
3 moment, and I'll fetch Stephen.

4 Government of Nunavut Questions Kivalliq Inuit  
5 Association

6 MR. ATKINSON: Thank you, Madam Chair. Steve  
7 Atkinson on behalf of the Government of Nunavut.

8 I have a question for Dr. Gunn. In your decades  
9 of experience working with caribou, would you say that  
10 the Agnico Eagle's plans to shut the wind farm down  
11 when caribou are within 5 kilometres is adequate to  
12 avoid adverse effects on caribou, particularly calving  
13 or post-calving caribou?

14 THE CHAIR: Kivalliq Inuit Association,  
15 Anne Gunn.

16 MS. GUNN: Anne Gunn, consultant to the  
17 Kivalliq Inuit Association. Thank you, Madam Chair.  
18 Thank you, Dr. Stephenson -- thank you, Dr. Atkinson.

19 I think it's premature to give a specific  
20 threshold. The uncertainty with our knowledge and the  
21 fact that it's going to be cows with young calves, I  
22 think it's unlikely, based on our current knowledge and  
23 indigenous knowledge, that 5 kilometres is -- is not  
24 protective. I think a greater distance or an  
25 alternative approach to avoid the uncertainty of  
26 thresholds in numbers of caribou that trigger

1 mitigation as well as the distance, a precautionary  
2 approach would be a very different one. Thank you.

3 THE CHAIR: Government of Nunavut, Stephen  
4 Atkinson.

5 MR. ATKINSON: Thank you, Madam Chair.  
6 Stephen Atkinson on behalf of the Government of  
7 Nunavut.

8 You discussed the Commitment 38 caribou analysis  
9 report and noted that you had -- Kivalliq Inuit  
10 Association had technical concerns with the report.  
11 Does the Kivalliq Inuit Association consider that  
12 Commitment 38 has been fulfilled? Thank you.

13 THE CHAIR: Kivalliq Inuit Association,  
14 Anne Gunn.

15 MS. GUNN: Anne Gunn, consultant to  
16 Kivalliq Inuit Association.

17 We -- we are working to resolve the issues to find  
18 a pathway forward before we can finalize our position  
19 on Commitment 38.

20 Thank you, Madam Chair.

21 THE CHAIR: Government of Nunavut, Stephen  
22 Atkinson.

23 MR. ATKINSON: Thank you, Madam Chair.  
24 Stephen Atkinson on behalf of the Government of  
25 Nunavut.

26 Last question: Are there any -- in your

1 experience, are there any other examples of where  
2 calving grounds or post-calving range has shifted and  
3 come close to industrial developments such as mines and  
4 where there have been known -- known impacts?

5 THE CHAIR: Kivalliq Inuit Association,  
6 Anne Gunn.

7 MS. GUNN: Anne Gunn, consultant to  
8 Kivalliq Inuit Association.

9 There is one well-documented example, which was a  
10 developing oil field caused a major shift in calving  
11 distribution. It split the calving ground, and one set  
12 of cows had to move inland to higher, drier vegetation  
13 during the peak of calving and early calving, and the  
14 cow -- the -- so the foraging wasn't as nutritious.  
15 The calf growth rate was reduced. So the calves, by  
16 the end of summer, were smaller, and smaller calves  
17 have reduced survival rate.

18 The -- the impact of dividing the calving ground  
19 was not apparent at the herd scale because the  
20 government -- and this was the Government of Alaska --  
21 they -- in order to offset the impacts on the herd,  
22 they reduced the harvest level of cows to a very low  
23 level. So although it didn't seem that dividing the  
24 calving ground in response to a developing oil field  
25 didn't have a herd-level impact, it was because there  
26 was -- it was offset by management activity.

1           And that is the -- the best documented example of  
2   a major shift in calving distribution in response, but  
3   it was to a developing oil field. Thank you.

4   THE CHAIR:                               Government of Nunavut, Stephen  
5   Atkinson.

6   MR. ATKINSON:                       Thank you, Madam Chair.  
7   Stephen Atkinson on behalf of the Government of  
8   Nunavut.

9           I'd just like to thank you for your answers,  
10   Dr. Gunn. Thank you. No further questions.

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. The Government of Canada's question,  
16   it will be asked by the Department of Fisheries and  
17   Oceans.

18   THE CHAIR:                           Fisheries and Oceans Canada,  
19   Jose Audet-Lecouffe.  
20   Fisheries and Oceans Canada Questions Kivalliq Inuit  
21   Association

22   MR. AUDET-LECOUFFE:               Jose Audet-Lecouffe, Fisheries  
23   and Oceans Canada.

24           It seems like the water management on-site does  
25   not divide contact water and the clean water that falls  
26   on the site. Do you think -- and that adds to the

1 volume of water that needs to be discharged. Do you --  
2 in your review of the project, did you -- do you think  
3 that the water management plan could be optimized to  
4 minimize the volume discharged?

5 THE CHAIR: Kivalliq Inuit Association,  
6 Matt McDougall.

7 MR. MCDUGALL: Thank you, Madam Chair. Matt  
8 McDougall for the Kivalliq Inuit Association, and thank  
9 you, Jose, for your question.

10 So contact water management on the site includes  
11 rainfall, camp waste, as well as mine process water.  
12 That's all managed through the contact water system  
13 treated and sent out for discharge, and so we are in  
14 conversations with Agnico Eagle on how we can optimize  
15 the adaptive management plan to separate some of those  
16 streams of water and to ensure that the, for example,  
17 tailings runoff is prioritized for discharge down to  
18 Itivia Harbour rather than into Meliadine Lake and  
19 thereby improve the quality of discharge to Meliadine  
20 Lake. Thank you.

21 THE CHAIR: Fisheries and Oceans Canada,  
22 Jose Audet-Lecouffe.

23 MR. AUDET-LECOUFFE: Thank you, Madam Chair. Jose  
24 Audet-Lecouffe, Fisheries and Oceans Canada.

25 I've got no further questions. Thank you, Matt.

26 THE CHAIR: Kangiqliniq Hunters and

1 Trappers Organization, Noel Kaludjak.

2 Kangiqliniq Hunters and Trappers Organization Questions  
3 Kivalliq Inuit Association

4 MR. KALUDJAK: Thank you, Madam Chair. Noel  
5 Kaludjak, Kangiqliniq Hunters and Trappers  
6 Organization.

7 Thank you, Kivalliq Inuit Association, for your  
8 presentation. I have a couple of questions and  
9 concerns.

10 Jean Anne [sic] made a presentation on the caribou  
11 and their behaviour. She made a comment about the  
12 eyesight of the caribou, that they don't know whether  
13 the caribou can distinguish between a large object or a  
14 small object. From my lifetime experience and my  
15 father's stories, when we are looking for caribou, we  
16 stay hidden behind hills or rocks. Once the caribou is  
17 within range of sight, we pop up our head, and they can  
18 see us instantly. They notice us right away unless it  
19 is distracted by something else. When we move even the  
20 slightest movement, they notice us, and they get alert  
21 right away.

22 Once you move your head up and you're shoulder  
23 height, they get ready to run. Once you move up  
24 higher, they are off running.

25 Regarding the sight of the caribou and their eyes,  
26 you said they're on the side of their head. The

1 caribou can look you right in the face with both of  
2 their eyes, and the way they check movement and size --  
3 I don't know if anybody knows this, but I've known it  
4 all my life, my father knew it, and our ancestors --  
5 they use their muscle -- the nozzle, the nose. When  
6 they suspect something, they'll move their nose right  
7 in line with that object and check if it moves and  
8 check how big it is. They use their long nozzle to  
9 check for the danger and see how fast it's going, see  
10 if it's moving, and to check what size it is.

11 I would like Jean or one of the staff to reply,  
12 and I'll have another comment. Thank you.

13 THE CHAIR: Kivalliq Inuit Association,  
14 Anne Gunn.

15 MS. GUNN: Anne Gunn, consultant to  
16 Kivalliq Inuit Association.

17 My apologies. I did a poor job of explaining  
18 myself in representing how caribou see their world, and  
19 I -- I certainly agree and appreciate your explanation,  
20 and, again, I apologize for misrepresenting perhaps how  
21 caribou do see their world, and I thank you.

22 THE CHAIR: Kangiqliniq Hunters and  
23 Trappers Organization, Noel Kaludjak.

24 MR. KALUDJAK: Thank you, Madam Chair. Noel  
25 Kaludjak, Kangiqliniq Hunters and Trappers  
26 Organization.

1           That comment and explanation was due to the fact  
2   that those wind turbines will be 300 metres high and  
3   moving. They will be noticed right away from a far  
4   distance. That was my point.

5           My next question is -- or comment: We talk about  
6   the water. We understand that the lakes might be  
7   contaminated. We need better monitoring of the waters  
8   around Meliadine and to the surrounding lakes.

9           When we did a tour of the mine with the -- with  
10   the group on the bus the other day, we were told along  
11   the road there are dust sample collection jars. Does  
12   KIA monitor those? Because every summer we have so  
13   much dust flying around Rankin and the land. How is  
14   KIA monitoring those, or if they are monitoring those,  
15   or if there are any plans to monitor the dust control,  
16   dust pollution on the land and the surrounding area  
17   close to -- close to or around the road area? And even  
18   from the mine we see a lot of dust flying around in the  
19   summer. Thank you.

20   THE CHAIR:                           Kivalliq Inuit Association,  
21   Matt McDougall.

22   MR. MCDUGALL:                       Thank you, Madam Chair. Matt  
23   McDougall for the Kivalliq Inuit Association. Thank  
24   you for your question.

25           So the KIA does do some independent monitoring  
26   around the area of the mine site. We go out annually

1 or biannually and collect water samples from Meliadine  
2 Lake, or from Ijiralik and from Diane River. We have  
3 collected fish tissue samples in lake trout and  
4 sediment data from the area as well. As well, we take  
5 out Elders from the community and conduct  
6 traditional-use interviews while we're collecting our  
7 samples.

8 At the moment, we do not collect any dust samples.  
9 Those are monitored by Agnico Eagle. However, they do  
10 present the results to the Kivalliq Inuit Association  
11 on an annual basis, and we do review these results and  
12 provide comment. Thank you.

13 THE CHAIR: Kangiqliniq Hunters and  
14 Trappers Organization, Noel Kaludjak.

15 MR. KALUDJAK: Thank you, Madam Chair. Noel  
16 Kaludjak, Kangiqliniq Hunters and Trappers  
17 Organization. Thank you for your reply.

18 My last and final question and comment is about  
19 the inuksuit. We are noticing some inuksuit are being  
20 removed from where we seen them or used them for a  
21 long, long time, and there are some new inuksuit being  
22 set up just for the hell of it or something. I don't  
23 know. Just to see -- just for sight. Does Kivalliq  
24 Inuit Association monitor those inuksuit and those new  
25 ones that are being erected by anyone?

26 And Elders have long said inuksuit are not

1 supposed to be disturbed, and if you will put up an  
2 inukshuk, it has to have a meaning. You cannot build  
3 inukshuks anywhere or destroy or put down any ancient  
4 inuksuit. That is my final question and comment.  
5 Thank you very much.

6 THE CHAIR: That can also be answered by  
7 the Government of Nunavut Culture and Heritage during  
8 their intervention.

9 Kivalliq Inuit Association, Luis Manzo.

10 MR. MANZO: Thank you, Madam Chairman,  
11 Luis Manzo, Kivalliq Inuit Association.

12 Inukshuks are under -- but the short answer  
13 is (INDISCERNIBLE) KIA to not monitor Inukshuks. We  
14 have wildlife officer -- environmental officers on-site  
15 or on the road monitoring water, fish, sediments and --  
16 there's two components to your question.

17 The other part is it's an institution who look  
18 after historic sites. It's the Government of Nunavut,  
19 I believe, who need to have some sort of data or that  
20 information. We most dealing in terms of science and  
21 hunting and caribou, the main -- the main issues there  
22 when dealing with the extension. Thank you, Madam  
23 Chairman.

24 THE CHAIR: Kangiqliniq Hunters and  
25 Trappers Organization. Noel Kaludjak.

26 MR. KALUDJAK: Thank you, Madam Chair. Noel

1 Kaludjak, Kangiqliniq Hunters and Trappers.

2 Thank you for your reply, Kivalliq Inuit  
3 Association. Those are our questions. We are done.  
4 Thank you.

5 THE CHAIR: Northlands Denesuline First  
6 Nation, Benjamin Denechezhe.

7 MR. DENECHYZHE: Thank you, Madam Chair. I  
8 thank KIA for their presentation, and I wanted to add a  
9 direct question.

10 In your presentation there, you mentioned that  
11 there's a study done in Alaska where caribou has  
12 changed, a shift in their calving area and also within  
13 their habitat.

14 My question is do you think that the Qamanirjuaq  
15 caribou herd in its current birthplace and the calving  
16 ground sometime in the future -- however, due to the  
17 lifeline of this mine, do you think that it will shift  
18 its -- its calving ground?

19 And another point that I would like to mention is  
20 you said in your presentation that the nurturing of the  
21 young calf pertains to about 11 hours per day to have  
22 a -- to feed their young ones. Is there anything in  
23 place to monitor from here on to look out for the  
24 calving and the other ones? Because it's certainly  
25 alarming when you hear about stats in other places that  
26 pertain to the same issue that we're talking about.

1           So I'm hoping that we can find solutions and  
2   protect the caribou. Because I -- like I said, we  
3   depend on the caribou, and if that affects in the long  
4   term, it's going to affect our way of life living in  
5   our territory. Masì.

6   THE CHAIR:                   Kivalliq Inuit Association,  
7   Anne Gunn.

8   MS. GUNN:                   Anne Gunn, consultant,  
9   Kivalliq Inuit Association. Thank you for your  
10  questions.

11           Your first question about will -- will there be a  
12  shift in the calving ground? The answer is that with  
13  enhanced mitigation, if we work together and pool our  
14  knowledge and experience, there should not be a shift  
15  in the calving ground because we will be able to do  
16  enough to help the caribou with mitigation to avoid it.  
17  So it is really up to us pooling -- working together,  
18  pooling our experience and knowledge, and we will  
19  reduce the risk that there will be a shift.

20           And your second question about year-round  
21  monitoring to pay attention to the calves. Have I  
22  understood you correctly?

23           The -- the Government of Nunavut does look at calf  
24  survival, I believe, in the fall and the spring, and  
25  that information would at least be a starting point to  
26  monitoring calf survival year-round. The -- the

1 obvious approach to monitor calf condition and body  
2 size would be through the hunters themselves. I  
3 hope -- hope that answer has -- has helped you. Thank  
4 you.

5 THE CHAIR: Northlands Denesuline  
6 First Nation, Benjamin Denechezhe.

7 MR. DENECHZHE: Thank you, Madam Chair.  
8 Benjamin Denechezhe, Northlands First Nation. I have  
9 no further questions. Thank you.

10 THE CHAIR: Sayisi Dene First Nation,  
11 Geoff Bussidor?

12 MR. BUSSIDOR: Thank you, Madam Chair.  
13 Geoff Bussidor, Sayisi Dene First Nation. I don't have  
14 any questions, but I would like to thank KIA for their  
15 presentation.

16 Dan Chranowski, however, has a question. Thank  
17 you.

18 Northlands Denesuline First Nation and Sayisi Dene  
19 First Nation Questions Kivalliq Inuit Association

20 THE CHAIR: Dan Chranowski.

21 MR. CHRANOWSKI: Thank you, Madam Chair.  
22 Dan Chranowski, wildlife advisor with Northlands  
23 Denesuline and Sayisi First Nation -- Dene  
24 First Nation.

25 I as well appreciate the -- the comprehensive  
26 presentation from KIA, and I particularly am interested

1 in the section that was referenced as far as the Diavik  
2 Mine diamond mine. It seems to be referenced by Agnico  
3 Eagle in a number of their presentations. Based on the  
4 situation of the Diavik Mine and its caribou in that  
5 area and possible interactions with the -- the Diavik  
6 Mine's wind farms, would your opinion be that the  
7 Diavik Mine wind farms are a good reference to use to  
8 predict caribou response in relation to the proposed  
9 wind farm at Meliadine Mine for post-calving and  
10 calving seasons?

11 THE CHAIR: Kivalliq Inuit Association,  
12 Anne Gunn.

13 MS. GUNN: Anne Gunn, consultant for the  
14 Kivalliq Inuit Association. Thank you, Madam Chair.

15 Thank you for the question. I think what we can  
16 learn from Diavik, from the caribou response to the  
17 four wind turbines, is the importance of having a  
18 well-designed monitoring program that is based on  
19 shared knowledge.

20 I think what we learned from the Diavik wind farm  
21 is that we are completely handicapped in a -- being  
22 able to say anything about the caribou responses  
23 because the -- there wasn't a specific designed  
24 monitoring program, and in any case, the -- the  
25 information that was collected is difficult to use  
26 because the numbers of caribou were so low. So

1     difficult to draw any conclusions.

2     THE CHAIR:                     It's just about 3:15, so we're  
3     going to take a 15-minute break and continue with  
4     questions.

5     (ADJOURNMENT)

6     THE CHAIR:                     Welcome back, everyone.  
7     Continuing with questions to the Kivalliq Inuit  
8     Association.

9             Sayisi Dene First Nation, Dan Chranowski.

10    MR. CHRANOWSKI:                Dan -- Dan Chranowski, Sayisi  
11    and Denesuline First Nation. I'm sorry. I have a  
12    question to answer, or -- oh. No further questions.  
13    Thank you.

14    Athabasca Denesuline Ne Ne Land Corporation Questions  
15    Kivalliq Inuit Association

16    THE CHAIR:                     Athabasca Denesuline Ne Ne  
17    Land Corporation, Diane McDonald.

18    MS. MCDONALD:                  Thank you, Madam Chair.  
19    Diane McDonald, Athabasca Denesuline Ne Ne Land  
20    Corporation.

21             You -- KIA, I guess you conclude that without a  
22    significant enhanced mitigation, the extension will  
23    have a -- a significant impact on the Qamanirjuaq herd.  
24    Do you have any ideas or examples of the types of  
25    mitigation and management that you would see as  
26    effective and within what timelines they would need to

1 be implemented?

2 THE CHAIR: Kivalliq Inuit Association.

3 Who's going to answer? Anne Gunn.

4 MS. GUNN: Anne Gunn, consultant,  
5 Kivalliq Inuit Association.

6 Thank you for the question. An example of  
7 effective mitigation for -- for a mine site is -- do I  
8 understand that is the question, or an example of  
9 effective mitigation for the wind turbines? Can --  
10 would you rather -- can you -- can you explain which  
11 one you'd like? Thank you.

12 THE CHAIR: Athabasca Denesuline Ne Ne  
13 Land Corporation, Diane McDonald.

14 MS. MCDONALD: Both.

15 Diane McDonald, Athabasca Denesuline Ne Ne Land  
16 Corporation.

17 THE CHAIR: Kivalliq Inuit Association,  
18 Anne Gunn.

19 MS. GUNN: Anne Gunn, consultant,  
20 Kivalliq Inuit Association.

21 I don't know of any effective examples of proven  
22 mitigation for the wind farm because the -- the wind  
23 farms that have been built on the caribou ranges,  
24 Diavik and Raglan, do not -- do not appear to have a  
25 mitigation plan and -- or the level of monitoring that  
26 would allow the effectiveness of it to be determined.

1     So I really can't help you with -- with answering that  
2     question. I think it is -- it is very likely that  
3     shutting the wind turbines down during operation, if  
4     done before the caribou are anywhere within a  
5     perceptual distance of the wind farm, would likely be  
6     very effective.

7             In terms of effective mitigation for -- for mines  
8     and their roads, I -- it's kind of depressing to admit  
9     this, but I actually don't know of any examples of  
10    completely effective mitigation. All the examples I  
11    can think of are -- are where the mitigation is -- is  
12    partial. So there's a road closure, but there is still  
13    a limited amount of traffic, such as a truck going out  
14    to count the caribou numbers. And so in that case, I  
15    would say the road closure was -- was incompletely  
16    effective.

17            In terms of, say, shutting down mine activities as  
18    mitigation, again, the mine shuts down most of its  
19    activities, but there is still a few required to -- to  
20    maintain the -- the mill feed and operations like that.  
21    So I'm hesitant to say there is any clearly proven  
22    with -- with adequate evidence of completely effective  
23    mitigation. I think there are lots of examples of  
24    mitigation that is relatively effective. And I -- you  
25    know, I'm not trying to dodge your question. It's --  
26    it is a very difficult question to answer. And I hope

1     that helps. Thank you.

2     THE CHAIR:                     Athabasca Denesuline Ne Ne  
3     Land Corporation, Diane McDonald.

4     MS. MCDONALD:                 Diane McDonald, Athabasca  
5     Denesuline Ne Ne Land Corporation.

6             Thank you for your comments. In -- in Slide 11 --  
7     that -- you indicated that both collars and Inuit  
8     observations have evidence of caribou calving at the  
9     north end of the Meliadine Lake. The currently  
10    proposed wind farm location is on the north side of the  
11    project, the closest location to the calving caribou.  
12    What impacts do you think might occur to calving and  
13    post-calving of the caribou with close proximity to the  
14    wind turbines?

15    THE CHAIR:                     Kivalliq Inuit Association,  
16    Anne Gunn.

17    MS. GUNN:                     Anne Gunn, consultant,  
18    Kivalliq Inuit Association.

19             If there is effective mitigation that -- that --  
20    that it is effective given the distance about which the  
21    caribou might proceed, given that the effective  
22    mitigation is in time so the caribou are not disturbed,  
23    I think the caribou will respond to the stationary  
24    towers with a degree of avoidance because it will be a  
25    new object on their -- on their horizon that they would  
26    be unfamiliar with. So I think there would be a

1   hesitation in their movements and their approach. And  
2   if they're not further disturbed, I think they might  
3   get used to just working their way around it.

4           If there was not effective mitigation that if  
5   the -- it was not possible to shut the turbines down  
6   before the caribou were very well aware of it, I think  
7   their response would be to avoid the area, but the  
8   scale of their avoidance I'm less sure about as to, you  
9   know, how many kilometres. I think that is -- is  
10   difficult to predict under our current level of  
11   knowledge.

12           So I sound a bit vague, but there are considerable  
13   uncertainties, and there are limits in our  
14   understanding of how the caribou will respond to such  
15   tall structures on -- on their horizons. Thank you.

16   THE CHAIR:                   Athabasca Denesuline Ne Ne  
17   Land Corporation, Diane McDonald.

18   MS. MCDONALD:               Diane McDonald, Athabasca  
19   Denesuline Ne Ne Land Corporation.

20           Madam Chair, that's the end of my questions.  
21   Thank you.

22   Agnico Eagle Mines Limited Questions Kivalliq Inuit  
23   Association

24   THE CHAIR:                   Agnico Eagle, Manon Turmel.

25   MS. TURMEL:                  Manon Turmel, Agnico Eagle.

26   Thank you for your presentation. We do have a few

1 question. I will let Brad ask them.

2 THE CHAIR: Brad Armstrong.

3 MR. ARMSTRONG: Thank you, Madam Chair.

4 Brad Armstrong, legal counsel for Agnico Eagle.

5 We just have a few questions, Dr. Gunn. You  
6 mentioned Commitment 38 and summarized the conclusion  
7 of that detailed analysis as concluding that caribou  
8 were driven in their movement more by habitat  
9 considerations than the mine site facilities. But you  
10 did say you had some concerns about the -- the study  
11 and that you were making some progress in identifying a  
12 path forward to address those concerns at the technical  
13 advisory committee.

14 Do you feel that -- the technical advisory  
15 committee is a forum of experts like yourself and --  
16 and other experts around the room, Mr. Atkinson, the  
17 experts for the -- for the Dene, for Agnico. Do you  
18 feel that that technical advisory committee is a good  
19 forum for finding that pathway forward to resolve any  
20 outstanding issues on the Commitment 38 report?

21 THE CHAIR: Are you referring to the  
22 terrestrial advisory group?

23 MR. ARMSTRONG: Yeah. Sorry, Madam Chair.  
24 The terrestrial advisory group, sometimes known as  
25 "TAG".

26 THE CHAIR: Kivalliq Inuit Association,

1 Anne Gunn.

2 MR. ARMSTRONG: Madam Chair, Brad Armstrong.

3 I did mention the experts at the technical  
4 advisory group, and I should mention the participation  
5 of the hunters and trappers organizations to provide  
6 local knowledge and Inuit Qamanirjuaq [sic]. Thank  
7 you.

8 THE CHAIR: Kivalliq Inuit Association,  
9 Anne Gunn.

10 MS. GUNN: Anne Gunn, consultant,  
11 Kivalliq Inuit Association.

12 Thank you for the question. I think we need  
13 clarification as to quite what you mean as the only  
14 appropriate forum for discussing a way of resolving  
15 Commitment 38. Perhaps you can provide a bit more  
16 detail as to what you mean by the only forum.

17 THE CHAIR: I wait for the -- I'm  
18 listening to the interpreters.

19 Agnico Eagle, Brad Armstrong.

20 MR. ARMSTRONG: Thank you, Madam Chair.  
21 Brad Armstrong.

22 Dr. Gunn, I didn't mean to suggest it was the only  
23 forum, but to suggest that it was a -- a very good  
24 forum for discussion of technical issues such as  
25 resolving concerns around the Commitment 38 report.

26 THE CHAIR: Kivalliq Inuit Association,

1 Anne Gunn.

2 MS. GUNN: Anne Gunn for the Kivalliq  
3 Inuit Association.

4 Thank you for the clarification. As I understand  
5 your question, I -- I think it is -- it is a -- a good  
6 forum, and at the moment, in terms -- it is a forum  
7 that is readily available to the -- to the parties  
8 involved with Meliadine, the mine site. And I think  
9 the mix of expertise and knowledge and experience is  
10 why it's a useful and good forum.

11 THE CHAIR: Agnico Eagle, Brad Armstrong.

12 MR. ARMSTRONG: Thank you, Madam Chair.  
13 Brad Armstrong.

14 A second question, Dr. Gunn, is your Slide 16  
15 showed the population of the Qamanirjuaq herd. If I  
16 could ask you just to have a look at that slide.

17 It looks like -- it looks like this, Madam Chair.  
18 The blue -- the blue graph.

19 Dr. Gunn, on that slide, you're showing the  
20 population of the herd from 1994. But I understand  
21 that you were a member of or participated in population  
22 studies for the herd on behalf of the committee on the  
23 status of endangered wildlife in Canada and that in  
24 that -- in that report on the population of various  
25 herds, there were populations given for the Qamanirjuaq  
26 herd going back to 1985. So your graph starts in 1994

1 with a -- a peak of around close to 500,000. But I'm  
2 going to ask you to -- if you could -- if you could  
3 re-create the graph to show the early years.

4 Because the numbers that we have from your  
5 committee on population show that in 1985, the  
6 population was 272,000; in 1988, 220,000; and then in  
7 1984, it went up to the 495,000 on your graph. So your  
8 graph is not showing a full history of the population  
9 of this herd, and, in fact, it's just starting at the  
10 peak and coming down. But if we go back to the earlier  
11 years, the herd has a similar population now as it did  
12 in 1985 and 1988.

13 Now, I expect you generally recognize the numbers  
14 I'm giving you and -- and wondering why your graph  
15 doesn't give a longer horizon of the population of this  
16 herd to give us and the Board a better understanding of  
17 the total numbers of this particular herd. Thank you.

18 THE CHAIR: Kivalliq Inuit Association,  
19 Anne Gunn.

20 MS. GUNN: Anne Gunn for the Kivalliq  
21 Inuit Association.

22 In 2016, it was not my committee; it was the  
23 Canadian National Committee for the Status of  
24 Endangered Wildlife in Canada. And we were asked to do  
25 a report for them on the status of barren-ground  
26 caribou. And we used, as you correctly pointed out,

1 the earlier data, the earlier estimates, and it is  
2 typical of many herds of barren-ground caribou to  
3 fluctuate in the sense of a cycle in the size of the  
4 herd over time. And this is well-recognized by Inuit,  
5 by the Dene.

6 And for the graph that you have in front of you  
7 that you're -- that Agnico Eagle is questioning, the  
8 reason I used starting at the peak rather than showing  
9 an increase to a peak and then a subsequent decline was  
10 I took the information from the 2017 census report from  
11 the Government of Nunavut because it was -- the 2017  
12 was not the most recent estimate of herd size but the  
13 one that had a report. And I figured that as  
14 Government of Nunavut is the management agency, I used  
15 their information to create this graph.

16 And I do recognize that there is a 2022 estimate  
17 for which I did not find a report. And so, Madam  
18 Chair, I -- I wonder if Government of Nunavut can --  
19 has a comment on this graph and of going from a peak  
20 herd size understanding that -- that -- the herd's  
21 cycle to a period when there's been no recovery. I  
22 think as Government of Nunavut is the management  
23 agency, they may have a comment. Thank you.

24 THE CHAIR: Government of Nunavut,  
25 Stephen Atkinson.

26 MR. HANEY: Daniel Haney, Government of

1 Nunavut.

2 I believe you're asking when the 2022 results will  
3 be available? Is that what you're asking.

4 THE CHAIR: Kivalliq Inuit Association,  
5 Anne Gunn.

6 MS. GUNN: Anne Gunn.

7 It's -- yes. When is -- do you have a comment on  
8 taking it -- taking -- using a graph showing a trend  
9 from the peak -- the most 1994 estimate, which was a  
10 very high standard of census design and directly  
11 comparable to the 2004, '14, and '17 ones. That is my  
12 follow-up question to AEM's question to you.

13 THE CHAIR: The normal order of  
14 questioning is usually with the presenting intervenor  
15 and the people around the parties. So if the  
16 Government of Nunavut wants to answer that question,  
17 they can answer it during their intervention just in --  
18 so we don't lose our order and so we can -- all right.

19 Agnico Eagle, Brad Armstrong.

20 MR. ARMSTRONG: Thank you, Madam Chair.  
21 Brad Armstrong.

22 I can just end this discussion by saying that in  
23 our response we will provide the -- a graph which shows  
24 the earlier numbers and the population of the -- of the  
25 herd. I -- I was asking Dr. Gunn if she would do that,  
26 but we can do that, Madam Chair.

1           Dr. Gunn, just to move to a different topic, I  
2    think it's clear that you haven't, obviously, done your  
3    own full impact assessment of the Meliadine extension,  
4    but you did say that in viewing the Agnico Eagle  
5    assessment -- I think it's fair to say you -- you -- in  
6    your professional judgment, the conclusions should be  
7    moderate, that the Agnico Eagle assessment indicates  
8    the impact is low. And I think you used the term  
9    "moderate". Did I hear you correctly on that?

10   THE CHAIR:                   Kivalliq Inuit Association,  
11   Anne Gunn.

12   MS. GUNN:                   Anne Gunn, Kivalliq --  
13   consultant for Kivalliq Inuit Association.

14           Yes. You heard me correctly. I used "moderate",  
15   and the reason why I used "moderate" is I mentioned  
16   that there were four assessment pathways. Three are  
17   habitat. And the habitat ones have -- based on  
18   areas -- measured areas of habitat. So it's kilometres  
19   squared, hectares. The fourth pathway on movement and  
20   mitigation in Agnico Eagle's assessment does -- does  
21   not have units of measurement. It was just, like, sort  
22   of a categorical description.

23           And the difference between negligible, low, and  
24   moderate, and high magnitude is -- is -- is a  
25   percentage, and moderate is -- I think it's 20 percent.

26           What I couldn't understand from their pathway

1 analysis is 20 percent of what? And so given that in  
2 the 2014 assessment they acknowledged that only a very  
3 small proportion of the herd was impacted, but now the  
4 distribution has changed and based on the collared  
5 caribou, three quarters of the herd is within the  
6 regional study area, I thought it prudent to -- from  
7 the Kivalliq Inuit's point of view to increase the  
8 rating from low to moderate based on the measured  
9 increase in how caribou are within the regional study  
10 area. So it's probably a longer, more complicated  
11 explanation, but I hope that helps.

12 THE CHAIR: Agnico Eagle, Brad Armstrong.

13 MR. ARMSTRONG: Thank you, Madam Chair.

14 Brad Armstrong.

15 I -- I just have maybe just one more question,  
16 Madam Chair.

17 You mentioned the other wind farms at Raglan and  
18 at Diavik and that they didn't have mitigation plans.  
19 The Agnico proposal for a wind farm does have  
20 mitigation measures. So I think we can probably agree  
21 that that's progress to actually build a wind farm with  
22 mitigation measures attached.

23 Mr. Atkinson asked you about a distance threshold,  
24 and you said it was probably premature to -- to  
25 actually identify that distance threshold. And I took  
26 it from your answer that -- that what you would like to

1 see is further review and consideration of -- of  
2 thresholds for caribou protection measures and -- and  
3 probably the -- the best forum for doing that is the  
4 terrestrial advisory group.

5 Am I -- am I right in thinking that you would like  
6 to see the terrestrial advisory group do a more  
7 detailed review of the -- of the caribou protection  
8 measures around the wind farm and -- and potentially  
9 with respect to the other facilities? Thank you.

10 THE CHAIR: Kivalliq Inuit Association,  
11 Anne Gunn.

12 MS. GUNN: Anne Gunn, consultant for  
13 Kivalliq Inuit Association.

14 Thank you for the question. I certainly agree  
15 that Agnico Eagle's proposed mitigation is an advance,  
16 a step forward given that the other currently operating  
17 wind farms, as far as I know, do not have a specific  
18 mitigation plan.

19 The -- the TAG -- the technical [sic] advisory  
20 group has in its membership a broad base of caribou  
21 knowledge and experience, and so it would be,  
22 obviously, a very useful group to bring their knowledge  
23 and experience forward to revise the proposed  
24 mitigation.

25 And there are really two options that can be  
26 followed. There are two broad classes of mitigation

1     that would be applicable. One of them is dependent on  
2     thresholds and what distance mitigation would be  
3     triggered and also caribou number.

4             And an alternate class of options for mitigation  
5     would be seasonally based shutdowns, and that would  
6     remove a lot of the uncertainty about appropriate  
7     threshold distances. And so I think that the technical  
8     advisory group would be very well-placed to provide  
9     input to further revisions of the proposed mitigation.  
10    So does -- does that help?

11   THE CHAIR:                     Do you mean the terrestrial  
12   advisory group?

13   MS. GUNN:                     Yes.

14   THE CHAIR:                     Agnico Eagle, Brad Armstrong.

15   MR. ARMSTRONG:                 Thank you, Madam Chair.

16             And those are all of our questions. If I misnamed  
17   the group, it was always the technical advisory group  
18   that Dr. Gunn and I have been talking about. Thank  
19   you, Madam Chair.

20   Nunavut Impact Review Board Staff Questions Kivalliq  
21   Inuit Association

22   THE CHAIR:                     Nunavut Impact Review Board  
23   staff, Tara Arko.

24   MS. ARKO:                     Thank you, Madam Chair. And  
25   the "technical advisory group", we're taking to  
26   understand that as the "terrestrial advisory group",

1 not the "technical advisory group". Thank you, Madam  
2 Chair.

3 The Nunavut Impact Review Board staff have one  
4 question for the Kitikmeot -- sorry -- Kivalliq Inuit  
5 Association. The NIRB understands that the Kivalliq  
6 Inuit Association is actively involved in caribou  
7 monitoring and the mine shutdown procedures during  
8 caribou migration. That includes actively having staff  
9 on the ground.

10 With the Kivalliq Inuit Association's experience,  
11 can they clarify whether they have concerns with the  
12 current thresholds for work suspension and mitigation  
13 measures as they may be applied specifically to the  
14 intensification of mining for the proposal, or are  
15 there concerns with thresholds specific to the wind  
16 turbines? Thank you, Madam Chair.

17 THE CHAIR: Kivalliq Inuit Association,  
18 Luis Manzo.

19 MR. MANZO: Thank you, Madam Chair.  
20 Luis Manzo, Kivalliq Inuit Association.

21 I think that the question has two parts. One is  
22 the existing monitoring in the road and in the mine  
23 site, and the other one is the decision over the  
24 threshold which require research.

25 So I will tackle the monitoring component of the  
26 question. We do have effective monitoring and

1 coordination with hunters and trappers, Government of  
2 Nunavut, AEM, NTI, and KIA. We as an institution have  
3 one of the biggest responsibilities that, by the advice  
4 of the monitors, we need to make the decision of  
5 shutting down the activities. And that is communicated  
6 by email or the phone right inside with our staff.  
7 That is being communicated to me. And I give them a  
8 yes or no answer.

9 We have to be transparent, and we shut down the  
10 mine sites way before caribou approaches the site just  
11 to avoid any circumstances in which we may have a  
12 complaint from the community members. And then we  
13 do -- but this is decided on the ground when we see the  
14 approach.

15 Now, what's on paper is a 50 threshold is being --  
16 has been decided amongst the terrestrial advisory  
17 group, which we is using right now. I will -- I will  
18 ask Dr. Anne Gunn to -- referring to the 50 threshold,  
19 if that's appropriate or not, which is require certain  
20 analysis for the scientists and the practical way of  
21 dealing with it on the ground, which, much, much  
22 different than what's written because sometime KIA do  
23 not want to take the chances of being called to make  
24 all the decisions on-site. Thank you, Madam Chair.

25 THE CHAIR: Anne Gunn.

26 MS. GUNN: Anne Gunn, consultant to the

1 Kivalliq Inuit Association.

2           The -- the idea of the mitigation is that it's  
3 adaptive mitigation. And so based on the results of  
4 the monitoring, there's always the intent that the  
5 mitigation can be adapted to -- to the caribou so it  
6 can be improved. And so any threshold such as  
7 50 caribou is -- is always going to be, as you might  
8 say, a work-in-progress, that we have to have the level  
9 of monitoring so we can see if that threshold is  
10 effective.

11           And I think the -- the -- the idea of a set number  
12 of caribou is -- is always going to be worth  
13 scrutinizing because caribou behaviour is seasonally  
14 dependent. Cows with young calves are going to be more  
15 responsive. And so threshold should be -- shouldn't  
16 necessarily be 50. In winter it might be a different  
17 number altogether. And so that is the point of the  
18 monitoring that Luis described, is it gives the  
19 feedback to the effectiveness of those thresholds. So  
20 the thresholds should always be seen as -- as a work in  
21 progress.

22 THE CHAIR:                           Kivalliq Inuit Association,  
23 Luis Manzo.

24 MR. MANZO:                           To add in -- in -- into the  
25 monitoring on the ground, you may -- bear with me and  
26 try to imagine cover 45 kilometres of ground when

1 caribou is approaching. And the reason why I say that  
2 is because one collar in the herd not necessarily is  
3 the line we see, but it is the line for the collar.

4 But the collar represent large numbers of caribou,  
5 and therefore precautionary principle on behalf of the  
6 KIA is taking either on-site or on the locations of  
7 high -- high -- high land monitoring we do to observe  
8 the grazing. Because as they passing through, they  
9 also are slowing down the pace to eat and to rest as  
10 they passing through. And -- and in some areas in  
11 between the road and the site when they shut down,  
12 we -- we have to lay in between 8, 5 to 6, trying to do  
13 some survey, but we can't really catch the middle  
14 ground per se -- or percent -- I should correct. So  
15 that's the best way to approach it, by shutting down in  
16 a -- in a large sections of these, avoiding collisions  
17 or disturbance to -- to caribou. That's how we do it  
18 at this time.

19 (INDISCERNIBLE) 50, Dr. Anne already explain it.  
20 We going to make this better, and also I -- the  
21 information is collected in the field, so -- so then  
22 enter into the annual report of -- of the proponent and  
23 also presented the tech meetings. And somebody asked  
24 that we really, you know, cover it fully and -- as the  
25 certainty and -- that we talk about today. Thanks.

26 THE CHAIR:

NIRB staff, Tara Arko.

1 MS. ARKO: Yeah. I appreciate the  
2 information. We understand the depth of discussion  
3 that's gone into agreeing on the current thresholds as  
4 well as establishing the relationship to adjust the  
5 thresholds or the criteria being looked at with  
6 monitoring should it be identified that mitigation  
7 might not be effective. Our primary focus with that  
8 question was to get an understanding if those  
9 mitigation monitoring thresholds are in place and those  
10 triggers for shutdown are still in place.

11 Is the KIA's concern primarily with those not  
12 being sufficient for the Meliadine expansion related to  
13 adequacy from the expanded mining activities or  
14 specific to wind turbine or other aspects of the  
15 proposal? Thank you.

16 THE CHAIR: Kivalliq Inuit Association,  
17 Luis Manzo? Anne Gunn? Anne Gunn.

18 MS. GUNN: Anne Gunn, consultant to the  
19 Kivalliq Inuit Association.

20 Thank you for the clarification. The concern we  
21 have with the current thresholds as being questionable  
22 for the intensification of mine activity or the wind  
23 farm is the change in the distribution of the caribou  
24 that, at the moment in the last two, three years,  
25 there's been a shift in -- towards caribou being --  
26 they're more in June and now early June. So these are

1 cows with newborn or young calves. And to accommodate  
2 their greater responsiveness, the thresholds should be  
3 changed both in terms of the distance and the number of  
4 caribou that trigger the mitigation. Does this -- am I  
5 getting closer to -- to what will help you?

6 THE CHAIR: NIRB staff, Tara Arko.

7 MS. ARKO: Thank you, Madam Chair.

8 So what I'm hearing is that it's just more of a  
9 general concern based off of potential interaction at a  
10 more sensitive point in the life cycle that's being  
11 experienced now as opposed to adequacy related to new  
12 components? Or am I still not quite getting it?

13 THE CHAIR: Kivalliq Inuit Association,  
14 Anne Gunn.

15 MS. GUNN: Anne Gunn, consultant --  
16 consultant to the Kivalliq Inuit Association.

17 The -- the concerns -- you've understood us  
18 correctly. Our concern is with respect to the greatest  
19 sensitivity and responsiveness of cows and calves.

20 We also have a specific concern that the current  
21 thresholds are not evidence-based. So there's --  
22 there's two concerns. They -- the -- the 50 animals --  
23 the 50 caribou threshold, more than 50, is -- is not  
24 based on any systematic approach as to how you'd arrive  
25 at the number 50. It's sort of best practices. And so  
26 we have a concern about that because it's -- it's not

1 clear how it relates to the concept of leadership in  
2 caribou, the first caribou that arrive, and then the  
3 other caribou take their queue from their leaders.

4 And so how that relates to a group -- a number of  
5 caribou of 50 is uncertain. And so even though it's  
6 sort of the best practice at the moment, there's  
7 uncertainty about it from Kivalliq Inuit's perspective  
8 because it -- it's -- what it -- there's not a great  
9 deal of data behind it.

10 So just to reiterate, we have the two concerns:  
11 the basis of the current thresholds, and then how they  
12 will have to be to accommodate the greater  
13 responsiveness of cows. Thank you.

14 THE CHAIR: NIRB staff, Tara Arko.

15 MS. ARKO: Thank you, Madam Chair.

16 Tara Arko, Nunavut Impact Review Board staff.

17 I appreciate that clarification. And I think it  
18 links -- links back to a question we previously asked  
19 Agnico Eagle of how the current general number  
20 thresholds account for leaders, and we've already  
21 covered that material. So I think we're circling back  
22 to something we've already covered.

23 Thank you, Madam Chair. That's it for now with  
24 Nunavut Impact Review Board staff questions.

25 THE CHAIR: Before we get to questions  
26 from the Board, we're going to take a five-minute

1 health break.

2 (ADJOURNMENT)

3 Nunavut Impact Review Board Panel Questions Kivalliq  
4 Inuit Association

5 THE CHAIR: Continuing with questions to  
6 the Kivalliq Inuit Association.

7 Questions from the Board. Guy Alikut.

8 MR. ALIKUT: Guy Alikut from the Nunavut  
9 Impact Review Board.

10 I have a question. I have only one question.  
11 Earlier Anne Gunn said -- you said that you know that  
12 the calving grounds have moved because of oil  
13 exploration. I think that was my understanding. I am  
14 asking how many were that took -- how many were the  
15 caribou that moved from their calving grounds, from  
16 their traditional calving ground? How many of the  
17 caribou moved from traditional calving grounds? And  
18 also -- and how far away did they move to? That --  
19 that is my question if you can understand it. Thank  
20 you.

21 THE CHAIR: Kivalliq Inuit Association,  
22 Anne Gunn.

23 MS. GUNN: Kivalliq Inuit Association.

24 Thank you for your question. I would rather take  
25 a question from (NO ENGLISH FEED) not having the  
26 precise information and the actual numbers. So I would

1     rather get back to you with the actual numbers and  
2     where they came from if that is appropriate.

3     THE CHAIR:                     Guy Alikut.

4     MR. ALIKUT:                    Thank you.

5             Oh, that was my only question. So thank you.

6     THE CHAIR:                    NIRB Board, Catherine Emrick.

7     MS. EMRICK:                    Thank you, Madam Chair.

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

10            I have a question regarding the discharge of  
11     surface water to Meliadine Lake. And I'm just trying  
12     to sort of understand, and this is referring to  
13     Slide 20. I'm just trying to understand the -- the  
14     sort of overall impact. Earlier in -- in the  
15     proceedings in response to a question, I asked Agnico  
16     Eagle about the potential impacts of underground  
17     mining. I specifically asked if it would have an  
18     impact on the discharge to Meliadine Lake. And I  
19     understand that response to be that there would be no  
20     impact to the amount of discharge to Meliadine Lake.

21            So I'm wondering on your Slide 20 where you  
22     indicated threefold increase in discharge, is that  
23     increase related to specific additional activities that  
24     are proposed in the extension proposal, or is that  
25     primarily a result of the increased mine life that  
26     comes with the proposal? If you could just help me

1 with that, I would appreciate it. Thank you.

2 THE CHAIR: Kivalliq Inuit Association,  
3 Matt McDougall.

4 MR. MCDOUGALL: Matt McDougall for the  
5 Kivalliq Inuit Association.

6 Thank you for the question. So there are a number  
7 of components that will impact the volume of discharge  
8 to Meliadine Lake. One will be the dual waterline  
9 system is not expected to change between what's going  
10 to be constructed and as a result of the extension  
11 activities. And so as both saline and contact water  
12 use the same infrastructure to travel from Meliadine to  
13 Itivia Harbour, extra saline water from the underground  
14 pits will displace contact water that will otherwise  
15 have to be discharged to Meliadine Lake.

16 Between that and the increased footprint which  
17 relate to -- which causes more contact water and the  
18 increased mine life, these all contribute to the  
19 discharge to Meliadine Lake. Thank you.

20 THE CHAIR: NIRB board, Catherine Emrick.

21 MS. EMRICK: Thank you, Madam Chair.

22 Catherine Emrick, Nunavut Impact Review Board board  
23 member.

24 Thank you for that response.

25 THE CHAIR: NIRB board, Phillip Kadlun.

26 MR. KADLUN-OMINGMAKYOK: Phillip Kadlun-Omingmakyok,

1 Nunavut Impact Review Board member.

2 In your presentation you mentioned that the -- the  
3 caribou is paralleling the road, all-weather road. My  
4 question is -- and then you -- you mentioned your  
5 changes to the calving areas and the -- and then -- and  
6 then the -- the herd is calving closer to the  
7 all-weather road.

8 I'm wondering whether the caribou that is  
9 paralleling the road, they're not able to reach their  
10 calving ground -- traditional calving ground. I'm  
11 wondering if whether the -- the paralleling of that  
12 road may contribute to those actions such as calving  
13 closer to the mine site and -- and -- and -- and  
14 feeding or milling close to the road. Thank you, Madam  
15 Chair.

16 THE CHAIR: Kivalliq Inuit Association,  
17 Anne Gunn.

18 MS. GUNN: Anne Gunn, consultant to the  
19 Kivalliq Inuit Association.

20 Thank you for the question. It's -- it's a  
21 complex question, like, a lot to do with caribou  
22 behaviour. The -- the -- my comment about the --  
23 whether the caribou paralleled the road or not was  
24 based on the -- on the collar pathways that,  
25 visualized, suggest the paralleling, and that would  
26 have been in post-calving times in July. The -- the --

1 the -- going further into whether the caribou actually  
2 parallel the road was addressed by Agnico Eagle's  
3 analysis of the collar movements, Commitment 38, and we  
4 think that story is -- is not ended yet. There's still  
5 uncertainty as to whether the caribou paralleled the  
6 road or whether it was the result of something else.

7 So I would hesitate to relate the shift in the  
8 calving distribution, so as the calving came closer to  
9 the caribou responses to the roads, which is a way of  
10 saying -- I guess it's a way of saying I don't really  
11 know. I don't have enough information at this time to  
12 really answer your question. I'm sorry.

13 THE CHAIR: NIRB board, Phillip Kadlun.

14 MR. KADLUN-OMINGMAKYOK: Madam Chair, that's all I  
15 have.

16 THE CHAIR: Any more questions from the  
17 board?

18 Nunavut Impact Review Board Chair Questions Kivalliq  
19 Inuit Association

20 THE CHAIR: I have some questions. During  
21 your presentation on Slide 9, can the Kivalliq Inuit  
22 Association clarify that they are concluding or they  
23 have concluded that the Inuit knowledge integrated into  
24 the information on caribou movement and density is  
25 insufficient based on the information that they have  
26 in-house? Because, as I understood, the information

1     you presented on that slide included Inuit knowledge.

2             Kivalliq Inuit Association, Anne Gunn.

3     MS. GUNN:                     Anne Gunn, consultant to the  
4     Kivalliq Inuit Association.

5             Thank you for the question. Yes. We -- we are  
6     concluding that the level of Inuit knowledge on the  
7     caribou movements in the vicinity of the mine site  
8     should be strengthened, that it is inadequate.

9     THE CHAIR:                   And on Slide 12, I am trying  
10    to understand where the information is coming from.  
11    Are the Inuit observations you shared during your  
12    presentation collected through a monitoring program or  
13    through consultation or a combination of both? And is  
14    this what informs your areas of disagreement on the  
15    conclusions about the impacts of the project --  
16    proposed project?

17    MS. GUNN:                   Anne Gunn for the Kivalliq  
18    Inuit Association.

19            My apologies. Please could you repeat the  
20    question.

21    THE CHAIR:                   In terms of -- in this part of  
22    your presentation, you mention that there's a  
23    disagreement, I guess, in a short form, about the  
24    conclusions.

25            Are the Inuit observations you shared during your  
26    presentation collected through -- is that from what's

1    been collected through a monitoring program or through  
2    consultation with Inuit?

3           Kivalliq Inuit Association, Anne Gunn.

4    MS. GUNN:                   Anne Gunn, Kivalliq Inuit  
5    Association.

6           My apologies. I'm trying to figure out which  
7    slide where I said whatever I said.

8    THE CHAIR:                 During your commentary for  
9    Slide 12.

10   MS. GUNN:                 My confusion is that I only  
11   had ten slides. I think it was the -- it's the  
12   presentation number we're trying to sort out. So --  
13   sorry.

14   THE CHAIR:                 That's okay. I'll go to my  
15   next question. I will ask it again during the  
16   community roundtable if it's not answered by then.

17   MS. GUNN:                 Anne Gunn, consultant to the  
18   Inuit -- Kivalliq Inuit Association.

19           The Inuit knowledge that I was referring to was  
20   Inuit knowledge that was reported in Agnico Eagle's  
21   reports. And so it was -- yes. Thank you. And sorry  
22   about the confusion.

23   THE CHAIR:                 And in your presentation on  
24   Slide 13, I'm looking for some clarification in terms  
25   of caribou interacting with the project for the Diavik  
26   Mine. Are you saying that the caribou have been

1 avoiding the project area since the turbines were  
2 erected or since the project was constructed? And also  
3 can you clarify if Diavik is not as good as a  
4 comparison because the habitat is not as comparable  
5 because they occupy the area in a different season?  
6 Can you just clarify if that's what you meant in terms  
7 of comparing between the proposed project and the  
8 Diavik project?

9 Kivalliq Inuit Association, Anne Gunn.

10 MS. GUNN: Anne Gunn, consultant for the  
11 Kivalliq Inuit Association.

12 Thank you for the request. I would clarify that  
13 the -- I'm not saying that the caribou are avoiding the  
14 project. I'm saying that there wasn't sufficient  
15 evidence to know how the caribou were responding. The  
16 number of caribou -- the point I tried to make was the  
17 number of caribou that were exposed to the four wind  
18 turbines was very low, and it was also during winter,  
19 which is a different season than would be applicable to  
20 Meliadine. So it was more that there was -- to  
21 summarize, there was no specifically designed  
22 monitoring plan, and the numbers of caribou would make  
23 it very low, so it would be difficult to discern if the  
24 caribou were actually avoiding it. Does that  
25 clarification help?

26 THE CHAIR: And on Slide 16. And if you

1 have the information, can you explain what the primary  
2 disturbances may have been between 1994 and 2008 that  
3 may have caused a steep decline, or is there not -- or  
4 is there, you know, low confidence in those -- in those  
5 counts?

6 And are you aware if there is a distribution map  
7 that can show the difference in location of -- of the  
8 caribou from those times and if there has been a shift  
9 in those locations based on -- for these population  
10 counts for the Qamanirjuaq herd?

11 Kivalliq Inuit Association, Anne Gunn.

12 MS. GUNN: Anne Gunn, consultant to the  
13 Kivalliq Inuit Association.

14 Thank you for the question. The causes of the  
15 decline between 1994 and 2008, I think the Government  
16 of Nunavut is in the best position to answer that  
17 question. The precision of the estimates was  
18 relatively high, so the trend -- the decline is not  
19 caused by any inadequacies in the actual count. I  
20 think that was part of what you asked. The decline is  
21 statistically significant, and I would defer to the  
22 Government of Nunavut to summarize probable causes of  
23 the decline.

24 And the -- your question about the difference in  
25 distribution, I would also defer to the Government of  
26 Nunavut.

1 THE CHAIR: Thank you for your responses.  
2 And if Government of Nunavut can take that to answer  
3 during their intervention.

4 Question from the Board. Guy Alikut.

5 MR. ALIKUT: Thank you. Guy Alikut.

6 What you are saying about Inuit Qaujimajatuqangit,  
7 about Inuit traditional knowledge, and what you said  
8 you heard from the Agnico Eagle, why you -- Kivalliq  
9 Inuit Qaujimajatuqangit, why don't you consult with or  
10 talk with those that hold traditional Inuit knowledge?  
11 Is this my understanding? And I would like  
12 clarification on this. Thank you.

13 THE CHAIR: Kivalliq Inuit Association,  
14 Luis Manzo.

15 MR. MANZO: Thank you, Madam Chair.  
16 Luis Manzo, Kivalliq Inuit Association.

17 We do collect traditional knowledge based in  
18 interviews in the Meliadine Lake. Nevertheless, we do  
19 have historical data as well that we -- that we have in  
20 regarding to the Meliadine project.

21 And the question was, do we consult Inuit for more  
22 information in regard to the project? And the answer  
23 is, who was analyzing the data presented by the  
24 proponent, collecting traditional data, take a very,  
25 very long time in regard to the timing of the review.  
26 That's my question [sic]. We -- we haven't collect

1 actual data.

2 THE CHAIR: NIRB board, Guy Alikut.

3 MR. ALIKUT: Thank you, Madam Chair.

4 Yes. I'll cease to ask questions. Thank you for  
5 that clarification.

6 THE CHAIR: All right. It's just past  
7 5:00, so we're going to take a supper break and  
8 reconvene --

9 Kivalliq Inuit Association, Anne Gunn.

10 MS. GUNN: Anne Gunn, consultant to the  
11 Kivalliq Inuit Association.

12 We would -- I would like to clarify my answer  
13 to -- to the board staff question. My apologies for, I  
14 think, misunderstanding part of it.

15 Kivalliq Inuit's concern -- specific concerns  
16 about the wind farm mitigation plan is that it will not  
17 be sufficient to avoid impacts to caribou at the  
18 proposed mine site location for the wind farm. Thank  
19 you.

20 THE CHAIR: Before we go for a supper  
21 break, just for the awareness of participants, there is  
22 now a boil water advisory for Rankin Inlet due to a  
23 mechanical issue at the water treatment plant.

24 And just a reminder. We won't be serving  
25 refreshments this evening, so bring your own  
26 refreshments for this evening. And we'll reconvene at

1 6:30. Remember to leave your receiver.

2 (PROCEEDINGS ADJOURNED UNTIL 6:30 PM)

3 (PROCEEDINGS RECOMMENCED AT 6:36 PM)

4 THE CHAIR: Welcome back, everyone. For  
5 the next group of presenters, we will have the -- the  
6 Government of Canada representatives providing their  
7 interventions as a group, and we'll -- we'll be  
8 starting with Transport Canada.

9 I don't know if -- legal counsel, if you're going  
10 to affirm all of them at once or not.

11 Crown-Indigenous Relations and Northern Affairs  
12 Canada, Environment and Climate Change Canada,  
13 Fisheries and Oceans Canada, Health Canada, and Natural  
14 Resources Canada.

15 NIRB legal counsel.

16 Procedural Matters by Nunavut Impact Review Board Legal  
17 Counsel

18 MS. MEADOWS: So, Madam Chair,  
19 Teresa Meadows for the Nunavut Impact Review Board.

20 So we're -- we're going to deviate a little bit  
21 from the agenda today to allow all of the federal  
22 departments that you just listed to provide their  
23 presentations, and then we will go to a round of  
24 questions of any of -- any and all of the -- of the  
25 federal family.

26 And thank you to the Government of Nunavut for

1 moving down in the agenda so that Government of Canada  
2 can go first. It's my understanding that there are  
3 some members of the federal family that need to leave  
4 tonight on tonight's plane, so we're accommodating  
5 that -- that change in the agenda.

6 What I'm going to do is I see that CIRNAC are  
7 positioned to do their presentation, but I understand  
8 that a Transport Canada representative needs to leave  
9 to catch a plane, so -- pardon?

10 MR. DEWAR: (INDISCERNIBLE - MICROPHONE  
11 OFF)

12 MS. MEADOWS: Okay. So CIRNAC is going to  
13 go first, and then Transport Canada, so I will swear  
14 both of -- both sets in, and then you can just go back  
15 to back, and I will swear in the individual panels  
16 after that.

17 So, Crown-Indigenous Relations and Northern  
18 Affairs Canada, if you can -- I can have the witnesses  
19 state and spell their name for the record, please.

20 MR. DEWAR: Spencer Dewar, S-P-E-N-C-E-R  
21 D-E-W-A-R.

22 MR. NGWA: Felexce Ngwa, F-E-L-E-X-C-E  
23 N-G-W-A.

24 MR. DOWNING: Adam Downing, A-D-A-M  
25 D-O-W-N-I-N-G.

26 SPENCER DEWAR, FELEXCE NGWA, Sworn

1 ADAM DOWNING, Affirmed

2 MS. MEADOWS: Thank you, Madam Chair.

3 Teresa Meadows, legal counsel for the Nunavut Impact  
4 Review Board.

5 Madam Chair, I have presentation materials in  
6 multiple languages that are the hard copies of these  
7 presentations provided by Crown-Indigenous Relations  
8 and Northern Affairs Canada followed by Transport  
9 Canada, and I propose to mark those as the next  
10 exhibits in this public hearing. And those are my  
11 procedural matters.

12 EXHIBIT 10 - Hard Copy PowerPoint  
13 Presentation, "Agnico Eagle Mines Limited's  
14 Meliadine Extension Project Proposal",  
15 Crown-Indigenous Relations and Northern  
16 Affairs Canada (English/Inuktitut)

17 EXHIBIT 11 - Hard Copy PowerPoint  
18 Presentation, "Agnico Eagle Mines Limited's  
19 Meliadine Extension Project Proposal",  
20 Crown-Indigenous Relations and Northern  
21 Affairs Canada (French)

22 EXHIBIT 12 - Hard Copy PowerPoint  
23 Presentation, "Agnico Eagle Mines Limited's  
24 Meliadine Extension Project Proposal",  
25 Crown-Indigenous Relations and Northern  
26 Affairs Canada (Dene Dialect 1)

1 EXHIBIT 13 - Hard Copy PowerPoint  
2 Presentation, "Agnico Eagle Mines Limited's  
3 Meliadine Extension Project Proposal",  
4 Crown-Indigenous Relations and Northern  
5 Affairs Canada (Dene Dialect 2)  
6 EXHIBIT 14 - Hard Copy PowerPoint  
7 Presentation, "Final Hearing Comments --  
8 Reconsideration of Agnico Eagle Mines  
9 Limited's "Meliadine Extension" Project  
10 Proposal" (English/Inuktitut)  
11 EXHIBIT 15 - Hard Copy PowerPoint  
12 Presentation, "Final Hearing Comments --  
13 Reconsideration of Agnico Eagle Mines  
14 Limited's "Meliadine Extension" Project  
15 Proposal" (French)  
16 EXHIBIT 16 - Hard Copy PowerPoint  
17 Presentation, "Final Hearing Comments --  
18 Reconsideration of Agnico Eagle Mines  
19 Limited's "Meliadine Extension" Project  
20 Proposal" (Dene Syllabics)  
21 EXHIBIT 17 - Hard Copy PowerPoint  
22 Presentation, "Final Hearing Comments --  
23 Reconsideration of Agnico Eagle Mines  
24 Limited's "Meliadine Extension" Project  
25 Proposal" (Dene Roman Orthography)  
26 Presentation by Crown-Indigenous Relations and Northern

1     Affairs Canada (Agnico Eagle Mines Limited's Meliadine  
2     Extension Project Proposal)

3     THE CHAIR:                     Crown-Indigenous Relations and  
4     Northern Affairs Canada, Spencer Dewar.

5     MR. DEWAR:                    Ujannamiik, Madam Chair.  
6     Spencer Dewar, Crown-Indigenous Relations and Northern  
7     Affairs Canada.

8             Living in Iqaluit, I was always told that Friday  
9     nights were pretty exciting in Rankin. I didn't quite  
10    know how exciting until now.

11            I'm the director of resource management with  
12    the Nunavut regional office of Crown-Indigenous  
13    Relations and Northern Affairs Canada.

14            Thank you, Chair, and Nunavut Impact Review Board  
15    members along with your team for giving us the  
16    opportunity to present on behalf of our department. I  
17    would also like to thank Agnico Eagle Mines Limited,  
18    the community representatives, fellow intervenors, and  
19    the Rankin Inlet community for welcoming us and  
20    participating with us in this assessment. Lastly, I  
21    want to thank the translators for providing  
22    simultaneous translation.

23            Joining me in Rankin Inlet today are the fellow  
24    members of our department: Felexce Ngwa, the manager  
25    of impact assessment; Amal Roy, senior environmental  
26    assessment specialist; Michael Staniewski,

1 environmental policy analyst; and Tony Brown, our  
2 consultant with Arcadis. Attending virtually is our  
3 legal counsel, Simone Tielesh and Joseph McHattie.

4 I will briefly outline Crown-Indigenous Relations  
5 and Northern Affairs Canada's role in the Nunavut  
6 Impact Review Board's assessment of the Meliadine  
7 extension project proposal. The Minister of Northern  
8 Affairs, along with other responsible ministers, will  
9 be making a decision on the project proposal based on  
10 recommendations from the Nunavut Impact Review Board.  
11 The other responsible ministers are the Ministers of  
12 Environment and Climate Change, Fisheries Oceans and  
13 the Canadian Coast Guard, Energy and Natural Resources  
14 and Transport.

15 As an intervenor during the assessment process,  
16 our department provides technical advice to the board  
17 on topics that fall within our mandate. If the  
18 Meliadine extension proposal is authorized to proceed,  
19 the department will have regulatory roles which will  
20 include continued participation in the Nunavut Water  
21 Board licencing process. Our department also conducts  
22 inspections to ensure compliance with terms and  
23 conditions of the NIRB project certificate and the  
24 water licences issued by the Nunavut Water Board. We  
25 also actively participate in the review of the  
26 proponent's annual reporting. I will speak to the last

1     bullet, the duty to consult, on the next page.

2             So this refers to the consultation and the Nunavut  
3     Impact Review Board process. The responsible ministers  
4     rely on the Board's assessment process to assist in  
5     fulfilling the Crown's duty to consult. The Nunavut  
6     agreement's comanagement regime gives the Board  
7     jurisdiction to assess projects in Nunavut and their  
8     potential impacts.

9             The Nunavut Impact Review Board's assessment  
10    process and proceedings are designed specifically to  
11    provide potentially affected indigenous groups with a  
12    meaningful opportunity to understand the project  
13    proposal and to express their views and concerns with  
14    respect to potential project-related impacts, including  
15    on their established or asserted Section 35 rights, and  
16    to consider ways such views and concerns can be  
17    addressed.

18            In order to support consultation, our department  
19    provides participant funding through the Nunavut -- or  
20    through the northern participant program funding for  
21    meaningful participation in the Board's assessment  
22    process. After the Nunavut Impact Review Board has  
23    issued its reports and recommendations, the Government  
24    of Canada will correspond with the designated Inuit  
25    organizations and other potentially affected indigenous  
26    groups.

1           In this assessment, it'll be the Kivalliq Inuit  
2   Association, Nunavut Tunngavik Incorporated, the Sayisi  
3   Dene federation and the Northlands Denesuline  
4   federation and the Athabasca Denesuline Ne Ne Land  
5   Corporation.

6           The purpose will be to seek their views on the  
7   report and any outstanding concerns that may still  
8   exist. This will provide an opportunity for the  
9   Government of Canada to confirm that the Nunavut Impact  
10   Review Board's report properly captures, balances, and  
11   addresses Inuit and other indigenous groups' views and  
12   concerns and help to determine whether the duty to  
13   consult has been met and if potential accommodations  
14   and mitigations of impacts to rights are sufficient  
15   before making a ministerial decision.

16          The Government of Canada urges all intervenors to  
17   share with the Nunavut Impact Review Board all the  
18   information and evidence including Inuit  
19   Qaujimajatuqangit and traditional knowledge that they  
20   consider important to the assessment of the Meliadine  
21   extension project proposal.

22          Based on our mandate, Crown-Indigenous Relations  
23   and Northern Affairs Canada provides technical advice  
24   on the following: environmental impact assessment  
25   methodology and best practices including cumulative  
26   effects assessment, surface water quality and quantity,

1 groundwater quality and quantity, marine water quality  
2 as affected by activities on the land, permafrost,  
3 vegetation, waste management, and Crown land  
4 contamination and degradation particularly as it's  
5 related to closure and reclamation planning.

6 Crown-Indigenous Relations and Northern Affairs  
7 Canada has participated in all phases of the assessment  
8 to date, including the scoping and information sessions  
9 in September 2022, review of the final environmental  
10 impact statement addendum and relevant documents as  
11 listed on the slide. We attended the first prehearing  
12 conference and community roundtable in November of 2022  
13 and the second prehearing conference in March of 2023,  
14 and we're here this weekend for the final public  
15 hearing.

16 Today we'll be talking about our technical  
17 comments submitted to the Nunavut Impact Review Board  
18 in October 2022 and as discussed at the technical  
19 meetings in November. Our department had a total of  
20 seven concerns, all of which are now resolved. Three  
21 of them have been resolved and require no additional  
22 follow-up, while the -- the remaining four are  
23 considered conditionally resolved for the assessment  
24 based on commitments made by Agnico Eagle.

25 We may have run out of batteries on the slideshow.  
26 Where do I hit next slide? Can someone hit next slide?

1 Here. Thank you.

2 So I'll speak to the resolved concerns. Technical  
3 Review Comment Number 5 resolves the total dissolved  
4 solid concentration in Collection Pond Number 1.  
5 Crown-Indigenous Relations and Northern Affairs Canada  
6 requested that Agnico Eagle present a detailed  
7 description of the factors that resulted in predicted  
8 total dissolved solid concentrations in Collection  
9 Pond 1 being reduced by more than 70 percent under the  
10 proposed Meliadine extension.

11 Agnico Eagle provided the requested information,  
12 and our department considers the issue resolved for the  
13 purposes of the current assessment. Next slide.

14 Technical Review Comment 6, post-closure arsenic  
15 loadings from Saline Pond B7 to Tiri Pit Lake.  
16 Crown-Indigenous Relations and Northern Affairs Canada  
17 requested that Agnico Eagle submit an updated water  
18 quality and water balance model and present a  
19 sensitivity analysis to confirm that the post-closure  
20 arsenic concentrations in the Tiri Pit Lake and other  
21 water bodies will not be substantially greater than  
22 predicted. Agnico Eagle provided the information that  
23 satisfactorily addressed these concerns. Next slide.  
24 Can we go back one slide. Sorry.

25 Okay. So Technical Review Comment Number 7,  
26 post-closure seepage quality from reclaimed areas.

1 Crown-Indigenous Relations and Northern Affairs Canada  
2 requested that Agnico Eagle develop a more conservative  
3 estimate of the potential contaminants coming from  
4 reclaimed areas of the site and to update the water  
5 quality models to provide evidence that the seepage  
6 from the reclaimed areas will return to pre-existing  
7 water quality at closure. Our department considers  
8 this issue to be sufficiently resolved for the purposes  
9 of the current assessment and will pursue the issue  
10 during the review -- the future versions of the interim  
11 closure and reclamation plan for the site. Next slide,  
12 please.

13 Technical Review Comment Number 1 is the Discovery  
14 waterline. Our department requested Agnico Eagle  
15 provide detailed information regarding the design,  
16 operation, and associated environmental impacts and  
17 mitigation measures of the Discovery waterline, and we  
18 recommended that any approval issued for the Meliadine  
19 extension include modifications to relevant Terms and  
20 Conditions Number 119, 124, 125, and 134 of NIRB -- or  
21 Nunavut Impact Review Board Project Certificate 6,  
22 Amendment Number 2, requiring that the Discovery  
23 waterline be designed, constructed, and operated in a  
24 fashion that implements the same environmental impact  
25 controls that are required for the approved waterline  
26 from Meliadine Mine to Itivia Harbour. Agnico Eagle's

1 commitment to the proposed term and conditions  
2 revisions resolve this concern. Next slide. Next  
3 slide.

4 Technical Review Comment Number 2, in-pit disposal  
5 of tailings and/or waste rock. The final environmental  
6 impact statement addendum provides limited information  
7 on the proposed disposition of tailings and/or waste  
8 rock in exhausted pits. This is being proposed by  
9 Agnico Eagle as an alternative.

10 Crown-Indigenous Relations and Northern Affairs  
11 Canada requires additional information and analysis  
12 before in-pit disposal at the Meliadine Mine is  
13 authorized to proceed. Our department proposes a new  
14 term and condition to be incorporated into the project  
15 certificate requiring Agnico Eagle to submit additional  
16 information and analysis to the Nunavut Water Board for  
17 review and approval before the in-pit disposal of  
18 tailings or waste rock can occur.

19 Our department considers this issue to be resolved  
20 for the purposes of the assessment as Agnico Eagle has  
21 agreed to the inclusion of the proposed term and  
22 condition in the Amended Project Certificate 6 that  
23 specifies the information must be provided to the  
24 Nunavut Impact Review Board -- or the Nunavut Water  
25 Board for review and approval. This will be in  
26 accordance with the processes set out in the terms and

1 conditions of the Type A water licence issued under the  
2 Nunavut Waters and Nunavut Surface Rights Tribunal Act.

3 Technical Review Comment 3, temporary storage of  
4 saline and surface contact water and pits. The  
5 Meliadine extension final environmental impact  
6 statement addendum indicates that exhausted pits may be  
7 used as an alternative for temporary saline and surface  
8 contact water storage.

9 Crown-Indigenous Relations and Northern Affairs  
10 Canada requested that Agnico Eagle provide operational  
11 details such as the quantity of water to be stored, the  
12 duration of storage, and the analysis of interaction to  
13 the stored water with the groundwater system. Our  
14 department considers this issue to be resolved  
15 conditionally as Agnico Eagle commits to submitting  
16 this information as evidence to the Nunavut Water  
17 Board's ongoing Meliadine extension water licence  
18 amendment process.

19 Technical Review Comment Number 4, minimizing  
20 discharge to Meliadine Lake. Crown-Indigenous  
21 Relations and Northern Affairs Canada requested that  
22 Agnico Eagle indicate what steps will be taken to  
23 minimize or eliminate discharges to Meliadine Lake.  
24 Agnico Eagle maintains that the proposed Meliadine Lake  
25 discharge volumes were assessed previously. Our  
26 department strongly encourages Agnico Eagle to take

1 action to address the Kivalliq Inuit Association's  
2 request to minimize or eliminate discharges to  
3 Meliadine Lake.

4 To conclude, Crown-Indigenous Relations and  
5 Northern Affairs Canada identified areas of concern,  
6 and Agnico Eagle provided required information or made  
7 commitments to address them. Agnico Eagle's responses  
8 and commitments have sufficiently addressed our  
9 department's concerns for the purpose of Nunavut Impact  
10 Review Board's assessment process.

11 In closing, our department appreciates the  
12 opportunity to participate in this assessment and looks  
13 forward to working with all parties moving forward.  
14 Qujannamiik. Mahsi Cho. Thank you. Merci.

15 Presentation by Transport Canada (Final Hearing  
16 Comments -- Reconsideration of Agnico Eagle Mines  
17 Limited's "Meliadine Extension" Project Proposal)

18 THE CHAIR: Transport Canada, Adam  
19 Downing.

20 MR. DOWNING: Thank you, Madam Chair.

21 Hello and good evening. My name is Adam Downing.  
22 I'm the regional senior environmental supervisor in  
23 Transport Canada's prairie and northern region. Thank  
24 you to the Board for giving us a chance to summarize  
25 our final comments on the reconsideration of Agnico  
26 Eagle's Meliadine extension project proposal. Next

1 slide.

2 Transport Canada is -- is a responsible minister  
3 for the original Meliadine project as well as the 2019  
4 saline effluent discharge project. We enforce a number  
5 of transportation laws and rules for these projects,  
6 including the Canada Shipping Act, 2001, the Canadian  
7 Navigable Waters Act, and the Canadian Aviation  
8 Regulations. When it comes to this proposal, our role  
9 is to make sure that the extension follows the Canadian  
10 Navigable Waters Act and the Canadian Aviation  
11 Regulations.

12 Our regulations focus on keeping aircraft safe  
13 from structures that are above a certain height, like  
14 the wind farm. We also make sure the public can still  
15 use the bodies of water impacted by the project.

16 After reviewing Agnico Eagle Mine's final  
17 environmental impact statement addendum for this  
18 project proposal, we asked them to assess how work  
19 would impact the stream between Lakes D5 and D6. An  
20 access road would also cross this stream.

21 Agnico Eagle Mines used our project review tool to  
22 help them determine how navigation would be impacted on  
23 this waterway. They also found that since the stream  
24 is 268 metres long and has a maximum depth of  
25 .09 metres along with a maximum width of 25 metres, the  
26 stream isn't considered a navigable waterway under

1 Canadian law. We accept this assessment and agree the  
2 Canadian Navigable Waters Act doesn't apply for this  
3 crossing because boats can't use the stream.

4 In our second comment, we asked Agnico Eagle Mines  
5 to get a governor in council exemption before any  
6 dewatering or infilling bodies of water. Normally both  
7 dewatering and infilling bodies of water used by boats  
8 is banned by Canadian law. But if Agnico Eagle Mines  
9 is granted an exemption, it means that they have  
10 special permission to ignore this ban. This means that  
11 they will be able to dewater or infill bodies of water.

12 So getting an exemption isn't easy and takes some  
13 time. First, Agnico Eagle Mines would have to apply  
14 for the exemption. Then Transport Canada will  
15 determine if the water body can be used by boats. This  
16 process would involve deciding if the water -- if the  
17 body of water is big enough for the boats to use and  
18 whether the public has wanted to use boats on the body  
19 of water in the past, now, or in the future.

20 Once Transport Canada confirms that the body of  
21 water can be used by boats, then we complete a  
22 regulatory impact analysis statement which will help  
23 the governor in council make their decision. This  
24 report will take some time, between 1 and 1-and-a-half  
25 years, to prepare and will be based on information in  
26 Agnico Eagle Mines' application.

1           In our third comment, we asked Agnico Eagle Mines  
2   to send us an aeronautical assessment form so we could  
3   review it before the wind farm is built. If the wind  
4   farm is built at the mine site, an aeronautical  
5   assessment form would be required. If it is built in  
6   the Subblu area or anywhere near the airport, Transport  
7   Canada also recommends that a glare analysis be  
8   conducted. We recommended adopting any ways to reduce  
9   the risk to aircraft that may be included within the  
10  glare analysis.

11           That concludes our presentation. We appreciate  
12  the chance to take part in this process and look  
13  forward to continuing to participate. Thank you.

14  THE CHAIR:                   Thank you for your  
15  presentations. I believe we're going into more  
16  Government of Canada presentations.

17           NIRB legal counsel.  
18  Procedural Matters by Nunavut Impact Review Board Legal  
19  Counsel

20  MS. MEADOWS:                Thank you, Madam Chair.

21           I believe next on the list are Environment and  
22  Climate Change Canada.

23           You want to -- if I can have the witnesses state  
24  and spell their name for the record, please.

25  MS. SHORE:                   Victoria Shore,

26  V-I-C-T-O-R-I-A S-H-O-R-E.

1 VICTORIA SHORE, Affirmed

2 MS. MEADOWS: Madam Chair. Teresa Meadows,  
3 legal counsel for the Nunavut Impact Review Board.

4 Madam Chair, I will be marking the presentation  
5 materials from Environment and Climate Change Canada in  
6 hard copy in several languages as the next exhibits in  
7 this public hearing. And those are my procedural  
8 matters.

9 EXHIBIT 18 - Hard Copy PowerPoint  
10 Presentation, "Agnico Eagle Mines Ltd.  
11 Meliadine Extension Public Hearing  
12 Presentation" (English/Inuktitut)

13 EXHIBIT 19 - Hard Copy PowerPoint  
14 Presentation, "Agnico Eagle Mines Ltd.  
15 Meliadine Extension Public Hearing  
16 Presentation" (French)

17 EXHIBIT 20 - Hard Copy PowerPoint  
18 Presentation, "Agnico Eagle Mines Ltd.  
19 Meliadine Extension Public Hearing  
20 Presentation" (Dene)

21 Presentation by Environment and Climate Change Canada  
22 (Agnico Eagle Mines Ltd. Meliadine Extension Public  
23 Hearing Presentation)

24 THE CHAIR: Environment and Climate Change  
25 Canada, Victoria Shore.

26 MS. SHORE: Victoria Shore, Environment

1 and Climate Change Canada.

2 Good evening, Madam Chair, board members, Elders,  
3 community members, board staff, Agnico Eagle, and  
4 fellow intervenors.

5 As I just mentioned, my name is Victoria Shore,  
6 and I'm a senior environmental assessment officer with  
7 Environment and Climate Change Canada. Also online is  
8 Sarah Forte, water quality analyst, and  
9 Stephanie Mallon, environmental assessment officer.  
10 Today I will be presenting on the department's final  
11 written submission.

12 THE CHAIR: NIRB legal counsel.

13 MS. MEADOWS: My apologies, Madam Chair.

14 My apologies, Ms. Shore. Are you going to have  
15 Ms. Forte provide evidence or answers to questions?

16 MS. SHORE: It is possible she may answer  
17 questions depending on their nature if they get more  
18 technical, but for the most part it will be me. So I  
19 think we can affirm her if and when that happens.

20 MS. MEADOWS: Thank you. Thank you, Madam  
21 Chair. Teresa Meadows, legal counsel for the Nunavut  
22 Impact Review Board.

23 Flag for me whenever you need to -- to have  
24 additional members of your team sworn in. Thank you.

25 MS. SHORE: As I was saying, today I will  
26 be presenting on the department's final written

1 submission in regards to Agnico Eagle's Meliadine  
2 extension project.

3 To start off, I will go through Environment and  
4 Climate Change Canada's mandate, briefly touch upon the  
5 relevant acts and legislation, our involvement in  
6 environmental assessments, and then go through the  
7 recommendations and resolutions outlined in the  
8 department's final written submission to the Nunavut  
9 Impact Review Board.

10 I will also note here that some of our slides were  
11 not made bilingual to ensure that they maintained  
12 readability. In these cases, I will switch slides  
13 about halfway through to ensure that both languages are  
14 displayed.

15 Environment and Climate Change Canada's mandate  
16 includes preservation and enhancement of the quality of  
17 the natural environment, including water, air, and soil  
18 quality, and the coordination of the relevant policies  
19 and programs of the Government of Canada. It also  
20 includes renewable resources such as migratory birds  
21 and other non-domestic flora and fauna, meteorology,  
22 and the enforcement of rules and regulations.

23 Environment and Climate Change Canada's mandate is  
24 governed by the Department of the Environment Act, the  
25 Canadian Environmental Protection Act, the pollution  
26 prevention provisions of the Fisheries Act, the

1 Migratory Birds Convention Act, and the Species At Risk  
2 Act.

3 Environment and Climate Change Canada's scientific  
4 specialists participate in both Nunavut Impact Review  
5 Board and Nunavut Water Board processes. We provide  
6 scientific advice, recommendations, and information  
7 based on our mandate. We also ensure that relevant  
8 regulations and Acts are being followed. Environment  
9 and Climate Change Canada's enforcement inspectors make  
10 regular visits to Meliadine to confirm relevant Acts  
11 and regulations are being followed.

12 Environment and Climate Change Canada submitted  
13 16 technical review comments throughout the current  
14 process, which are all considered resolved.  
15 Environment and Climate Change Canada's technical  
16 review comments were related to air quality, climate  
17 change, water quality, and wildlife. Technical review  
18 comments that were unresolved after the technical  
19 meeting and were also not related to the airstrip will  
20 be discussed in more details in the following slides.  
21 A table briefly outlining all of Environment and  
22 Climate Change Canada's technical review comments is  
23 included at the end of this presentation as an annex  
24 but will not be discussed in detail.

25 Environment and Climate Change Canada recommended  
26 that Agnico Eagle follow the guidance in the strategic

1 assessment of climate change and its draft technical  
2 guide to provide a better understanding of the  
3 project's greenhouse gas emissions and its impact on  
4 climate change. Agnico Eagle provided additional  
5 details around estimated greenhouse gas emissions,  
6 mitigation measures, their net zero plan, and carbon  
7 sinks in January and February. Environment and Climate  
8 Change Canada reviewed the additional information and  
9 provided additional recommendations in Technical  
10 Comments 14, 15, and 16.

11 In response to Technical Comment 5 discussed on  
12 the previous slide, Agnico Eagle provided an estimate  
13 of greenhouse gas emissions in February. But this  
14 estimate did not include emissions related to land use  
15 change. Environment and Climate Change Canada  
16 recommended Agnico Eagle provide an estimate of land  
17 use change emissions to be included in the project's  
18 direct emissions during the construction phase. Agnico  
19 Eagle provided a revised emissions estimate in June  
20 which sufficiently incorporated land-use-change  
21 emissions.

22 Also in response to Technical Comment 5, Agnico  
23 Eagle provided a memo incorporating the guidance for  
24 mitigation principles in the strategic assessment on  
25 climate change in February. In this memo, the  
26 project's greenhouse gas intensity was claimed to be

1 50 percent lower than the world average without  
2 supporting details. Environment and Climate Change  
3 Canada recommended that Agnico Eagle explain this  
4 statement.

5 In response to Environment and Climate Change  
6 Canada's recommendation, Agnico Eagle shared a study  
7 that provided the global average greenhouse gas  
8 intensity for gold mining and clarified the greenhouse  
9 gas intensity of the current Meliadine operations and  
10 not the proposed extension is half the global average.

11 Agnico Eagle also noted that the proposed  
12 extension will have an important influence on reducing  
13 the carbon footprint of mine operations given the best  
14 available technologies and best environmental practices  
15 being proposed.

16 Agnico Eagle provided an assessment of the  
17 project's impact on carbon sinks in January. In  
18 section 3.3 of the assessment, two different values  
19 were included as the total carbon sink impact.  
20 Environment and Climate Change Canada recommended that  
21 Agnico Eagle correct or explain the difference in  
22 estimates. Agnico Eagle confirmed that there was a  
23 typo in the original document and provided a revised  
24 version.

25 Environment and Climate Change Canada recommended  
26 that a full assessment of the proposed in-pit disposal

1 be done. Agnico Eagle provided an in-pit deposition  
2 assessment and held a workshop with interested parties  
3 to further discuss the assessment in February. At the  
4 workshop, Agnico Eagle clarified that in addition to  
5 the assessment provided, future studies specific to the  
6 mine plan would be submitted for review through the  
7 water licence process before any in-pit deposition of  
8 tailings or waste rock. Environment and Climate Change  
9 Canada agrees that the remaining concerns can be  
10 mitigated by proposed measures which can be addressed  
11 through the water licence process.

12 Environment and Climate Change Canada also  
13 recommended that additional water -- groundwater  
14 monitoring be done to support assessing impacts  
15 associated with in-pit disposal of mine wastes. Agnico  
16 Eagle provided an in-pit deposition assessment  
17 including discussion of groundwater and held a workshop  
18 with interested parties to further discuss the  
19 assessment. As previously mentioned, future studies  
20 will be submitted for review through the water licence  
21 process before any in-pit deposition of tailings or  
22 waste rock, and this will include a pit-specific study  
23 of interactions between stored water and groundwater.

24 Environment and Climate Change Canada, again,  
25 agrees that the remaining concerns can be mitigated by  
26 proposed measures which can be addressed through the

1 water licence process. The final closure confirmation  
2 of Lake B7 or Saline Pond B7 did not appear to block  
3 access by aquatic life. Environment and Climate Change  
4 Canada requested clarification around the configuration  
5 of B7, its expected water quality, and mitigation  
6 measures. Agnico Eagle indicated that they will  
7 monitor water quality predictions at Saline Pond B7  
8 during operations and closure until water quality meets  
9 discharge criteria. Agnico Eagle will also assess  
10 different closure and mitigation measures for Saline  
11 Pond B7 as part of the final closure and reclamation  
12 plan based on monitoring data. These options may  
13 include barriers to prevent fish access. Environment  
14 and Climate Change Canada was satisfied with this  
15 clarification.

16 This concludes my presentation. Once again, thank  
17 you to everyone for your attention, and thank you to  
18 the Nunavut Impact Review Board for the opportunity to  
19 contribute.

20 THE CHAIR: Thank you for your  
21 presentation. Next on the list we have Fisheries and  
22 Oceans Canada.

23 NIRB legal counsel.  
24 Procedural Matters by Nunavut Impact Review Board Legal  
25 Counsel

26 MS. MEADOWS: Thank you, Madam Chair.

1 Teresa Meadows, legal counsel for the Nunavut Impact  
2 Review Board.

3 So, Madam Chair, if I can get the witnesses to  
4 state and spell your name for the record, please.

5 MR. AUDET-LECOUFFE: Jose Audet-Lecouffe, J-O-S-E  
6 A-U-D-E-T L-E-C-O-U-F-F-E.

7 MR. HARPER: Paul Harper, P-A-U-L  
8 H-A-R-P-E-R.

9 PAUL HARPER, JOSE AUDET-LECOUFFE, Affirmed

10 MS. MEADOWS: Thank you, Madam Chair.

11 Teresa Meadows, legal counsel for the Nunavut Impact  
12 Review Board.

13 Madam Chair, I have presentation -- hard copy  
14 presentation materials in multiple languages that I  
15 propose to file as the next exhibits in this public  
16 hearing.

17 EXHIBIT 21 - Hard Copy PowerPoint  
18 Presentation, "Meliadine Mine Extension  
19 Project Reconsideration" (English/Inuktitut)

20 EXHIBIT 22 - Hard Copy PowerPoint  
21 Presentation, "Meliadine Mine Extension  
22 Project Reconsideration" (English/French)

23 EXHIBIT 23 - Hard Copy PowerPoint  
24 Presentation, "Meliadine Mine Extension  
25 Project Reconsideration" (English/Sayisi  
26 Syllabics)

1           EXHIBIT 24 - Hard Copy PowerPoint  
2           Presentation, "Meliadine Mine Extension  
3           Project Reconsideration" (Dene Roman  
4           Orthography)

5       MS. MEADOWS:                   And with that, I conclude my  
6       procedural matters.

7       Presentation by Fisheries and Oceans Canada (Meliadine  
8       Mine Extension Project Reconsideration)

9       THE CHAIR:                   Fisheries and Oceans Canada,  
10      Jose Audet-Lecouffe.

11      MR. AUDET-LECOUFFE:        Thank you, Madam Chair. Jose  
12      Audet-Lecouffe, Fisheries and Oceans Canada.

13           So, good evening, everyone around this table.  
14      Thank you for being here. My name is  
15      Jose Audet-Lecouffe, and I am accompanied by  
16      Paul Harper, and we are the lead biologists from the  
17      fish and fish habitat protection program with Fisheries  
18      and Oceans, and we are also here to remind you that  
19      there's not just caribous there but fish also.

20           As -- as guided by the Fisheries Act applicable  
21      policies, regulations, and other legislation, Fisheries  
22      and Oceans applies a risk management approach to  
23      prevent and mitigate impacts on all fish and fish  
24      habitat, and that includes marine mammals from human  
25      activity.

26           With our review of this project, we have

1 13 technical comments. Those comments relate to the  
2 scope of this reconsideration, the changes to the  
3 project since 2014, missing baseline information on  
4 fish habitat, also missing information on downstream  
5 impacts, road crossing design, fish and fish habitat  
6 annual reporting, aquatic invasive species, and  
7 underwater noise from shipping activities.

8 Technical Comment Number 1 relates to the scope of  
9 this reconsideration. This project was not reviewed  
10 under the new Fisheries Act, which provides stronger  
11 protection for all fish and fish habitat. Fisheries  
12 and Oceans recommended a broader scope be applied to  
13 this process to include all components that have not  
14 yet been constructed. Fisheries and Oceans has worked  
15 closely with the proponent, and the information  
16 requested was provided. With this information, we  
17 consider this comment resolved.

18 Technical Comment Number 2 relates to baseline  
19 assessment. Information on fish community and fish  
20 habitat was missing from the original impact statement.  
21 This included information on channel between the water  
22 bodies, overwintering habitat for fish, and seasonally  
23 flooded habitat. Agnico provided more information on  
24 fish communities, have -- they have reviewed their  
25 baseline information and committed to collect the  
26 information needed, and we consider this technical

1 comment resolved for -- for the purpose of this  
2 reconsideration.

3       Technical Comment Number 3 relates to hydrology.  
4 The operations at the mine to date and -- and the  
5 proposed work changed the direction and volume of flows  
6 on the site. Although many of those changes may appear  
7 small, altogether they can have an impact on fish and  
8 fish habitat, especially when changes to seasonal  
9 habitat result in limits to migration, fish stranding,  
10 or limits to the use of that habitat.

11       After more information was provided, Fisheries and  
12 Oceans has determined that changes to water level and  
13 flow will remain local and low risk to char migration  
14 up and down the Diane River and Meliadine River. We  
15 consider this comment resolved for the purpose of this  
16 reconsideration.

17       Technical Comment 4, 5, 6, 7, and 8 all relate to  
18 fish habitat. The proposed change to Watersheds A, B,  
19 J, I, CH, W, and X lead to impact on water quantity.  
20 This contributes to change the water levels at the  
21 outlet of those watersheds, changes to the discharge,  
22 including timing and duration of flows, and result in  
23 changes to incoming and out-migration of fish. We  
24 expect those impact to be local, and with the  
25 successful application of mitigation measures to  
26 maintain flow, we have determined it's low risk.

1 Mitigation measures should especially be implemented  
2 for Watershed A and B. We will work with the  
3 proponents during the water licence amendment, but for  
4 now we consider this technical comment resolved.

5 Technical Comment Number 9 relates to borrow pits.  
6 Information was missing on potential effects of borrow  
7 pits on water balances and impacts to fish and fish  
8 habitat. Then more information was provided, and we  
9 consider this technical comment resolved.

10 Technical Comment Number 10 relates to road  
11 location and construction. Although more information  
12 on fish communities impacted by the roads is required,  
13 Fisheries and Oceans will work with the proponent  
14 during the water licence amendment and the Fisheries  
15 Act regulatory process to ensure that the road will  
16 have minimal impact on fish and fish movement. With  
17 this, we consider this technical comment resolved.

18 Now, Technical Comment Number 11 relate to fish  
19 and fish habitat annual reporting. The Meliadine  
20 project does not include a document specific to fish  
21 and fish habitat, and we recommend adding the following  
22 to the annual reporting: report on death of fish,  
23 report on harmful alteration, disruption, and  
24 destruction of fish habitat, report on fish passage  
25 issues, fish-out activities, the measures implemented,  
26 and offsetting activities.

1           Technical Comment Number 12 relates to aquatic  
2   invasive species monitoring. The current monitoring  
3   plans do not include a monitoring program for aquatic  
4   invasive species, although evidence show that a risk of  
5   introduction of aquatic invasive species like barnacles  
6   or algae that stick on hull of shipping vessel exists.  
7   The risk exists even if vessels stay in Canadian  
8   waters. We understand that Agnico Eagle has mitigation  
9   measures in place, but we do not know if those measures  
10   have been effective. Fisheries and Oceans recommend  
11   that Agnico include an aquatic invasive species  
12   monitoring program around zones of higher risk and this  
13   be added to the shipping management plan.

14           Technical Comment Number 13 relates to underwater  
15   noise from shipping. Underwater noise from shipping  
16   can impact marine mammals by reducing their ability to  
17   travel, communicate, and find food. Although Agnico  
18   shipping operation has implemented measures to avoid  
19   certain areas, marine mammals migrate long distances,  
20   and their distribution is broad, and we have currently  
21   no information on noise generated by shipping vessels  
22   used by Agnico. Fisheries and Oceans recommend that  
23   Agnico monitor and model their noise footprint from  
24   shipping activities, and this should be added to the  
25   shipping management plan.

26           In conclusion, Fisheries and Oceans considers that

1 most information was provided for the purpose of this  
2 reconsideration. We will continue to work with the  
3 proponent through the water licence and Fisheries Act  
4 regulatory process to collect more information as  
5 needed; however, Fisheries and Oceans has identified  
6 measures that should be implemented by Agnico, measures  
7 to avoid impacts to fish habitat by maintaining  
8 suitable water level in Watershed A and B. Watershed A  
9 is a known spawning habitat for grayling, and  
10 Watershed B is likely to constitute arctic char  
11 habitat.

12 Also, Fisheries and Oceans considers that the  
13 current designs for water crossings are likely to  
14 create a barrier to fish habitat -- fish passage. And  
15 we will work with the proponent to ensure fish passage  
16 is maintained on all -- all new roads.

17 Finally, Fisheries and Oceans recommends adding or  
18 varying terms and conditions to include monitoring for  
19 aquatic invasive species and underwater noise from  
20 shipping as well as adding fish and fish habitat  
21 monitoring and reporting provisions. Those impacts  
22 from shipping were not identified in 2014. Fisheries  
23 and Oceans believes these concerns should be discussed  
24 with you around this table as your community might be  
25 impacted. We want to provide an opportunity for  
26 everyone to ask questions and discuss. We believe that

1 these issues need to be part of this reconsideration  
2 included in the terms and conditions as they are for  
3 other mining operations. Thank you. Matna. Mahsi  
4 Cho. Merci.

5 THE CHAIR: Thank you for your  
6 presentation. Before we move on to the next  
7 presentation, we're going to take a 15-minute break.

8 (ADJOURNMENT)

9 THE CHAIR: Welcome back, everyone.  
10 Continuing with presentations from the Government of  
11 Canada. Next we have Health Canada. NIRB legal  
12 counsel.  
13 Procedural Matters By Nunavut Impact Review Board Legal  
14 Counsel

15 MS. MEADOWS: Thank you, Madam Chair.  
16 Teresa Meadows, legal counsel for the Nunavut Impact  
17 Review Board.

18 So if I can get the witnesses to state and spell  
19 your name for the record, please.

20 MS. ANDERSON: Julie Anderson, J-U-L-I-E  
21 A-N-D-E-R-S-O-N.

22 MR. KAUSHANSKY: Joel Kaushansky, J-O-E-L  
23 K-A-U-S-H-A-N-S-K-Y.

24 MS. WILSON: Wendy Wilson, W-E-N-D-Y  
25 W-I-L-S-O-N.

26 MS. MEADOWS: Thank you.

1 JULIE ANDERSON, JOEL KAUSHANSKY, AND WENDY WILSON,  
2 Affirmed

3 MS. MEADOWS: Thank you.

4 Teresa Meadows, legal counsel for the Nunavut  
5 Impact Review Board.

6 Madam Chair, I have presentation materials from  
7 Health Canada in multiple languages, and I will be  
8 filing those as the next exhibits in this public  
9 hearing, and, Madam Chair, those are my procedural  
10 matters.

11 EXHIBIT 25 - Hard Copy PowerPoint  
12 Presentation, "Meliadine Mine Extension  
13 Project Health Canada's Final Hearing  
14 Presentation" (English/Inuktitut)

15 EXHIBIT 26 - Hard Copy PowerPoint  
16 Presentation, "Meliadine Mine Extension  
17 Project Health Canada's Final Hearing  
18 Presentation" (English/French)

19 EXHIBIT 27 - Hard Copy PowerPoint  
20 Presentation, "Meliadine Mine Extension  
21 Project Health Canada's Final Hearing  
22 Presentation" (English/Dene)

23 THE CHAIR: Health Canada, Julie Anderson.  
24 Presentation by Health Canada (Meliadine Mine Extension  
25 Project Health Canada's Final Hearing Presentation)

26 MS. ANDERSON: Thank you, Madam Chair. Julie

1 Anderson, Health Canada.

2 Good evening, everyone, Madam Chair, members of  
3 the Board, Elders, and all other final hearing  
4 participants.

5 On behalf of Health Canada, thank you for the  
6 opportunity to take part in this hearing. My name is  
7 Julie Anderson, and I'm an impact health specialist for  
8 Health Canada. I will be presenting information on  
9 Health Canada's review of the Meliadine Mine extension  
10 project.

11 I am joined today by two Health Canada colleagues:  
12 Joel Kaushansky, impact assessment specialist, and  
13 Wendy Wilson, senior environmental health advisor.

14 In this presentation, I will provide a summary of  
15 Health Canada's mandate in the environmental assessment  
16 process, a brief description of the scope and  
17 limitations of our review, and, finally, the  
18 recommendations that Health Canada shared with the  
19 Nunavut Impact Review Board in our final written  
20 submission.

21 Health Canada is responsible for helping people in  
22 Canada maintain and improve their health. During  
23 environmental assessments, Health Canada provides  
24 information and knowledge to the Nunavut Impact Review  
25 Board about the potential impacts of a project on human  
26 health and also makes recommendations to reduce

1     uncertainty in the assessment.

2             In general, Health Canada provides comments on  
3     whether the conclusions about potential human health  
4     effects are accurate, scientifically valid and  
5     complete, and whether the proposed mitigation and  
6     monitoring programs to reduce potential risks to human  
7     health are appropriate.

8             Health Canada reviewed sections of the 2022  
9     addendum to the final environmental impact statement  
10    relevant to our mandate as well as the proponent's  
11    responses to Health Canada's comments and questions  
12    submitted during the review process.

13            Health Canada considered potential risks to human  
14    health in the following areas: air quality, noise,  
15    water quality, human health risk assessment, and  
16    country foods.

17            In its assessment of the project, Health Canada  
18    considered comments from the Government of Nunavut,  
19    community members, and other intervenors to inform the  
20    department's review. More details are provided in our  
21    final written submission and summarized in the  
22    following slides.

23            Health Canada's review of this project was limited  
24    by the following factors: First, Health Canada does  
25    not review or confirm modelling, and we assume that the  
26    modelling results are correct.

1           Second, Health Canada is not a decision-maker or  
2 regulator of this project. The department does not  
3 issue any licences, permits, or authorizations for this  
4 project.

5           Finally, Health Canada does not offer comments on  
6 occupational health or on the socioeconomic impacts of  
7 this project.

8           Health Canada submitted both questions and  
9 comments to the proponent. In general, Health Canada  
10 wanted to understand how existing mine operations were  
11 accounted for in the assessment and how monitoring data  
12 had been used to validate the conclusions of the  
13 original environmental impact statement upon which the  
14 2022 addendum relied.

15           Additional rationale and information were also  
16 requested to support Health Canada's understanding of  
17 the methods and data used to assess potential human  
18 health risks of the project. Through information  
19 requests, comment responses, and commitments made by  
20 the proponent, Health Canada received additional  
21 rationale for the assumptions and calculations made in  
22 the human health risk assessment, additional details  
23 regarding future monitoring plans, and confirmation  
24 that noise monitoring and complaint resolution protocol  
25 would remain in place.

26           It is important to note that Health Canada's

1 comments regarding the assessment of potential impacts  
2 of the airstrip were not considered further after the  
3 proponent removed the airstrip from the project scope  
4 in December 2022.

5 In the following slides, Health Canada will  
6 present its recommendations that were provided to the  
7 Nunavut Impact Review Board. For more information,  
8 please refer to Health Canada's final written  
9 submission, which is available on the Board's registry.

10 First, I will speak to Health Canada's  
11 recommendations with respect to air quality.

12 Exposure to air pollution can result in human  
13 health impacts at any level of exposure. Poor air  
14 quality has been linked to heart and lung problems,  
15 hospitalizations, and even premature death. A  
16 qualitative discussion of existing air quality was used  
17 to support conclusions of the project air quality  
18 assessment. This evidence was determined to be  
19 insufficient for Health Canada to complete its  
20 assessment, and we requested summarized and tabulated  
21 air quality data from 2014 to the present.

22 Health Canada compared air contaminant levels  
23 before the project extension to predicted future air  
24 quality conditions that would exist with the project  
25 extension and examined how human health may be  
26 affected.

1           Both the proponent and Health Canada noted that  
2           missing data for certain air contaminants limited the  
3           ability to identify trends over time or make  
4           comparisons to the 2014 environmental impact statement  
5           air quality predictions.

6           Based on its review, Health Canada recommends to  
7           the Nunavut Impact Review Board that the proponent  
8           continue to monitor air quality contaminants including,  
9           but not limited to, fine particulate matter, sulfur  
10          dioxide, nitrogen dioxide, cadmium, and iron for all  
11          phases of the project; continue to implement all  
12          economically and technically feasible mitigation  
13          measures to limit the emissions of non-threshold  
14          contaminants, meaning those contaminants for which  
15          health effects can occur at any level of exposure; and  
16          compare measured air quality contaminants to their  
17          respective Canadian ambient air quality standards in  
18          effect at the time of monitoring; and develop  
19          strategies to avoid data loss or missing samples in  
20          future air quality monitoring reports.

21          For reference, the Canadian ambient air quality  
22          standards are health and environment-based air quality  
23          guidelines that can be used by federal, provincial, and  
24          territorial governments to continually improve outdoor  
25          air quality.

26          Health Canada acknowledges Agnico Eagle's response

1 to its final written submission and considers these  
2 recommendations have been addressed with the continued  
3 monitoring and annual reporting of air quality  
4 contaminants per the air quality monitoring plan.

5 I will now speak to Health Canada's  
6 recommendations with respect to noise.

7 Noise can cause potential human health effects,  
8 for example, negatively impacting an ability -- an  
9 individual's ability to sleep, concentrate,  
10 communicate, and enjoy peace and quiet.

11 As part of this environmental assessment, Health  
12 Canada reviewed the noise assessment for scientific  
13 validity and potential risk to human health from  
14 project-related changes in environmental noise. It was  
15 noted that noise levels predicted at several locations  
16 were approaching levels that could potentially impact  
17 sensitive humans.

18 Based on its review, Health Canada recommends to  
19 the Nunavut Impact Review Board that the proponent  
20 continue to monitor noise levels over the course of the  
21 mine life as described in the Commitment 30 technical  
22 memorandum and maintain its public complaint mechanism  
23 along with additional monitoring and/or mitigation  
24 activities in the event of public complaints.

25 Health Canada acknowledges Agnico Eagle's response  
26 to the final written submission and considers these

1 recommendations have been addressed with their  
2 commitment to continue to adhere to the noise abatement  
3 and monitoring plan.

4 Finally, I will now speak to Health Canada's  
5 recommendations put forward with respect to the human  
6 health risk assessment, water quality, and country  
7 foods.

8 A human health risk assessment is a tool used to  
9 predict potential risks to human health from changes to  
10 the environment as a result of project activities. For  
11 this project assessment, Health Canada reviewed the  
12 human health risk assessment and other documents  
13 provided by the proponent for scientific validity and  
14 potential risk to human health. Health Canada also  
15 considered comments by other groups.

16 The department compared current exposure to  
17 contaminants in country foods, water, soil, and air  
18 before the project extension to predicted future  
19 exposure with the project extension and examined how  
20 human health may be affected. Health Canada also  
21 requested additional information on how the human  
22 health risk assessment was completed and its  
23 conclusions.

24 Arsenic is a naturally occurring element in soil  
25 and minerals. It can be transported from the soil into  
26 air and water and onto vegetation through wind-blown

1 dust. Health Canada identified uncertainty related to  
2 the assessment of potential exposure to arsenic in  
3 soil, water, and country foods as soil monitoring data  
4 from 2017 and 2019 were not used as part of the risk  
5 assessment.

6 To help resolve its questions, Health Canada met  
7 with the proponent and the Government of Nunavut and  
8 received additional technical information from the  
9 proponent.

10 To address the remaining uncertainty regarding  
11 arsenic within the human health risk assessment, Health  
12 Canada recommends to the Nunavut Impact Review Board  
13 that they consider requiring the proponent to continue  
14 to monitor arsenic in soils and other relevant  
15 environmental media, such as surface water, during all  
16 project phases and provide details on how the results  
17 of the monitoring program will inform adaptive  
18 management measures in all phases of the project.

19 If concentrations of arsenic are shown to be  
20 increasing over time, update the human health risk  
21 assessment with the most recent arsenic-monitoring  
22 data, extend the monitoring program to include relevant  
23 country foods harvested by potentially affected  
24 communities, and implement any necessary additional  
25 mitigation or adaptive management activities.

26 Health Canada acknowledges Agnico Eagle's response

1 to its final written submission and considers these  
2 recommendations to have been addressed with their  
3 commitment to evaluate the results from the monitoring  
4 programs following the evaluation criteria identified  
5 in the individual plans.

6 If triggers are reached, they will consider  
7 updating the human health risk assessment used in the  
8 Meliadine extension, extending the monitoring program,  
9 and evaluating alternative mitigation.

10 This concludes Health Canada's presentation.  
11 Thank you for your time.

12 THE CHAIR: Thank you for your  
13 presentation.

14 Next on the list we have Natural Resources Canada.  
15 NIRB legal counsel.

16 Procedural Matters By Nunavut Impact Review Board Legal  
17 Counsel

18 MS. MEADOWS: Thank you, Madam Chair.  
19 Teresa Meadows, legal counsel for the Nunavut Impact  
20 Review Board.

21 If I can have the witness state and spell your  
22 name for the record, please.

23 MR. UNGER: My name is Peter Unger.  
24 That's P-E-T-E-R U-N-G-E-R.

25 MS. MEADOWS: Thank you, Mr. Unger.

26 PETER UNGER, Affirmed

1 MS. MEADOWS: Thank you, Madam Chair.

2 Teresa Meadows, legal counsel for the Nunavut Impact  
3 Review Board.

4 Madam Chair, I have a hard copy of the  
5 presentation materials to be presented by Natural  
6 Resources Canada in English and Inuktitut, and I will  
7 file this hard copy as the next exhibit in this public  
8 hearing, and those are my procedural matters.

9 EXHIBIT 28 - Hard Copy PowerPoint  
10 Presentation "For the Reconsideration Process  
11 of Agnico Eagle Mines Limited's "Meliadine  
12 Extension" Project Proposal"  
13 (English/Inuktitut).

14 EXHIBIT 29 - Hard Copy PowerPoint  
15 Presentation "For the Reconsideration Process  
16 of Agnico Eagle Mines Limited's "Meliadine  
17 Extension" Project Proposal" (English/Dene)

18 THE CHAIR: Natural Resources Canada,  
19 Peter Unger.

20 Presentation by Natural Resources Canada (For the  
21 Reconsideration Process of Agnico Eagle Mines Limited's  
22 "Meliadine Extension" Project Proposal)

23 MR. UNGER: Hello, everyone. My name is  
24 Peter Unger. I'm with the impact assessment division  
25 at Natural Resources Canada. This is an outline of my  
26 presentation today. Oh, there's just a little lag. I

1 will discuss our department's mandate, our scope of  
2 review, the relevant Acts, our technical review  
3 comments, and our recommendations for the NIRB and  
4 Agnico Eagle.

5 Natural Resources Canada is committed to improving  
6 the quality of life of Canadians by ensuring the  
7 country's abundant natural resources are developed  
8 sustainably, competitively, and inclusively.

9 Natural Resources Canada is a western  
10 science-based department with half of its employees  
11 being scientists, engineers, or technicians.

12 Natural Resources Canada administers the  
13 application of the Explosives Act. This is what makes  
14 us a regulatory authority under the Nunavut Project  
15 Planning and Assessment Act. Explosives licencing by  
16 Natural Resources Canada is limited to the storage or  
17 manufacture of explosives. Natural Resources Canada  
18 does not monitor or authorize their use.

19 Natural Resources Canada's review focused on  
20 groundwater quantity and flows, permafrost, and mine  
21 waste management. I'm going to start with groundwater.

22 Groundwater models are used to predict how mine  
23 workings and infrastructure may change groundwater  
24 movement and how this, in turn, may impact surface  
25 water.

26 Natural Resources Canada had a total of six

1 specific issues in our final submission relating to  
2 groundwater. Five of these resulted in a  
3 recommendation. These concerned the complexity of  
4 vertical groundwater flow through taliks and their  
5 monitoring, the assessment of tailings and waste rock  
6 disposal in exhausted pits, assessment of closure and  
7 post-closure phases, effect of saline water storage,  
8 groundwater flow near the Discovery underground mine,  
9 and the inclusion of grouting in groundwater model and  
10 inflow estimates. I'm going to talk about these in  
11 terms of our technical review comments starting with  
12 the second one.

13 In our second technical review comment, Natural  
14 Resources Canada recommended specific groundwater  
15 modelling assessments along flow paths from exhausted  
16 pits proposed for tailings and waste rock storage to  
17 downflow-receiving surface waters. In other words, we  
18 asked the proponent to look at the possibility that  
19 there could be a connection from the pits to other  
20 water bodies.

21 Agnico used an updated 3D groundwater model to  
22 provide updated pre-feasibility level predictions of  
23 seepage quantities and seepage migration pathways from  
24 each of the open pits to be considered for in-pit  
25 tailings or waste rock deposition.

26 Our department concludes that Agnico's updated 3D

1 hydrogeological modelling results provide the  
2 groundwater flow path delineations and travel times  
3 requested and that Agnico has fulfilled our key  
4 recommendation.

5 As noted by the proponent, these groundwater  
6 analyses are pre-feasibility level predictions, and  
7 these should be further evaluated as part of the Type A  
8 water licence amendment with the Nunavut Water Board.

9 In our third technical review comment, Natural  
10 Resources Canada recommended that groundwater modelling  
11 should be used to provide results of the predicted  
12 post-closure groundwater flow system. Agnico expected  
13 any changes to the regional groundwater flow to be  
14 negligible and stated that the hydrogeology modelling  
15 will be updated for closure and post-closure phases as  
16 part of the Type A water licence amendment with the  
17 Nunavut Water Board.

18 Discussions with the proponent resulted in  
19 additional groundwater modelling with an updated 3D  
20 hydrogeology model for post-closure conditions and for  
21 in-pit deposition for post-closure conditions.

22 Natural Resources Canada concludes that the  
23 proponent's updated modelling results provide the  
24 requested information for post-closure conditions, and  
25 our recommendation was fulfilled. Again, as noted by  
26 the proponent, the modelling will be updated and should

1 be further evaluated as part of the Type A water  
2 licence amendment with the Nunavut Water Board.

3 For our fourth comment, Natural Resources pointed  
4 out that groundwater modelling does not take  
5 groundwater density into consideration correctly. The  
6 proponent feels this should be further evaluated as  
7 part of the Type A water license amendment with the  
8 Nunavut Water Board.

9 We agree with this statement and recommend that  
10 this issue be considered as part of the water licence  
11 amendment with the Nunavut Water Board as indicated in  
12 Agnico's response. It is not clear at this time if the  
13 hydrogeology model would need to consider  
14 density-dependent flow or if calculations of saline  
15 infiltration from saline ponds and its effect on  
16 vertical gradients and flow would be sufficient.

17 For our fifth technical review comment, we pointed  
18 out that the baseline groundwater flow directions near  
19 the Discovery mine were not clearly delineated in the  
20 original FEIS addendum. Natural Resources Canada  
21 suggested groundwater may flow towards and could  
22 discharge into Lake UN01. Updated groundwater  
23 modelling for post-closure conditions confirms that  
24 seepage from Discovery would discharge to UN01, CH1,  
25 CH5, UN3, and Meliadine Lake.

26 Natural Resources Canada is satisfied that

1 groundwater flow directions have been delineated near  
2 the Discovery site and that the proponent has  
3 recognized that groundwater flow from the area could  
4 discharge to several different lakes including UN01.  
5 Natural Resources Canada is satisfied with the  
6 information provided and recommends that delineated  
7 groundwater flow paths and lake receptors be considered  
8 when evaluating waste rock storage in the Discovery pit  
9 as part of the Type A water licence amendment with the  
10 Nunavut Water Board.

11 Finally, at least for groundwater, for our sixth  
12 technical review comment, Natural Resources Canada was  
13 concerned that there could be an increasing potential  
14 for excessive groundwater inflow since previous model  
15 estimates did not include grouting. The proponent  
16 responded that they had already considered the  
17 sensitivity of grouting effectiveness and that reducing  
18 the effectiveness of grouting by increasing its  
19 hydraulic conductivity by a factor of three only  
20 results in an 8 percent increase in predicted inflows  
21 for the year 2027. Natural Resources Canada has no  
22 further comments related to grouting effects on saline  
23 groundwater management.

24 So the next area that we provided review in was  
25 permafrost. Knowledge of permafrost is important to  
26 minimize the impacts of the project on the environment

1 and the impacts of the environment on the project. We  
2 had a total of four specific issues considered in our  
3 final submission, and these related primarily to  
4 thermal modelling and the ground thermal regime in the  
5 project area. Much as with groundwater, I'm going to  
6 talk about these in terms of our technical review  
7 comments.

8 In our seventh technical review comment, Natural  
9 Resources indicated that thermal modelling can be  
10 utilized to determine if frozen conditions will persist  
11 over the long term under a changing climate. It is  
12 important to consider the potential range of climate  
13 conditions that may occur to inform design of mine  
14 waste facilities, for example, design of the cover of  
15 the tailing storage facility --

16 THE CHAIR: If you can slow down for the  
17 interpreter. Go ahead.

18 MR. UNGER: -- to ensure that thawed  
19 conditions are limited to the active layer within the  
20 cover material.

21 In general, we are in agreement with the  
22 proponent's approach with respect to thermal modelling  
23 and design of the mine waste management facilities.  
24 Natural Resources Canada recognizes that the thermal  
25 and stability analysis for the tailings storage  
26 facility and the waste rock storage facility will be

1 updated as design is advanced and additional data  
2 becomes available. We do note, though, that although  
3 the proponent refers to various climate change  
4 scenarios being used in their documentation of thermal  
5 modelling, only one emission scenario has been  
6 utilized, Representative Concentration Pathway 4.5, or  
7 RCP 4.5. I was trying not to use acronyms. This  
8 scenario is the more moderate of the range of emission  
9 scenarios.

10 Natural Resources Canada's recommendations  
11 regarding updates to thermal and stability analysis for  
12 mine waste management facilities and to inform the  
13 finalization of closure plans are as follows: Consider  
14 incorporation of the most recent information available  
15 with respect to climate change scenarios and consider  
16 inclusion of a range of climate scenarios in analysis  
17 supporting advanced design and finalization of closure  
18 plans. However, our department is satisfied with the  
19 information provided at this stage.

20 This map is more to give you something to look at  
21 but also indicates that the Meliadine Mine is in a  
22 continuous permafrost zone.

23 In our eighth technical review comment, we  
24 indicated that information on the extent of permafrost  
25 is required to inform groundwater models and to  
26 determine whether the proposed underground mines will

1 be partially within unfrozen ground. This is important  
2 for determining mine water inflow and water management  
3 requirements.

4 Agnico Eagle have indicated that the data utilized  
5 in the analysis to date is sufficient for the  
6 environmental assessment stage. Incorporation of new  
7 data, including that collected in the vicinity of the  
8 Discovery deposit into their analysis of permafrost  
9 conditions and related groundwater modelling, will be  
10 further considered in the water licencing phase.

11 Natural Resources Canada is generally supportive  
12 of the approach utilized by the proponent to determine  
13 the extent of permafrost in the project area.

14 Natural Resources Canada also recognizes that as  
15 design advances, additional site-specific data will be  
16 collected to inform design and development of water  
17 management plans.

18 The new boreholes drilled in 2020 in the vicinity  
19 of the Discovery deposit can provide essential data to  
20 improve knowledge of the permafrost extent and,  
21 therefore, the portion of the Discovery mine that will  
22 extend into unfrozen ground.

23 Natural Resources Canada recommends to include  
24 this data to update thermal and groundwater models to  
25 inform assessments of mine water inflows in saline  
26 water management plans. As part of Commitment 4,

1 Agnico Eagle committed to evaluate models using  
2 suitable data that have been acquired from new  
3 thermistor cables installed in the vicinity of the  
4 Discovery deposit during the Type A water licence  
5 amendment. Natural Resources Canada agrees with this  
6 approach.

7         In our ninth technical review comment, Natural  
8 Resources Canada recommend that more detailed analysis  
9 be conducted as part of the water licencing stage to  
10 determine the extent of permafrost degradation, impacts  
11 related to mine safety associated with pit wall and  
12 underground mine stability, and assess impacts on  
13 groundwater flow pathways. This would help inform  
14 decisions regarding water levels and storage periods  
15 when storing water in pits and finalization of water  
16 management plans to ensure impacts on mine safety and  
17 groundwater flow are minimized.

18         Agnico Eagle provided a technical memorandum that  
19 summarizes the thermal modelling that was conducted.  
20 Natural Resources Canada agrees that the proponent has  
21 provided sufficient information for this stage of the  
22 design and assessment process to inform decisions  
23 regarding the operation of temporary water storage  
24 ponds in pits and the underground mine's design.

25         Finally, at least for permafrost, in response to  
26 our 10th and 11th technical review comments, the

1   proponent provided additional documentation in response  
2   to technical review comments and recommendations  
3   regarding the in-pit mine waste disposal plans.  Much  
4   of the proponent's assessment appeared to be based on  
5   their experience with Meadowbank, and not as much  
6   analysis specific to the Meliadine extension was  
7   provided in the FEIS addendum.

8           Documentation by Agnico Eagle provided results, a  
9   thermal modelling analysis for various deposition  
10   scenarios such as warm or cold tailings or wet versus  
11   dry covers.  In order to determine if an open talik  
12   would develop beneath the pits and the time scale for  
13   this to occur, the results of the analysis were  
14   utilized to rank the six pits with respect to their  
15   suitability for in-pit tailings disposal.  The  
16   conclusion reached is that permafrost is best preserved  
17   with cold tailings deposition and a dry cover for pits  
18   that are initially in permafrost.  If a water cover is  
19   required, then deposition of cold tailings will slow  
20   the rate of thaw, but an open talik will still form.

21          Natural Resources Canada agrees with this  
22   conclusion.  Natural Resources Canada notes  
23   uncertainties and limitations for the thermal analysis  
24   have been described.  This includes limitations of  
25   available subsurface data and uncertainties regarding  
26   spacial variations in porewater salinity and initial

1 subsurface temperature conditions.

2       Natural Resources Canada also notes that an  
3 additional limitation to modelling is that there is no  
4 consideration of the effect climate warming [sic] would  
5 have on both ground and water temperatures and talik  
6 formation, especially given the time periods considered  
7 in the analysis.

8       Natural Resources Canada agrees that the thermal  
9 analysis conducted is appropriate for this stage of  
10 process and design. We offer the following  
11 recommendations for the proponent's consideration as  
12 design, operational, and closure plans advance to  
13 inform final design and plans for in-pit disposal:  
14 Refine thermal modelling as design progresses to  
15 address limitations and uncertainties as outlined in  
16 Section 3.7 of the Ardent & Lorax technical memo  
17 regarding operation details such as tailings  
18 temperature and deposition scenarios and subsurface  
19 conditions through inclusion of any new information  
20 acquired regarding, for example, porewater salinity,  
21 ground temperatures, and thermal properties.

22       Also, we recommend to include climate change in  
23 the thermal modelling as design progresses to refine  
24 assessments regarding the potential and timing of open  
25 talik formation.

26       So the last subject I will talk about is mine

1 waste management.

2 From a mine waste management and the containment  
3 of acid rock drainage and metal leaching perspective,  
4 our department manages the mine environment neutral  
5 drainage program, also known as the "MEND program",  
6 which is a pan-Canadian initiative involving experts in  
7 mine waste management. The objective of this program  
8 is to provide reviews and guidance on topics of  
9 importance in mine waste management.

10 So this is a picture showing an incredibly basic  
11 idea of in-pit disposal. The MEND program has provided  
12 two successive reviews of 12 case studies of in-pit  
13 disposal practice of waste rock and tailings, one in  
14 1995 and an update in 2015.

15 The reports highlight that in-pit disposal has  
16 been, in general, very positive in demonstrating  
17 long-term isolation demanded by companies, regulators,  
18 and the public. In-pit disposal is already being used  
19 in many mines, including uranium mills in Saskatchewan.

20 In the event that the proponent proposes the  
21 disposal of mine waste in their numerous exhaustive  
22 open pits, we recommend that the proposal be reviewed  
23 through the appropriate regulatory process with input  
24 from the public and that the proposal include the  
25 following steps: Characterization of acid rock  
26 drainage and metal leaching of tailings and waste rock

1 separately and/or in co-disposal, depending on the  
2 proposal, under flooded conditions. This information  
3 may not be available as wastes are currently managed on  
4 the surface. Use the waste characterization as input  
5 to environmental dispersion models to determine if  
6 in-pit disposal requires any additional mitigation  
7 measures such as an impervious surround, for instance.

8       The proponent may provide a comparison of  
9 modelling results with a scenario of surface management  
10 with an engineered cover or other techniques. In doing  
11 so, the modelling should adequately account for erosion  
12 of the cover, which over centuries in a changing  
13 climate could be important.

14       Natural Resources Canada considers all of our  
15 technical review comments resolved. As with most  
16 mining projects, further studies and analysis are  
17 required to support detailed design and construction,  
18 but Natural Resources considers the information  
19 provided in its areas of review sufficient for the  
20 impact assessment stage. And that's it for me. Matna,  
21 mahsi cho, marsi.

22       THE CHAIR:                   Thank you for your  
23 presentation.

24       That concludes Day 4. As we're not quite finished  
25 with the technical session agenda, tomorrow morning  
26 we'll complete the remaining intervenor presentations

1 and start with questioning to the Government of Canada  
2 departments.

3 Then tomorrow afternoon after the lunch break,  
4 we'll rearrange the hall, and the community  
5 representatives from the potentially affected  
6 communities in the Kivalliq -- from the Kivalliq,  
7 Manitoba, and Saskatchewan who have been sitting in the  
8 audience will be joining us around the table to ask  
9 questions, share their knowledge, and provide their  
10 comments about the extension proposal during the  
11 community roundtable component of the public hearing.

12 We appreciate everyone's patience and flexibility  
13 as we adjust the schedule to accommodate all of these  
14 important discussions.

15 Thank you, everyone, for participating during this  
16 very long day. In particular I want to thank our  
17 interpreters and our court reporters.

18 And just a reminder, as you leave tonight, please  
19 remember to turn off your headsets, put them on the  
20 table as you leave, and clean up your seating area.  
21 We'll be meeting back here at 9 AM tomorrow starting  
22 Day 5 of the public hearing.

23

24 PROCEEDINGS ADJOURNED UNTIL 9 AM, SEPTEMBER 16, 2023

25

26

## 1 CERTIFICATE OF TRANSCRIPT:

2

3 We, Sandra Burns and Derek Lopez, certify that the  
4 foregoing pages are a complete and accurate transcript  
5 of the proceedings taken down by us in shorthand and  
6 transcribed from our shorthand notes to the best of our  
7 skill and ability.

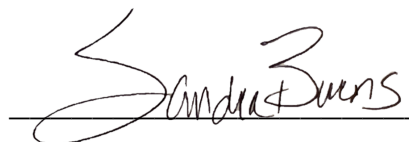
8 Dated at the City of Edmonton, Province of  
9 Alberta, this 9th day of October 2023.

10

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13



14 Sandra Burns, CSR(A), RPR, CRR

15 Official Court Reporter

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21 Derek Lopez, CSR(A), RPR

22 Official Court Reporter

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<hr/>	<b>124</b> 599:20	443:8 476:14	527:6,21 535:8	<b>3.7</b> 643:16
<b>-</b>	<b>125</b> 599:20	529:20 592:5	536:3,17 565:16	<b>30</b> 479:7 486:20
<hr/>	<b>13</b> 428:10 522:21	599:22 600:4	566:2 597:9,12,	495:24 628:21
<b>-blown</b> 629:26	584:24 592:1	616:18	18 624:8 625:14	<b>300</b> 468:5 549:2
<hr/>	616:1 619:14	<b>2.5</b> 539:3,4	626:4	<b>300-plus</b> 479:24
<b>0</b>	<b>134</b> 599:20	<b>20</b> 429:14 495:24	<b>2023</b> 423:5,19	<b>31st</b> 491:13
<hr/>	<b>14</b> 428:15 566:11	527:19 567:25	425:15 447:8	<b>32</b> 515:14
<b>09</b> 603:25	592:6 610:10	568:1 579:13,21	475:8 484:25	<b>35</b> 502:15 595:15
<hr/>	<b>14th</b> 455:5	606:17	491:13 493:16	<b>38</b> 449:19 450:6
<b>1</b>	<b>15</b> 423:5,19	<b>2000s</b> 448:23	522:24 528:17	456:20 457:15
<hr/>	425:15 428:20	<b>2001</b> 603:6	529:14 597:13	458:6,7,13,17
<b>1</b> 428:9 443:8	592:11 610:10	<b>2004</b> 566:11	646:24 647:9	459:4 460:6
498:8,9 527:26	<b>15-minute</b>	<b>2008</b> 454:9 586:2,	<b>2027</b> 637:21	482:5,25 484:7,8
591:26 598:4,9	468:24 556:3	15	<b>21</b> 429:17 614:17	506:9,18 530:21,
599:13 604:24	621:7	<b>2010</b> 532:8	<b>212</b> 532:6	25 543:8,12,19
616:8	<b>16</b> 428:24 522:20	<b>2012</b> 531:25	<b>218</b> 532:6	561:6,20 562:15,
<b>1-and-a-half</b>	563:14 585:26	<b>2014</b> 517:4	<b>22</b> 429:20 614:20	25 582:3
604:24	592:16 609:13	526:15 527:19,23	<b>220,000</b> 564:6	<b>3:15</b> 556:2
<b>1.03</b> 538:24	610:10 646:24	528:6 535:2,6,7,	<b>23</b> 429:23 527:25	<b>3D</b> 634:21,26
<b>1.4</b> 539:2	<b>17</b> 429:2 521:26	14 536:3,5,17	614:23	635:19
<b>10</b> 427:22 495:24	535:7 566:11	537:26 568:2	<b>24</b> 429:26 615:1	<b>3rd</b> 464:16
498:23 504:23	592:21	616:3 620:22	<b>25</b> 430:3 454:25	485:25 488:15
516:19 524:15	<b>17th</b> 528:11	626:21 627:4	482:5 501:11	<hr/>
532:5 591:12	<b>18</b> 429:7 606:9	<b>2015</b> 452:7	541:1 603:25	<b>4</b>
618:10	<b>180,000</b> 446:23	474:25 475:8	622:11	<hr/>
<b>10-kilometre</b>	448:23	484:25 644:14	<b>25A</b> 504:2	<b>4</b> 441:6 443:9
516:16,21	<b>19</b> 429:11 475:18	<b>2016</b> 564:22	<b>26</b> 430:7 482:5	477:21 495:22
<b>1000</b> 539:5	476:14,18 606:13	<b>2017</b> 452:7 528:9	522:24 622:15	601:19 617:17
<b>10:15</b> 468:23	<b>1984</b> 564:7	565:10,11 630:4	<b>268</b> 603:24	640:26 645:24
<b>10th</b> 641:26	<b>1985</b> 563:26	<b>2018</b> 452:8	<b>27</b> 430:11 622:19	<b>4.5</b> 639:6,7
<b>11</b> 428:1 447:25	564:5,12	474:25 475:8	<b>272,000</b> 564:6	<b>40</b> 479:8
491:7 524:15	<b>1988</b> 564:6,12	527:6	<b>28</b> 430:15 632:9	<b>44</b> 484:6,9
534:5 552:21	<b>1993</b> 502:12	<b>2019</b> 603:3 630:4	<b>28th</b> 455:1	<b>441</b> 423:5,6
559:6 591:17	<b>1994</b> 535:6	<b>2020</b> 464:16	<b>29</b> 430:19 527:25	<b>446</b> 423:7
618:18	563:20,26 566:9	465:2,3,12 482:6	632:14	<b>448</b> 423:9
<b>119</b> 599:20	586:2,15	485:25 486:16	<hr/>	<b>45</b> 573:26
<b>11:45</b> 498:6	<b>1995</b> 644:14	488:15 489:5	<b>3</b>	<b>465</b> 423:11
<b>11th</b> 528:9	<b>1:00</b> 498:6	490:7 538:4,25	<hr/>	<b>475,000</b> 538:22
641:26	<b>1:03</b> 498:10	640:18	<b>3</b> 443:9 477:21	<b>481</b> 423:13
<b>12</b> 428:5 489:4	<hr/>	<b>2021</b> 482:16,26	495:21 530:6	<b>492</b> 423:16
517:6 532:22	<b>2</b>	489:5 490:7	532:7 533:26	<b>495,000</b> 564:7
583:9 584:9	<hr/>	503:26 527:4	601:3 617:3	<b>498</b> 423:19
591:22 619:1	<b>2</b> 428:14 442:1	532:8	<b>3.3</b> 611:18	
644:12		<b>2022</b> 523:12		

<b>499</b> 423:20	<b>591</b> 425:19 427:22 428:1,5, 10	<b>70</b> 598:9	<b>abundant</b> 633:7	<b>acronyms</b> 639:7
<hr/> <b>5</b> <hr/>	<b>592</b> 425:20 428:15,20,24 429:2	<b>70s</b> 511:16,21	<b>accept</b> 604:1	<b>Act</b> 502:22 601:2 603:6,7,10 604:2 608:24,25,26 609:1,2 615:20 616:10 618:15 620:3 633:13,15
<b>5</b> 445:11 468:7 495:24 529:3 542:11,23 574:12 598:3 610:11,22 617:17 646:22	<b>5:00</b> 588:7	<hr/> <b>8</b> <hr/>	<b>access</b> 444:3 458:8 459:21 461:22 482:11,15 483:6,11,19 528:26 529:26 530:18,23 603:20 613:3,13	<b>Acting</b> 434:4
<b>5-kilometre</b> 453:2 491:23	<b>5th</b> 523:12	<b>8</b> 427:12 475:11 519:1 574:12 617:17 637:20	<b>acclaimed</b> 599:4	<b>action</b> 602:1
<hr/> <b>50</b> 452:14 494:23 529:3 572:15,18 573:7,16 574:19 576:22,23,25 577:5 611:1	<hr/> <b>6</b> <hr/>	<b>8th</b> 482:16	<b>accommodate</b> 576:1 577:12 646:13	<b>actions</b> 581:12
<b>50-caribou</b> 453:2	<b>6</b> 530:6 534:20 574:12 598:14 599:21 600:22 617:17	<hr/> <b>9</b> <hr/>	<b>accommodating</b> 590:4	<b>active</b> 638:19
<b>50-or-so</b> 474:24	<b>600,000</b> 448:23	<b>9</b> 427:17 442:1 445:11,13 447:19 487:23 488:3,18 519:6 582:21 618:5 646:21,24	<b>accommodations</b> 596:13	<b>actively</b> 571:6,8 594:25
<b>500</b> 423:22,24 427:9	<b>602</b> 425:24	<b>9:09</b> 441:1	<b>accompanied</b> 615:15	<b>activities</b> 464:1 466:8 475:4,26 480:16,24 483:2, 3 517:7 526:25 528:21 529:5,7 537:24 558:17,19 572:5 575:13 579:23 580:11 597:2 616:7 618:25,26 619:24 628:24 629:10 630:25
<b>500,000</b> 564:1	<b>605</b> 426:2	<b>9th</b> 647:9	<b>accomplish</b> 478:11	<b>activity</b> 448:4 475:3 485:3 518:1 529:10 544:26 575:22 615:25
<b>508</b> 424:1,3	<b>606</b> 426:4,5 429:7,11,14	<hr/> <b>A</b> <hr/>	<b>accordance</b> 450:22,24 451:2 459:19 600:26	<b>acts</b> 608:5 609:8, 10 633:2
<b>509</b> 424:5	<b>613</b> 426:9	<b>A-D-A-M</b> 590:24	<b>account</b> 507:17 577:20 645:11	<b>actual</b> 475:14 485:2,3 488:11, 26 504:5,12 578:26 579:1 586:19 588:1
<b>510</b> 424:6	<b>614</b> 426:11 429:17,20,23	<b>A-L-A-N</b> 519:26	<b>accounted</b> 625:11	<b>Adam</b> 425:19 590:24 591:1 602:18,21
<b>514</b> 424:8	<b>615</b> 426:12 429:26	<b>A-N-D-E-R-S-</b> <b>O-N</b> 621:21	<b>accumulates</b> 534:3	<b>adapt</b> 477:9
<b>516</b> 424:10	<b>621</b> 426:15	<b>A-N-N-E</b> 519:21	<b>accurate</b> 442:15 624:4 647:4	<b>adapted</b> 573:5
<b>518</b> 424:12	<b>622</b> 426:17,19 430:3,7,11	<b>A-U-D-E-T</b> 614:6	<b>accurately</b> 495:3	<b>adaptive</b> 536:25 546:15 573:3 630:17,25
<b>519</b> 427:12,17	<b>631</b> 426:22,24	<b>A/director</b> 437:5	<b>acid</b> 644:3,25	
<b>520</b> 424:14,16	<b>632</b> 426:25 430:15,19	<b>A/head</b> 435:25	<b>acknowledge</b> 498:16 514:10	
<b>54</b> 529:22	<b>647</b> 427:3	<b>A/senior</b> 435:23 437:1	<b>acknowledged</b> 568:2	
<b>542</b> 424:21	<b>6:30</b> 445:12 589:1,2	<b>abandoned</b> 515:14	<b>acknowledges</b> 627:26 628:25 630:26	
<b>545</b> 424:23	<b>6:36</b> 589:3	<b>abatement</b> 629:2	<b>Acoustic</b> 433:6	
<b>547</b> 424:25	<hr/> <b>7</b> <hr/>	<b>ability</b> 619:16 627:3 628:8,9 647:7	<b>acquired</b> 537:19 641:2 643:20	
<b>554</b> 425:1	<b>7</b> 427:9 447:15 456:5 464:13 475:10,11 485:21 500:18 532:6 598:25 617:17	<b>aboriginal</b> 502:14		
<b>556</b> 425:4		<b>abundance</b> 472:19		
<b>56</b> 455:14 456:3				
<b>560</b> 425:6				
<b>570</b> 425:8				
<b>578</b> 425:10				
<b>582</b> 425:12				
<b>589</b> 425:15,16				
<b>590</b> 425:18				

<b>add</b> 475:3 526:14 530:9 534:5 552:8 573:24 <b>added</b> 445:12 619:13,24 <b>addendum</b> 424:20 427:15,20 453:11 519:5,10 520:20 531:7 597:10 600:6 601:6 603:17 624:9 625:14 636:20 642:7 <b>adding</b> 618:21 620:17,20 <b>addition</b> 532:13 533:20 534:15 535:18 612:4 <b>additional</b> 445:12 486:18 506:4 540:13 579:23 597:21 600:11,15 607:24 610:4,8,9 612:13 625:15,20,22 628:23 629:21 630:8,24 635:19 639:1 640:15 642:1 643:3 645:6 <b>Additionally</b> 527:22 <b>additive</b> 534:3 <b>address</b> 482:11, 12 484:8 506:5 507:3 524:24 540:12 561:12 602:1,7 630:10 643:15 <b>addressed</b> 447:11 511:10 524:18 538:7 582:2 595:17 598:23 602:8 612:10,26 628:2 629:1 631:2	<b>addresses</b> 507:8 596:11 <b>addressing</b> 503:5 <b>adds</b> 545:26 <b>adequacy</b> 575:13 576:11 <b>adequate</b> 542:11 558:22 <b>adequately</b> 645:11 <b>adhere</b> 629:2 <b>ADJOURNED</b> 498:9 589:2 646:24 <b>ADJOURNME</b> <b>NT</b> 468:25 556:5 578:2 621:8 <b>adjust</b> 575:4 646:13 <b>adjusted</b> 457:6 <b>adjustments</b> 458:23 <b>Admin</b> 437:22 <b>administer</b> 509:3 <b>administers</b> 633:12 <b>administration</b> 431:19 521:24 <b>administrative</b> 521:19 <b>admit</b> 558:8 <b>adopting</b> 605:8 <b>advance</b> 483:11, 20 569:15 643:12 <b>advanced</b> 639:1, 17 <b>advancement</b> 521:25 <b>advances</b> 640:15 <b>adverse</b> 483:4 504:8 505:22 507:10 542:12	<b>advice</b> 523:13 525:22 526:5,7 572:3 594:16 596:23 609:6 <b>advise</b> 444:9 518:20 524:14 <b>advisor</b> 431:17, 18 432:2,9 433:16 434:3 436:14,16 438:9 485:9 554:22 623:13 <b>advisory</b> 450:18, 25 455:2,8,10 456:13,16,26 457:5,12,14 458:21 459:16 461:6,11,13 463:26 477:7 506:13,18,25 511:8 516:4 525:7,9,12,17,19, 20,26 526:1,5 534:21 561:13, 14,18,22,24 562:4 569:4,6,19 570:8,12,17,25, 26 571:1 572:16 588:22 <b>AEM</b> 449:18,24 451:11 466:3 468:12,17 474:7 475:9,11 506:11 518:4 536:3,16 572:2 <b>AEM's</b> 423:26 427:10 500:19,24 566:12 <b>aeronautical</b> 605:2,4 <b>Affairs</b> 425:21 427:25 428:4,8, 13 432:1,10,11 433:8 435:6 465:18,21 510:9, 12 537:11 545:12,15 589:11 590:18 591:8,16, 21,26 592:5 593:1,4,7,13 594:5,8 596:23 597:6 598:5,16 599:1 600:10 601:9,21 602:5 <b>Affairs'</b> 523:12 <b>affect</b> 466:8 468:10 475:26 479:19 512:9,20, 23,25 553:4 <b>affected</b> 475:1 511:24 595:11,25 597:2 626:26 629:20 630:23 646:5 <b>affects</b> 466:22 476:4 512:3 553:3 <b>affirm</b> 499:5 518:10 520:5,6,7, 8,9 589:10 607:19 <b>affirmed</b> 423:23 424:5,15 425:19 426:4,11,18,24 499:16 500:3,4,5, 6,7,9 509:14 520:4,11 591:1 606:1 614:9 622:2 631:26 <b>afternoon</b> 423:19 442:14 514:6 646:3 <b>agency</b> 565:14,23 <b>agenda</b> 442:1,6 445:5,10 498:23 518:8 589:21 590:1,5 645:25 <b>Aggark</b> 432:24 438:26 <b>agnico</b> 423:7,9, 12,14,17,25 425:6,21,25	426:6,26 427:10, 23 428:2,6,11,17, 22,26 429:4,8,12, 15 430:16,20 431:23 441:7,24 442:3 446:6,9,12, 16,17,19 447:2,5, 15,22 448:12,16, 20 449:2,17,19 450:3,4 452:17 453:13,14 454:24 455:4,12,13,16 456:14,18,19,22 457:12 458:3,4, 15,16 459:2,4,10 460:3,4,9,10 461:2,3,8,12,14, 20 463:26 464:12,24 465:26 468:22 469:6,9 476:6,7,20 478:20,23 480:12,13,22 481:23 482:4,8, 23 484:11,12,26 485:18,20,26 486:7 487:17,21 488:16 489:4,11, 14 491:8,11,14, 18,19 492:18 493:16 494:7,8, 22 496:12,14 497:2,3 500:19, 23 503:9,26 506:4,7 507:2,6,7 515:26 516:1 524:22 526:7 527:1,14 530:1, 16,19,26 532:21 534:8,20 537:12 538:7 541:2 542:10 546:14 550:9 555:2 560:22,24,25 561:4,17 562:19 563:11 565:7 566:19 567:4,7, 20 568:12,19
---	--	--	---

569:15 570:14 577:19 579:15 582:2 584:20 587:8 591:13,18, 23 592:2,8,13,18, 23 593:1,17 597:24 598:6,11, 17,22 599:2,14, 26 600:9,15,20 601:10,15,22,24, 26 602:6,7,16,25 603:16,21 604:4, 8,13,26 605:1 606:10,14,18,22 607:3 608:1 609:26 610:4,12, 16,18,22 611:3,6, 11,16,21,22 612:1,4,15 613:6, 9 616:23 619:8, 11,17,22,23 620:6 627:26 628:25 630:26 632:11,16,21 633:4 634:21 635:3,12 640:4 641:1,18 642:8 <b>Agnico's</b> 448:13 634:26 636:12 <b>agree</b> 458:18 459:4 490:17 510:20 513:25 548:19 568:20 569:14 604:1 636:9 <b>agreed</b> 484:1 537:12 600:21 <b>agreeing</b> 575:3 <b>agreement</b> 464:2 502:13,14,16,17, 21 521:26 522:8 524:12,24 537:19 638:21 <b>agreement's</b> 595:6	<b>agrees</b> 505:14 612:9,25 641:5, 20 642:21 643:8 <b>ahead</b> 449:12 457:10 509:1 638:17 <b>air</b> 608:17 609:16 624:14 626:11, 12,13,16,17,21, 22,23 627:2,5,8, 16,17,20,21,22,25 628:3,4 629:17, 26 <b>aircraft</b> 603:12 605:9 <b>airport</b> 605:6 <b>airstrip</b> 609:19 626:2,3 <b>Alan</b> 424:15 519:25,26 520:11,26 524:26 537:8 <b>alarming</b> 552:25 <b>Alaska</b> 544:20 552:11 <b>Alberta</b> 647:9 <b>alert</b> 475:22 <b>alerted</b> 468:8 <b>algae</b> 619:6 <b>Alhman</b> 517:4 <b>Alikut</b> 431:7 578:7,8 579:3,4 587:4,5 588:2,3 <b>all-weather</b> 458:8 459:21 482:11,15 483:6, 10,19 528:26 529:26 530:18,22 581:3,7 <b>Allen</b> 432:26 478:21,22,23 <b>allowed</b> 443:24 <b>allowing</b> 521:7	<b>alluded</b> 453:18 503:15 <b>Alphonse</b> 440:7 <b>alteration</b> 618:23 <b>altering</b> 451:1 459:20 <b>alternate</b> 570:4 <b>alternative</b> 447:20 448:4 534:22 537:2 542:25 600:9 601:7 631:9 <b>alternatives</b> 507:7 538:1 <b>altogether</b> 573:17 617:7 <b>Amal</b> 593:25 <b>ambient</b> 627:17, 21 <b>Amended</b> 600:22 <b>amendment</b> 538:4 541:1 599:22 601:18 618:3,14 635:8, 16 636:2,7,11 637:9 641:5 <b>amendments</b> 524:23 <b>amount</b> 538:15 558:13 579:20 <b>analyses</b> 463:13 527:12 635:6 <b>analysis</b> 450:20, 22 457:15 458:7, 10 459:5,14,18 462:15 483:4 498:2,17 528:1, 18 530:20 534:22 543:8 561:7 568:1 572:20 582:3 598:19 600:11,16 601:12 604:22 605:7,10 638:25 639:11,16 640:5,8 641:8	642:6,9,13,23 643:7,9 645:16 <b>analyst</b> 435:13, 14 594:1 607:8 <b>analyze</b> 463:22 <b>analyzed</b> 534:18 <b>analyzing</b> 587:23 <b>ancestors</b> 471:2 514:12 548:4 <b>ancient</b> 466:15, 17,22 551:3 <b>and/or</b> 483:8 600:5,7 628:23 645:1 <b>Anderson</b> 426:17 436:11 621:20 622:1,23,26 623:1,7 <b>Angoshadluk</b> 440:3 <b>animal</b> 468:19,20 <b>animals</b> 466:11 468:14 469:20 470:10 474:1,16 475:6 478:3 479:19 488:20 576:22 <b>animals'</b> 466:22 <b>animated</b> 484:25 <b>animation</b> 448:13 466:4 <b>animations</b> 452:6 462:9,23 463:12 467:11,13 490:16 491:9,13 528:8 530:17 <b>Anne</b> 424:14 457:26 458:1,26 459:24 460:11, 18,19 461:17,18 462:6 463:7,8 464:4,5 519:21 520:10 521:1 524:26 525:2,3,4 542:15,16	543:14,15 544:6, 7 547:10 548:14, 15 553:7,8 555:12,13 557:3, 4,18,19 559:16, 17 562:1,9,10 563:1,2 564:19, 20 566:5,6 567:11,12 569:11,12 572:18,25,26 574:19 575:17,18 576:14,15 578:11,22 581:17,18 583:2, 3,17 584:3,4,17 585:9,10 586:11, 12 588:9,10 <b>annex</b> 609:23 <b>annual</b> 550:11 574:22 594:26 616:6 618:19,22 628:3 <b>annually</b> 539:2 549:26 <b>anonymous</b> 522:4 <b>answering</b> 558:1 <b>answers</b> 442:11 471:13,14,20,21 473:16 545:9 607:15 <b>anticipate</b> 524:21 537:19 <b>Antsanen</b> 439:8 <b>apologies</b> 540:2 548:17 583:19 584:6 588:13 607:13,14 <b>apologize</b> 449:15 509:20 548:20 <b>apparent</b> 544:19 <b>apparently</b> 465:12
--	---	--	--	---

<p><b>appeared</b> 642:4</p> <p><b>appears</b> 451:15</p> <p><b>Appendix</b> 447:9</p> <p><b>applicable</b> 570:1 585:19 615:20</p> <p><b>application</b> 604:26 617:25 633:13</p> <p><b>applied</b> 571:13 616:12</p> <p><b>applies</b> 615:22</p> <p><b>apply</b> 604:2,13</p> <p><b>appreciates</b> 445:23 602:11</p> <p><b>approach</b> 509:24 523:21 534:22 537:18 542:25 543:2 554:1 560:1 572:14 574:15 576:24 615:22 638:22 640:12 641:6</p> <p><b>approaches</b> 537:3 572:10</p> <p><b>approaching</b> 574:1 628:16</p> <p><b>approval</b> 460:4, 8,11,26 461:7 599:18 600:17,25</p> <p><b>approved</b> 450:22,24 459:15 460:6,23 461:15 541:5,6 599:25</p> <p><b>approximately</b> 446:23 454:9 539:5</p> <p><b>April</b> 457:4 460:12</p> <p><b>aquatic</b> 434:14 613:3 616:6 619:1,3,5,11 620:19</p> <p><b>Aquatics</b> 432:6</p>	<p><b>Arcadis</b> 435:15 594:2</p> <p><b>arctic</b> 479:1 620:10</p> <p><b>Ardent</b> 643:16</p> <p><b>area</b> 445:7 451:16,19,20 464:18 465:5 468:18 472:25 475:12 480:5,8, 10 481:3,4 486:21 487:4 488:4 490:7 491:10 497:14 505:10,12 511:12,14 512:16 513:7,9,10 527:16,23 532:5 536:10 538:12 539:16 549:16, 17,26 550:4 552:12 555:5 560:7 568:6,10 585:1,5 605:6 637:3,24 638:5 640:13 646:20</p> <p><b>areas</b> 470:15 503:17 507:4 515:1 539:12 567:18 574:10 581:5 583:14 598:26 599:4,6 602:5 619:19 624:14 645:19</p> <p><b>argument</b> 503:24</p> <p><b>arising</b> 501:7</p> <p><b>Arko</b> 431:15 492:20,21 494:3, 4,5 496:8,9,10 497:9,10,11 498:13,14,15 516:6,7 570:23, 24 574:26 575:1 576:6,7 577:14, 15,16</p>	<p><b>Armstrong</b> 431:24 561:2,3,4, 23 562:2,19,20, 21 563:11,12,13 566:19,20,21 568:12,13,14 570:14,15</p> <p><b>arrive</b> 576:24 577:2</p> <p><b>arsenic</b> 598:14, 20 629:24 630:2, 11,14,19</p> <p><b>arsenic- monitoring</b> 630:21</p> <p><b>Article</b> 521:26</p> <p><b>aspect</b> 468:19,20</p> <p><b>aspects</b> 494:14 575:14</p> <p><b>asserted</b> 595:15</p> <p><b>assess</b> 441:22 448:3 507:16 595:7 603:18 613:9 625:17 641:12</p> <p><b>assessed</b> 522:15 536:4 601:25</p> <p><b>assessing</b> 495:10 496:26 523:22 531:11 612:14</p> <p><b>assessment</b> 424:17 427:13,18 434:22 435:3,9, 11,13,21,24,26 436:11,12,26 437:2,5,7 441:7 483:1 497:16 502:22 504:4 519:2,7 520:18 523:15 526:15 531:8,10 534:6, 14,23 535:2 537:3 540:8 567:3,5,7,16,20 568:2 593:20,25,</p>	<p>26 594:6,15 595:4,9,21 596:1, 20,24,26 597:7, 23 598:13 599:9 600:20 602:10,12 604:1 605:2,5 607:6,9 610:1,24 611:16,18,26 612:2,3,5,16,19 616:19 623:12,15 624:1,15,17 625:11,22 626:1, 18,20 628:11,12 629:6,8,11,12,22 630:2,5,11,21 631:7 632:24 633:15 634:5,6 640:6 641:22 642:4 645:20</p> <p><b>assessments</b> 540:9,13 608:6 623:23 634:15 640:25 643:24</p> <p><b>assist</b> 506:14 595:4</p> <p><b>assistance</b> 520:26</p> <p><b>Assistant</b> 433:24 434:19</p> <p><b>Association</b> 424:17,22,24,26 425:3,5,7,9,11,13 434:8 457:24 458:2,25 459:23 460:1,17,20 461:7,16,19 462:7 463:6,9 464:3,6 477:1 502:26 504:4,16 505:14,20 507:25 508:1,14 518:3,9, 20,22,26 519:23 520:15,17,22,24 521:7,18 522:12, 20,23,26 523:2,9, 16 524:5,14,21 525:5,24 529:19</p>	<p>530:24 533:25 534:19 536:15,23 537:7,9,13,17,23 538:3,6 539:10 540:19 541:3,4, 14,15,19,21 542:5,14,17 543:10,11,13,16 544:5,8 545:21 546:5,8 547:3,7 548:13,16 549:20,23 550:10,24 551:9, 11 552:3 553:6,9 554:19 555:11,14 556:8,15 557:2,5, 17,20 559:15,18 560:23 561:26 562:8,11,26 563:3 564:18,21 566:4 567:10,13 569:10,13 570:21 571:5,6,17,20 573:1,22 575:16, 19 576:13,16 578:4,6,21,23 580:2,5 581:16, 19 582:19,22 583:2,4,18 584:3, 5,18 585:9,11 586:11,13 587:13,16 588:9, 11 596:2</p> <p><b>Association's</b> 449:22 521:22 526:12 571:10 602:1</p> <p><b>associations</b> 522:7</p> <p><b>assume</b> 489:10 624:25</p> <p><b>assuming</b> 491:15</p> <p><b>assumption</b> 482:12</p> <p><b>assumptions</b> 457:6 483:9,18</p>
---	--	--	---	--

512:7 625:21	545:19,22		<b>base</b> 569:20	510:5 521:12
<b>assurance</b>	546:22,23,24	<b>B</b>	<b>based</b> 451:14	537:8 542:7
489:22	614:5,9 615:10,		457:7 490:16	543:6,24 545:7
<b>assured</b> 538:13	11,12,15	<b>B-E-A-R-D-S-A-</b>	517:9 527:18	563:22 574:5
<b>Atatahak</b> 431:19	<b>audience</b> 646:8	<b>L-L</b> 519:24	535:7 537:18	593:16 623:5
<b>Athabasca</b> 424:8	<b>audio</b> 443:25	<b>B-E-R-T</b> 499:25	542:22 555:3,18	<b>behave</b> 512:6
425:4 437:18	<b>audio-video</b>	<b>B7</b> 598:15 613:2,	567:17 568:4,8	<b>behaviour</b> 451:1,
492:10,13 513:26	442:19	5,7,11	570:5 573:3	23 459:20 466:23
514:2,4 521:16	<b>August</b> 493:16	<b>back</b> 441:6 442:7	576:9,24 581:24	477:8 495:8
556:14,16,19	523:12	445:9 454:14	582:25 586:9	504:18 505:17
557:12,15 559:2,	<b>Aurora</b> 434:15	469:3 470:14	587:17 594:9	512:3 517:6,12
4 560:16,18	<b>authority</b> 633:14	472:16,17,18	596:22 597:24	528:25 532:11
596:4	<b>authorizations</b>	481:4 483:15	604:25 609:7	547:11 573:13
<b>Atkinson</b> 434:24	625:3	497:25 498:11	613:12 627:6	581:22
452:1,2,3 453:24	<b>authorize</b> 633:18	512:17 528:17	628:18 642:4	<b>behavioural</b>
462:18,19,20	<b>authorized</b>	539:25 556:6	<b>baseline</b> 483:9,	495:14 497:6
463:17,18,19	594:18 600:13	563:26 564:10	13,18,21 616:3,	530:2,3
464:9,10,11	<b>average</b> 538:22	577:18,21 579:1	18,25 636:18	<b>believes</b> 451:22
465:7,8 466:3,4,	539:1 611:1,7,10	589:4 590:14,15	<b>basic</b> 644:10	504:9 620:23
20 467:6,7,8	<b>Aviation</b> 603:7,	598:24 621:9	<b>basically</b> 461:9	<b>beneath</b> 642:12
474:23 475:7	10	646:21	494:15	<b>beneficiaries</b>
490:24,25,26	<b>avoid</b> 443:5	<b>background</b>	<b>basis</b> 460:26	471:10
493:8,9,10	534:9 538:11	483:4	462:15 533:9,22	<b>benefit</b> 524:23
494:17,18,19	540:12 542:12,25	<b>badge</b> 444:16	550:11 577:11	<b>benefits</b> 521:25
496:19,20,21	553:16 560:7	<b>Baker</b> 438:16	<b>Bathurst</b> 532:4,6	522:14 541:7
497:19,20,21	572:11 588:17	479:16,23	<b>batteries</b> 597:25	<b>Benjamin</b>
508:3,6,7 510:4,5	619:18 620:7	<b>balance</b> 598:18	<b>bear</b> 573:25	510:23,26 513:24
541:26 542:6,7,	627:19	<b>balances</b> 596:10	<b>Beardsall</b> 424:15	552:6 554:6,8
18 543:4,5,6,22,	<b>avoidance</b>	618:7	519:22,23 520:8,	<b>Bernadette</b>
23,24 545:5,6,7	504:25 517:6,12	<b>ban</b> 604:10	11 521:2	469:2
561:16 565:25	559:24 560:8	<b>banned</b> 604:8	<b>bears</b> 533:2	<b>berry-picking</b>
568:23	<b>avoiding</b> 574:16	<b>barnacles</b> 619:5	<b>beat</b> 498:6	539:11
<b>attached</b> 568:22	585:1,13,24	<b>barren-ground</b>	<b>Beattie</b> 436:7	<b>Bert</b> 423:22
<b>attend</b> 444:26	<b>AWAR</b> 451:2	504:18 531:21	<b>began</b> 465:2	499:24 500:8
<b>attendance</b>	<b>aware</b> 445:26	564:25 565:2	538:24	<b>Beverly</b> 532:5
442:16	476:3 484:26	<b>barren-land</b>	<b>begin</b> 441:13	<b>biannually</b> 550:1
<b>attended</b> 444:13	517:16 518:1	505:3	499:6 502:10	<b>big</b> 480:8 532:26
597:11	533:15 560:6	<b>barren-lands</b>	518:12	548:8 604:17
<b>attending</b> 444:14	586:6	511:17	<b>behalf</b> 441:5	<b>Bigeye</b> 439:15
594:2	<b>awareness</b>	<b>barrier</b> 620:14	452:3 462:20	<b>bigger</b> 496:6
<b>attention</b> 553:21	468:26 588:21	<b>barriers</b> 613:13	463:19 464:11	<b>biggest</b> 572:3
613:17		<b>Barry</b> 431:14	465:8 467:8	<b>bilingual</b> 608:11
<b>ATV</b> 530:7		444:20	490:26 493:10	<b>bin</b> 469:3 529:8
<b>Audet-lecouffe</b>			494:19 496:21	
426:11 436:3			497:21 508:7	

<b>biologist</b> 433:3,5 434:6,14,24 436:3,5 438:9 449:7 457:25 485:4,9 508:18 516:25 524:26 <b>biologists</b> 615:16 <b>biology</b> 521:1 <b>birds</b> 515:22 608:20 609:1 <b>birthplace</b> 552:15 <b>bit</b> 450:12 466:6,7 479:18 503:8,21, 22 506:10 513:14 525:11,18 535:11 560:12 562:15 589:20 <b>black</b> 439:12 477:25 <b>Blais</b> 432:19 <b>blast</b> 480:25 481:5 <b>blew</b> 479:24 <b>block</b> 613:2 <b>blood</b> 515:5 <b>blow</b> 479:17 <b>blue</b> 563:18 <b>board</b> 423:16,21 424:4,10,13 425:8,10,12,17 426:3,10,16,23 431:4,12 433:15 441:5,6,18 442:15,17,18,24 443:23 444:1,2, 25 445:1,11,23 447:8,12 457:23 458:18 482:17,26 492:17,19 494:5 496:10 497:11 498:15 499:8,12 500:2,11,14 501:2,23 503:1, 18 507:14	508:21,25 509:13 516:5,8,11,12 518:14,18 519:13 520:3,13 521:6 522:24 524:15 525:20 539:14, 19,26 540:21 541:10 564:16 570:20,22 571:3 577:16,24,26 578:3,7,9 579:6,8 580:20,22,25 581:1 582:13,17, 18 587:4 588:2, 13 589:16,19 591:4 593:14 594:10,16,21,24 595:3,6,22 596:17 597:17 599:21 600:16, 24,25 602:24 605:18 606:3 607:2,3,22 608:9 609:5 613:18,24 614:2,12 621:13, 17 622:5 623:3, 19,25 626:7 627:7 628:19 630:12 631:16,20 632:3 635:8,17 636:2,8,11 637:10 <b>Board's</b> 444:9,20 445:24 448:6 483:8,17 594:6 595:4,9,21 596:10 601:17 602:10 626:9 <b>boats</b> 604:3,7,15, 17,18,21 <b>bodies</b> 525:16 540:10 598:21 603:15 604:6,7, 11 616:22 634:20 <b>body</b> 530:15 554:1 604:15,17, 18,20	<b>boil</b> 588:22 <b>border</b> 511:12 <b>boreholes</b> 640:18 <b>born</b> 512:17 <b>borrow</b> 618:5,6 <b>bother</b> 472:8 <b>bottles</b> 469:2,4 <b>bottom</b> 443:15 475:13 535:3 <b>boundary</b> 516:21 <b>Boy</b> 479:25 <b>Brad</b> 561:1,2,4 562:2,19,21 563:11,13 566:19,21 568:12,14 570:14 <b>break</b> 445:14,15, 16 468:24 498:5, 12 556:3 578:1 588:7,21 621:7 646:3 <b>breaks</b> 445:19 <b>Bridge</b> 493:17 <b>briefly</b> 502:20 594:4 608:4 609:21 <b>bring</b> 445:17 539:8 569:22 588:25 <b>brings</b> 485:2 <b>broad</b> 452:16 569:20,26 619:20 <b>broader</b> 616:12 <b>BROCHET</b> 439:7 <b>brought</b> 517:11 <b>brown</b> 435:15 531:25 594:1 <b>Brownian</b> 493:17 <b>brush</b> 476:2 <b>Buchan</b> 432:11	<b>buggy</b> 529:8 <b>build</b> 526:3 551:2 568:21 <b>built</b> 511:24 557:23 605:3,4,5 <b>bullet</b> 595:1 <b>Burns</b> 440:12 647:3,14 <b>bus</b> 549:10 <b>Bussidor</b> 438:4 439:4 484:20,21, 22 513:20,21,23 554:11,12,13 <b>button</b> 443:14	<b>calving</b> 454:9,10 462:13,16,26 463:3,13,14,23 466:24 472:14, 21,26 491:9 493:14,19,25 529:13,15,16,21 535:11,22 536:11,21 542:12 544:2,10,11,13, 18,24 545:2 552:12,15,18,24 553:12,15 555:10 559:8,11,12 578:12,15,16,17 581:5,6,10,12 582:8 <b>camera</b> 443:17 464:14 465:2,4 486:5,13,15,22, 23,25 <b>cameras</b> 464:19 465:3 486:19 488:13 497:7 518:5 528:25 <b>camp</b> 479:16,19 546:11 <b>Canada</b> 424:23 425:21,24 426:6, 12,19,25 427:25 428:4,8,13 435:6, 15,17 436:10,18 437:4 446:12 447:3,10,15,18, 25 448:8 465:18, 21 483:26 510:9, 12 537:11 545:12,15,18,20, 23 546:21,24 563:23 564:24 589:6,8,12,13,14 590:1,8,13,18 591:8,9,16,21,26 592:5 593:1,4,7, 13 595:24 596:9, 16,23 597:7 598:5,16 599:1
--	--	--	--	---

600:11 601:10,21 602:5,15,18 603:2,6 604:14, 20 605:7,16,22 606:5,21,25 607:1,7 608:19 609:12,25 610:8, 15 611:3,20,25 612:9,12,24 613:4,14,22 615:7,9,12 621:11 622:7,23, 24 623:1,5,8,11, 18,21,22,23 624:2,8,13,17,24 625:1,5,8,9,20 626:5,19,22 627:1,6,26 628:12,18,25 629:11,14,20 630:1,6,12,26 631:14 632:6,18, 20,25 633:5,9,12, 16,17,26 634:14 635:10,22 636:20,26 637:5, 12,21 638:24 640:11,14,23 641:5,8,20 642:21,22 643:2, 8 645:14 646:1 <b>Canada's</b> 426:20 430:5,9,13 545:15 594:5 602:23 608:4,15, 23 609:3,9,15,22 611:6 622:13,17, 21,25 623:9,15 624:11,23 625:16,26 626:8, 10 628:5 629:4 631:10 633:19 639:10 <b>Canadian</b> 502:15 564:23 594:13 603:6,7,9,10 604:1,2,8 608:25	619:7 627:17,21 <b>Canadians</b> 633:6 <b>cancer</b> 513:2,4 <b>cans</b> 469:2,4 <b>captures</b> 596:10 <b>carbon</b> 610:6 611:13,17,19 <b>care</b> 471:3 <b>careful</b> 475:3 476:22 <b>carefully</b> 507:16 <b>caribou</b> 442:4 446:24 448:13 450:17,26 451:16,19,25 452:7,10,13,15, 17,19 453:1,4,16, 26 458:8,11,12 459:7,8,20 462:10,12 464:14,22 465:5 466:5,9,10,15,18, 19 467:23 468:6, 9,13 470:9,12,14, 23,24,26 471:3 472:2,19 473:15 474:25,26 475:1, 2,12,16,19 476:1, 16 477:3,19,23 478:3 480:9 481:17 482:10, 12,13 483:10,18 484:4,25 485:1,2, 13,20,21,22 486:1,14,17,21, 23 487:1,3,8,15, 23 488:3,7,19 489:5,9,17 490:4, 6,15,18,21 491:9, 12,13,22 492:8, 23 493:25 494:10,13 495:1, 11,21,23 496:2, 13,15,16 497:14 501:14 502:6,7 504:14,18,19,23,	26 505:3,12,18, 23 506:1,2,9,17 507:12 508:12 511:13,15,17,26 512:5,11 513:12, 16 514:12,13,16, 21 515:4,5,9,11 516:15 517:17,18 523:4,14 524:1,5, 9 526:11,16,23 527:3,6,16 528:1, 5,13,16,20,23 529:1,3,26 530:3, 4,6,17,20,21 531:13,21 532:1, 3,4,9,11,12,20,23, 26 533:14,17,24 534:9,13,14,17, 25 535:3,5,15,24 536:1 537:3 539:12 540:9,22, 24 541:23 542:9, 11,12,13,26 543:8 547:10,12, 13,15,16,25 548:1,18,21 551:21 552:11,15 553:2,3,16 555:4, 8,16,22,26 557:23 558:4,14 559:8,11,13,21, 22,23 560:6,14 561:7 564:26 565:2 568:5,9 569:2,7,20 570:3 571:6,8 572:10 573:5,7,12,13 574:1,4,17 575:23,25 576:4, 23 577:2,3,5 578:15,17 581:3, 8,21,23 582:1,5, 9,24 583:7 584:25,26 585:13,15,16,17, 22,24 586:8 588:17	<b>caribou's</b> 528:19 <b>caribous</b> 472:2 512:13 615:19 <b>carried</b> 450:23 459:18 <b>Carroll</b> 434:18 <b>case</b> 459:6 555:24 558:14 644:12 <b>cases</b> 608:12 <b>catch</b> 574:13 590:9 <b>categorical</b> 567:22 <b>catering</b> 445:17 <b>Catherine</b> 579:6, 8 580:20,22 <b>caused</b> 466:26 490:21 544:10 586:3,19 <b>causing</b> 493:6 <b>cautious</b> 537:17 <b>cease</b> 588:4 <b>cell</b> 441:12 <b>census</b> 535:5 565:10 566:10 <b>central</b> 445:11,15 <b>centre</b> 528:13 <b>centuries</b> 645:12 <b>certainty</b> 574:25 <b>certificate</b> 427:3 484:6,9 504:3 541:2 594:23 599:21 600:15,22 647:1 <b>certify</b> 647:3 <b>CH</b> 617:19 <b>CH1</b> 636:24 <b>CH5</b> 636:25 <b>Chair</b> 424:10 425:12 431:5 441:3,17 446:20, 26 447:1 448:10 449:1,2,9,12,14	450:3,13,14 451:4,6,26 452:2 453:13 454:2,4, 14,16,18,21 455:12,24 456:1, 7,18 457:17,21, 26 458:2,15,25 459:1,10,12,23, 25 460:9,17,19, 24 461:2,16,19 462:3,7,17,19 463:6,9,16,19 464:3,6,8,10,24, 26 465:6,16,17, 19,23 466:1 467:5,7,16,18 468:22,26 469:7 474:3,5 476:6,10, 11,19 477:10,12, 16,17 478:20,22 479:12,14 480:12 481:12,14,25 482:1 483:14 484:11,15,17,19 485:5,6 486:7,10 487:11,13,21,22, 26 488:2,16,17, 22,24 489:11,13, 24,25 490:9,11, 23,25 491:4,6,18, 26 492:2,10,19, 21 493:7,9 494:3, 4,16,18 496:8,9, 17,18,20 497:2,9, 10,17,18,20 498:4,11,14,20, 22 499:10 500:10,12,17,21, 26 507:22 508:2, 6,14,20,23 509:1, 7,8,17,18 510:3, 8,10,14,16,22 513:19,21,26 515:26 516:5,7, 10,11,12,14 517:1,2,15,25,26 518:6,16,19 519:11 520:1,14,
--	--	--	---	---

15 525:3,5 526:8 537:5 539:23,25 540:17 541:13,25 542:1,6,14,17 543:3,5,13,20,21, 23 544:5 545:4,6, 11,13,18 546:5,7, 21,23,26 547:4 548:13,22,24 549:20,22 550:13,15 551:6, 24,26 552:5,7 553:6 554:5,7,10, 12,20,21 555:11, 14 556:2,6,16,18 557:2,12,17 559:2,15 560:16, 20,24 561:2,3,21, 23,26 562:2,8,17, 20,26 563:11,12, 17 564:18 565:18,24 566:4, 13,20,26 567:10 568:12,13,16 569:10 570:11, 14,15,19,22,24 571:2,16,17,19 572:24,25 573:22 574:26 575:16 576:6,7,13 577:14,15,23,25 578:5,21 579:3,6, 7 580:2,20,21,25 581:15,16 582:13,14,16,18, 20 583:9,21 584:8,14,23 585:26 587:1,13, 15 588:2,3,6,20 589:4,18 591:2,5 593:3,5,14 602:18,20 605:14,20 606:2, 4,24 607:2,12,13, 21 613:20,26 614:3,10,13 615:9,11 621:5,9, 15 622:6,9,23,26	623:2 631:12,18 632:1,4,18 638:16 645:22 <b>Chairman</b> 457:22 519:16 520:21 540:18 551:10,23 <b>chairperson</b> 441:4 <b>challenged</b> 450:11 <b>challenges</b> 515:13,19,21 <b>chance</b> 521:8 602:24 605:12 <b>chances</b> 572:23 <b>change</b> 426:6 435:17 447:14,16 451:23 452:25 495:10 512:2 534:16 535:10,14 536:8,11,12 575:23 580:9 589:12 590:5 594:12 605:22 606:5,21,24 607:1,7 608:4,15, 23 609:3,9,12,15, 17,22,25 610:1,4, 8,15,17,25 611:2, 5,20,25 612:8,12, 24 613:3,14 617:18,20 633:23 639:3,15 643:22 <b>changed</b> 470:17 471:1 526:15 528:6,19 535:2, 15 552:12 568:4 576:3 617:5 <b>changing</b> 471:4 472:9 473:2 503:19 638:11 645:12 <b>channel</b> 443:8,9 616:21	<b>char</b> 617:13 620:10 <b>characterization</b> 644:25 645:4 <b>check</b> 444:15 479:21 497:24 548:2,7,8,9,10 <b>Chenel-fournier</b> 433:11 <b>Chesterfield</b> 432:25 438:24 <b>chew</b> 478:4 <b>Chief</b> 434:4,12 437:21,23 438:5, 8 <b>child</b> 512:15 515:7,8 <b>children</b> 466:16 474:15 <b>cho</b> 513:18 602:14 621:4 645:21 <b>choose</b> 443:3 <b>Chouinard</b> 432:15 <b>Chranowski</b> 438:9 485:4,6,7,8 487:12,13 488:1, 2,23,24 490:10, 11 491:5,6 492:1, 2 554:16,20,21, 22 556:9,10 <b>circling</b> 577:21 <b>circumstances</b> 572:11 <b>CIRNAC</b> 590:6, 12 <b>City</b> 647:8 <b>claim</b> 502:13 <b>claimed</b> 610:26 <b>claims</b> 521:20 <b>Clan</b> 501:13 <b>clarification</b> 447:13 448:8	454:26 455:7 458:5 476:13 478:24 562:13 563:4 575:20 577:17 584:24 585:25 587:12 588:5 613:4,15 <b>clarified</b> 611:8 612:4 <b>clarify</b> 456:12,16 458:13 460:3 465:11 571:11 582:22 585:3,6, 12 588:12 <b>class</b> 570:4 <b>classes</b> 569:26 <b>clean</b> 545:25 646:20 <b>clear</b> 444:18 485:3 511:4,11 517:12 523:20 536:23 567:2 577:1 636:12 <b>click</b> 443:14 <b>climate</b> 426:5 435:17 447:14,16 512:2 534:15,17, 24 536:13 589:12 594:12 605:22 606:5,21,24 607:1,7 608:4,15, 23 609:3,9,12,15, 16,22,25 610:1,4, 7,15,25 611:2,5, 20,25 612:8,12, 24 613:3,14 638:11,12 639:3, 15,16 643:4,22 645:13 <b>Clipping</b> 439:5 <b>close</b> 486:3 532:26 544:3 549:17 559:13 564:1 581:14 <b>closely</b> 476:26 477:4 616:15	<b>closer</b> 453:21 463:4 467:1 491:12 535:13 576:5 581:6,13 582:8 <b>closest</b> 559:11 <b>closing</b> 602:11 <b>closure</b> 447:17 481:10 558:12,15 597:5 599:7,11 613:1,8,10,11 634:6 635:15 639:13,17 643:12 <b>co-disposal</b> 645:1 <b>Coast</b> 594:13 <b>coincides</b> 452:21 <b>cold</b> 642:10,17,19 <b>Cole</b> 437:10 <b>collaborate</b> 534:21 <b>collaboration</b> 450:10 536:24 <b>collar</b> 450:21 454:10 459:14 492:23 494:9,13, 14,21 495:1,5 496:13,15,24 498:1 530:16,19 574:2,3,4 581:24 582:3 <b>collared</b> 452:7, 10,13 462:10 474:25 485:1,20 489:5 527:5 530:20 532:3 536:9 568:4 <b>collaring</b> 497:4 <b>collars</b> 452:14 477:8 494:23 495:8,22 527:9, 15,19,20 529:15 532:6,7 559:7 <b>colleague</b> 485:4
--	---	---	--	--

<b>colleagues</b> 623:11	637:12 638:8 639:23 641:7	503:26 616:25 633:5 641:1	<b>compare</b> 627:16	523:25 551:16
<b>collect</b> 469:16 477:7 538:9 550:1,8 587:17, 26 616:25 620:4	<b>commentary</b> 584:8	<b>committee</b> 525:7,9,19,26 526:1 561:13,15, 18 563:22 564:5, 22,23	<b>compared</b> 485:1 486:26 626:22 629:16	576:12 580:7 616:13
<b>collected</b> 492:5 550:3 555:25 574:21 583:12,26 584:1 640:7,16	<b>comments</b> 425:25 428:16, 21,25 429:3 441:20 445:3 448:7,9 456:11 457:2,7 462:4 467:21 474:8 482:6,18 485:5 513:23,24 522:21 523:1,8 524:15 525:9 526:13 540:23 559:6 592:7,12,17,22 597:17 602:16,25 609:13,16,18,22 610:10 616:1 624:2,11,18 625:5,9 626:1 629:15 633:3 634:11 637:22 638:7 641:26 642:2 645:15 646:10	<b>committees</b> 525:12,17	<b>comparing</b> 585:7	<b>composed</b> 525:21
<b>collecting</b> 550:6 587:24	<b>communicate</b> 619:17 628:10	<b>communicated</b> 572:5,7	<b>comparison</b> 495:13 536:16 585:4 645:8	<b>comprehensive</b> 450:23 459:18 554:25
<b>collection</b> 549:11 598:4,8	<b>Communication</b> 433:9,11	<b>Community</b> 432:24 438:12, 13,14,17,18,19, 22,25,26 439:1,4, 5,8,9,10,13,14,15, 18,19,20,23,24,25 441:10,21 469:16 503:2 505:11 506:15 507:18 521:7,11 523:17 538:2 541:3 550:5 572:12 584:16 593:18,19 597:12 607:3 616:19 620:24 624:19 646:4,11	<b>comparisons</b> 627:4	<b>comprehensively</b> 522:15
<b>Colleen</b> 446:24, 26 447:2	<b>commitment</b> 449:19 450:6 455:14,23 456:3, 20 457:15 458:6, 7,13,17 459:4 460:6 482:5,25 484:7,8 506:8,9, 18 530:21,25 543:8,12,19 561:6,20 562:15, 25 582:3 600:1 628:21 629:2 631:3 640:26	<b>communities</b> 469:11,13 470:5, 8 471:18,21 473:20 503:4 521:13 616:24 618:12 630:24 646:6	<b>compelled</b> 456:14	<b>concentrate</b> 628:9
<b>collisions</b> 574:16	<b>commitments</b> 597:24 602:7,8 625:19	<b>community</b> 441:10,21 469:16 503:2 505:11 506:15 507:18 521:7,11 523:17 538:2 541:3 550:5 572:12 584:16 593:18,19 597:12 607:3 616:19 620:24 624:19 646:4,11	<b>competitively</b> 633:8	<b>concentration</b> 598:4 639:6
<b>colour</b> 503:24	<b>commits</b> 601:15	<b>companies</b> 469:13,14 473:3 644:17	<b>complaint</b> 572:12 625:24 628:22	<b>concentrations</b> 598:8,20 630:19
<b>coloured</b> 532:2	<b>committed</b> 455:19 482:23	<b>company</b> 450:11	<b>complaints</b> 628:24	<b>concept</b> 533:16 577:1
<b>comanagement</b> 595:6		<b>comparable</b> 505:2 566:11 585:4	<b>complete</b> 533:22 604:21 624:5 626:19 645:26 647:4	<b>concern</b> 458:9 503:5 504:7 524:18 575:11,20 576:9,18,20,26 588:15 600:2 602:5
<b>combination</b> 583:13			<b>completed</b> 448:4 461:12 483:11 498:3 629:22	<b>concerned</b> 463:2 503:11 512:10 526:4 634:3 637:13
<b>COMMENCED</b> 441:1			<b>completely</b> 452:19 555:21 558:10,22	<b>concerns</b> 441:20 449:22 452:24 469:17 482:21 493:1 496:1 502:1 504:15 506:8 507:3,8,9 511:9 538:2 541:3 543:10 547:9 561:10,12 562:25 571:11,15 576:17,22 577:10 588:15 595:13,16 596:7,12 597:20 598:2,23 602:9 612:9,25 620:23
<b>commencement</b> 497:15			<b>completion</b> 537:16	<b>concise</b> 442:10 482:9
<b>comment</b> 447:18 456:5 525:6 527:26 529:20 533:26 534:20 547:11 548:12 549:1,5 550:12, 18 551:4 565:19, 23 566:7 581:22 598:3,14,25 599:13 600:4 601:3,19 604:4 605:1 610:11,22 616:8,17,18 617:1,3,15,17 618:4,5,9,10,17, 18 619:1,14 625:19 634:13 635:9 636:3,17			<b>complex</b> 431:1 581:21	
			<b>complexity</b> 634:3	
			<b>compliance</b> 594:22	
			<b>complicated</b> 474:9 568:10	
			<b>comply</b> 445:24	
			<b>component</b> 571:25 646:11	
			<b>components</b> 460:13 515:3	

<p><b>conclude</b> 540:15 556:21 602:4 615:5</p> <p><b>concluded</b> 530:21 582:23</p> <p><b>concludes</b> 605:11 613:16 631:10 634:26 635:22 645:24</p> <p><b>concluding</b> 561:7 582:22 583:6</p> <p><b>conclusion</b> 507:2 537:21 540:20 561:6 619:26 642:16,22</p> <p><b>conclusions</b> 459:9 532:13 556:1 567:6 583:15,24 624:3 625:12 626:17 629:23</p> <p><b>concurrently</b> 495:2</p> <p><b>condition</b> 448:2 484:6,9 504:2,12 529:22 530:15 537:10,20 541:1 554:1 600:14,22</p> <p><b>conditionally</b> 597:23 601:15</p> <p><b>conditioned</b> 504:25</p> <p><b>conditions</b> 453:24 465:12 490:2,6 535:14 594:23 599:20 600:1 601:1 620:18 621:2 626:24 635:20, 21,24 636:23 638:10,13,19 640:9 643:1,19 645:2</p> <p><b>conduct</b> 455:16, 17 550:5</p>	<p><b>conducted</b> 605:8 641:9,19 643:9</p> <p><b>conductivity</b> 637:19</p> <p><b>conducts</b> 594:21</p> <p><b>conference</b> 597:12,13</p> <p><b>confidence</b> 586:4</p> <p><b>confident</b> 479:9 496:13,24</p> <p><b>configuration</b> 613:4</p> <p><b>confirm</b> 446:13 480:14 484:7 491:14 537:9 596:9 598:19 609:10 624:25</p> <p><b>confirmation</b> 613:1 625:23</p> <p><b>confirmed</b> 448:7 482:26 517:8 611:22</p> <p><b>confirming</b> 509:6</p> <p><b>confirms</b> 447:5 604:20 636:23</p> <p><b>confusion</b> 584:10,22</p> <p><b>conjecture</b> 453:12</p> <p><b>conjunction</b> 463:26</p> <p><b>connected</b> 515:11,12</p> <p><b>connection</b> 634:19</p> <p><b>consensus</b> 507:1</p> <p><b>consent</b> 443:26</p> <p><b>conservative</b> 533:19 599:2</p> <p><b>considerable</b> 560:12</p> <p><b>consideration</b> 461:12 468:12</p>	<p>475:26 476:2 512:2 569:1 636:5 643:4,11</p> <p><b>considerations</b> 561:9</p> <p><b>considered</b> 450:21 459:14 509:22 597:23 603:26 609:14 624:13,18 626:2 629:15 634:24 636:10 637:7,16 638:2 640:10 643:6</p> <p><b>considers</b> 447:6 598:12 599:7 600:19 601:14 619:26 620:12 628:1,26 631:1 645:14,18</p> <p><b>consistently</b> 539:17</p> <p><b>consolidated</b> 482:9</p> <p><b>constantly</b> 469:19 470:12</p> <p><b>constitute</b> 620:10</p> <p><b>Constitution</b> 502:15</p> <p><b>constraints</b> 459:17</p> <p><b>construct</b> 509:26</p> <p><b>constructed</b> 452:10 493:1 580:10 585:2 599:23 616:14</p> <p><b>construction</b> 451:15,17 452:22 464:20 465:14 484:2 610:18 618:11 645:17</p> <p><b>consult</b> 502:15 587:9,21 595:1,5 596:13</p>	<p><b>consultant</b> 433:2,4,6 437:20 458:1 460:20 461:18 462:6 463:8 464:5 525:4 542:16 543:15 544:7 548:15 553:8 555:13 557:4,19 559:17 562:10 567:13 569:12 572:26 575:18 576:15,16 581:18 583:3 584:17 585:10 586:12 588:10 594:2</p> <p><b>consultants</b> 470:1</p> <p><b>consultation</b> 437:8 502:23 583:13 584:2 595:2,18</p> <p><b>consultations</b> 483:25</p> <p><b>contact</b> 447:21 469:11 470:4,7 504:1 523:7 538:3,8,26 539:21 540:6 545:25 546:10,12 580:11,14,17 601:4,8</p> <p><b>containment</b> 644:2</p> <p><b>contaminant</b> 626:22</p> <p><b>contaminants</b> 599:3 627:2,8,14, 16 628:4 629:17</p> <p><b>contaminated</b> 549:7</p> <p><b>contamination</b> 475:5 597:4</p> <p><b>CONTENTS</b> 423:1</p>	<p><b>context</b> 485:24</p> <p><b>continually</b> 627:24</p> <p><b>continue</b> 442:5, 24 450:5 457:13 458:21 462:3 468:24 471:12 473:14 476:23,25 481:1 498:4 518:8 529:6 541:22 556:3 620:2 627:8,11 628:20 629:2 630:13</p> <p><b>continued</b> 507:20 515:16 594:20 628:2</p> <p><b>continues</b> 503:11</p> <p><b>continuing</b> 445:23 448:10 498:12 516:3 529:25 556:7 578:5 605:13 621:10</p> <p><b>continuous</b> 639:22</p> <p><b>contrary</b> 540:26</p> <p><b>contribute</b> 469:4 580:18 581:12 613:19</p> <p><b>contributed</b> 450:19 451:23 535:21</p> <p><b>contributes</b> 617:20</p> <p><b>control</b> 549:15</p> <p><b>controls</b> 599:25</p> <p><b>Convention</b> 609:1</p> <p><b>conversations</b> 527:8,11 546:14</p> <p><b>convey</b> 467:1 490:1</p> <p><b>coordination</b> 572:1 608:18</p>
---	--	---	--	---

<p><b>Coordinator</b> 433:10 434:1</p> <p><b>copies</b> 591:6</p> <p><b>copy</b> 427:9,12,17, 22 428:1,5,10,15, 20,24 429:2,7,11, 14,17,20,23,26 430:3,7,11,15,19 461:22 500:12,18 518:21 519:1,6 591:12,17,22 592:1,6,11,16,21 606:6,9,13,17 614:13,17,20,23 615:1 622:11,15, 19 632:4,7,9,14</p> <p><b>core</b> 522:25</p> <p><b>corners</b> 445:9</p> <p><b>Corporation</b> 424:8 425:4 437:18 492:11,13 514:1,2,5 521:17 556:14,17,20 557:13,16 559:3, 5 560:17,19 596:5</p> <p><b>correct</b> 452:5 465:13 489:9 517:3 528:9 574:14 611:21 624:26</p> <p><b>correction</b> 456:3</p> <p><b>correctly</b> 463:15 480:14,19 553:22 564:26 567:9,14 576:18 636:5</p> <p><b>correspond</b> 595:24</p> <p><b>Coulton</b> 433:2 450:5,13,14,15 459:11,12,13 489:11,24,25,26</p> <p><b>council</b> 604:5,23</p> <p><b>counsel</b> 423:21 424:4,13 425:17</p>	<p>426:3,10,16,23 431:13,24,25 433:19,20 434:9, 18 436:19,20 438:3 444:10 482:2 499:5,7,9, 11 500:1 508:20, 22,24 509:9,12 518:10,13,15,17 519:12 520:2,12 521:3 561:4 589:9,15,17 591:3 594:3 605:17,19 606:3 607:12,21 613:23,25 614:1, 11 621:12,14,16 622:4 631:15,17, 19 632:2</p> <p><b>Counselor</b> 433:11</p> <p><b>count</b> 558:14 586:19</p> <p><b>country</b> 469:24 473:8 502:9 511:11,18 514:11 624:16 629:6,17 630:3,23</p> <p><b>country's</b> 633:7</p> <p><b>counts</b> 586:5,10</p> <p><b>couple</b> 492:22 516:14 547:8</p> <p><b>court</b> 440:10,11, 12 445:26 646:17 647:15,22</p> <p><b>COVE</b> 438:21</p> <p><b>cover</b> 478:10 480:5,9,18 481:9, 10 573:26 574:24 638:14,20 642:17,18 645:10,12</p> <p><b>covered</b> 481:8 577:21,22</p> <p><b>covers</b> 642:11</p>	<p><b>cow</b> 530:10 536:26 544:14</p> <p><b>cows</b> 529:17 533:21 535:18 536:9,26 542:21 544:12,22 573:14 576:1,19 577:13</p> <p><b>crack</b> 478:17</p> <p><b>Craig</b> 424:15 519:22,23 520:10 521:1</p> <p><b>create</b> 533:6 565:15 620:14</p> <p><b>creates</b> 505:18</p> <p><b>credible</b> 532:13</p> <p><b>criteria</b> 575:5 613:9 631:4</p> <p><b>critical</b> 505:10</p> <p><b>cross</b> 452:8 482:13,14 486:3 489:9,18,20 490:16,18,21 603:20</p> <p><b>crossed</b> 451:16 452:10 486:2 487:4,24 488:6, 14 489:2</p> <p><b>crossing</b> 451:18 452:8 453:9,20 464:15 477:19,23 485:23 486:15,18 487:6,8,9,15,19, 20 488:9,21,26 489:2,23 490:15 539:12 604:3 616:5</p> <p><b>crossings</b> 482:10 490:3 620:13</p> <p><b>Crown</b> 483:25 597:3</p> <p><b>Crown's</b> 595:5</p> <p><b>Crown-indigenous</b> 425:20 427:24 428:3,7,12 435:6</p>	<p>465:17,20 510:8, 11 537:11 545:11,14 589:11 590:17 591:7,15, 20,25 592:4,26 593:3,6,12 594:4 596:22 597:6 598:5,16 599:1 600:10 601:9,20 602:4</p> <p><b>CRR</b> 440:13 647:14</p> <p><b>crucial</b> 476:25 483:1</p> <p><b>CSR(A)</b> 440:11, 12 647:14,21</p> <p><b>cubic</b> 538:23,25 539:2,3,4</p> <p><b>cultural</b> 522:2 523:3 524:16</p> <p><b>culturally</b> 539:15</p> <p><b>culture</b> 501:19 503:6,7 551:7</p> <p><b>cumulative</b> 534:24 596:25</p> <p><b>curious</b> 478:5</p> <p><b>Curley</b> 438:14</p> <p><b>current</b> 476:23 494:10 505:16,26 528:21 542:22 552:15 560:10 571:12 575:3,21 576:20 577:11,19 598:13 599:9 609:13 611:9 619:2 620:13 629:16</p> <p><b>curriculum</b> 454:7</p> <p><b>cycle</b> 565:3,21 576:10</p> <p><b>Cyr-parent</b> 434:26</p>	<hr/> <p style="text-align: center;"><b>D</b></p> <hr/> <p><b>D'SOUZA</b> 436:25</p> <p><b>D-A-V-I-D</b> 509:10</p> <p><b>D-E-A-N</b> 499:25</p> <p><b>D-E-W-A-R</b> 590:21</p> <p><b>D-O-W-N-I-N-G</b> 590:25</p> <p><b>D5</b> 603:19</p> <p><b>D6</b> 603:19</p> <p><b>daily</b> 487:24</p> <p><b>Dan</b> 450:9,12,13, 14 451:8 459:11, 12 485:4,6,8 486:8 487:12 488:1,23 489:11, 24,25 490:10 491:5 492:1 554:16,20,22 556:9,10</p> <p><b>danger</b> 548:9</p> <p><b>Daniel</b> 450:5 453:24 455:26 456:2 541:26 542:2 565:26</p> <p><b>data</b> 450:21 453:10 454:10 459:15 463:22 477:7 483:4 492:4 494:9,14, 21 495:1,5 496:5, 13,15,24 497:25 517:18 550:4 551:19 565:1 577:9 587:19,23, 24 588:1 613:12 625:11,17 626:21 627:2,19 630:3, 22 639:1 640:4,7, 15,19,24 641:2 642:25</p>
--	--	---	--	---

<b>data-sharing</b> 464:2 <b>date</b> 485:24 487:17 507:6 523:2 597:8 617:4 640:5 <b>dated</b> 482:16 493:16 647:8 <b>David</b> 424:5 448:25 449:6,9, 12,14 451:5,6 452:5 454:3 469:8 474:7 494:26 501:8 508:18 509:9,14 516:25 517:1,24, 25 <b>day</b> 441:6 442:1 445:20 477:4 479:24 487:1 495:7 549:10 552:21 645:24 646:16,22 647:9 <b>days</b> 487:6 527:22,25 <b>de</b> 532:2 <b>deal</b> 478:11 577:9 <b>dealing</b> 551:20, 22 572:21 <b>Dean</b> 423:23 433:24 440:4 499:24,25 500:7, 8 <b>death</b> 618:22 626:15 <b>debris</b> 478:8 <b>decades</b> 542:8 <b>Decarbonization</b> 433:1 <b>December</b> 456:25 626:4 <b>decided</b> 572:13, 16 <b>deciding</b> 604:16	<b>decision</b> 455:9 456:17 571:23 572:4 594:9 596:15 604:23 <b>decision-maker</b> 625:1 <b>decisions</b> 477:4 572:24 641:14,22 <b>decline</b> 448:23 475:2 511:22 565:9 586:3,15, 18,20,23 <b>declined</b> 535:6 <b>decrease</b> 483:7 526:19 <b>defensible</b> 449:21 <b>defer</b> 586:21,25 <b>deferred</b> 423:8 446:4,5,17,25 498:18 <b>definite</b> 530:13 <b>definition</b> 526:17 <b>definitive</b> 493:23 <b>deflect</b> 530:17 <b>deflections</b> 482:10,11 <b>degradation</b> 448:3 597:4 641:10 <b>degree</b> 505:4 559:24 <b>delineate</b> 463:23 <b>delineated</b> 636:19 637:1,6 <b>delineating</b> 454:10 <b>delineation</b> 463:24 464:1 <b>delineations</b> 635:2 <b>deliver</b> 498:25 <b>delivered</b> 524:26	<b>delivering</b> 520:25 <b>demanded</b> 644:17 <b>democratic</b> 521:23 <b>demonstrated</b> 496:25 <b>demonstrating</b> 644:16 <b>Dempster</b> 443:19 <b>dene</b> 423:13 425:2 428:8,13 429:1,5,16 430:2 438:1,4 440:6 443:9 455:15,21 481:22 482:2,7, 19 483:26 484:19,21 485:9 487:11,26 488:22 490:9 491:4,26 513:11,19,22 514:11,19,22 521:15 533:16 554:10,13,18,23 556:9 561:17 565:5 591:26 592:5,20,25 596:3 606:20 615:3 <b>Denechezhe</b> 438:6 439:9,24 510:23,26 511:1 552:6,7 554:6,7,8 <b>Denechezhe's</b> 513:24 <b>Denesuline</b> 423:14 424:6,8 425:1,4 437:18 438:1,6 481:22, 25 482:3,20 483:26 484:15 485:10 492:10,13 510:22,24 513:26 514:2,5 521:15, 16 531:1 552:5	554:5,18,23 556:11,14,16,19 557:12,15 559:2, 5 560:16,19 596:3,4 <b>density</b> 497:14, 24 498:1 582:24 636:5 <b>density-</b> <b>dependent</b> 636:14 <b>department</b> 434:23,24 436:1 545:16 593:16,24 594:16,19,21 595:18 597:19 598:12 599:7,14 600:13,19 601:14,26 602:11 608:24 625:2 629:16 633:10 634:26 639:18 644:4 <b>department's</b> 602:9 607:10,26 608:8 624:20 633:1 <b>departments</b> 589:22 646:2 <b>depend</b> 512:11 513:12 553:3 <b>dependent</b> 570:1 573:14 <b>depending</b> 442:8 530:8 607:17 645:1 <b>depends</b> 536:18 <b>deposit</b> 480:24 640:8,19 641:4 <b>deposition</b> 447:26 448:2 523:5 524:1 612:1,7,16,21 634:25 635:21 642:9,17,19	643:18 <b>depressing</b> 558:8 <b>depth</b> 575:2 603:24 <b>Deputy</b> 434:19 <b>Derek</b> 647:3,21 <b>describe</b> 494:12 526:22 <b>describing</b> 454:12 <b>description</b> 423:3 427:7 482:9 567:22 598:7 623:16 <b>design</b> 447:23 450:9,16,20 455:17 456:23 457:1,2,3,9 460:12,21 461:10,14,23 522:17 534:22 566:10 599:15 616:5 638:13,14, 23 639:1,17 640:15,16 641:22,24 643:10,12,13,14, 23 645:17 <b>designated</b> 595:24 <b>designed</b> 442:17 555:23 585:21 595:10 599:23 <b>designs</b> 620:13 <b>destroy</b> 551:3 <b>destruction</b> 618:24 <b>detail</b> 502:4 528:22 562:16 609:24 <b>detailed</b> 495:5 528:18 539:20 540:4 561:7 569:7 598:6 599:15 641:8
---	---	--	--	--

645:17	<b>dewater</b> 604:11	566:10	575:2 612:17	16 536:22 544:11
<b>details</b> 460:7	<b>dewatering</b>	<b>director</b> 431:14,	626:16	545:2 568:4
506:22 601:11	604:6,7	15 432:10,11,13	<b>discussions</b>	575:23 582:8
609:20 610:5	<b>Dewer</b> 545:12	433:7,22,24	456:26 457:13	586:6,25 619:20
611:2 624:20	<b>diagnosed</b> 513:4	434:10,26 435:8	458:20 506:12,20	<b>disturb</b> 466:11
625:22 630:16	<b>Dialect</b> 428:9,14	444:21 519:17	524:21 635:18	515:6
643:17	591:26 592:5	520:23 593:11	646:14	<b>disturbance</b>
<b>detect</b> 496:6	<b>diameter</b> 477:21	<b>disagreement</b>	<b>disingenuous</b>	490:20 530:9
<b>determinations</b>	<b>diamond</b> 525:18,	583:14,23	510:2	534:8 574:17
522:17	23 555:2	<b>discern</b> 585:23	<b>dispersion</b> 645:5	<b>disturbances</b>
<b>determine</b>	<b>Diane</b> 492:11,12	<b>discharge</b>	<b>displace</b> 580:14	504:25 586:2
596:12 603:22	514:1,4 550:2	503:12,18 504:1,	<b>displayed</b> 608:14	<b>disturbed</b> 551:1
604:15 638:10	556:17,19	5,13 524:2 538:1,	<b>disposal</b> 600:4,	559:22 560:2
639:26 640:12	557:13,15 559:3,	5,19,24,26 539:8,	12,17 611:26	<b>ditto</b> 513:23
641:10 642:11	4 560:17,18	13,18 540:7,12,	612:15 634:6	<b>diverted</b> 538:8
645:5	617:14	26 546:13,17,19	642:3,15 643:13	<b>diverts</b> 504:10
<b>determined</b>	<b>Diavik</b> 525:18	579:10,18,20,22	644:11,13,15,18,	<b>divide</b> 545:25
557:26 617:12,26	531:24,26 532:7	580:7,19 601:20,	21 645:6	<b>dividing</b> 544:18,
626:18	555:1,4,5,7,16,20	25 603:4 613:9	<b>disposition</b> 600:7	23
<b>determining</b>	557:24 568:18	617:21 636:22,24	<b>disrupt</b> 526:20	<b>division</b> 437:6
640:2	584:25 585:3,8	637:4	<b>disrupted</b> 442:24	632:24
<b>develop</b> 455:16	<b>difference</b>	<b>discharged</b>	466:22	<b>document</b>
480:1 533:12	460:25 567:23	538:22 546:1,4	<b>disruption</b>	611:23 618:20
599:2 627:18	586:7,24 611:21	580:15	618:23	<b>documentation</b>
642:12	<b>difficult</b> 533:11	<b>discharges</b>	<b>dissolved</b> 598:3,8	487:15 491:17
<b>developed</b> 450:9	534:13 555:25	504:10 601:23	<b>distance</b> 486:20	639:4 642:1,8
461:10 541:2	556:1 558:26	602:2	495:17,19 532:25	<b>documented</b>
633:7	560:10 585:23	<b>Discovery</b>	533:23 542:24	488:11 545:1
<b>developing</b>	<b>difficulties</b>	599:13,17,22	543:1 549:4	<b>documents</b>
456:23 544:10,24	530:25	634:8 636:19,24	558:5 559:20	597:10 629:12
545:3	<b>dioxide</b> 627:10	637:2,8 640:8,19,	568:23,25 570:2	<b>dodge</b> 558:25
<b>development</b>	<b>direct</b> 442:10	21 641:4	576:3	<b>domesticated</b>
450:16 485:14	486:6 534:10	<b>discriminate</b>	<b>distances</b> 532:20	531:15
504:11 512:19	552:9 610:18	458:7	533:14 570:7	<b>doors</b> 445:8
515:17 521:24	<b>directed</b> 446:6	<b>discuss</b> 612:3,18	619:19	<b>downflow-</b>
522:9 640:16	492:24 494:6	620:26 633:1	<b>distinct</b> 530:13	<b>receiving</b> 634:17
<b>developments</b>	496:11 497:12	<b>discussed</b> 494:22	<b>distinguish</b>	<b>Downing</b> 425:19
544:3	<b>direction</b> 488:11	543:8 597:18	547:13	436:21 590:24
<b>deviate</b> 589:20	617:5	609:20,24 610:11	<b>distracted</b>	591:1 602:19,20,
<b>Dewar</b> 425:18	<b>directions</b> 444:2	620:23	547:19	21
435:8 465:18,19,	445:24 636:18	<b>discussing</b>	<b>distribution</b>	<b>downstream</b>
20 510:9,10,11	637:1	562:14	462:26 463:3,14	540:10 616:4
545:13,14	<b>directly</b> 451:10	<b>discussion</b>	493:14 494:11	<b>draft</b> 457:2,3
590:10,20,26	505:2 509:21	523:10 531:2,4	495:3,10 496:2,	506:19 610:1
593:4,5,6		562:24 566:22		

**drainage** 644:3,  
5,26  
**draw** 532:13  
556:1  
**drier** 544:12  
**drilled** 640:18  
**drinking** 503:13,  
21 538:9,11  
**driven** 561:8  
**dry** 642:11,17  
**DU** 439:17  
**dual** 538:5 580:8  
**due** 505:26  
537:24 549:1  
552:16 588:22  
**duration** 531:11  
601:12 617:22  
**dust** 529:10  
549:11,13,15,16,  
18 550:8 630:1  
**duties** 529:5  
**duty** 502:14  
595:1,5 596:12  
**dynamite**  
479:17,25 480:2,  
16

---

## E

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**E-Z-R-A** 499:23  
**E.M.** 439:24  
**Eagle** 423:7,10,  
12,14,17,25  
425:6,21,26  
426:6 427:1,10,  
23 428:2,6,11,17,  
22,26 429:4,8,12,  
15 430:17,21  
431:23 441:7,25  
442:3 446:6,9,12,  
16,17,19 447:2,5,  
15,22 448:13,16,  
21 449:2,17,19  
450:3,4 453:13,

14 454:24 455:5,  
12,13,16 456:14,  
18,19 457:12  
458:3,4,15,16  
459:2,4,10 460:3,  
5,9,10 461:2,3,8,  
12,20 464:1,24  
465:26 468:22  
469:6 476:6,7  
478:20,23  
480:12,13,22  
481:23 482:4,8,  
23 484:11,12,26  
485:19,26 486:7  
487:17,21 488:16  
489:4,11,14  
491:8,11,14,18,  
19 492:18 493:16  
494:9,22 496:12,  
14 497:2,3  
500:19,24 503:9,  
26 506:4,7 507:3,  
6,7 515:26 516:1  
524:22 526:7  
527:1 530:26  
532:21 534:8,20  
537:12 538:7  
541:2 546:14  
550:9 555:3  
560:22,24,25  
561:4 562:19  
563:11 565:7  
566:19 567:4,7  
568:12 570:14  
577:19 579:16  
587:8 591:13,18,  
23 592:2,8,13,18,  
23 593:1,17  
597:24 598:6,11,  
17,22 599:2,14  
600:9,15,20  
601:10,15,22,24,  
26 602:6,16  
603:16,21 604:4,  
8,13,26 605:1  
606:10,14,18,22  
607:3 609:26  
610:4,12,16,19,

23 611:3,6,11,16,  
21,22 612:1,4,16  
613:6,9 619:8  
632:11,16,21  
633:4 640:4  
641:1,18 642:8  
**Eagle's** 461:14  
485:20 494:7  
527:14 530:1,20  
542:10 567:20  
569:15 582:2  
584:20 599:26  
602:7,26 608:1  
627:26 628:25  
630:26  
**earlier** 481:2  
494:26 528:17  
535:18 564:10  
565:1 566:24  
578:11 579:14  
**early** 448:23  
530:10 544:13  
564:3 575:26  
**easily** 538:10  
**east-west** 476:15  
**easy** 604:12  
**eat** 480:5,9  
503:13 574:9  
**Ecological**  
437:20  
**economic** 523:3  
524:17  
**economically**  
514:21 627:12  
**economy** 503:8,9  
**ecosystemic**  
441:22  
**ED&T** 435:1,4  
**edge** 477:22  
**Edmond** 437:7  
**Edmonton** 647:8  
**educate** 501:18  
515:20

**effect** 468:15  
514:22 534:12  
627:18 634:7  
636:15 643:4  
**effective** 453:5  
484:3 495:19,21  
529:12 532:18  
556:26 557:7,9,  
21 558:6,7,10,16,  
22,24 559:19,20,  
21 560:4 571:26  
573:10 575:7  
619:10  
**effectiveness**  
451:24 536:13  
557:26 573:19  
637:17,18  
**effects** 441:23  
483:23 484:4  
495:26 496:1  
542:12 596:26  
618:6 624:4  
627:15 628:7  
637:22  
**effluent** 603:4  
**effort** 507:1  
**efforts** 442:10  
507:6  
**Ehalaok** 431:9  
**eighth** 639:23  
**ekoide@nirb.ca.**  
443:22  
**elaborate** 451:21  
516:20  
**elaborating**  
470:9  
**Elder** 467:22  
468:8 474:20  
492:15 501:17  
**Elders** 467:2  
473:19,24 505:5  
550:5,26 607:2  
623:3  
**element** 629:24

**elevation** 446:14  
**eleven** 530:11  
**eliminate** 540:7  
601:23 602:2  
**eliminating**  
504:1  
**Elytook** 438:18  
**email** 443:21  
572:6  
**emergency** 538:4  
**Emily** 443:21  
**emission** 639:5,8  
**emissions** 610:3,  
5,13,14,17,18,19,  
21 627:13  
**emphasize**  
523:11  
**employees**  
633:10  
**empowerment**  
523:2  
**Emrick** 431:10  
579:6,7,8 580:20,  
21,22  
**enable** 484:3  
**encounter**  
533:17  
**encourages**  
507:7 601:26  
**end** 445:20  
461:13 467:3  
544:16 559:9  
560:20 566:22  
609:23  
**endangered**  
563:23 564:24  
**ended** 582:4  
**endorse** 506:24  
**energy** 466:21  
594:13  
**enforce** 603:4  
**enforcement**  
608:22 609:9

<b>Engagement</b> 432:12	<b>enter</b> 442:13 574:22	<b>equipment</b> 480:3,26	4,5 488:5,12 558:22 559:8 585:15 596:18 599:5 601:16 607:15 619:4 626:18	591:10 606:6 614:15 622:8
<b>engineered</b> 645:10	<b>entire</b> 499:16 521:11	<b>erected</b> 550:25 585:2		<b>exist</b> 596:8 626:24
<b>engineers</b> 633:11	<b>entitled</b> 493:17	<b>ERM</b> 465:1 476:12 486:11		<b>existing</b> 441:9,24 458:22 480:23 482:15 483:3 497:25 526:14,22 529:25 571:22 625:10 626:16
<b>English</b> 427:16 443:9 471:15,25 474:6 502:19 518:23 519:5 578:25 632:6	<b>entity</b> 492:7	<b>erosion</b> 645:11	<b>evidence-based</b> 576:21	<b>exists</b> 619:6,7
<b>English/dene</b> 430:14,22 622:22 632:17	<b>environment</b> 426:5 432:17,18 433:23,25 434:20,23,25 435:14,17 476:21 494:8 503:7 521:2 523:26 524:13 589:12 594:12 605:21 606:5,21,24,26 607:7 608:3,15, 17,23,24 609:3,8, 12,15,21,25 610:7,15 611:2,5, 20,25 612:8,12, 24 613:3,13 629:10 637:26 638:1 644:4	<b>esker</b> 476:15,17	<b>exact</b> 537:20	<b>exit</b> 445:21
<b>English/french</b> 429:22 430:10 614:22 622:18		<b>essential</b> 640:19	<b>examine</b> 462:25	<b>Exits</b> 445:7
<b>English/ inuktitut</b> 427:26 428:19 429:10,19 430:6,18 591:16 592:10 606:12 614:19 622:14 632:13		<b>established</b> 509:23 595:15	<b>examined</b> 626:25 629:19	<b>expanded</b> 575:13
<b>english/sayisi</b> 429:25 614:25	<b>environment- based</b> 627:22	<b>establishing</b> 497:26 575:4	<b>examples</b> 479:2,5 490:16 544:1 556:24 557:21 558:9,10,23	<b>expansion</b> 575:12
<b>enhance</b> 522:5	<b>environmental</b> 424:17,19 427:13,15,18,20 434:22 435:2,10, 12,21,23,25 436:13,15,21,23, 25 437:2 519:2,4, 7,9 520:18,19 525:20 540:8 551:14 593:25 594:1 596:24 597:9 599:16,24 600:5 601:5 602:22 603:17 607:6,9 608:6,25 611:14 623:13, 15,23 624:9 625:13 627:4 628:11,14 630:15 640:6 645:5	<b>estimate</b> 534:24 565:12,16 566:9 599:3 610:12,14, 16,19	<b>excellent</b> 501:17 530:2	<b>expect</b> 564:13 617:24
<b>enhanced</b> 536:1, 14,24 540:25 553:13 556:22		<b>estimated</b> 610:5	<b>excessive</b> 637:14	<b>expected</b> 482:13 580:9 613:5 635:12
<b>enhancement</b> 608:16		<b>estimates</b> 565:1 586:17 611:22 634:10 637:15	<b>exciting</b> 593:9,10	<b>experience</b> 474:17 525:11,25 526:3 531:14 533:8,12 542:9 544:1 547:14 553:14,18 563:9 569:21,23 571:10 642:5
<b>enjoy</b> 503:14 628:10		<b>evaluate</b> 494:9 631:3 641:1	<b>execution</b> 457:9, 10 460:15	<b>experienced</b> 494:26 576:11
<b>ensure</b> 442:22 446:1 502:20 506:16 522:14, 15,18 529:22 538:7 541:5 546:16 594:22 608:11,13 609:7 618:15 620:15 638:18 641:16		<b>evaluated</b> 635:7 636:1,6	<b>executive</b> 431:14 434:12 444:21	<b>Expert</b> 435:15
<b>ensures</b> 541:6		<b>evaluating</b> 494:14 631:9 637:8	<b>exemption</b> 604:5,9,12,14	<b>expertise</b> 563:9
<b>ensuring</b> 633:6		<b>evaluation</b> 631:4	<b>exhausted</b> 600:8 601:6 634:6,15	<b>experts</b> 449:26 450:17 561:15, 16,17 562:3 644:6
		<b>evening</b> 425:15 442:7,14 445:12, 16,17,18 588:25, 26 602:21 607:2 615:13 623:2	<b>exhaustive</b> 644:21	<b>explain</b> 450:12 468:20 540:1 557:10 574:19 586:1 611:3,21
		<b>event</b> 628:24 644:20	<b>exhibit</b> 427:9,12, 17,22 428:1,5,10, 15,20,24 429:2,7, 11,14,17,20,23,26 430:3,7,11,15,19 500:15,18 519:1, 6 591:12,17,22 592:1,6,11,16,21 606:9,13,17 614:17,20,23 615:1 622:11,15, 19 632:7,9,14	<b>explained</b> 527:18
		<b>everyone's</b> 442:10 456:24 646:12	<b>exhibited</b> 517:5	<b>explaining</b> 453:19 548:17
		<b>everything's</b> 471:3	<b>exhibits</b> 427:6 499:6 518:11,24	
		<b>evidence</b> 441:19 453:23,26 486:1,		

<b>explanation</b> 548:19 549:1 568:11 <b>exploration</b> 515:18 578:13 <b>explorations</b> 473:3 <b>explosives</b> 480:16,25 481:5 633:13,15,17 <b>exposed</b> 533:8 585:17 <b>exposure</b> 536:21 626:12,13 627:15 629:16,19 630:2 <b>express</b> 443:26 452:24 595:13 <b>expressed</b> 449:22 463:1 504:15 506:20 507:8 <b>extend</b> 630:22 640:22 <b>extended</b> 504:22 534:4 <b>extending</b> 442:6 631:8 <b>extension</b> 423:26 424:18 425:22,26 426:7,13,20 427:1,11,14,19, 24 428:3,7,12,18, 23 429:1,5,8,12, 15,18,21,24 430:1,4,8,12,17, 21 432:16 441:8, 25 450:8 455:18 458:6,10,14 499:1 500:20,24 502:2 504:6 507:9,17 519:3,8 520:18 521:9 522:13 523:22 524:24 526:10, 14,24 531:7 535:24,26 538:18,26 539:20	540:4 541:5 551:22 556:22 567:3 579:24 580:10 591:14, 19,24 592:3,9,14, 19,24 593:2 594:7,18 596:21 598:10 599:19 601:5,17 602:17, 26 603:9 606:11, 15,19,22 608:2 611:10,12 614:18,21,24 615:2,8 622:12, 16,20,24 623:9 626:23,25 629:18,19 631:8 632:12,17,22 642:6 646:10 <b>extensions</b> 524:20 <b>extent</b> 639:24 640:13,20 641:10 <b>extra</b> 479:1 580:13 <b>extremely</b> 495:25 <b>extremities</b> 478:13 <b>eyes</b> 467:25 475:21 495:18 532:23,24 547:25 548:2 <b>eyesight</b> 547:12 <b>Ezra</b> 423:23 499:22 500:9 <hr/> <b>F</b> <hr/> <b>F-E-L-E-X-C-E</b> 590:22 <b>face</b> 548:1 <b>faced</b> 515:13,15, 19,20	<b>facilities</b> 561:9 569:9 638:14,23 639:12 <b>facility</b> 480:18 481:8 638:15,26 <b>fact</b> 542:21 549:1 564:9 <b>factor</b> 453:9 637:19 <b>factors</b> 451:22 453:19 493:6,22 516:20 517:8 598:7 624:24 <b>Failing</b> 444:1 <b>fair</b> 521:23 567:5 <b>fall</b> 553:24 594:17 <b>falls</b> 545:25 <b>familiar</b> 461:8 <b>families</b> 505:12 <b>family</b> 466:17 589:25 590:3 <b>farm</b> 481:3 494:7 495:26 496:2 497:5 504:17,19 505:10,17,23,26 506:4,6 508:10 509:23,26 513:7 524:9 526:26 531:9,13,22 532:17 533:26 537:1 542:10 555:9,20 557:22 558:5 559:10 568:19,21 569:8 575:23 588:16,18 603:14 605:3,4 <b>farms</b> 523:19,23 531:15 555:6,7 557:23 568:17 569:17 <b>fashion</b> 599:24 <b>fast</b> 539:24 548:9 <b>father</b> 474:18 548:4	<b>father's</b> 474:13, 15,21 547:15 <b>fauna</b> 608:21 <b>feasible</b> 627:12 <b>features</b> 475:22 <b>February</b> 610:7, 13,25 612:3 <b>federal</b> 589:21,25 590:3 627:23 <b>federation</b> 596:3, 4 <b>feed</b> 443:2,3,5,21 444:3 471:16 474:6 552:22 558:20 578:25 <b>feedback</b> 443:5 573:19 <b>feeding</b> 530:6,11 581:14 <b>feel</b> 447:11 466:21 476:24 561:14,18 <b>feels</b> 636:6 <b>FEIS</b> 453:11 636:20 642:7 <b>Felexce</b> 425:18 590:22,26 593:24 <b>fellow</b> 593:18,23 607:4 <b>Fernandes</b> 432:21 <b>fetch</b> 542:3 <b>field</b> 453:17 477:2,3,6 544:10, 24 545:3 574:21 <b>fields</b> 477:4,8 <b>figure</b> 531:3 584:6 <b>figured</b> 565:13 <b>file</b> 614:15 632:7 <b>filed</b> 482:17 500:13 <b>filing</b> 622:8	<b>fill</b> 539:4 <b>final</b> 424:19 425:24 426:20 427:15,20 428:16,21,25 429:3 430:5,9,13 447:17 455:4,17, 21,22 461:21,22 463:1 482:25 506:25 519:4,9 520:19 522:22,24 535:23 550:18 551:4 592:7,12, 17,22 597:9,14 600:5 601:5 602:15,25 603:16 607:10,26 608:8 613:1,11 622:13, 17,21,25 623:3, 19 624:9,21 626:8 628:1,26 631:1 634:1 638:3 643:13 <b>finalization</b> 639:13,17 641:15 <b>finalize</b> 543:18 <b>finally</b> 620:17 623:17 625:5 629:4 637:11 641:25 <b>find</b> 513:5 524:3 543:17 553:1 565:17 619:17 <b>finding</b> 561:19 <b>fine</b> 495:7 627:9 <b>finished</b> 645:24 <b>fish</b> 436:3,5,7 503:13 513:16 515:22 538:10 550:3 551:15 613:13 615:17, 19,23 616:4,5,11, 19,22,24 617:7,8, 9,18,23 618:7,12, 16,18,19,20,21, 22,24 620:7,14,
---	--	---	---	--

15,20	<b>FOND</b> 439:17	<b>freezes</b> 478:7	<b>game</b> 464:14,19	<b>glare</b> 605:7,10
<b>fish-out</b> 618:25	<b>food</b> 469:24	<b>French</b> 428:4,23	<b>gap</b> 528:26	<b>global</b> 611:7,10
<b>Fisheries</b> 424:23	473:8 502:9	429:13 591:21	<b>gaps</b> 517:18	<b>GN</b> 449:18
426:12 436:1	505:10 506:3	592:15 606:16	<b>gas</b> 610:3,5,13,26	451:22 458:3
545:16,18,20,22	511:11 513:9	<b>Friday</b> 593:8	611:7,9	<b>gold</b> 441:9,24
546:21,24 589:13	514:13,15 515:23	<b>friends</b> 501:15	<b>gathered</b> 512:9	481:9 611:8
594:12 608:26	524:19 530:10	<b>front</b> 444:16	<b>Gazandlare</b>	<b>GONZALES</b>
613:21 615:7,9,	537:4 619:17	445:9 565:6	439:25	454:22 456:9
12,17,20,21	<b>foods</b> 514:11	<b>frozen</b> 638:10	<b>general</b> 432:18,	457:19
616:10,11,14	624:16 629:7,17	<b>fulfilled</b> 543:12	19,21,23 488:4	<b>Gonzalez</b> 433:19
617:11 618:13,14	630:3,23	635:3,25	576:9 577:19	454:19,21,22
619:10,22,26	<b>foot</b> 466:17	<b>fulfilling</b> 595:5	624:2 625:9	455:25 456:8,9
620:3,5,12,17,22	<b>footprint</b> 496:3	<b>full</b> 564:8 567:3	638:21 644:16	457:18,19
<b>fishes</b> 475:6	531:26 580:16	611:26	<b>generally</b> 537:10	<b>good</b> 441:3
<b>five-minute</b>	611:13 619:23	<b>fully</b> 502:21	564:13 640:11	446:20 457:22
577:26	<b>forage</b> 530:13	507:3,4 574:24	<b>generated</b>	467:10 469:26
<b>Flag</b> 607:23	<b>foraging</b> 530:5	<b>function</b> 506:26	619:21	474:11 479:25
<b>flexibility</b> 646:12	544:14	<b>fundamental</b>	<b>generating</b> 444:5	484:23 485:7
<b>flooded</b> 616:23	<b>foregoing</b> 647:4	515:8	<b>generational</b>	492:4,12,14
645:2	<b>forget</b> 474:20	<b>funding</b> 595:19,	466:23	514:6 533:4
<b>floor</b> 443:8	<b>forgotten</b> 522:6	20	<b>generations</b>	555:7 561:18
<b>flora</b> 608:21	<b>form</b> 443:26	<b>future</b> 468:13	522:6,8	562:23 563:5,10
<b>flow</b> 617:13,26	486:4,5 583:23	473:6 476:23	<b>generators</b> 529:7	585:3 602:21
634:4,8,15 635:2,	605:2,5 642:20	522:3,6,8 540:14	<b>Geoff</b> 484:20,22	607:2 615:13
12,13 636:14,16,	<b>formation</b> 643:6,	552:16 599:10	485:11 513:20,22	623:2
18,21 637:1,3,7	25	604:19 612:5,19	554:11,13	<b>Goulet</b> 437:9
641:13,17	<b>forms</b> 495:13	625:23 626:23	<b>geologist</b> 434:13	<b>governed</b> 608:24
<b>flows</b> 617:5,22	<b>Forte</b> 435:19	627:20 629:18	472:13 537:8	<b>government</b>
633:20	607:8,15		<b>geology</b> 521:1	423:15,17 424:1,
<b>fluctuate</b> 565:3	<b>forum</b> 561:15,19		<b>get alert</b> 547:20	21 434:17 442:2
<b>flying</b> 478:8	562:14,16,23,24	<b>G</b>	<b>Ghotelnene</b>	448:12 449:3
549:13,18	563:6,10 569:3	<b>G-A-B-R-I-E-L</b>	455:15,21	451:14,26 452:3,
<b>focus</b> 523:13	<b>forward</b> 458:19	499:19	<b>Gillard</b> 431:16	24 455:26 456:2,
524:8 540:22	507:20 516:3	<b>G-R-E-E-N-E</b>	<b>Gillman</b> 432:17	4 462:2,8,14,17,
575:7 603:12	523:1 531:4,5	499:23	476:19,20	20 463:2,10,16,
<b>focused</b> 528:25	532:24 541:21	<b>G-U-N-N</b> 519:21	<b>give</b> 495:23	18,20,21 464:8,
633:19	543:18 561:12,19	<b>G4</b> 447:9	501:21 542:2,19	11 465:6,9,21
<b>follow</b> 444:1	569:16,23 602:13	<b>Gabriel</b> 423:22	564:15,16 572:7	466:3 467:5,8
473:11 514:12	605:13 629:5	448:14,19 449:5	639:20	469:13 472:13
526:17 609:26	<b>found</b> 603:23	454:15,17,19	<b>giving</b> 514:17	474:23 481:24
<b>follow-up</b> 448:18	<b>fourth</b> 567:19	499:18 500:8	564:14 593:15	484:24 485:19
463:10 566:12	636:3	501:9 508:15,16	602:24	490:14,17,23,26
597:22	<b>fox</b> 478:4 479:20	516:22,24	<b>glad</b> 468:2	492:17,24 493:7,
		517:21,23 541:17		10 494:6,12,16,
				19 496:11,14,18,
				21 497:12,13,18,

21 508:2,4,7,17 509:19 510:3,6, 12 517:9 525:21 528:7 531:1 535:4 541:25 542:2,4,7 543:3, 6,21,24 544:20 545:4,7,15 551:7, 18 553:23 565:11,14,18,22, 24,26 566:16 572:1 586:15,22, 25 587:2 589:6, 26 590:1 595:23 596:9,16 605:16 608:19 621:10 624:18 630:7 646:1 <b>governments</b> 627:24 <b>governor</b> 604:5, 23 <b>grab</b> 528:7 <b>gradients</b> 636:16 <b>grandfather</b> 515:4 <b>grandpa</b> 512:15 <b>grandparents</b> 489:16 <b>granted</b> 604:9 <b>graph</b> 535:2 563:18,26 564:3, 7,8,14 565:6,15, 19 566:8,23 <b>Gras</b> 532:2 <b>grateful</b> 485:12 <b>gravel</b> 480:6,10 <b>grayling</b> 620:9 <b>grazing</b> 574:8 <b>great</b> 485:16 501:16,18 577:8 <b>greater</b> 495:17 529:18 533:21 537:1 542:24 576:2 577:12	598:21 <b>greatest</b> 533:20 576:18 <b>greatly</b> 483:12,21 <b>green</b> 528:12 535:21 <b>Greene</b> 423:23 434:2 499:22 500:6,9 <b>greenhouse</b> 610:3,5,13,26 611:7,8 <b>greening</b> 535:17 <b>Greg</b> 450:9 453:25 464:25,26 465:10 476:8,10, 11 486:9,10 487:14,21 488:16 <b>grey</b> 527:2 <b>ground</b> 472:14, 22,26 478:25 527:3 535:22 544:11,18,24 552:16,18 553:12,15 571:9 572:13,21 573:25,26 574:14 578:16 581:10 638:4 640:1,22 643:5,21 <b>ground-based</b> 496:7 <b>grounds</b> 454:10 463:24 466:24 493:25,26 515:2 544:2 578:12,15, 17 <b>groundwater</b> 446:13 597:1 601:13 612:13, 17,23 633:20,21, 22,23 634:2,4,8, 9,14,21 635:2,5, 10,12,13,19 636:4,5,18,21,22	637:1,3,7,11,14, 23 638:5 639:25 640:9,24 641:13, 17 <b>group</b> 450:18,25 455:2,8,10 456:13,17,26 457:5,13,14 458:21 459:16 461:6,11,13 463:26 477:7 487:1,2,3,7,23 488:3 491:12,14, 16 499:5 506:13, 18,25 511:8 516:4 518:11 526:5 532:14 533:13 534:21 549:10 561:22,24 562:4 569:4,6,20, 22 570:8,12,17, 25,26 571:1 572:17 577:4 589:5,7 <b>groups</b> 595:11,26 629:15 <b>groups'</b> 477:5 596:11 <b>grouting</b> 634:9 637:15,17,18,22 <b>grow</b> 515:8 <b>growth</b> 544:15 <b>guaranteed</b> 478:17 <b>Guard</b> 594:13 <b>guess</b> 556:21 582:10 583:23 <b>guidance</b> 609:26 610:23 644:8 <b>guide</b> 610:2 <b>guided</b> 615:20 <b>guidelines</b> 627:23 <b>Gunn</b> 424:14 434:15 457:26	458:1,26 459:1, 24,25 460:18,19, 20 461:17,18 462:6 463:7,8 464:4,5 519:21 520:7,10 521:1 524:26 525:2,3,4 542:8,15,16 543:14,15 544:6, 7 545:10 548:14, 15 553:7,8 555:12,13 557:3, 4,18,19 559:16, 17 561:5 562:1,9, 10,22 563:1,2,14, 19 564:19,20 566:5,6,25 567:1, 11,12 569:11,12 570:13,18 572:18,25,26 575:17,18 576:14,15 578:11,22,23 581:17,18 583:2, 3,17 584:3,4,10, 17 585:9,10 586:11,12 588:9, 10 <b>Guy</b> 578:7,8 579:3 587:4,5 588:2 <b>guys</b> 462:4 479:21 480:1,2,5, 6,8	618:8,19,21,24 620:7,9,11,14,20 <b>hairs</b> 460:24 <b>half</b> 611:10 633:10 <b>halfway</b> 608:13 <b>hall</b> 431:1 442:12, 13 444:4 445:19, 22 646:4 <b>hamlet</b> 438:11, 16,21,24 521:10 <b>hand</b> 443:14 527:9,10 <b>handicapped</b> 555:21 <b>Haney</b> 434:21 455:26 456:1,2 541:26 542:1,2 565:26 <b>happen</b> 505:7 <b>happened</b> 471:22 <b>happening</b> 479:26 <b>happy</b> 475:2 501:25 <b>harassment</b> 535:19 <b>Harbour</b> 504:11 538:10,20 546:18 580:13 599:26 <b>hard</b> 427:9,12,17, 22 428:1,5,10,15, 20,24 429:2,7,11, 14,17,20,23,26 430:3,7,11,15,19 472:24 500:12,18 518:21 519:1,6 591:6,12,17,22 592:1,6,11,16,21 606:6,9,13,17 614:13,17,20,23 615:1 622:11,15, 19 632:4,7,9,14 <b>harmful</b> 618:23
---	---	--	---	--

**Harper** 426:11  
436:5 614:7,9  
615:16

**harvest** 505:12  
538:10 544:22

**harvested** 630:23

**harvesting** 502:8  
506:1,3,6 507:12  
514:22,26 515:1  
523:3 541:23

**HATCHETT**  
439:22

**head** 436:7  
516:17 532:23  
547:17,22,26

**heading** 475:12,  
16 486:24

**headsets** 646:19

**health** 426:19,20  
430:4,8,12  
436:10,13,15  
445:16 578:1  
589:13 621:11  
622:7,13,17,21,  
23,24,25 623:1,5,  
7,8,9,11,13,15,18,  
21,22,23,26  
624:2,3,7,8,11,  
13,14,15,17,23,24  
625:1,5,6,8,9,16,  
18,20,22,26  
626:5,8,10,13,19,  
22,25 627:1,6,15,  
22,26 628:5,7,11,  
13,18,25 629:4,6,  
8,9,11,12,14,20,  
22 630:1,6,11,20,  
26 631:7,10

**hear** 441:19  
443:3 468:17  
469:19 470:5  
471:10 476:22  
494:25 509:6,7  
517:8 552:25  
567:9

**heard** 446:2  
467:22 486:17  
489:15 493:1  
503:18 512:1,21  
517:19 522:19  
525:17 531:14,23  
532:19 567:14  
587:8

**hearing** 425:25  
426:7,21 428:16,  
21,25 429:3,9,13,  
16 430:5,9,13  
431:5 441:11,19  
442:18,19  
443:18,24 444:7,  
9 445:25 446:4  
455:19 467:24  
468:19 473:14  
482:22,25 486:16  
498:3 500:16  
501:3,22,24  
502:21,25 503:11  
507:15 518:25  
533:5 537:21  
576:8 591:10  
592:7,12,17,22  
597:15 602:15  
606:7,11,15,19,  
23 614:16 622:9,  
13,17,21,25  
623:3,6 632:8  
646:11,22

**hearings** 470:11  
521:6 531:2

**heart** 626:14

**heavy** 480:2,26

**hectares** 567:19

**height** 486:6  
487:18 488:12  
491:15,21 495:14  
547:23 603:13

**held** 457:1,4  
501:23 612:2,17

**hell** 550:22

**helped** 554:3

**helpful** 462:11

**helping** 623:21

**helps** 470:21  
515:20 517:13  
559:1 568:11

**herd** 446:9,22,23  
448:21 452:14,16  
462:26 472:1,5,8,  
11,12,16,19  
476:4 493:14  
494:24 495:3  
497:24 502:6,7  
504:26 505:3,8,  
18,24 506:2  
517:11 526:15,18  
527:18,21 532:5,  
6 535:1,5,9,25  
536:7,10,12,19  
544:19,21 552:15  
556:23 563:15,  
20,22,26 564:9,  
11,16,17 565:4,  
12,20 566:25  
568:3,5 574:2  
581:6 586:10

**herd's** 493:3,19  
565:20

**herd-level**  
544:25

**herded** 531:15

**herders** 504:26  
517:10

**herds** 466:12  
493:25 495:2  
563:25 565:2

**Heritage** 551:7

**hesitant** 558:21

**hesitate** 488:26  
582:7

**hesitation** 560:1

**Hickes** 438:12

**hidden** 547:16

**high** 468:5 505:4,  
6,18 506:1 529:9  
549:2 566:10

567:24 574:7  
586:18

**higher** 544:12  
547:24 619:12

**highest** 512:26

**highlight** 644:15

**highlighted**  
540:23

**highly** 454:11

**hills** 547:16

**historic** 527:3  
551:18

**historical** 587:19

**historically**  
451:20

**history** 525:15  
564:8

**hit** 478:9 597:26

**hold** 587:10

**holders** 450:19

**holding** 441:18  
501:3,23 507:15

**hope** 473:9  
517:13 554:3  
558:26 568:11

**hoping** 473:26  
553:1

**horizon** 559:25  
564:15

**horizons** 533:18  
560:15

**hospitalizations**  
626:15

**hosting** 441:11

**hotter** 534:16

**hour** 498:7

**hours** 530:11  
552:21

**housekeeping**  
445:6

**HTO** 437:15,16  
477:18 518:3

**hull** 619:6

**human** 466:18  
495:18 615:24  
623:25 624:3,6,  
13,15 625:17,22  
626:12,25 628:7,  
13 629:5,8,9,12,  
14,20,21 630:11,  
20 631:7

**humans** 628:17

**humongous**  
468:9,16

**hundred** 496:4

**hunt** 502:8

**hunter** 501:16

**hunters** 423:11  
424:25 437:13  
465:23,25  
467:16,19 474:3  
476:26 477:10,13  
479:12 481:12  
503:1,15 504:15  
505:15,20  
510:14,17 523:17  
546:26 547:2,5  
548:22,25  
550:13,16 551:24  
552:1 554:2  
562:5 572:1

**hunting** 501:19  
505:10 513:10  
551:21

**hydraulic** 637:19

**hydrogeological**  
447:4 635:1

**hydrogeology**  
635:14,20 636:13

**hydrology** 617:3

---

## I

---

**ice** 453:8,10,24  
489:7,16,23  
490:14,19

<b>idea</b> 573:2,11 644:11	18 444:1 447:8 453:4 458:18 482:17 492:17,19 494:5 496:10 497:11 498:15 499:8,11 500:2, 11 501:23 504:8 506:1,2 508:21, 24 509:13 516:5, 8,12 518:14,17 519:4,9,12 520:3, 13,20 521:6 522:16,23 523:6, 26 524:14,23 526:11 534:17 535:24,26 536:1 540:13,21 541:10 544:18,25 556:23 567:3,8 570:20, 22 571:3 577:16, 24 578:3,9 579:8, 14,18,20 580:7, 22 581:1 582:18 589:16,19 591:3 593:14,25 594:6, 10 595:3,9,22 596:9,17,24 597:10,17 599:21,24 600:6, 24 601:5 602:9 603:17,19 604:22 605:18 606:3 607:22 608:9 609:4 610:3 611:17,19 613:18,24 614:1, 11 616:20 617:7, 19,24 618:16 619:16 621:13,16 622:5 623:7,12, 19,24 624:9 625:13 626:7 627:4,7 628:16, 19 630:12 631:16,19 632:2, 24 633:24 645:20	<b>impacted</b> 526:16 536:7,11,19 568:3 603:15,22 618:12 620:25 <b>impacting</b> 503:20 628:8 <b>impacts</b> 483:1,5, 6 496:16,26 502:3,5,7 504:14, 17,20 505:16,22 506:5 507:4,11 514:18 515:15,21 516:15 522:14 523:4,13,14 524:5,6,10 526:14,18,22 529:25 531:11 534:3,5,11,12,14, 25 536:15,16,18 537:23,25 539:11,15 540:9, 22,24 541:7 544:4,21 559:12 579:16 583:15 588:17 595:8,14 596:14 599:16 612:14 615:23 616:5 618:7 620:7,21 623:25 625:6 626:1,13 637:26 638:1 641:10,12,16 <b>impediment</b> 489:8 490:19 <b>impervious</b> 645:7 <b>implement</b> 627:11 630:24 <b>implemented</b> 453:2 557:1 618:1,25 619:18 620:6 <b>implements</b> 599:24 <b>importance</b> 514:10 523:5	524:4 537:23 555:17 644:9 <b>important</b> 474:10 476:25 495:25 501:3,24 506:14 514:26 522:18 531:9 532:3 533:18 539:15 596:20 611:12 625:26 637:25 638:12 640:1 645:13 646:14 <b>improve</b> 546:19 623:22 627:24 640:20 <b>improved</b> 573:6 <b>improving</b> 633:5 <b>in-house</b> 582:26 <b>in-person</b> 442:24 <b>in-pit</b> 447:19,26 448:2 523:6 524:1 600:4,12, 17 611:26 612:1, 7,15,16,21 634:24 635:21 642:3,15 643:13 644:11,12,15,18 645:6 <b>inadequacies</b> 586:19 <b>inadequate</b> 539:20 540:5 583:8 <b>inches</b> 477:21 <b>incidences</b> 465:4 <b>include</b> 506:22 517:17 529:7 530:4 531:8 537:14 540:9 594:20 599:19 610:14 612:22 613:13 616:13 618:20 619:3,11 620:18 630:22	637:15 640:23 643:22 644:24 <b>included</b> 446:13 450:16,18,20 459:5,16 583:1 605:9 609:23 610:17 611:19 616:21 621:2 <b>includes</b> 529:4 546:10 571:8 608:16,20 615:24 642:24 <b>including</b> 444:3 477:2 482:19 502:2 503:6 514:14 515:1 523:4 531:1 536:24 539:5,18 595:14 596:18,25 597:8 603:6 608:17 612:17 617:22 627:8 637:4 640:7 644:19 <b>inclusion</b> 537:2 600:21 634:9 639:16 643:19 <b>inclusively</b> 633:8 <b>income</b> 539:12 <b>incoming</b> 617:23 <b>incompletely</b> 558:15 <b>incorporated</b> 423:9,25 424:2,7, 9,11 433:18 446:9 448:14,16 449:15 451:5,7 454:2,17 455:25 457:18 484:5 499:4 500:22,23 502:11 505:19,25 506:23 507:23,24 508:5 510:20,25 514:3 516:13,22 517:21 522:16 541:16 596:2
--------------------------------	--	--	--	---

600:14 610:20 <b>incorporating</b> 457:2 506:14 610:23 <b>incorporation</b> 639:14 640:6 <b>increase</b> 503:12 504:5 526:19,24 538:19 539:1 565:9 568:7,9 579:22,23 637:20 <b>increased</b> 483:5 527:19,23,24 535:7 536:21 579:25 580:16,18 <b>increases</b> 539:21 540:6,25 <b>increasing</b> 503:12 527:15 536:20 630:20 637:13,18 <b>incredibly</b> 644:10 <b>incremental</b> 534:2,24 <b>independent</b> 549:25 <b>independently</b> 449:25 451:11 <b>index</b> 497:26 <b>Indian</b> 523:12 <b>indicating</b> 527:2 <b>indication</b> 489:7 <b>indigenous</b> 436:24 477:5 525:21 537:2 542:23 595:11,25 596:11 <b>indirect</b> 534:9 <b>INDISCERNIB LE</b> 524:6,7,12 551:13 574:19 590:10	<b>individual</b> 495:7 590:15 631:5 <b>individual's</b> 628:9 <b>industrial</b> 544:3 <b>industries</b> 512:25 <b>industry</b> 512:19 514:18 <b>infill</b> 604:11 <b>infilling</b> 604:6,7 <b>infiltration</b> 636:15 <b>inflow</b> 634:10 637:14 640:2 <b>inflows</b> 637:20 640:25 <b>influence</b> 496:6 504:22 611:12 <b>inform</b> 517:18 624:19 630:17 638:13 639:12,25 640:16,25 641:13,22 643:13 <b>information</b> 444:23,25 448:5 453:7 470:7 474:11 495:23 497:14 506:4 507:2 512:8 517:19 522:21 526:12 527:7,13 528:2 529:1 530:19 535:11 537:18 538:21 540:11 551:20 553:25 555:25 565:10,15 574:21 575:2 578:26 582:11,24,25,26 583:10 586:1 587:22 596:18 597:8 598:11,22 599:15 600:6,11, 16,23 601:16	602:6 604:25 609:6 610:8 616:3,4,15,16,19, 21,23,25,26 617:11 618:6,8, 11 619:21 620:1, 4 623:8,24 625:15,18 626:7 629:21 630:8 635:24 637:6 639:14,19,24 641:21 643:19 645:2,18 <b>informative</b> 458:19 <b>informed</b> 481:20 <b>informing</b> 469:12 <b>informs</b> 583:14 <b>infrastructure</b> 482:14 483:5 497:1 517:7 529:23 539:20 540:4 580:12 633:23 <b>initial</b> 522:21 642:26 <b>initially</b> 642:18 <b>initiative</b> 644:6 <b>injured</b> 489:17 <b>injury</b> 489:19 <b>inland</b> 544:12 <b>Inlet</b> 431:2 432:25 438:11,24 441:10 443:2,6 469:1 476:26 481:20 503:3 505:11 507:16 521:10,17 588:22 593:19,23 <b>input</b> 570:9 644:23 645:4 <b>inputs</b> 457:3 <b>inquiries</b> 444:22, 23	<b>inside</b> 572:6 <b>inspections</b> 594:22 <b>inspectors</b> 609:9 <b>install</b> 468:4 <b>installation</b> 483:12,20 <b>installed</b> 641:3 <b>instance</b> 645:7 <b>instantly</b> 547:18 <b>institution</b> 551:17 572:2 <b>insufficient</b> 582:25 626:19 <b>intake</b> 530:10,13 <b>integrate</b> 527:12 528:2 534:23 <b>integrated</b> 455:20 527:7 534:11,12 582:23 <b>intended</b> 484:8 524:1 <b>intensification</b> 571:14 575:22 <b>intensity</b> 610:26 611:8,9 <b>intent</b> 573:4 <b>intentions</b> 540:26 <b>interacting</b> 584:25 <b>interaction</b> 504:19 576:9 601:12 <b>interactions</b> 483:10,19 486:14 518:2 555:5 612:23 <b>interactive</b> 463:4 <b>interacts</b> 446:10 <b>interest</b> 496:23 <b>interested</b> 456:23 476:16	554:26 612:2,18 <b>interesting</b> 492:6 511:3 <b>interests</b> 459:26 461:26 <b>interim</b> 444:20 599:10 <b>intermediate</b> 447:5,7 <b>intermittent</b> 446:14 <b>interpret</b> 471:22 <b>interpretation</b> 442:26 443:5 444:23 445:20 488:8,25 489:10 <b>interpreter</b> 483:15 539:25 638:17 <b>interpreters</b> 443:2,11 445:26 562:18 646:17 <b>INTERPRETE RS/ TRANSLATOR S</b> 440:1,6 <b>interruption</b> 530:8 <b>interruptions</b> 530:4,5,12 <b>intervenor</b> 498:23 566:14 594:15 645:26 <b>intervenor's</b> 433:13 441:21 442:2 448:12 450:10 457:23 498:25 507:19 530:26 541:11 593:18 596:16 607:4 624:19 <b>intervention</b> 462:5 551:8 566:17 587:3
--	--	---	---	--

<p><b>interventions</b> 589:7</p> <p><b>interviews</b> 445:2 550:6 587:18</p> <p><b>introduce</b> 502:11</p> <p><b>introduction</b> 619:5</p> <p><b>Inuit</b> 424:16,22, 24,26 425:3,5,7, 9,11,13 434:8 449:22 457:24 458:2,25 459:23, 26 460:17,20 461:7,16,19 462:7 463:6,9 464:3,6 466:10, 16,21 469:11 470:1,25 471:4,5, 10 472:14 477:1 502:7,8,23,26 503:5,6,20,22 504:4,7,16 505:8, 14,20 506:3,6,14, 21,22 507:3,5,8, 11,12,18,25,26 508:14 513:11 514:14,24 518:3, 9,20,22,26 519:23 520:15, 17,22,23 521:7, 18,19,22,23,25 522:3,7,10,12,15, 19,20,22,26 523:1,2,5,9,16 524:4,5,11,13,21, 23 525:5,24 526:11 527:1,25 528:3 529:15,19 530:24 533:16,25 534:19 536:14,23 537:7,9,13,17,23 538:3,6,9,10,14 539:10 540:19 541:3,4,7,14,15, 18,20,23 542:4, 14,17 543:9,11, 13,16 544:5,8</p>	<p>545:20 546:5,8 547:3,7 548:13, 16 549:20,23 550:10,24 551:9, 11 552:2 553:6,9 554:19 555:11,14 556:7,15 557:2,5, 17,20 559:7,15, 18 560:22 561:26 562:6,8,11,26 563:3 564:18,21 565:4 566:4 567:10,13 569:10,13 570:21 571:4,6,10,17,20 573:1,22 575:16, 19 576:13,16 578:4,6,21,23 580:2,5 581:16, 19 582:19,21,23 583:1,2,4,6,11, 18,25 584:2,3,4, 18,19,20 585:9, 11 586:11,13 587:6,7,9,10,13, 16,21 588:9,11 595:24 596:1,11, 18 602:1</p> <p><b>Inuit's</b> 568:7 577:7 588:15</p> <p><b>Inuit-led</b> 517:16</p> <p><b>Inuit-owned</b> 521:21 522:1,4, 10 524:9</p> <p><b>inukshuk</b> 551:2</p> <p><b>inukshuks</b> 551:3, 12,13</p> <p><b>inuksuit</b> 550:19, 21,24,26 551:4</p> <p><b>Inuktitut</b> 427:21 440:1 443:9 518:23 519:10 632:6</p> <p><b>invasive</b> 616:6 619:2,4,5,11 620:19</p>	<p><b>invited</b> 501:1 530:26</p> <p><b>involve</b> 604:16</p> <p><b>involved</b> 454:8 469:9 563:8 571:6</p> <p><b>involvement</b> 456:16 507:20 608:5</p> <p><b>involving</b> 644:6</p> <p><b>IQ</b> 432:9 450:18 471:19</p> <p><b>Iqaluit</b> 593:8</p> <p><b>Irngaut</b> 433:21</p> <p><b>iron</b> 627:10</p> <p><b>island</b> 532:1</p> <p><b>isolation</b> 644:17</p> <p><b>issue</b> 455:3,8,19 456:14 506:12 539:19 540:13 552:26 588:23 598:12 599:8,9 600:19 601:14 625:3 636:10</p> <p><b>issued</b> 455:5,22 594:24 595:23 599:18 601:1</p> <p><b>issues</b> 443:20 499:1 502:2 503:5,10 507:12 524:4,7,8 531:3,6 543:17 551:21 561:20 562:24 618:25 621:1 634:1 638:2</p> <p><b>Item</b> 442:1 498:23</p> <p><b>items</b> 446:5 447:4,11</p> <p><b>Itivia</b> 504:10 538:10,20 546:18 580:13 599:26</p> <p><b>Ittinuar</b> 501:16</p>	<p style="text-align: center;"><b>J</b></p> <hr/> <p><b>J-C</b> 432:19</p> <p><b>J-O-E-L</b> 621:22</p> <p><b>J-O-S-E</b> 614:5</p> <p><b>J-U-L-I-E</b> 621:20</p> <p><b>January</b> 482:16 610:7 611:17</p> <p><b>jars</b> 549:11</p> <p><b>Jean</b> 547:10 548:11</p> <p><b>job</b> 470:4 471:22 501:17 530:2 548:17</p> <p><b>Joel</b> 426:17 621:22 622:1 623:12</p> <p><b>join</b> 444:9</p> <p><b>joined</b> 623:11</p> <p><b>joining</b> 593:23 646:8</p> <p><b>Jonathan</b> 521:3</p> <p><b>Jose</b> 426:11 545:19,22 546:9, 22,23 614:5,9 615:10,11,15</p> <p><b>Joseph</b> 594:3</p> <p><b>judgment</b> 567:6</p> <p><b>Julie</b> 426:17 621:20 622:1,23, 26 623:7</p> <p><b>July</b> 455:5 464:16 482:26 485:25 488:15 490:7 522:24 528:9,11 581:26</p> <p><b>June</b> 455:1 506:19 528:11 575:26 610:19</p> <p><b>jurisdiction</b> 498:26 595:7</p>	<p><b>Justice</b> 434:18</p> <hr/> <p style="text-align: center;"><b>K</b></p> <hr/> <p><b>K'ODTINEH</b> 455:15,21</p> <p><b>K-A-U-S-H-A-N-S-K-Y</b> 621:23</p> <p><b>Kabloona</b> 438:22</p> <p><b>Kabvitok</b> 438:13</p> <p><b>Kadlun</b> 580:25 582:13</p> <p><b>Kadlun-omingmakyok</b> 431:6 580:26 582:14</p> <p><b>Kaludjak</b> 437:15 465:24 466:1 467:17,18,20 474:4,5 477:11, 12,13 510:15,16, 17 547:1,4,5 548:23,24,25 550:14,15,16 551:25,26 552:1</p> <p><b>Kaluraq</b> 431:5 441:4</p> <p><b>Kangiqliniq</b> 423:11 424:25 437:13 465:23,25 467:16,19 474:3 477:10,13 479:12 481:12 503:1 510:14,17 518:3 546:26 547:2,5 548:22,25 550:13,16 551:24 552:1</p> <p><b>Karlik</b> 434:12</p> <p><b>Katz</b> 434:9 521:4</p> <p><b>Kaushansky</b> 426:17 436:12 621:22 622:1 623:12</p>
---	---	---	---	--

**Kaviq** 441:4  
**keeping** 481:20  
 603:12  
**Kelly** 481:26  
 482:2 484:16  
**key** 515:3 635:3  
**KIA** 457:21  
 469:1 481:18  
 506:11 549:12,  
 14,25 551:13  
 552:8 554:14,26  
 556:21 572:2,22  
 574:6  
**KIA's** 575:11  
**kill** 478:3  
**kilometre** 495:20  
**kilometres** 468:7  
 476:14 479:8  
 495:22,24 496:3  
 504:23 516:19  
 517:6 529:3  
 532:7,22 542:11,  
 23 560:9 567:18  
 573:26  
**kind** 479:18  
 490:4 527:8  
 558:8  
**King** 436:24  
**Kipjalik** 472:16  
**Kitikmeot** 571:4  
**Kivalliq** 424:16,  
 21,24,26 425:2,5,  
 6,9,11,13 434:8  
 449:22 457:24  
 458:2,25 459:23,  
 26 460:17,20  
 461:7,16,19  
 462:7 463:6,9  
 464:3,6 469:11  
 470:4,8 477:1  
 502:26 504:4,15,  
 16 505:8,14,15,  
 20 507:25,26  
 508:14 518:3,9,  
 19,22,26 519:22

520:15,17,22,23  
 521:7,11,18,20,  
 22 522:11,12,20,  
 22,25 523:1,9,16  
 524:4,13,17,20  
 525:5,24 526:11  
 527:25 529:19  
 530:24 533:25  
 534:19 536:14,23  
 537:7,9,12,16,23  
 538:3,6,13  
 539:10 540:19  
 541:2,4,13,15,18,  
 20 542:4,14,17  
 543:9,11,13,16  
 544:5,8 545:20  
 546:5,8 547:3,7  
 548:13,16  
 549:20,23  
 550:10,23 551:9,  
 11 552:2 553:6,9  
 554:19 555:11,14  
 556:7,15 557:2,5,  
 17,20 559:15,18  
 560:22 561:26  
 562:8,11,26  
 563:2 564:18,20  
 566:4 567:10,12,  
 13 568:7 569:10,  
 13 570:20 571:4,  
 5,10,17,20 573:1,  
 22 575:16,19  
 576:13,16 577:7  
 578:3,6,21,23  
 580:2,5 581:16,  
 19 582:18,21  
 583:2,4,17 584:3,  
 4,18 585:9,11  
 586:11,13 587:8,  
 13,16 588:9,11,  
 15 596:1 602:1  
 646:6  
**Klassen** 431:17  
**knew** 467:14  
 470:15 548:4  
**knowing** 529:11

**knowledge**  
 450:19 470:2,25  
 471:23,24 489:15  
 506:15 507:17  
 527:2 528:3  
 537:2 541:12  
 542:20,22,23  
 553:14,18 555:19  
 560:11 562:6  
 563:9 569:21,22  
 582:23 583:1,6  
 584:19,20 587:7,  
 10,17 596:19  
 623:24 637:25  
 640:20 646:9  
**Koide** 431:18  
 443:21  
**Kowbel** 431:25  
**Kritterdlik**  
 432:9 469:7,8  
 474:7  
**Kugaaruk**  
 501:12  
**Kuksuk** 434:11  
**Kusugak** 431:8  
 432:10 489:12,  
 13,14

---

## L

---

**L-E-C-O-U-F-F-E** 614:6  
**L-E-E** 509:10  
**L-U-I-S** 519:18  
**Laban** 439:14  
**Lac** 439:7,17  
 532:1  
**lack** 505:16 535:8  
**Lacourse** 432:7  
**lady** 467:22 468:8  
**lag** 632:26  
**lake** 438:16  
 439:3,12,22  
 467:1 476:15

479:16 489:16  
 502:4,5 503:13,  
 17,19 504:2,5,10,  
 13 507:11 511:6,  
 7 523:7,14 524:2,  
 6,10 529:16  
 535:13 537:22,24  
 538:1,9,15,19  
 539:1,13,19  
 540:7,10,12,23,  
 26 546:18,20  
 550:2,3 559:9  
 579:11,18,20  
 580:8,15,19  
 587:18 598:15,20  
 601:20,23,24  
 602:3 613:2  
 636:22,25 637:7  
**lakes** 446:13  
 447:5,7 512:23  
 549:6,8 603:19  
 637:4  
**land** 424:8 425:4  
 432:8 434:10,21  
 437:18 466:8,13,  
 14 469:23 474:1,  
 13,14,16 475:6  
 486:6 487:18  
 488:12 490:3  
 491:15,21  
 492:11,13 495:14  
 502:13 503:8  
 513:13,15 514:1,  
 2,5,13 515:12,21  
 521:16,19,21  
 522:1,3,5 549:13,  
 16 556:14,17,19  
 557:13,15 559:3,  
 5 560:17,19  
 574:7 596:4  
 597:2,3 610:14,  
 16  
**land-use-change**  
 610:20  
**lands** 437:9,10  
 519:17 520:23  
 522:4,10 524:10

**language** 440:2,  
 3,4,7,8 443:3  
 471:23  
**languages** 591:6  
 606:6 608:13  
 614:14 622:7  
**Lapierre** 435:2  
**large** 487:1  
 547:13 574:4,16  
**large-scale** 536:8  
**larger** 493:2,13  
 536:10  
**larger-scale**  
 493:3 496:5  
**Lastly** 593:20  
**late** 515:4  
**law** 604:1,8  
**laws** 603:5  
**lay** 574:12  
**layer** 638:19  
**leaching** 644:3,  
 26  
**lead** 453:4 463:13  
 515:17 533:9  
 615:16 617:19  
**leaders** 472:2,3  
 577:3,20  
**leadership**  
 533:17 577:1  
**leading** 517:16  
**leads** 536:14  
**Leaf** 446:22  
 448:21  
**learn** 532:9  
 555:16  
**learned** 555:20  
**leave** 444:4 462:1  
 486:21 589:1  
 590:3,8 646:18,  
 20  
**leaves** 529:11  
**leaving** 445:19  
 471:8

<b>led</b> 452:23	627:15 634:22 635:6	431:23 446:17 448:17 465:26 481:23 558:13 560:22 593:17 600:6 624:23 627:2,9 633:16 638:19	514:12	<b>lot</b> 474:19 475:19 478:3 479:2 486:17 531:23 533:5 549:18 570:6 581:21
<b>Lee</b> 424:5 434:6 448:25 449:6,9, 11,12,13,14 451:5,6,7 454:3,4 494:26 501:8 508:18 509:2,5,8, 9,11,14,15,18 516:25 517:1,2, 24,25,26	<b>levels</b> 446:11 617:20 626:22 628:15,16,20 641:14 <b>Liaison</b> 432:24 <b>licence</b> 601:1,17 612:7,11,20 613:1 618:3,14 620:3 635:8,16 636:2,10 637:9 641:4 <b>licences</b> 594:24 625:3 <b>licencing</b> 594:21 633:15 640:10 641:9 <b>license</b> 538:4 636:7 <b>life</b> 473:23,24 512:10,25 513:13 514:18 541:8 548:4 553:4 576:10 579:25 580:18 613:3 628:21 633:6 <b>life-threatening</b> 489:19 <b>lifeline</b> 552:17 <b>lifestyle</b> 513:14 <b>lifetime</b> 547:14 <b>light</b> 529:5 <b>light-duty</b> 529:5 <b>limit</b> 529:24 627:13 <b>limitation</b> 494:25 495:4 643:3 <b>limitations</b> 459:5 494:13,15,21,23 496:13 623:17 642:23,24 643:15 <b>limited</b> 423:7,10, 12,15 425:6	<b>Limited's</b> 423:25 427:1,10 430:17, 21 441:7 500:19, 24 632:11,16,21 <b>Limited's</b> 425:22,26 427:23 428:2,6,11,17,22, 26 429:4 591:13, 18,23 592:2,9,14, 19,24 593:1 602:17 <b>Limiting</b> 539:12, 13 <b>limits</b> 504:12 560:13 617:9,10 <b>linear</b> 483:5 <b>lines</b> 479:10 527:2,5 528:8,12 532:2 <b>link</b> 442:19,22,23 <b>linked</b> 626:14 <b>links</b> 577:18 <b>list</b> 444:11 605:21 613:21 631:14 <b>listed</b> 589:22 597:11 <b>listen</b> 441:20 471:7 473:26 <b>listened</b> 523:16 <b>listening</b> 444:22 449:4 471:5 562:18 <b>literature</b> 496:25 509:25 <b>live</b> 444:3 469:20 478:2,10 <b>lived</b> 474:13,14	<b>living</b> 470:15,17 473:17 501:11 553:4 593:8 <b>loadings</b> 598:15 <b>lobby</b> 445:7,8 <b>local</b> 450:19 468:14 469:1 471:18,24 490:3 492:25 562:6 617:13,24 <b>located</b> 445:6,7 487:2 <b>location</b> 454:12 486:2 489:9 491:22 493:19 505:9,26 510:1 513:6 514:9 559:10,11 586:7 588:18 618:11 <b>locations</b> 495:6 498:1 574:6 586:9 628:15 <b>long</b> 457:4 469:21 525:15 531:17 548:8 550:21,26 553:3 587:25 603:24 619:19 638:11 646:16 <b>long-lasting</b> 541:6 <b>long-term</b> 644:17 <b>longer</b> 564:15 568:10 <b>looked</b> 469:22 575:5 <b>Lopez</b> 440:11 647:3,21 <b>Lorax</b> 643:16 <b>lose</b> 473:9 566:18 <b>losing</b> 470:18,20 <b>loss</b> 534:10 627:19	<b>love</b> 502:8 513:15,16 <b>low</b> 536:17 544:22 555:26 567:8,23 568:8 585:18,23 586:4 617:13,26 <b>lower</b> 611:1 <b>lucky</b> 495:22 <b>Luis</b> 424:14 457:21,23 507:25,26 519:17 520:10,22,23 540:15,17,19 551:9,11 571:18, 20 573:18,23 575:17 587:14,16 <b>lunch</b> 445:14 498:5,7,12 646:3 <b>lung</b> 626:14 <b>Lyrette</b> 436:15
<hr/> <b>M</b> <hr/>				
<b>M-A-N-Z-O</b> 519:18 <b>M-A-T-T</b> 519:20 <b>M-C-D-O-U-G-A-L-L</b> 519:20 <b>M-E-R-C-E-R</b> 499:21 <b>M.N.</b> 439:19 <b>M.R.</b> 440:3 <b>Macdonald</b> 437:22 <b>Madam</b> 446:20 447:1 448:26 449:14 450:14				

451:6 452:2 454:4,14,18 456:1 457:22 458:2 459:1,12, 25 460:19,24 461:19 462:7,19 463:9,19 464:6, 10,26 465:15,19 466:1 467:7,18 469:7 474:5 476:11,19 477:12 478:22 482:1 484:17 485:5 486:10 487:13,22 488:2,17,24 489:13,25 490:11,25 491:6 492:2,21 493:9 494:4,18 496:9, 17,20 497:10,16, 20 498:14,20 499:10 500:10, 12,16,26 508:6, 23 509:1,8,18 510:10,16 513:21 516:7,10 517:2, 26 518:16,19 519:11,16 520:13,21 525:5 526:8 537:5 540:18 542:1,6, 17 543:5,20,23 545:6,13 546:7, 23 547:4 548:24 549:22 550:15 551:10,22,26 552:7 554:7,12, 21 555:14 556:18 560:20 561:3,23 562:2,20 563:12, 17 565:17 566:20,26 568:13,16 570:15,19,24 571:1,16,19 572:24 576:7 577:15,23 579:7 580:21 581:14	582:14 587:15 588:3 589:18 591:2,5 593:5 602:20 605:20 606:2,4 607:2,13, 20 613:26 614:3, 10,13 615:11 621:15 622:6,9, 26 623:2 631:18 632:1,4 <b>made</b> 450:6 455:23 456:4,20 457:7 458:17 460:5 466:4,20 474:24 478:26 479:18 482:6,18 501:5 507:1 523:20 528:10 531:5 547:10,11 597:24 602:6 608:11 625:19,21 <b>Magee</b> 437:1 <b>magnitude</b> 531:11 536:15, 18,20 567:24 <b>mahsi</b> 513:18 602:14 621:3 645:21 <b>main</b> 445:8 514:13 551:21 <b>mainland</b> 470:17 505:2 <b>maintain</b> 558:20 617:26 623:22 628:22 <b>maintained</b> 608:11 620:16 <b>maintaining</b> 620:7 <b>maintains</b> 537:17 601:24 <b>major</b> 451:17 504:7 535:10 544:10 545:2 <b>majority</b> 454:12	474:25 523:8 <b>make</b> 444:10 445:2 456:3 458:23 466:12 468:17 469:22 473:10 477:4 511:4 527:11 572:4,23 574:20 585:16,22 603:9, 14 604:23 609:9 627:3 <b>makes</b> 533:11 623:26 633:13 <b>making</b> 456:17 484:26 490:6 561:11 594:9 596:15 <b>Malindzak</b> 432:5 <b>Mallon</b> 435:23 607:9 <b>mammals</b> 615:24 619:16,19 <b>manage</b> 539:21 540:5 <b>managed</b> 508:12 522:4 546:12 645:3 <b>management</b> 432:3 433:26 435:8 494:7 497:5 521:21 533:26 537:1 539:18 544:26 545:24 546:3,10, 15 556:25 565:14,22 593:11 597:3 615:22 619:13,25 630:18,25 633:21 637:23 638:23 639:12 640:2,17, 26 641:16 644:1, 2,7,9 645:9 <b>manager</b> 431:16 432:15,19,26 434:21 435:2,9	437:1,7,9 593:24 <b>manages</b> 644:4 <b>mandate</b> 594:17 596:22 608:4,15, 23 609:7 623:15 624:10 633:1 <b>Manitoba</b> 511:20 512:24 646:7 <b>manner</b> 482:14 521:23 <b>Manon</b> 446:16, 19 449:2 450:3,4 451:8 453:13,14 454:5 455:12,13 456:18,19 458:15,16 459:10 460:9,10 461:2,3 464:24 468:22 469:6 476:6,7 478:20 480:12, 13,22 484:11,12 486:7 491:18,19 497:2,3 515:26 516:1 560:24,25 <b>manor</b> 522:3 <b>manufacture</b> 633:17 <b>Manzo</b> 424:14 434:10 457:21, 22,23 507:25,26 519:16,17 520:5, 10,21,22,23 540:17,18,19 551:9,10,11 571:18,19,20 573:23,24 575:17 587:14,15,16 <b>map</b> 480:7 527:1 528:8,12 531:23, 25 586:6 639:20 <b>mapped</b> 527:4 <b>maps</b> 451:19 493:18 527:14 528:15 530:16 <b>March</b> 597:13	<b>marine</b> 597:1 615:24 619:16,19 <b>mark</b> 499:6 500:15 518:11 591:9 <b>marking</b> 518:24 606:4 <b>marsi</b> 645:21 <b>Mary</b> 441:15,17 <b>masi</b> 513:25 515:25 <b>Masi</b> 553:5 <b>material</b> 480:25 481:5 577:21 638:20 <b>materials</b> 500:13 591:5 606:5 614:14 622:6 632:5 <b>Matna</b> 441:17 477:9 479:11 489:23 621:3 645:20 <b>Matrix</b> 485:8 <b>Matt</b> 476:8,20 519:19 520:26 537:6 546:6,7,25 549:21,22 580:3, 4 <b>matter</b> 484:5 627:9 <b>matters</b> 423:20 424:3,12 425:16 426:2,9,15,22 445:6 499:8 500:16 508:21 509:16 518:14 520:14 522:17 589:16 591:11 605:18 606:8 613:24 615:6 621:13 622:10 631:16 632:8 <b>Matthew</b> 424:14 520:10 525:1
---	--	--	---	--

<b>maximum</b> 603:24,25	<b>meant</b> 460:16 585:6	<b>meliadine</b> 423:26 424:18 425:22,26 426:7,13,19 427:1,11,13,18, 23 428:2,6,11,17, 22,26 429:4,8,12, 15,18,21,24 430:1,4,8,12,17, 21 432:15,19 441:8,9,24 447:22 450:8 455:18 467:1 476:20 479:3 485:23 499:1 500:20 502:2,3,5 503:12,19 504:2, 5,6,10,13 507:9, 11,16 512:22 519:2,8 520:18 521:9 522:13 523:6,14,22 524:2,6,10,20,24 525:25 526:1 529:16 535:13 537:22 538:1,9, 15,18,23 539:1,9, 13,18 540:12,23, 26 541:5 546:18, 19 549:8 550:1 555:9 559:9 563:8 567:3 575:12 579:11, 18,20 580:8,12, 15,19 585:20 587:18,20 591:14,19,24 592:3,9,14,19,24 593:1 594:6,18 596:20 598:10 599:18,26 600:12 601:5,17,20,23, 24 602:3,17,26 603:3 606:11,15, 19,22 608:1 609:10 611:9 614:18,21,24 615:2,7 617:14 618:19 622:12,	16,20,24 623:9 631:8 632:11,16, 22 636:25 639:21 642:6 <b>member</b> 431:6,7, 8,9 563:21 579:9 580:23 581:1 <b>members</b> 441:21 444:14 445:1 457:23 466:17 506:20 521:8 523:18 572:12 590:3 593:15,24 607:2,3,24 623:2 624:19 <b>membership</b> 569:20 <b>memo</b> 493:15 610:23,25 643:16 <b>memorandum</b> 482:16,21,24 484:2 628:22 641:18 <b>memories</b> 533:6, 10 <b>MEND</b> 644:5,11 <b>mention</b> 450:8 453:22 472:26 473:13 511:5 533:4 552:19 562:3,4 583:22 <b>mentioned</b> 451:24 452:17 457:12 467:10 485:12 487:14 513:8 516:15 533:15,21 536:7 552:10 561:6 567:15 568:17 581:2,4 607:5 612:19 <b>mentions</b> 524:7 <b>mentor</b> 501:18 <b>Mercer</b> 423:22 433:26 499:20	500:5,8 <b>Merci</b> 602:14 621:4 <b>Mercredi</b> 437:23 439:18 <b>met</b> 596:13 630:6 <b>metal</b> 644:3,26 <b>meteorology</b> 608:21 <b>method</b> 450:21 457:7 <b>methodology</b> 596:25 <b>methods</b> 450:1 625:17 <b>metres</b> 468:5 486:20 496:4 538:23,25 539:2, 3,4 549:2 603:24, 25 <b>mic</b> 486:8 540:15 <b>Michael</b> 593:26 <b>microphone</b> 525:1 590:10 <b>microphones</b> 499:15 <b>mid-afternoon</b> 445:15 <b>mid-july</b> 455:20 <b>mid-morning</b> 445:14 <b>middle</b> 574:13 <b>migrate</b> 481:17 511:13,17 619:19 <b>migrating</b> 466:11 514:16 <b>migration</b> 453:20 466:8,22 468:10,15,17 477:5 504:18 505:17 511:16 512:4,13 515:2 534:7 535:15,16, 21 571:8 617:9,
<b>Mcdonald</b> 439:20 492:11,12 514:1,4 556:17, 18,19 557:13,14, 15 559:3,4 560:17,18	<b>measurable</b> 526:18 <b>measurably</b> 535:7 <b>measured</b> 567:18 568:8 627:16 <b>measurement</b> 567:21 <b>measures</b> 451:25 453:1,5 458:23 541:23 568:20,22 569:2,8 571:13 599:17 610:6 612:10,26 613:6, 10 617:25 618:1, 25 619:9,18 620:6 627:13 630:18 645:7 <b>measuring</b> 532:24 <b>mechanical</b> 588:23 <b>mechanism</b> 628:22 <b>media</b> 444:13,14, 18,19,23,25 445:2 630:15 <b>meet</b> 456:25 470:24 521:9 <b>meeting</b> 455:2 456:26 469:17 470:10 471:9 473:15 506:20 509:25 609:19 646:21 <b>meetings</b> 443:1 444:15,26 445:3 469:18 470:11 526:2 574:23 597:19 <b>meets</b> 613:8 <b>Meladine</b> 500:24			
<b>Mcdougall</b> 424:14 434:14 519:19 520:6,10, 26 525:1 537:6 539:24 540:2 546:6,7,8 549:21, 22,23 580:3,4				
<b>Mchattie</b> 436:19 594:3				
<b>Meadowbank</b> 479:24 526:6 642:5				
<b>Meadows</b> 431:13 444:10 499:10, 11,26 500:1,10, 11 508:23,24 509:11,12,15 518:16,17 519:11,12 520:2, 12 589:18,19 590:12 591:2,3 605:20 606:2 607:13,20,21 613:26 614:1,10, 11 615:5 621:15, 16,26 622:3,4 631:18,19,25 632:1,2				
<b>meaning</b> 502:16 551:2 627:14				
<b>meaningful</b> 595:12,21				
<b>means</b> 459:6 488:9 489:19 496:26 526:18 529:16 531:10 604:9,10				

<p>13 634:23</p> <p><b>migrations</b> 466:5</p> <p><b>migratory</b> 493:26 505:2 608:20 609:1</p> <p><b>miles</b> 467:26 511:26</p> <p><b>milk</b> 530:14</p> <p><b>mill</b> 558:20</p> <p><b>milling</b> 581:14</p> <p><b>million</b> 538:24 539:2,3,4</p> <p><b>mills</b> 644:19</p> <p><b>Mimialik</b> 439:1</p> <p><b>mind</b> 452:23</p> <p><b>mindful</b> 514:23</p> <p><b>minds</b> 456:24</p> <p><b>mine</b> 426:13,19 429:18,21,24 430:1,4,8,12 441:9,24 446:10, 22 447:22 451:1 453:21 458:9,11, 13,20 459:21 466:6 475:3,12, 17,26 476:15 479:5,7,23 480:1 485:14 490:20 491:3,11,12 506:16 512:2,22 523:19 525:14, 18,23 526:23,25 527:17 528:1,5, 13,16,19,21,23 529:2,4,13 530:1, 23 531:26 532:7, 10 534:4 535:13 546:11 549:9,18, 26 552:17 555:2, 4,7,9 557:7 558:17,18 561:9 563:8 571:7,22 572:10 575:22 579:25 580:18 581:13 583:7</p>	<p>584:26 588:18 599:26 600:12 605:4 611:13 612:6,15 614:18, 21,24 615:2,8 617:4 622:12,16, 20,24 623:9 625:10 628:21 633:20,22 634:8 636:19 638:13,23 639:12,21 640:2, 21,25 641:11,12, 16 642:3 643:26 644:2,4,7,9,21</p> <p><b>mine's</b> 555:6 603:16 641:24</p> <p><b>Mineral</b> 434:26</p> <p><b>minerals</b> 437:9, 11 629:25</p> <p><b>mines</b> 423:7,10, 12,15,25 425:6, 22,26 426:6 427:1,10,23 428:2,6,11,17,22, 26 429:4,8,12,15 430:17,21 431:23 441:7 446:17 448:17,21 465:26 481:23 500:19,24 503:26 507:3,7 511:21 515:14,17 544:3 558:7 560:22 591:13, 18,23 592:2,8,13, 18,23 593:1,17 602:16 603:21 604:4,8,13 605:1 606:10,14,18,22 632:11,16,21 639:26 644:19</p> <p><b>Mines'</b> 506:4,7 507:6 604:26</p> <p><b>minimal</b> 618:16</p> <p><b>minimize</b> 540:7 546:4 601:23 602:2 637:26</p>	<p><b>minimized</b> 641:17</p> <p><b>minimizing</b> 504:1 601:19</p> <p><b>minimum</b> 537:14</p> <p><b>mining</b> 432:21 449:17 469:13,14 473:3 479:16 480:16 501:3,24 512:19,25 515:16 537:16,24 571:14 575:13 579:17 611:8 621:3 645:16</p> <p><b>minister</b> 434:19 523:11 524:7 540:20 594:7 603:2</p> <p><b>ministerial</b> 596:15</p> <p><b>ministers</b> 484:1,5 594:8,11 595:3</p> <p><b>minutes</b> 530:6</p> <p><b>misnamed</b> 570:16</p> <p><b>misrepresenting</b> 548:20</p> <p><b>missed</b> 449:3</p> <p><b>missing</b> 616:3,4, 20 618:6 627:2, 19</p> <p><b>mission</b> 521:22 522:22</p> <p><b>mistake</b> 528:10</p> <p><b>misunderstandi ng</b> 588:14</p> <p><b>mitigate</b> 539:15 615:23</p> <p><b>mitigated</b> 612:10,25</p> <p><b>mitigation</b> 458:22 484:3 494:8 522:17 529:2,12 532:17</p>	<p>536:1,13,14,24, 25 540:25 543:1 553:13,16 556:22,25 557:7, 9,22,25 558:7,10, 11,18,23,24 559:19,22 560:4 567:20 568:18, 20,22 569:15,18, 24,26 570:2,4,9 571:12 573:2,3,5 575:6,9 576:4 588:16 599:17 610:6,24 613:5, 10 617:25 618:1 619:8 624:5 627:12 628:23 630:25 631:9 645:6</p> <p><b>mitigations</b> 596:14</p> <p><b>mix</b> 563:9</p> <p><b>mixture</b> 470:20</p> <p><b>model</b> 446:13 447:5,6 493:17 526:6 598:18 619:23 634:9,21 635:20 636:13 637:14</p> <p><b>modelling</b> 447:23,26 624:25,26 634:15 635:1,10,14,19, 23,26 636:4,23 638:4,9,22 639:5 640:9 641:19 642:9 643:3,14, 23 645:9,11</p> <p><b>models</b> 446:15 447:14,19 599:5 633:22 639:25 640:24 641:1 645:5</p> <p><b>moderate</b> 536:16 567:7,9,14,15,24, 25 568:8 639:8</p>	<p><b>modern</b> 450:20</p> <p><b>modification</b> 441:8</p> <p><b>modifications</b> 537:13 599:19</p> <p><b>modify</b> 442:9 529:21</p> <p><b>moment</b> 542:3 550:8 563:6 575:24 577:6</p> <p><b>moments</b> 460:5</p> <p><b>monitor</b> 549:12, 15 550:24 551:13 552:23 554:1 613:7 619:23 627:8 628:20 630:14 633:18</p> <p><b>monitored</b> 483:8 550:9</p> <p><b>monitoring</b> 431:16 458:22 477:9 483:10,18 484:3 486:26 487:6,24 495:13, 16,17 497:7 517:17 521:3 522:18 525:20 528:24 530:1 549:7,14,25 551:15 553:21,26 555:18,24 557:25 571:7,22,25,26 573:4,9,18,25 574:7 575:6,9 583:12 584:1 585:22 612:14 613:12 619:2,3, 12 620:18,21 624:6 625:11,23, 24 627:18,20 628:3,4,23 629:3 630:3,17,22 631:3,8 634:5</p> <p><b>monitors</b> 572:4</p> <p><b>month</b> 528:17</p>
--	--	--	---	---

<b>morning</b> 423:5 441:3,14,26 442:14 446:20 457:22 484:23 485:7 487:3 492:12,14,15 506:10 527:9 645:25 <b>mosquito</b> 535:19 <b>mother</b> 471:26 474:14 515:6 <b>Motion</b> 493:17 <b>move</b> 451:13 460:1 474:22 486:24 489:3 490:7 493:25,26 494:1 511:22 526:8 544:12 547:19,22,23 548:6 567:1 578:18 621:6 <b>moved</b> 453:21 474:13 501:13 578:12,15,17 <b>movement</b> 442:4 448:13 457:14 474:24 475:1,8 476:17 491:10 492:24,25 493:3, 5 494:10 495:8 496:16 506:19 529:24 547:20 548:2 561:8 567:19 582:24 618:16 633:24 <b>movements</b> 452:18 462:10,12 484:25 485:13 495:10 496:2 504:24 527:3 528:1 534:7 560:1 582:3 583:7 <b>moves</b> 548:7 <b>moving</b> 451:2 458:19 468:5	475:23 485:22 534:26 548:10 549:3 590:1 602:13 <b>multiple</b> 465:4 495:6 591:6 614:14 622:7 <b>muscle</b> 548:5 <b>mussels</b> 538:11 <hr/> <b>N</b> <hr/> <b>N-G-W-A</b> 590:23 <b>N-I-R-L-U-N-G-A-Y-U-K</b> 499:19 <b>narrow</b> 453:17, 26 <b>narrows</b> 451:17 452:8,11,19 453:9 464:15 465:3,5 474:26 475:13,20 476:18 485:23 486:24 487:3,25 488:13, 20 489:6 <b>Nation</b> 423:13,14 424:6 425:1,2 438:1,4,7 481:22, 23,26 482:2,3,8, 20 484:19,21 487:11,26 488:22 490:9 491:4,26 510:23,24 511:1 513:19,22 521:15,16 552:6 554:6,8,10,13,18, 19,23,24 556:9, 11 <b>National</b> 564:23 <b>Nations</b> 455:16 484:16 485:10 511:6 <b>Nations'</b> 455:21	<b>natural</b> 426:25 437:4 446:11 447:3,10,15,18, 25 448:7 493:24 494:1 589:13 594:13 608:17 631:14 632:5,18, 20,25 633:5,7,9, 12,16,17,19,26 634:13 635:9,22 636:3,20,26 637:5,12,21 638:8,24 639:10 640:11,14,23 641:5,7,20 642:21,22 643:2, 8 645:14,18 <b>naturally</b> 481:11 629:24 <b>nature</b> 518:1 524:22 537:18 607:17 <b>navigable</b> 603:7, 10,26 604:2 <b>navigation</b> 603:22 <b>Ne</b> 424:8 425:4 437:18 492:10,13 513:26 514:2 521:16 556:14, 16,19 557:12,15 559:2,5 560:16, 19 596:4 <b>necessarily</b> 452:18 517:8 531:20 573:16 574:2 <b>needed</b> 504:9 506:21 529:21 616:26 620:5 <b>negatively</b> 628:8 <b>negligible</b> 567:23 635:14 <b>Negotiator</b> 437:21 438:5,8	<b>Neida</b> 454:19,21, 22 455:25 456:7, 9 457:18,19 <b>neighbour</b> 512:26 <b>neighbourhood</b> 485:23 <b>neighbours</b> 511:25 <b>Nenets</b> 531:17 <b>net</b> 610:6 <b>Netsilik</b> 501:13 <b>neutral</b> 644:4 <b>newborn</b> 529:18 533:22 537:1 576:1 <b>next-door</b> 512:26 <b>Ngwa</b> 425:18 435:9 590:22,26 593:24 <b>Nicholas</b> 478:21, 23 <b>nights</b> 593:9 <b>ninth</b> 641:7 <b>NIRB</b> 441:5 444:5 494:3 496:8 497:9 498:13,20 499:7 504:13 508:20 518:12 525:13 571:5 574:26 576:6 577:14 579:6 580:20,25 582:13 588:2 589:15 594:23 599:20 605:17 607:12 613:23 621:11 631:15 633:3 <b>NIRB's</b> 441:7 444:7 526:17 <b>Nirlungayuk</b> 423:22 433:22 448:15,18,19 449:5,6 454:17, 18,19 499:18,19 500:4,8,26 501:9 508:15,16 516:23,24 517:22,23 541:17,18 <b>nitrogen</b> 627:10 <b>Noel</b> 465:24 467:17,19 474:4 477:11,13 510:15,16 547:1, 4 548:23,24 550:14,15 551:25,26 <b>noise</b> 529:10 616:7 619:15,21, 23 620:19 624:14 625:24 628:6,7, 12,14,15,20 629:2 <b>non-domestic</b> 608:21 <b>non-inuit</b> 471:13 <b>non-significant</b> 536:4,5 <b>non-threshold</b> 627:13 <b>non-traditional</b> 526:21 <b>noon</b> 445:15 <b>normal</b> 493:24 566:13 <b>north</b> 487:2,9,16, 19 529:16 535:12 559:9,10 <b>northern</b> 425:21 427:25 428:4,8, 13 435:6 465:18, 20 504:21 510:9, 11 511:19,22,24 512:24 513:1 514:17 523:12 537:11 545:12,14 589:11 590:17 591:8,15,20,25
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592:4,26 593:4,6, 13 594:5,7 595:20 596:23 597:6 598:5,16 599:1 600:10 601:9,21 602:5, 23 <b>Northlands</b> 423:13 424:6 425:1 438:1,6 481:22,25 482:3, 20 483:26 484:15 485:10 510:22,24 511:1,6,7 521:15 552:5 554:5,8,18, 22 596:3 <b>northwest</b> 491:10 514:17 525:14 <b>nose</b> 548:5,6 <b>note</b> 448:22 536:6 608:10 625:26 639:2 <b>noted</b> 448:1,5 543:9 611:11 627:1 628:15 635:5,25 <b>notes</b> 642:22 643:2 647:6 <b>notice</b> 444:20 532:20 547:18,20 <b>noticeable</b> 452:20 <b>noticed</b> 444:12 549:3 <b>noticing</b> 550:19 <b>noting</b> 483:3 <b>Nouvet</b> 433:20 <b>November</b> 482:6 597:12,19 <b>nozzle</b> 548:5,8 <b>NTI</b> 481:18 494:26 501:9 502:12 503:11 504:7,9,14	505:14 506:13 507:6,14 508:9 511:2 513:8,17, 24 514:7 515:24 516:9 517:16 531:1 572:2 <b>NTI's</b> 502:20 506:7 514:8 <b>Nukik</b> 438:19 <b>number</b> 447:15, 19,25 450:17 456:5 459:7,8 475:10 485:1,2 491:22,24 527:22,26 529:20 530:11 533:14, 24,26 555:3 570:3 573:11,17 576:3,25 577:4, 19 580:6 584:12 585:16,17 598:3, 4,25 599:13,20, 22 600:4 601:19 603:4 616:8,18 617:3 618:5,10, 18 619:1,14 <b>numbers</b> 464:23 475:15 535:3,5 542:26 555:26 558:14 564:4,13, 17 566:24 574:4 578:26 579:1 585:22 <b>numerous</b> 644:21 <b>Nunavut</b> 423:9, 15,16,17,20,24 424:1,3,7,9,10, 11,12,21 425:8, 10,12,16 426:2,9, 15,22 431:2,4,12 432:10,11,14,26 433:9,15,18 434:17 441:5,18 442:3 444:1 446:8 447:7,12	448:12,14,16,19 449:3,14 451:4,7, 14,26 452:4,24 454:2,16,22 455:24,26 456:2, 4,7,9 457:17,20 458:18 462:2,8, 14,17,21 463:2, 10,16,18,20,21 464:8,12 465:6,9 466:3 467:5,9 469:14 472:13 474:23 481:24 482:17 484:24 485:19 490:14, 17,23 491:1 492:17,18,19,25 493:7,11 494:5,7, 12,16,20 496:10, 12,14,18,22 497:11,13,18,22 498:15 499:3,8, 11 500:1,11,22, 23 501:2,10,22, 23 502:10,16,21, 22,25 504:14 505:19,25 507:22,24 508:2, 4,8,17,21,24 509:12 510:3,6, 19,24 516:3,5,8, 12,22,24 517:9, 21 518:14,17 519:12 520:2,13 521:5,19,26 522:8,23 524:14 531:1 535:4 540:21 541:10, 16,25 542:2,4,7 543:3,7,21,25 545:4,8 551:7,18 553:23 565:11, 14,18,22,24 566:1,16 570:20, 22 571:3 572:2 577:16,24 578:3, 8 579:8 580:22 581:1 582:18	586:16,22,26 587:2 589:16,19, 26 591:3 593:12, 14 594:5,10,20, 24 595:2,5,7,9, 19,22 596:2,9,17 597:17 599:21 600:16,24 601:2, 16 602:9 605:18 606:3 607:21 608:8 609:4,5 613:18,24 614:1, 11 621:13,16 622:4 623:19,24 624:18 626:7 627:7 628:19 630:7,12 631:16, 19 632:2 633:14 635:8,17 636:2,8, 11 637:10 <b>Nunavut's</b> 509:19 528:7 <b>Nunnavut</b> 514:3 <b>nurturing</b> 552:20 <b>nutrition</b> 535:17 <b>nutritious</b> 544:14 <hr/> <b>O</b> <hr/> <b>oath</b> 509:4 <b>object</b> 547:13,14 548:7 559:25 <b>objective</b> 456:22 486:13 491:20 644:7 <b>objectives</b> 522:12 <b>objects</b> 468:16 523:18,19 <b>obligations</b> 502:17,18 <b>observation</b> 496:7 497:8	<b>observations</b> 451:21 453:18 486:6 487:7 492:5 529:15 532:11 559:8 583:11,25 <b>observe</b> 574:7 <b>observed</b> 453:16 487:18 488:19 491:15 505:1 537:25 <b>observing</b> 477:3 487:15 <b>obstacle</b> 532:25 <b>obvious</b> 554:1 <b>occupational</b> 625:6 <b>occupy</b> 585:5 <b>occur</b> 463:25 493:24 524:22 559:12 600:18 627:15 638:13 642:13 <b>occurred</b> 451:18 462:25 493:21 <b>occurring</b> 629:24 <b>occurs</b> 532:14 <b>Oceans</b> 424:23 426:12 436:1 545:17,18,20,23 546:21,24 589:13 594:12 613:22 615:7,9,12,18,22 616:12,14 617:12 618:13 619:10, 22,26 620:5,12, 17,23 <b>October</b> 597:18 647:9 <b>offer</b> 625:5 643:10 <b>office</b> 593:12 <b>officer</b> 432:24 434:5,12 435:22, 24 436:25 521:2
---	--	--	---	--

551:14 607:6,9 <b>officers</b> 551:14 <b>Official</b> 440:11, 12 647:15,22 <b>offset</b> 544:21,26 <b>offsetting</b> 618:26 <b>oil</b> 544:10,24 545:3 578:12 <b>Olson</b> 438:3 481:26 482:1,2 483:16 484:16,17 <b>on-site</b> 545:24 551:14 572:24 574:6 <b>on-the-ground</b> 497:7 <b>ongoing</b> 601:17 <b>online</b> 442:23 443:21 444:19 449:7 501:9 508:18 607:7 <b>open</b> 444:13 446:14 447:6 450:1 451:12 478:1,9 479:26 480:2 489:6 490:8 537:16 634:24 642:11,20 643:24 644:22 <b>open-pit</b> 480:23 <b>opening</b> 423:6 441:2,14,16 492:15 <b>operate</b> 480:1 <b>operated</b> 599:23 <b>operating</b> 508:11 569:16 <b>operation</b> 452:22 458:20 464:20 466:6 476:23 538:24 558:3 599:16 619:18 641:23 643:17	<b>operational</b> 531:25 538:20 601:10 643:12 <b>operations</b> 432:20,22 434:4 475:25 476:24 497:15 506:16 539:3 558:20 611:9,13 613:8 617:4 621:3 625:10 <b>opinion</b> 555:6 <b>opportunities</b> 526:20 <b>opportunity</b> 541:9 593:16 595:12 596:8 602:12 613:18 620:25 623:6 <b>opposed</b> 576:11 <b>opposes</b> 505:25 <b>opposition</b> 514:8 <b>optimize</b> 546:14 <b>optimized</b> 546:3 <b>options</b> 509:22 569:25 570:4 613:12 <b>orange</b> 527:5 <b>order</b> 441:22 544:21 566:13,18 595:18 642:11 <b>ore</b> 529:8 <b>organization</b> 423:11 424:25 437:13 444:8 465:24,25 467:17,19 474:4 477:1,11,14 479:13 481:13 503:2 505:15,21 510:15,18 541:22 547:1,2,6 548:23, 26 550:14,17 551:25	<b>organizations</b> 507:18 523:17 562:5 595:25 <b>organizing</b> 521:6 <b>original</b> 603:3 611:23 616:20 625:13 636:20 <b>originally</b> 501:10,12 538:17 <b>Orthography</b> 429:6 430:2 592:25 615:4 <b>out-migration</b> 617:23 <b>outdoor</b> 627:24 <b>outlet</b> 444:18 617:21 <b>outline</b> 594:4 632:25 <b>outlined</b> 608:7 643:15 <b>outlining</b> 609:21 <b>outstanding</b> 498:26 502:1 506:8,11 524:20 561:20 596:7 <b>over-the-horizon</b> 495:16 <b>overhead</b> 479:10 <b>oversight</b> 525:16, 19 <b>overview</b> 498:25 <b>overwintering</b> 616:22 <b>Owingayak</b> 438:17 <b>owning</b> 525:23	<b>P-O</b> 437:7 <b>pace</b> 574:9 <b>Pacquette</b> 439:19 <b>Pacquette-</b> <b>mercredi</b> 440:8 <b>pages</b> 647:4 <b>pan-canadian</b> 644:6 <b>panel</b> 425:10 431:6,7,8,9 499:16 518:19 519:14 524:26 578:3 <b>panels</b> 590:15 <b>paper</b> 572:15 <b>Paradis</b> 433:9 <b>parallel</b> 530:18 582:2 <b>paralleled</b> 581:23 582:5 <b>paralleling</b> 581:3,9,11,25 <b>pardon</b> 590:9 <b>part</b> 447:14,21 450:7,17 454:11 457:14 458:17,21 461:5 470:4 471:22 480:23 481:2 482:22 497:5,16 498:24 511:7,18,19 516:4 534:26 535:23 536:6,10 551:17 583:21 586:20 588:14 605:12 607:18 613:11 621:1 623:6 628:11 630:4 635:7,16 636:1,7,10 637:9 640:26 641:9 <b>partial</b> 558:12 <b>partially</b> 640:1	<b>participant</b> 595:19,20 <b>participants</b> 469:1 501:26 511:8 518:21 523:11 541:11 588:21 623:4 <b>participate</b> 594:25 602:12 605:13 609:4 <b>participated</b> 563:21 597:7 <b>participating</b> 443:13,23 444:19 593:20 646:15 <b>participation</b> 502:23 562:4 594:20 595:21 <b>particulate</b> 627:9 <b>parties</b> 442:20 444:18 455:6 456:23 460:14 482:18 518:3 521:8 525:6 563:7 566:15 602:13 612:2,18 <b>parts</b> 464:17 497:23 526:13 571:21 <b>pass</b> 457:24 525:1 540:15 <b>passage</b> 618:24 620:14,15 <b>passed</b> 489:5 501:16 <b>passing</b> 486:23 513:2 574:8,10 <b>past</b> 469:9 501:11 514:25 588:6 604:19 <b>path</b> 476:17 561:12 635:2 <b>paths</b> 634:15 637:7
---	---	--	--	--

<p><b>pathway</b> 530:16 531:3,5,8,10 543:18 561:19 567:19,26 639:6</p> <p><b>pathways</b> 493:26 527:6 528:14 532:2 533:7 534:6,23 567:16 581:24 634:23 641:13</p> <p><b>patience</b> 443:10 646:12</p> <p><b>pattern</b> 466:23 504:25 512:3,14</p> <p><b>patterns</b> 453:20 511:15</p> <p><b>Paul</b> 426:11 614:7,9 615:16</p> <p><b>pause</b> 539:26</p> <p><b>pay</b> 553:21</p> <p><b>peace</b> 628:10</p> <p><b>peak</b> 535:17 538:24 539:2 544:13 564:1,10 565:8,9,19 566:9</p> <p><b>peers</b> 449:26</p> <p><b>people</b> 443:6 471:6,12 472:5, 12 473:4,7,10,22, 25,26 481:19 495:21 501:14 503:22 513:2 514:11,19,23 515:5,11 531:17 532:21 566:15 623:21</p> <p><b>peoples</b> 525:21</p> <p><b>percent</b> 527:19 567:25 568:1 574:14 598:9 611:1 637:20</p> <p><b>percentage</b> 567:25</p> <p><b>perceptual</b> 558:5</p>	<p><b>period</b> 565:21</p> <p><b>periodically</b> 463:21</p> <p><b>periods</b> 641:14 643:6</p> <p><b>permafrost</b> 448:3 597:2 633:20 637:25 639:22,24 640:8, 13,20 641:10,25 642:16,18</p> <p><b>permission</b> 604:10</p> <p><b>permits</b> 625:3</p> <p><b>Permitting</b> 431:26 432:2,5,7 433:7</p> <p><b>persist</b> 638:10</p> <p><b>person</b> 442:18 444:15 449:16 501:8,18</p> <p><b>perspective</b> 485:15 577:7 644:3</p> <p><b>persuaded</b> 539:9</p> <p><b>pertain</b> 552:26</p> <p><b>pertains</b> 552:21</p> <p><b>Peter</b> 426:24 503:16 631:23,26 632:19,24</p> <p><b>Petroleum</b> 435:1</p> <p><b>phase</b> 539:3 610:18 640:10</p> <p><b>phases</b> 597:7 627:11 630:16,18 634:7 635:15</p> <p><b>Phillip</b> 580:25,26 582:13</p> <p><b>phone</b> 572:6</p> <p><b>phones</b> 441:12</p> <p><b>photo</b> 475:16,19 476:13 486:5 490:4</p>	<p><b>photograph</b> 475:11,18,24</p> <p><b>photographs</b> 464:14,18 465:13 486:25 527:10</p> <p><b>photos</b> 487:5</p> <p><b>phrased</b> 516:17</p> <p><b>pick</b> 486:23</p> <p><b>picked</b> 465:4 487:24</p> <p><b>picking</b> 441:26 538:11</p> <p><b>picture</b> 452:16 485:22 486:1 644:10</p> <p><b>Pido</b> 443:20</p> <p><b>Pilakapsi</b> 437:16 477:15,16,17 479:13,14 480:20 481:13,14</p> <p><b>pit</b> 480:1 598:15, 20 637:8 641:11</p> <p><b>pit-specific</b> 612:22</p> <p><b>pits</b> 447:21,24 448:3 537:16 580:14 600:8 601:4,6 618:5,7 634:6,16,19,24 641:15,24 642:12,14,17 644:22</p> <p><b>place</b> 442:18 464:2 472:21,23 473:4 502:13 523:19 552:23 575:9,10 619:9 625:25</p> <p><b>placements</b> 524:9</p> <p><b>places</b> 552:25</p> <p><b>plain</b> 471:23</p> <p><b>plan</b> 447:17 450:22,24</p>	<p>459:15,19 494:7, 8 497:6 529:21 536:26 546:3,15 557:25 569:18 585:22 588:16 599:11 610:6 612:6 613:12 619:13,25 628:4 629:3</p> <p><b>plane</b> 590:4,9</p> <p><b>planned</b> 442:6 517:20</p> <p><b>planning</b> 502:22 538:17 597:5 633:15</p> <p><b>plans</b> 536:26 537:15 542:10 549:15 568:18 619:3 625:23 631:5 639:13,18 640:17,26 641:16 642:3 643:12,13</p> <p><b>plant</b> 479:4 588:23</p> <p><b>plastic</b> 469:2,4</p> <p><b>plastic's</b> 478:17</p> <p><b>pleased</b> 501:1</p> <p><b>plenty</b> 511:20</p> <p><b>PM</b> 445:11,12,13 498:9,10 589:2,3</p> <p><b>point</b> 452:6,14 453:11 455:4 476:13 490:1 527:12 528:15 549:4 552:19 553:25 568:7 573:17 576:10 585:16</p> <p><b>pointed</b> 452:13 564:26 636:3,17</p> <p><b>points</b> 454:26 511:3</p> <p><b>policies</b> 608:18 615:21</p>	<p><b>policy</b> 435:14 594:1</p> <p><b>pollution</b> 549:16 608:25 626:12</p> <p><b>polygon</b> 488:19</p> <p><b>Pond</b> 598:4,9,15 613:2,7,11</p> <p><b>ponds</b> 636:15 641:24</p> <p><b>pool</b> 553:13</p> <p><b>pooling</b> 553:17, 18</p> <p><b>poor</b> 548:17 626:13</p> <p><b>pop</b> 547:17</p> <p><b>population</b> 446:10 448:22 454:13 563:15, 20,21,24 564:5,6, 8,11,15 566:24 586:9</p> <p><b>populations</b> 563:25</p> <p><b>porewater</b> 642:26 643:20</p> <p><b>portion</b> 498:18 514:17 640:21</p> <p><b>poses</b> 506:2</p> <p><b>position</b> 469:16 473:19 529:11 543:18 586:16</p> <p><b>positioned</b> 590:7</p> <p><b>positions</b> 522:25</p> <p><b>positive</b> 483:6 644:16</p> <p><b>possibility</b> 634:18</p> <p><b>possibly</b> 490:18, 20 491:3 492:3</p> <p><b>post-calving</b> 462:26 463:3,23 493:15,19,26 515:2 542:13 544:2 555:9</p>
--	---	--	---	--

559:13 581:26	<b>Prather</b> 432:2 446:26 447:1,2	<b>present</b> 468:17 501:8 537:7 550:10 593:16 598:6,18 626:6, 21	7 622:6,12,14,16, 18,20,22,24,25 623:14 631:10,13 632:5,10,15,20, 26 645:23	<b>previously</b> 536:3 577:18 601:25 612:19
<b>post-closure</b> 598:14,19,26 634:7 635:12,15, 20,21,24 636:23	<b>prayer</b> 441:14,16 492:15	<b>presentation</b> 423:24 424:16,19 425:20,24 426:5, 8,12,19,21,25 427:9,12,14,17, 19,22 428:1,5,10, 15,20,24 429:2,7, 9,11,13,14,16,17, 20,23,26 430:3,5, 7,9,11,13,15,19 451:15 453:16 454:25 461:23 464:13 466:2,4, 20 468:18 474:24 485:20 491:8 498:25 499:3 500:13,18,23 501:21 502:10 507:23 510:20 511:2,10 513:25 514:7,8 515:24 518:7,9 519:1,3, 7,9 520:17,19,25 523:20,24 524:3, 25 525:8 526:9, 10,13 528:10 535:1 540:16 541:10,14,19 547:8,10 552:8, 10,20 554:15,26 560:26 581:2 582:21 583:12, 22,26 584:12,23 590:7 591:5,13, 18,23 592:2,7,12, 17,22,26 602:15 605:11 606:4,10, 12,14,16,18,20, 21,23 609:23 613:16,21 614:13,14,18,21, 24 615:2,7 621:6,	<b>presentations</b> 442:4 448:11 498:23 499:7 512:21 513:18 518:22 555:3 589:23 591:7 605:15,16 621:10 645:26	<b>primarily</b> 486:14 575:11 579:25 638:3
<b>potential</b> 441:22 483:23 484:4 494:25 495:26 502:3 504:17,20 505:22 506:5 515:17 517:18 522:14 540:22 576:9 579:16 595:8,14 596:13 599:3 618:6 623:25 624:3,6, 13 625:17 626:1 628:7,13 629:9, 14 630:2 637:13 638:12 643:24	<b>pre-crushed</b> 529:8	<b>pre-existence</b> 599:6	<b>presented</b> 457:11 500:14 506:19 509:25 538:1 574:23 583:1 587:23 632:5	<b>prime</b> 514:15 531:10 575:7 586:1
<b>potentially</b> 529:18 569:8 595:11,25 628:16 630:23 646:5	<b>pre-feasibility</b> 634:22 635:6	<b>precautionary</b> 509:23 523:21 535:25 543:1 574:5	<b>presenters</b> 448:26 499:5 518:11 589:5	<b>principle</b> 574:5
<b>power</b> 479:4 511:23	<b>precise</b> 578:26	<b>precisely</b> 452:21	<b>presenting</b> 460:1 518:23 566:14 607:10,26 623:8	<b>principles</b> 610:24
<b>Powerpoint</b> 427:9,12,17,22 428:1,5,10,15,20, 24 429:2,7,11,14, 17,20,23,26 430:3,7,11,15,19 500:18 519:1,6 591:12,17,22 592:1,6,11,16,21 606:9,13,17 614:17,20,23 615:1 622:11,15, 19 632:9,14	<b>precision</b> 586:17	<b>preclude</b> 463:25	<b>preservation</b> 537:22 608:16	<b>prior</b> 451:15 464:19 465:14 484:2 497:15
<b>practical</b> 572:20	<b>predict</b> 555:8 560:10 629:9 633:22	<b>predicted</b> 483:7 537:26 598:7,22 626:23 628:15 629:18 635:11 637:20	<b>preserved</b> 642:16	<b>priorities</b> 538:7
<b>practice</b> 577:6 644:13	<b>predictions</b> 613:7 627:5 634:22 635:6	<b>preface</b> 525:8	<b>President</b> 433:21 434:11 437:21	<b>prioritized</b> 546:17
<b>practices</b> 576:25 596:25 611:14	<b>prehearing</b> 597:11,13	<b>preliminary</b> 456:26	<b>press</b> 444:16	<b>probable</b> 586:22
<b>prairie</b> 602:23	<b>preliminary</b> 456:26	<b>premature</b> 542:19 568:24 626:15	<b>pretty</b> 472:24 477:24,26 478:12,14,16 479:15,25 480:8 593:9	<b>problems</b> 626:14
	<b>preparations</b> 518:12	<b>prepare</b> 604:25	<b>prevent</b> 463:25 529:23 613:13 615:23	<b>procedural</b> 423:20 424:3,12 425:16 426:2,9, 15,22 499:8 500:16 508:21 509:16 518:14 520:14 589:16 591:11 605:18 606:7 613:24 615:6 621:13 622:9 631:16 632:8
	<b>prepared</b> 447:6 481:6	<b>presence</b> 452:25	<b>preventing</b> 453:9	<b>procedures</b> 571:7
			<b>prevention</b> 608:26	<b>proceed</b> 460:15 462:2 500:22 509:17 520:16 559:21 594:18 600:13
			<b>previous</b> 610:12 637:14	<b>proceedings</b> 431:1 441:1 442:21,25,26 443:18,25 444:6,

12,17 498:9,10 579:15 589:2,3 595:10 646:24 647:5	<b>project</b> 423:26 425:22 426:1,13, 20 427:2,11,24 428:3,7,12,18,23 429:1,5,18,21,24 430:1,4,8,12,18, 22 431:16 432:15,26 436:25 437:1 441:9,24 452:9,22,26 453:1,3 456:21 458:6,10,14 463:5 464:20 465:14 483:2,3 484:3,6,9 492:26 493:1 495:11,14, 26 497:14 500:20,25 502:22 504:2 522:17 526:10,14,24 529:23 531:7 535:24,26 536:4 538:23 541:1 546:2 559:11 583:15,16 584:25 585:1,2,7,8,14 587:20,22 591:14,19,24 592:3,9,14,19,24 593:2 594:7,9,23 595:12 596:21 599:21 600:14,22 602:17,26 603:3, 4,15,18,21 608:2 614:19,22,25 615:3,8,26 616:3, 9 618:20 622:13, 17,21,25 623:10, 25 624:17,23 625:2,4,7,18 626:3,17,23,24 627:11 629:10, 11,18,19 630:16, 18 632:12,17,22 633:14 637:26 638:1,5 640:13	<b>project's</b> 610:3, 17,26 611:17 <b>project-related</b> 595:14 628:14 <b>projected</b> 539:21 540:5 <b>projects</b> 525:14 595:7 603:5 645:16 <b>promise</b> 539:8,9 <b>promote</b> 522:1 <b>promotion</b> 503:6 <b>proper</b> 473:17 <b>properly</b> 596:10 <b>properties</b> 643:21 <b>proponent</b> 431:21 523:10 538:13,22 539:7, 17 574:22 587:24 616:15 618:13 620:3,15 625:9, 20 626:3 627:1,7 628:19 629:13 630:7,9,13 634:18 635:5,18, 26 636:6 637:2, 15 639:3 640:12 641:20 642:1 644:20 645:8 <b>proponent's</b> 482:12 594:26 624:10 635:23 638:22 642:4 643:11 <b>proponents</b> 618:3 <b>proportion</b> 527:18 536:8,12, 19 568:3 <b>proposal</b> 423:26 424:18 425:23 426:1 427:2,11, 14,19,24 428:3,7, 12,18,23 429:1,5	430:18,22 441:8, 25 483:24 499:2 500:20,25 501:4, 24 502:2 504:6 507:10,17 519:3, 8 520:19 521:9 522:13 523:22 540:5 568:19 571:14 575:15 579:24,26 591:14,19,24 592:3,10,15,20, 25 593:2 594:7,9, 18 595:13 596:21 602:17,26 603:8, 18 632:12,17,22 644:22,24 645:2 646:10 <b>propose</b> 500:15 539:14 591:9 614:15 <b>proposed</b> 441:24 448:1 494:9 505:9,17,23,26 506:3,6 514:9 524:19 532:17 538:6 555:8 559:10 569:15,23 570:9 579:24 583:16 585:7 588:18 598:10 600:1,7,8,21 601:24 611:10, 11,15,26 612:10, 26 617:5,18 624:5 634:16 639:26 <b>proposes</b> 600:13 644:20 <b>protect</b> 513:13 522:6 553:2 <b>protected</b> 470:12 506:17 <b>protection</b> 451:25 453:1 479:1 514:25	521:24 529:21 536:25,26 541:23 569:2,7 608:25 615:17 616:11 <b>protective</b> 542:24 <b>protocol</b> 625:24 <b>prove</b> 489:1,2 <b>proven</b> 479:8 557:21 558:21 <b>proves</b> 489:1 <b>provide</b> 444:20 445:2 446:7 447:12 452:16 455:17 460:7 462:4 475:4 482:8 483:13,21 495:7,9,15 521:26 525:22 541:9 550:12 562:5,15 566:23 570:8 589:22 595:11 596:8 599:5,15 601:10 607:15 609:5 610:2,16 620:25 623:14 630:16 634:22 635:1,11, 23 640:19 644:8 645:8 646:9 <b>provided</b> 442:19 443:1 448:5 453:23,25 457:3, 4 475:7,10,11 507:2,18 509:24 591:7 598:11,22 600:23 602:6 610:4,9,12,19,23 611:7,16,23 612:1,5,16 616:16,23 617:11 618:8 620:1 624:20 626:6 629:13 637:6,24 639:19 641:18,21 642:1,7,8 644:11
--	---	--	---	---

645:19 <b>providing</b> 442:20 444:25 484:24 510:1 589:6 593:21 <b>Province</b> 647:8 <b>provincial</b> 627:23 <b>provisions</b> 521:19 608:26 620:21 <b>proximity</b> 559:13 <b>prudent</b> 568:6 <b>public</b> 426:7 429:9,13,16 441:11,19,22 442:17 444:7 445:3,24 446:4 455:18 474:12 482:22 500:15 501:3,24 502:25 503:10 507:15 518:25 521:6 537:21 591:10 597:14 603:14 604:18 606:7,11, 15,19,22 614:15 622:8 628:22,24 632:7 644:18,24 646:11,22 <b>published</b> 496:25 <b>Pudluk</b> 434:19 <b>Pujjut</b> 489:12,14 <b>purpose</b> 522:1 596:6 602:9 617:1,15 620:1 <b>purposes</b> 598:13 599:8 600:20 <b>pursue</b> 599:9 <b>put</b> 441:12 467:12 469:3 475:5,25 477:20 485:14 502:13 513:7 523:1	551:1,3 629:5 646:19 <hr/> <b>Q</b> <hr/> <b>Qamanirjuaq</b> 454:8 472:16 502:7 505:3,8,18, 23 506:2 526:15 535:1,25 536:6 552:14 556:23 562:6 563:15,25 586:10 <b>Qaujimajatuqan</b> <b>git</b> 506:15,21,23 507:5 522:16 587:6,9 596:19 <b>qualitative</b> 626:16 <b>quality</b> 435:20 503:19,23 512:22 515:22 546:19 596:26 597:1 598:18,26 599:5, 7 607:8 608:16, 18 609:16,17 613:5,7,8 624:14, 15 626:11,14,16, 17,21,24 627:5,8, 16,17,20,21,22,25 628:3,4 629:6 633:6 <b>quantitative</b> 504:12 <b>quantities</b> 634:23 <b>quantity</b> 596:26 597:1 601:11 617:19 633:20 <b>quarters</b> 527:20 536:9 568:5 <b>Quesnel</b> 433:7 <b>question</b> 446:11, 21,25 448:18 449:17,18 451:10,14 452:5	454:24 455:14 456:12 458:3 459:3 460:2,11, 21,26 461:4 462:1,8 464:12, 16 468:1,2 471:16,18,19 474:22 475:7 477:20 479:15 480:11,20 481:7 482:4 484:13 489:3 490:13 491:7,20 497:12 508:9,17,19 509:20,21 516:26 517:13 528:4 532:16 535:1 542:8 543:26 545:15 546:9 549:5,24 550:18 551:4,16 552:9, 14 553:11,20 554:16 555:15 556:12 557:6,8 558:2,25,26 561:1 562:12 563:5,14 566:12, 16 568:15 569:14 571:4,21,26 575:8 577:18 578:10,19,24,25 579:5,10,15 580:6 581:4,20, 21 582:12 583:5, 20 584:15 586:14,17,24 587:4,21,26 588:13 <b>questionable</b> 575:21 <b>questioning</b> 565:7 566:14 646:1 <b>questions</b> 423:8, 9,12,14,16 424:1, 6,9,10,21,23,26 425:2,5,6,8,10,12	441:19 442:2,11 445:2 446:5,7,18 448:10,11,16,26 449:7,23 454:13, 20 457:20,24 458:3 464:7 465:15,22,25 466:2 467:3,21 468:24 480:15 481:15,23 484:18 485:18 492:9,16, 17,22 498:5,13 501:5,6 507:24 508:1,4 510:6,13, 24 514:2 516:2,9, 11,12,14 541:15, 20 542:4 545:10, 20 546:25 547:2, 8 552:3 553:10 554:9,14,19 556:4,7,12,14 560:20,22 561:5 570:16,20 577:24,25 578:3, 5,7 582:16,18,20 588:4 589:24 607:15,17 620:26 624:11 625:8 630:6 646:9 <b>queue</b> 577:3 <b>quick</b> 441:11 445:5 477:25 <b>quickly</b> 443:16 475:23 496:24 <b>quiet</b> 628:10 <b>Qujannamiik</b> 449:8 455:11 465:19 510:10 541:24 545:13 593:5 602:14 <hr/> <b>R</b> <hr/> <b>R-A-Y-M-O-N-D</b> 499:21	<b>rabbit</b> 478:4 <b>rabbits</b> 479:20 <b>Raglan</b> 446:10, 22 448:21 479:7 557:24 568:17 <b>rainfall</b> 546:11 <b>raise</b> 443:14 479:4 <b>raised</b> 447:10 471:11 501:12 524:19 538:2 <b>raising</b> 482:21 <b>range</b> 432:4 463:23 493:24 544:2 547:17 638:12 639:8,16 <b>ranges</b> 493:20 557:23 <b>rank</b> 642:14 <b>Rankin</b> 431:2 438:11 441:10 443:2,6 467:2 469:1 476:26 477:18 478:26 479:16 481:20 501:12,20,26 503:3 505:11 507:16 521:10,17 549:13 588:22 593:9,19,23 <b>Rasmussen</b> 437:20 <b>rate</b> 536:15 544:15,17 642:20 <b>rated</b> 536:5,16 <b>rating</b> 536:20 568:8 <b>rationale</b> 536:20 625:15,21 <b>Raymond</b> 423:22 499:20 500:8 <b>rbarry@nirb.ca</b> 444:21
---	---	--	---	--

<b>RCP</b> 639:7	<b>reclaimed</b> 598:26 599:6	627:6 628:18	<b>reduction</b> 452:21 530:13	24 439:3,7,12,17, 22 441:20
<b>re-create</b> 564:3	<b>reclamation</b> 447:17 597:5 599:11 613:11	630:12 637:6 640:23	<b>refeeding</b> 529:8	<b>registry</b> 444:7 626:9
<b>reach</b> 459:8 507:1 581:9	<b>recognize</b> 564:13 565:16	<b>reconsideration</b> 425:25 426:14,26 428:16,21,25 429:3,19,22,25 430:2,16,20 482:7,19,23 592:8,13,18,23 602:16,25 614:19,22,25 615:3,8 616:2,9 617:2,16 620:2 621:1 632:10,15, 21	<b>refer</b> 486:12 626:8	<b>regular</b> 609:10
<b>reached</b> 530:12 535:12 537:19 631:6 642:16	<b>recognized</b> 637:3	<b>reconvene</b> 498:8 588:8,26	<b>reference</b> 461:6, 9 485:21 491:22 539:4 555:7 627:21	<b>Regulation</b> 435:3
<b>react</b> 512:6 516:19	<b>recognizes</b> 638:24 640:14	<b>record</b> 442:15 443:24 455:3 491:23 499:14 509:3 511:5 519:15 590:19 605:24 614:4 621:19 631:22	<b>referenced</b> 555:1,2	<b>regulations</b> 603:8,11,12 608:22 609:8,11 615:21
<b>reacted</b> 479:21	<b>RECOMMENC</b>	<b>recorded</b> 526:7	<b>referring</b> 561:21 572:18 579:12 584:19	<b>regulator</b> 625:2
<b>read</b> 492:7	<b>ED</b> 498:10 589:3	<b>records</b> 486:26 487:7	<b>reflect</b> 495:2 507:5	<b>regulators</b> 644:17
<b>readability</b> 608:12	<b>recommend</b> 618:21 619:10,22 636:9 641:8 643:22 644:22	<b>recovery</b> 535:8 565:21	<b>refreshments</b> 588:25,26	<b>regulatory</b> 432:1,4 433:8 594:19 604:22 618:15 620:4 633:14 644:23
<b>readily</b> 563:7	<b>recommendatio</b>	<b>Recreation</b> 431:1	<b>refers</b> 595:2 639:3	<b>reindeer</b> 516:16 517:5,10 531:15, 18
<b>ready</b> 547:23	<b>n</b> 455:3,8,10 456:13 478:10 506:24 509:26 513:6 611:6 634:3 635:4,25	<b>recycling</b> 469:1, 4,5	<b>refine</b> 536:25 643:14,23	<b>reiterate</b> 453:15 577:10
<b>real</b> 511:11	<b>ns</b> 447:16 508:10, 11 510:1 525:13 541:4 594:10 595:23 608:7 609:6 610:9 623:18,26 626:6, 11 628:2,6 629:1, 5 631:2 633:3 639:10 642:2 643:11	<b>redirect</b> 490:13	<b>refined</b> 457:8	<b>relate</b> 580:17 582:7 616:1 617:17 618:18
<b>realize</b> 472:12 473:5 532:3	<b>recommendatio</b>	<b>reduce</b> 483:12,21 537:3 538:14 553:19 605:8 623:26 624:6	<b>refining</b> 447:23	<b>related</b> 450:7 459:17 485:22 489:4 491:7 517:7 523:2 524:11,22 575:12 576:11 579:23 597:5 609:16,19 610:14 630:1 637:22 638:3 640:9 641:11
<b>realized</b> 501:14	<b>ns</b> 447:16 508:10, 11 510:1 525:13 541:4 594:10 595:23 608:7 609:6 610:9 623:18,26 626:6, 11 628:2,6 629:1, 5 631:2 633:3 639:10 642:2 643:11	<b>reduced</b> 530:9 544:15,17,22 598:9	<b>reflect</b> 495:2 507:5	<b>relates</b> 577:1,4 616:8,18 617:3 618:5,10 619:1, 14
<b>realizes</b> 532:26	<b>recommended</b> 533:26 540:20 599:18 605:8 609:25 610:16 611:3,20,25 612:13 616:12 634:14 635:10	<b>reducing</b> 611:12 619:16 637:17	<b>refuel</b> 495:2 507:5	<b>reiterate</b> 453:15 577:10
<b>rearrange</b> 646:4	<b>recommending</b> 527:26		<b>refreshments</b> 588:25,26	<b>reiterate</b> 453:15 577:10
<b>reason</b> 492:4 505:1 515:23 531:9 565:8 567:15 574:1	<b>recommends</b> 529:20 534:19 605:7 620:17		<b>refueling</b> 529:7	<b>relate</b> 580:17 582:7 616:1 617:17 618:18
<b>reasons</b> 490:18 529:19			<b>regard</b> 587:22,25	<b>related</b> 450:7 459:17 485:22 489:4 491:7 517:7 523:2 524:11,22 575:12 576:11 579:23 597:5 609:16,19 610:14 630:1 637:22 638:3 640:9 641:11
<b>rebroadcast</b> 443:24			<b>regime</b> 595:6 638:4	<b>related</b> 450:7 459:17 485:22 489:4 491:7 517:7 523:2 524:11,22 575:12 576:11 579:23 597:5 609:16,19 610:14 630:1 637:22 638:3 640:9 641:11
<b>rebuild</b> 530:15			<b>region</b> 501:4,25 517:19 521:11,20 522:11 524:17 602:23	<b>relates</b> 577:1,4 616:8,18 617:3 618:5,10 619:1, 14
<b>received</b> 625:20 630:8			<b>regional</b> 436:21 491:10 493:5,13, 23 517:16 527:16,23 536:10 568:6,9 593:12 602:22 635:13	<b>relating</b> 524:8,16 634:1
<b>receiver</b> 589:1			<b>registered</b> 431:23 433:15,18 434:8,17 435:7, 17 436:1,10,18 437:4,14,18 438:2,11,16,21,	<b>relation</b> 482:4,10 555:8
<b>receivers</b> 443:6,7 445:21				
<b>recent</b> 453:20 518:4 527:15 529:14 565:12 630:21 639:14				
<b>recently</b> 527:24 535:12				
<b>receptors</b> 637:7				

<b>Relations</b> 425:20 427:25 428:4,8, 13 435:6 436:24 465:17,20 510:8, 11 537:11 545:11,14 589:11 590:17 591:7,15, 20,25 592:4,26 593:3,6,13 594:4 596:22 597:6 598:5,16 599:1 600:10 601:9,21 602:4 <b>relationship</b> 531:16,18,19 575:4 <b>relevance</b> 458:6 <b>relevant</b> 454:11 458:10,14 597:10 599:19 608:5,18 609:7,10 624:10 630:14,22 633:2 <b>reliably</b> 483:7 <b>relied</b> 625:14 <b>relies</b> 505:11 <b>rely</b> 454:9 533:5 595:4 <b>remain</b> 522:25 523:9 617:13 625:25 <b>remainder</b> 523:24 524:25 <b>remaining</b> 506:10 507:9 597:22 612:9,25 630:10 645:26 <b>remains</b> 442:23 505:4 <b>Remarks</b> 423:6 441:2 <b>remember</b> 501:15 512:15 516:17 589:1 646:19	<b>remind</b> 445:25 615:18 <b>reminder</b> 441:12 588:24 646:18 <b>reminds</b> 443:23 <b>remote</b> 442:22 518:5 528:24 <b>remotely</b> 442:21 <b>remove</b> 570:6 <b>removed</b> 550:20 626:3 <b>renewable</b> 608:20 <b>repeat</b> 583:19 <b>repeatedly</b> 451:24 <b>reply</b> 463:11 548:11 550:17 552:2 <b>report</b> 449:20,24, 25 451:10 455:4, 5,8,18,20,22 456:14 459:4 460:6,22 461:10, 11,14,21 482:9, 25 488:18 506:22,25 543:9, 10 561:20 562:25 563:24 564:25 565:10,13,17 574:22 596:7,10 604:24 618:22, 23,24 <b>reported</b> 517:5 584:20 <b>Reporter</b> 440:11, 12 647:15,22 <b>reporters</b> 440:10 446:1 646:17 <b>reporting</b> 594:26 616:6 618:19,22 620:21 628:3 <b>reports</b> 584:21 595:23 627:20 644:15	<b>represent</b> 452:15 521:23 574:4 <b>representation</b> 485:13 <b>representations</b> 485:16 <b>representative</b> 438:12,13,14,17, 18,19,22,25,26 439:1,4,5,8,9,10, 13,14,15,18,19, 20,23,24,25 494:24 513:22 590:8 639:6 <b>representatives</b> 441:21 442:20 444:8,14,24 503:3 507:19 525:22 589:6 593:18 646:5 <b>representing</b> 444:19 501:2 521:18 548:18 <b>represents</b> 538:18 <b>request</b> 526:12 538:21 585:12 602:2 <b>requested</b> 455:6, 15 482:8 598:6, 11,17 599:2,14 601:10,21 613:4 616:16 625:16 626:20 629:21 635:3,24 <b>requests</b> 522:21 625:19 <b>require</b> 523:10 540:8 571:24 572:19 597:21 <b>required</b> 448:5 458:23 484:2 525:13 537:20 540:11 558:19 599:25 602:6 605:5 618:12	639:25 642:19 645:17 <b>requirements</b> 502:24 640:3 <b>requires</b> 537:13 600:11 645:6 <b>requiring</b> 599:22 600:15 630:13 <b>Res</b> 435:1 <b>research</b> 434:2, 15 504:19 518:4 571:24 <b>Researcher</b> 437:10 <b>reside</b> 511:12 <b>resilience</b> 526:19 <b>resilient</b> 535:9 <b>resolution</b> 625:24 <b>resolutions</b> 608:7 <b>resolve</b> 506:8,12 531:3,6 543:17 561:19 600:2 630:6 <b>resolved</b> 448:9 457:15 498:26 504:9 507:13 597:20,21,23 598:2,12 599:8 600:19 601:14 609:14 616:17 617:1,15 618:4,9, 17 645:15 <b>resolves</b> 598:3 <b>resolving</b> 562:14, 25 <b>resource</b> 433:26 435:8 593:11 <b>resources</b> 426:25 437:4 446:12 447:3,10,15,18, 25 448:7 589:14 594:13 608:20	631:14 632:6,18, 20,25 633:5,7,9, 12,16,17,19,26 634:14 635:10,22 636:3,20,26 637:5,12,21 638:9,24 639:10 640:11,14,23 641:5,8,20 642:21,22 643:2, 8 645:14,18 <b>respect</b> 442:3 449:19 497:26 514:20 515:10 521:20 524:18 569:9 576:18 595:14 626:11 628:6 629:5 638:22 639:15 642:14 <b>respected</b> 522:19 <b>respecting</b> 514:24 <b>respective</b> 627:17 <b>respects</b> 502:21 <b>respond</b> 477:9 528:20 529:1,26 541:3 559:23 560:14 <b>responded</b> 453:25 530:22 637:16 <b>responding</b> 450:26 528:23 532:9 585:15 <b>Responds</b> 423:7 446:17 <b>response</b> 447:3, 14,25 448:14,20 451:1 454:5,6,7 456:5 459:21 467:4 498:16 508:12 509:19 530:7 544:24 545:2 555:8,16
--	---	--	---	---

560:7 566:23  
579:15,19 580:24  
610:11,22 611:5  
627:26 628:25  
630:26 636:12  
641:25 642:1

**responses** 446:7  
451:8 458:8,11,  
12 505:1 518:6  
530:3,4 531:13,  
20 533:10 534:17  
538:21 555:22  
582:9 587:1  
602:7 624:11  
625:19

**responsible**  
594:11

**responsibilities**  
572:3

**responsible**  
484:1,4 493:22  
594:8 595:3  
603:2 623:21

**responsive**  
573:15

**responsiveness**  
533:21 576:2,19  
577:13

**rest** 574:9

**restate** 445:25

**result** 444:2  
452:25 453:3  
579:25 580:10  
582:6 617:9,22  
626:12 629:10

**resulted** 598:7  
634:2 635:18

**results** 450:26  
458:19 459:19  
504:20 506:19  
550:10,11 566:2  
573:3 624:26  
630:16 631:3  
635:1,11,23  
637:20 642:8,13  
645:9

**resume** 530:6  
**retrieved** 480:26  
**return** 445:21  
446:3 599:6  
**revealed** 527:8  
**revegetate**  
481:11

**review** 423:16,20  
424:3,10,12  
425:8,10,12,16  
426:2,9,15,22  
431:4,12 441:5,  
18 444:1 447:8  
450:2 451:12  
456:5 458:18  
482:17 492:17,19  
494:5 496:10  
497:11 498:15  
499:8,12 500:2,  
11 501:23 507:20  
508:21,25  
509:13,25 516:5,  
8,12 517:3  
518:14,18 519:13  
520:3,13 521:6,9  
522:13,23 523:13  
524:8,14,15  
527:26 529:20  
533:25 534:20  
537:14 540:21  
541:10,12 546:2  
550:11 569:1,7  
570:20,22 571:3  
577:16,24 578:3,  
9 579:8 580:22  
581:1 582:18  
587:25 589:16,19  
591:4 593:14  
594:6,10,25  
595:3,9,22  
596:10,17 597:9,  
17 598:3,14,25  
599:10,13,21  
600:4,17,24,25  
601:3,19 602:10  
603:21 605:3,18  
606:3 607:22

608:9 609:4,13,  
16,17,22 612:6,  
20 613:18,24  
614:2,12 615:26  
621:13,17 622:5  
623:9,17,19,24  
624:12,20,23,25  
626:7 627:6,7  
628:18,19 630:12  
631:16,20 632:3  
633:2,19 634:11,  
13 635:9 636:17  
637:12,24 638:6,  
8 639:23 641:7,  
26 642:2 645:15,  
19

**reviewed** 449:26  
451:11 610:8  
616:9,24 624:8  
628:12 629:11  
644:22

**reviewing** 477:7  
603:16

**reviews** 644:8,12

**revise** 569:23

**revised** 484:1,5,8  
534:1 537:1  
610:19 611:23

**revising** 482:24

**revisions** 570:9  
600:2

**revisiting** 482:26

**ridge** 517:11

**rights** 502:14,16,  
17 506:6 514:22,  
26 521:21,25  
522:7 523:4  
524:11 541:24  
595:15 596:14  
601:2

**rigorous** 450:23  
459:18

**risk** 505:18,26  
506:1 526:19  
529:18 537:3

553:19 605:9  
609:1 615:22  
617:13,26 619:4,  
7,12 624:15  
625:22 628:13  
629:6,8,12,14,22  
630:4,11,20  
631:7

**risks** 624:6,13  
625:18 629:9

**River** 446:22  
448:21 550:2  
617:14

**rivers** 469:18

**road** 458:9  
459:21 477:19,22  
478:7,12,14  
481:19 482:11,  
13,15 483:6,11,  
19 486:15 495:18  
521:3 528:26  
529:26 530:18,23  
549:11,17 551:15  
558:12,15 571:22  
574:11 581:3,7,9,  
12,14,23 582:2,6  
603:20 616:5  
618:10,15

**roads** 558:8  
582:9 618:12  
620:16

**Robillard** 437:21

**rock** 448:1  
480:25 481:5,8,9  
523:6 600:5,8,18  
612:8,22 634:5,  
16,25 637:8  
638:26 644:3,13,  
25,26

**rocks** 478:1

524:2 547:16

**Rodrigue** 432:23

**Roger** 477:15,16,  
17 479:13 481:13

**role** 458:22  
502:20 594:5

603:8

**roles** 594:19

**Roman** 429:5  
430:2 592:25  
615:3

**room** 442:21  
443:20 445:7,9  
508:26 512:5  
539:5 561:16

**Rose** 441:15,17

**round** 589:23

**roundtable**  
584:16 597:12  
646:11

**route** 511:13,16  
512:13

**routes** 466:9  
515:2 535:16

**Roy** 435:10  
593:25

**RPR** 440:11,12  
647:14,21

**rules** 603:5  
608:22

**run** 472:4 478:8,  
16,18 547:23  
597:25

**running** 475:23  
525:23 547:24

**runoff** 546:17

**rushed** 506:26

**Ryan** 443:19  
444:20,24

---

## S

---

**S-E-X-T-O-N**  
519:26

**S-H-O-R-E**  
605:26

**S-P-E-N-C-E-R**  
590:20

**sadlik** 475:1

<b>safe</b> 479:10 489:22 503:21 533:23 603:12 <b>safeguarding</b> 503:7 <b>safety</b> 641:11,16 <b>sake</b> 443:11 451:13 <b>saline</b> 447:20 538:5 539:8 580:11,13 598:15 601:4,7 603:4 613:2,7,10 634:7 636:14,15 637:22 640:25 <b>salinity</b> 642:26 643:20 <b>Sami</b> 504:26 531:17 <b>Sammurtok</b> 438:25 <b>sample</b> 459:6,7 549:11 <b>samples</b> 550:1,3, 7,8 627:19 <b>sanctions</b> 444:2 <b>Sandra</b> 647:3,14 <b>sandy</b> 480:10 <b>Sarah</b> 607:8 <b>Saskatchewan</b> 505:5 511:19,22, 25 513:1 514:15, 16,23 515:13 644:19 646:7 <b>satellite</b> 475:14 <b>satisfactorily</b> 598:23 <b>satisfied</b> 613:14 636:26 637:5 639:18 <b>Savoie</b> 432:18 <b>Sayazie</b> 439:13 <b>Sayisi</b> 423:13 425:2 438:1,4	481:22 482:2,7, 19 483:26 484:19,21 485:9 487:11,26 488:22 490:9 491:4,26 513:19,22 521:15 554:10,13,18,23 556:9,10 596:2 <b>scale</b> 493:5,13,23 495:7 544:19 560:8 642:12 <b>Scandinavia</b> 504:21 505:1 <b>scarce</b> 504:20 <b>scared</b> 475:22 <b>scenario</b> 639:5,8 645:9 <b>scenarios</b> 447:17 639:4,9,15,16 642:10 643:18 <b>scenery</b> 503:14 <b>scent</b> 533:5 <b>schedule</b> 442:9 646:13 <b>scheduled</b> 445:11 <b>school</b> 474:8 <b>science</b> 551:20 <b>science-based</b> 633:10 <b>scientific</b> 449:26 609:3,6 628:12 629:13 <b>scientifically</b> 449:21 624:4 <b>Scientist</b> 433:6 <b>scientists</b> 572:20 633:11 <b>scope</b> 616:2,8,12 623:16 626:3 633:1 <b>scoping</b> 597:8 <b>screen</b> 443:15 528:7	<b>scrutinizing</b> 573:13 <b>sea-can</b> 529:9 <b>season</b> 585:5,19 <b>seasonal</b> 462:12 463:12 617:8 <b>seasonally</b> 570:5 573:13 616:22 <b>seasons</b> 555:10 <b>seating</b> 646:20 <b>Secretary-</b> <b>treasurer</b> 431:10 <b>section</b> 502:15 555:1 595:15 611:18 643:16 <b>sections</b> 574:16 624:8 <b>secure</b> 522:8 <b>security</b> 505:11 506:3 524:19 537:4 <b>sediment</b> 550:4 <b>sediments</b> 551:15 <b>seek</b> 507:7 596:6 <b>seepage</b> 598:26 599:5 634:23 636:24 <b>sees</b> 494:13 536:23 <b>self-reliances</b> 522:2 <b>semi-</b> <b>domesticated</b> 504:24 517:5 <b>send</b> 605:2 <b>senior</b> 433:2,4 434:2 435:10,12, 21 436:3,13,15, 21 437:10 593:25 602:22 607:6 623:13 <b>sense</b> 490:5 495:6,9 565:3	<b>senses</b> 467:24 <b>sensitive</b> 466:19 467:25 529:17 576:10 628:17 <b>sensitivity</b> 576:19 598:19 637:17 <b>sentences</b> 483:15 539:26 <b>separate</b> 546:15 <b>separately</b> 645:1 <b>September</b> 423:5,19 425:15 597:9 646:24 <b>series</b> 493:18 <b>Services</b> 431:15 432:13 436:23 <b>serving</b> 588:24 <b>session</b> 423:5,19 425:15 442:6,7 445:12,17 446:3 457:4 645:25 <b>sessions</b> 442:14 445:10 498:24 597:8 <b>set</b> 443:8 511:10 544:11 550:22 573:11 600:26 <b>sets</b> 504:12 527:6, 13 528:2 590:14 <b>settled</b> 518:20,26 <b>seventh</b> 638:8 <b>severe</b> 535:19 <b>Sexton</b> 424:15 434:13 519:25,26 520:9,11,26 521:1 524:26 537:8 <b>Shaikh</b> 433:16 <b>Shaoullie</b> 439:10 <b>Sharam</b> 433:4 464:25,26 465:1 476:10,11,12 486:9,10,11	487:21,22 488:16,17 <b>share</b> 449:21 596:17 646:9 <b>shared</b> 432:13 497:16 555:19 583:11,25 611:6 623:18 <b>shares</b> 504:15 <b>sharp</b> 478:1 <b>shielded</b> 529:9 <b>shift</b> 443:10 462:11,12,13,16, 25 463:12,14 492:26 493:4,12, 20,22 529:13,16 536:21 544:10 545:2 552:12,17 553:12,14,19 575:25 582:7 586:8 <b>shifted</b> 535:12 544:2 <b>shifts</b> 463:22 493:2,3,24 535:22 <b>shins</b> 489:18 <b>shipping</b> 603:6 616:7 619:6,13, 15,18,21,24,25 620:20,22 <b>shock</b> 479:18 <b>shocked</b> 466:6,7 <b>shockwave</b> 479:26 <b>Shore</b> 426:4 435:21 605:25 606:1,25,26 607:5,14,16,25 <b>shores</b> 535:12 <b>short</b> 528:21 551:12 583:23 <b>shorthand</b> 647:5, 6
--	---	--	--	--

<b>shoulder</b> 547:22 <b>show</b> 450:26 459:19 462:11 464:14,20 527:9, 10 528:15,18 534:12 564:3,5 586:7 619:4 <b>showed</b> 452:7 534:8 563:15 <b>showing</b> 465:11 467:14 488:20 493:18 528:13 530:2 563:19 564:8 565:8 566:8 644:10 <b>shown</b> 527:14,15 630:19 <b>shows</b> 480:7 488:5,14,19 493:18,20 531:23,25 535:2, 5 566:23 <b>shut</b> 542:10 560:5 572:9 574:11 <b>shutdown</b> 529:4, 12 571:7 575:10 <b>shutdowns</b> 570:5 <b>shuts</b> 529:2 558:18 <b>shutting</b> 508:13 558:3,17 572:5 574:15 <b>siblings</b> 513:3 <b>sic</b> 493:17 547:10 562:6 569:19 587:26 643:4 <b>sickness</b> 513:2 <b>side</b> 443:20 445:8 478:7,12 487:2,9, 16,19,20 488:4,6, 7,8 532:23 547:26 559:10 <b>sidebar</b> 531:2,4 <b>sight</b> 517:12 547:17,25 550:23	<b>sign</b> 442:12 <b>sign-in</b> 443:7 <b>significant</b> 452:20 482:21 504:8 505:22 506:2 507:10 511:9 524:10 526:17,18 536:2 538:18 540:25 556:22,23 586:21 <b>significantly</b> 526:16 535:24,26 538:14 <b>siksik</b> 478:4 <b>silent</b> 441:13 <b>similar</b> 444:16 464:18 525:14 531:21 532:12 564:11 <b>Simone</b> 594:3 <b>simultaneous</b> 442:26 593:22 <b>Singiituq</b> 431:1 <b>single</b> 452:9 <b>sink</b> 611:19 <b>sinks</b> 610:7 611:17 <b>site</b> 458:9,11,13 481:2 485:14 487:7 488:13 489:6 523:20 526:23,25 527:17 528:1,5,16,19,21, 23 529:13 530:1, 23 532:10 535:13 545:26 546:10 549:26 557:7 561:9 563:8 571:23 572:10 574:11 581:13 583:7 588:18 599:4,11 605:4 617:6 637:2 <b>site-specific</b> 640:15	<b>sites</b> 479:5 551:18 572:10 <b>sitting</b> 646:7 <b>situation</b> 555:4 <b>sixth</b> 637:11 <b>size</b> 459:6,7 532:25 533:13 548:2,10 554:2 565:3,12,20 <b>sizes</b> 532:14 <b>Skarin</b> 517:4 <b>skill</b> 647:7 <b>sleep</b> 628:9 <b>slide</b> 454:25 464:13 475:18 476:14,18 485:21 487:23 488:3,18 489:4 491:7,8 516:15 528:4 537:8 559:6 563:14,16,19 579:13,21 582:21 583:1,9 584:7,9, 24 585:26 597:11,26 598:13,23,24 599:11 600:2,3 603:1 610:12 <b>slides</b> 482:5 584:11 608:10,12 609:20 624:22 626:5 <b>slideshow</b> 475:11 597:25 <b>slightest</b> 547:20 <b>slow</b> 483:14 638:16 642:19 <b>slowing</b> 574:9 <b>small</b> 485:1 532:1,14 536:6 547:14 568:3 617:7 <b>smaller</b> 544:16 <b>smell</b> 466:18	467:24 <b>smelling</b> 468:13 <b>snacks</b> 445:18 <b>snow</b> 535:16 <b>social</b> 432:7 522:2 523:3 <b>Socially</b> 514:21 <b>socio</b> 524:16 <b>socioeconomic</b> 441:23 523:26 524:13 625:6 <b>soil</b> 608:17 629:17,24,25 630:3 <b>soils</b> 630:14 <b>solid</b> 598:4,8 <b>solution</b> 504:9 <b>solutions</b> 485:8 553:1 <b>solve</b> 471:17 <b>sort</b> 451:22 464:23 551:19 567:21 576:25 577:6 579:12,14 584:12 <b>sound</b> 443:8,11 560:12 <b>source</b> 502:9 513:9 514:13,15 515:23 <b>south</b> 476:14 487:9,19 488:4 <b>southern</b> 511:19 <b>space</b> 459:17 498:3 <b>spacial</b> 642:26 <b>spatial</b> 496:3 <b>spawning</b> 620:9 <b>speak</b> 443:4,12 447:4 467:22 471:26 474:12, 15,16,17,21 502:19 513:3	521:12 594:26 598:2 626:10 628:5 629:4 <b>speakers</b> 431:23 433:15,18 434:8, 17 435:7,18 436:2,10,18 437:4,14,19 438:2,11,16,21, 24 439:3,7,12,17, 22 443:10 <b>speaking</b> 446:1 512:4 <b>special</b> 521:14 604:10 <b>specialist</b> 432:4, 5,7 435:11,19 436:11,12 593:26 623:7,12 <b>specialists</b> 609:4 <b>species</b> 609:1 616:6 619:2,4,5, 11 620:19 <b>specific</b> 518:2 523:15 529:20 542:19 555:23 569:17 571:15 575:14 576:20 579:23 588:15 612:5 618:20 634:1,14 638:2 642:6 <b>specifically</b> 451:18,21 478:26 523:23 526:4 527:17 529:14 536:25 571:13 579:17 585:21 595:10 <b>specifies</b> 600:23 <b>speculations</b> 512:7 <b>spell</b> 499:14 509:2 519:15 590:19 605:24 614:4 621:18
--	--	---	--	---

631:21 <b>Spencer</b> 425:18 465:18,20 510:9, 11 545:12,14 590:20,26 593:4, 6 <b>spend</b> 449:23 530:11 <b>spent</b> 527:22 <b>spirit</b> 474:13,15, 21 <b>spite</b> 539:11 <b>split</b> 460:24 544:11 <b>spring</b> 535:15,21 553:24 <b>squared</b> 567:19 <b>St-onge</b> 433:9 <b>stability</b> 638:25 639:11 641:12 <b>stable</b> 442:23 <b>stacked</b> 529:9 <b>staff</b> 423:16 425:8 431:12 445:1 477:2,6 492:17,20 494:3, 5 496:8,10 497:9, 11 498:13,21 501:5 516:6,8 548:11 570:20,23 571:3,8 572:6 574:26 576:6 577:14,16,24 588:13 607:3 <b>stage</b> 539:5 639:19 640:6 641:9,21 643:9 645:20 <b>Stakeholder</b> 432:12 <b>stand</b> 469:15 <b>standard</b> 566:10 <b>standards</b> 627:17,22	<b>Staniewski</b> 435:14 593:26 <b>start</b> 450:5 458:4 477:26 486:12 498:22 521:5 608:3 633:21 646:1 <b>started</b> 511:21,22 <b>starting</b> 441:14 541:16 553:25 564:9 565:8 589:8 634:11 646:21 <b>starts</b> 563:26 <b>state</b> 494:10 499:13 509:2 519:15 524:16 590:19 605:23 614:4 621:18 631:21 <b>stated</b> 448:24 460:22 539:17 635:14 <b>statement</b> 424:20 427:15,20 449:20 459:5 460:5 487:20 490:6 519:4,10 520:20 597:10 600:6 601:6 603:17 604:22 611:4 616:20 624:9 625:13 627:4 636:9 <b>stationary</b> 559:23 <b>statistically</b> 586:21 <b>stats</b> 552:25 <b>status</b> 563:23 564:23,25 <b>stay</b> 472:21 547:16 619:7 <b>steep</b> 586:3	<b>step</b> 466:17 569:16 <b>Stephanie</b> 607:9 <b>Stephen</b> 451:26 452:3 453:18 454:5 462:17,20 463:16,19 464:8, 11 465:6,8 467:5, 8 490:24,26 493:8,10 494:17, 19 496:19,21 497:19,21 508:2, 7 510:3,5 541:25 542:3 543:3,6,21, 24 545:4,7 565:25 <b>Stephenson</b> 542:18 <b>steps</b> 601:22 644:25 <b>Steve</b> 542:6 <b>stick</b> 619:6 <b>stop</b> 469:20 475:25 477:24 <b>stopped</b> 451:18 452:19 481:3 <b>stops</b> 486:22 <b>storage</b> 447:20, 24 480:18 481:8 601:3,8,12 633:16 634:7,16 637:8 638:15,25, 26 641:14,23 <b>store</b> 447:20 <b>stored</b> 601:11,13 612:23 <b>stories</b> 547:15 <b>storing</b> 641:15 <b>story</b> 582:4 <b>straight</b> 491:2 527:2 <b>stranding</b> 617:9 <b>strategic</b> 609:26 610:24	<b>strategies</b> 539:22 540:6 627:19 <b>strategy</b> 447:21 <b>stream</b> 603:19, 20,23,26 604:3 <b>streams</b> 503:16 546:16 <b>strength</b> 495:12 <b>strengthened</b> 468:2 583:8 <b>stress</b> 452:12 <b>strong</b> 459:8 <b>stronger</b> 616:10 <b>strongly</b> 601:26 <b>structured</b> 523:25 <b>structures</b> 560:15 603:13 <b>studies</b> 495:14 504:21 517:4 528:25 563:22 612:5,19 644:12 645:16 <b>study</b> 448:2 450:9,16,20 455:16,17 456:23 457:1,2,3,9,10 458:19 460:12, 14,15,21 461:10, 14 482:5 484:8 491:10 517:10 527:16,23 536:10 552:11 561:10 568:6,9 611:6 612:22 <b>stuff</b> 478:1,13 479:17,20,22 481:19 <b>Subblu</b> 605:6 <b>subject</b> 643:26 <b>submission</b> 447:8 449:23 463:1 507:15 522:25 539:14	607:11 608:1,8 623:20 624:21 626:9 628:1,26 631:1 634:1 638:3 <b>submissions</b> 455:22 505:21 <b>submit</b> 598:17 600:15 <b>submitted</b> 447:7 451:19 454:7 493:16 522:20,23 528:10 597:17 609:12 612:6,20 624:12 625:8 <b>submitting</b> 601:15 <b>Subsection</b> 442:1 <b>subsequent</b> 483:25 533:10 565:9 <b>substantially</b> 504:6 598:21 <b>subsurface</b> 642:25 643:1,18 <b>successful</b> 617:25 <b>successive</b> 644:12 <b>sudden</b> 452:25 <b>sufficient</b> 459:8 483:4 575:12 585:14 588:17 596:14 636:16 640:5 641:21 645:19 <b>sufficiently</b> 506:5 540:11 599:8 602:8 610:20 <b>suggest</b> 462:23 526:6 530:17 562:22,23 581:25 <b>suggested</b> 453:8 532:21 538:8
---	---	---	--	---

636:21 <b>suggests</b> 452:18 <b>suitability</b> 642:15 <b>suitable</b> 513:8 620:8 641:2 <b>sulfur</b> 627:9 <b>summarize</b> 585:21 586:22 602:24 <b>summarized</b> 561:6 624:21 626:20 <b>summarizes</b> 641:19 <b>summary</b> 623:14 <b>summer</b> 493:15, 20 530:10 544:16 549:12,19 <b>summers</b> 535:19 <b>superintendent</b> 431:26 432:17, 21,23 476:20 <b>supervisor</b> 432:18 436:22 602:22 <b>supper</b> 445:16 588:7,20 <b>support</b> 431:19 442:20 443:19 460:25 461:23 473:25 485:11 514:7,10 515:24 539:10 595:18 612:14 625:16 626:17 645:17 <b>supported</b> 460:21 522:10 <b>supporting</b> 502:26 611:2 639:17 <b>supportive</b> 473:23 640:11	<b>supports</b> 505:20 537:10 <b>supposed</b> 470:2 551:1 <b>surface</b> 504:1 521:20 522:9 523:7 579:11 596:26 601:2,4,7 630:15 633:24 634:17 645:4,9 <b>surround</b> 645:7 <b>surrounding</b> 503:3,17 515:14 549:8,16 <b>survey</b> 454:9 491:16,21 574:13 <b>surveying</b> 495:1 <b>surveys</b> 487:18 488:12 495:15,18 535:7 <b>survival</b> 544:17 553:24,26 <b>surviving</b> 473:8 <b>suspect</b> 548:6 <b>suspending</b> 444:3 <b>suspension</b> 529:6 571:12 <b>sustain</b> 522:5 <b>sustainably</b> 633:8 <b>swear</b> 499:5 518:10 590:13,15 <b>switch</b> 608:12 <b>sworn</b> 425:18 499:16 500:3 509:4 520:4 590:26 607:24 <b>Syllabics</b> 429:1, 25 592:20 614:26 <b>system</b> 546:12 580:9 601:13 635:12	<b>systematic</b> 576:24 <b>Syvret</b> 432:13 <hr/> <b>T</b> <hr/> <b>table</b> 423:1 442:13 443:7 444:16 445:21 457:8 486:21 609:21 615:13 620:24 646:8,20 <b>tabulated</b> 626:20 <b>tackle</b> 571:25 <b>Tadoule</b> 439:3 511:6,7 <b>TAG</b> 456:25 460:4,5 461:21, 22,23,25 506:24 511:5,7 526:4,6 531:6 534:21 561:25 569:19 <b>TAG'S</b> 460:7 <b>tailing</b> 481:7 523:6 638:15 <b>tailings</b> 448:1 480:6,18 546:17 600:5,7,18 612:8, 21 634:5,16,25 638:25 642:10, 15,17,19 643:17 644:13,26 <b>takes</b> 526:2 531:26 604:12 <b>taking</b> 473:4 507:17 515:7 523:19 566:8 570:25 574:6 <b>talik</b> 642:11,20 643:5,25 <b>taliks</b> 446:14 447:6 634:4 <b>talk</b> 468:19 470:11,12,25 485:15 503:22	531:23 533:16 549:5 574:25 587:10 634:10 638:6 643:26 <b>talked</b> 468:18 472:1 <b>talking</b> 470:8,23, 24 472:1 506:9 512:6 552:26 570:18 597:16 <b>tall</b> 468:9 560:15 <b>Tara</b> 492:20 494:3,5 496:8,10 497:9,11 498:13, 14 516:6 570:23 574:26 576:6 577:14,16 <b>taught</b> 470:20 471:2 474:9,19 <b>tea</b> 503:22,23,25 <b>teacher</b> 474:8 <b>team</b> 593:15 607:24 <b>tech</b> 443:11 574:23 <b>technical</b> 424:18 427:14,19 431:15,17,18 432:2 433:16 434:2 435:15,19 436:22 443:19 445:10 446:3 448:6,8 456:5 471:16,21,23 482:6,9,16,24 498:24 499:1 519:3,8 520:19 522:21 523:8 524:15 525:7,9, 12,16,19,26 526:1,12 527:26 529:20 530:24 531:6 533:25 534:20,21 543:10 561:12,14,18 562:3,24 569:19	570:7,17,25 571:1 594:16 596:23 597:16,18 598:2,14,25 599:13 600:4 601:3,19 607:18 609:13,15,17,18, 22 610:1,9,11,22 616:1,8,18,26 617:3,17 618:4,5, 9,10,17,18 619:1, 14 628:21 630:8 633:2 634:11,13 635:9 636:17 637:12 638:6,8 639:23 641:7,18, 26 642:2 643:16 645:15,25 <b>technically</b> 627:12 <b>technicians</b> 633:11 <b>techniques</b> 645:10 <b>technologies</b> 611:14 <b>techs</b> 443:15 <b>temperature</b> 643:1,18 <b>temperatures</b> 643:5,21 <b>temporary</b> 447:23 601:3,7 641:23 <b>ten</b> 530:12 584:11 <b>tend</b> 495:20 <b>tens</b> 496:3 <b>Teresa</b> 444:10 499:11 500:1,11, 21 508:24 509:12 518:17 519:12 520:2,12 589:19 591:3 606:2 607:21 614:1,11 621:16 622:4
---	---	---	--	---

<p>631:19 632:2</p> <p><b>term</b> 448:1 484:5, 9 504:2,11 529:21,22 537:10,20 541:1 553:4 567:8 600:1,14,21 638:11</p> <p><b>termed</b> 451:16</p> <p><b>terms</b> 461:5,8 493:13,22 494:21 497:23 508:12 514:8 515:10,20, 23 529:2 551:20 558:7,17 563:6 576:3 583:21 584:24 585:6 594:22 599:19 600:26 620:18 621:2 634:11 638:6</p> <p><b>terrestrial</b> 450:18,25 455:1, 7,10 456:13,16, 25 457:5,12,14 458:21 459:16 461:6,11,13 463:26 477:6 494:8 497:6 506:13,16,18,25 511:8 516:4 526:5 561:22,24 569:4,6 570:11, 26 572:16</p> <p><b>territorial</b> 627:24</p> <p><b>Territories</b> 525:15</p> <p><b>territory</b> 514:17, 24 553:5</p> <p><b>thaw</b> 642:20</p> <p><b>thawed</b> 638:18</p> <p><b>thermal</b> 447:19, 23,26 448:2 638:4,9,22,24 639:4,11 640:24</p>	<p>641:19 642:9,23 643:8,14,21,23</p> <p><b>thermistor</b> 641:3</p> <p><b>thing</b> 515:9 532:12 533:6</p> <p><b>things</b> 463:22 469:25 476:2 515:8 533:3</p> <p><b>thinking</b> 569:5</p> <p><b>thought</b> 511:3 513:7 568:6</p> <p><b>thousand</b> 492:8</p> <p><b>thousands</b> 477:23</p> <p><b>threat</b> 489:17</p> <p><b>three-quarters</b> 527:20</p> <p><b>threefold</b> 579:22</p> <p><b>threshold</b> 453:3 491:23 533:23 542:20 568:23,25 570:7 571:24 572:15,18 573:6, 9,15 576:23</p> <p><b>thresholds</b> 483:22 533:13 542:26 569:2 570:2 571:12,15 573:19,20 575:3, 5,9,21 576:2,21 577:11,20</p> <p><b>Tielesh</b> 436:20 594:3</p> <p><b>til</b> 518:25</p> <p><b>time</b> 445:11,15 449:23 451:13 452:15,26 455:18 459:17,26 460:14 462:1 464:21 469:18,21 470:10,11,24 474:9 479:25 489:8 492:16 493:18 494:1 496:23 499:17</p>	<p>508:1 510:13 511:14 513:23 514:11 516:9 526:2 527:22 528:19 530:14 531:22 534:3 537:15,26 538:13 540:1 550:21 559:22 565:4 574:18 582:11 587:25 604:13,24 627:3,18 630:20 631:11 636:12 642:12 643:6</p> <p><b>timeline</b> 456:6</p> <p><b>timelines</b> 556:26</p> <p><b>times</b> 487:17 539:6 581:26 586:8 635:2</p> <p><b>timing</b> 587:25 617:22 643:24</p> <p><b>Tiri</b> 598:15,20</p> <p><b>Tiriganiaq</b> 480:24</p> <p><b>tissue</b> 550:3</p> <p><b>today</b> 442:7,8,10, 14 444:9 460:1 470:17 471:6 472:7 473:20 511:25 512:18 521:9 523:8 574:25 589:21 593:23 597:16 607:10,25 623:11 632:26</p> <p><b>today's</b> 445:10</p> <p><b>told</b> 466:16 471:6,7 472:3 512:15 549:10 593:8</p> <p><b>tomorrow</b> 498:19 645:25 646:3,21</p> <p><b>tongue</b> 471:26</p>	<p><b>tonight</b> 590:4 646:18</p> <p><b>tonight's</b> 590:4</p> <p><b>Tony</b> 594:1</p> <p><b>tool</b> 495:9 497:4 506:14 603:21 629:8</p> <p><b>toolbox</b> 497:5</p> <p><b>tools</b> 497:8</p> <p><b>top</b> 475:16 516:17</p> <p><b>topic</b> 567:1</p> <p><b>topics</b> 594:17 644:8</p> <p><b>total</b> 564:17 597:19 598:3,8 611:19 633:26 638:2</p> <p><b>touch</b> 472:11 608:4</p> <p><b>tour</b> 481:2 549:9</p> <p><b>towers</b> 559:24</p> <p><b>track</b> 442:8</p> <p><b>tradition</b> 469:12 470:18,25 471:5 472:7 473:2,6,9, 11</p> <p><b>traditional</b> 471:9,19 472:6, 10,15 473:12,16 526:20 541:8 578:16,17 581:10 587:7,10,17,24 596:19</p> <p><b>traditional-use</b> 550:6</p> <p><b>traffic</b> 498:7 558:13</p> <p><b>trail</b> 466:12,15</p> <p><b>trails</b> 466:18 527:3</p> <p><b>transcribed</b> 647:6</p> <p><b>transcript</b> 427:3 444:5 647:1,4</p>	<p><b>translation</b> 593:22</p> <p><b>Translator</b> 440:2,3,4,7,8</p> <p><b>translators</b> 540:3 593:21</p> <p><b>transparent</b> 572:9</p> <p><b>Transport</b> 425:24 436:18 589:8 590:8,13 591:8 594:14 602:15,18,23 603:2 604:14,20 605:6</p> <p><b>transportation</b> 603:5</p> <p><b>transported</b> 629:25</p> <p><b>trappers</b> 423:11 424:25 437:13 465:24,25 467:17,19 474:4 476:26 477:11,13 479:13 481:13 503:2,15 504:16 505:15,21 510:15,17 523:17 547:1,2,5 548:23, 25 550:14,16 551:25 552:1 562:5 572:1</p> <p><b>travel</b> 533:7 580:12 619:17 635:2</p> <p><b>treated</b> 502:18 546:13</p> <p><b>treatment</b> 588:23</p> <p><b>treaty</b> 502:16</p> <p><b>tree</b> 472:17</p> <p><b>treeline</b> 511:12</p> <p><b>tremendously</b> 468:10</p>
---	--	---	---	---

**trend** 566:8  
586:18  
**trends** 483:22  
627:3  
**Tribunal** 601:2  
**trigger** 486:19  
542:26 576:4  
**triggered** 570:3  
**triggering**  
486:22  
**triggers** 575:10  
631:6  
**trouble** 443:18  
**trout** 550:3  
**truck** 530:7  
558:13  
**trucking** 483:7  
539:12  
**true** 466:8  
467:11,13 525:26  
**trust** 526:3  
**Tsannie** 439:23  
**Tucktoo** 440:2  
**tundra** 466:16  
468:6 539:11  
**Tunngavik**  
423:9,24 424:2,7,  
9,11 433:18  
446:8 448:14,16,  
20 449:15 451:4,  
7 454:2,16,23  
455:24 456:7,10  
457:17,20 499:4  
500:22,23 501:2,  
10,22 502:11,25  
504:14 505:19,25  
507:22,24 508:4  
510:19,25 514:3  
516:3,13,22,25  
517:21 541:16  
596:2  
**turbine** 468:9  
575:14

**turbines** 468:4  
514:9 516:18,19  
531:24 532:10,  
21,22 533:1  
549:2 555:17  
557:9 558:3  
559:14 560:5  
571:16 585:1,18  
**Turmel** 431:26  
446:16,19 449:2  
450:3,4 453:13,  
14 455:12,13  
456:18,19  
458:15,16 459:10  
460:9,10 461:2,3  
464:24 468:22  
469:6 476:6,7  
478:20 480:12,  
13,22 484:11,12  
486:7 491:18,19  
497:2,3 515:26  
516:1 560:24,25

**turn** 441:12  
443:4,17 445:5,  
20 454:14 486:8  
633:24 646:19  
**turning** 468:5,7,  
9,16 532:16  
534:2  
**type** 464:21 479:9  
601:1 635:7,16  
636:1,7 637:9  
641:4

**types** 492:4  
556:24  
**typical** 565:2  
**typically** 495:2,  
18 530:10  
**typo** 611:23

---

## U

---

**U-N-G-E-R**  
631:24  
**UN01** 636:22,24  
637:4

**UN3** 636:25  
**unable** 458:7  
**unacceptable**  
505:19  
**uncertain** 577:5  
**uncertainties**  
560:13 642:23,25  
643:15  
**uncertainty**  
483:13,21 505:4,  
6 509:24 531:12  
532:19 533:23  
542:20,25 570:6  
577:7 582:5  
624:1 630:1,10  
**uncles** 489:16  
**underestimated**  
505:9  
**underground**  
480:24 579:16  
580:13 634:8  
639:26 641:12,24  
**underlying**  
483:9,18  
**understand**  
455:1 460:4  
461:5 463:11,15  
471:24,26  
473:10,19,24  
496:15 506:11  
514:19 515:10,14  
549:6 557:8  
563:4,20 567:26  
570:26 575:2  
578:19 579:12,  
13,19 583:10  
590:7 595:12  
619:8 625:10  
**understanding**  
448:6 456:15  
457:1 470:6  
480:19 483:1  
505:16 560:14  
564:16 565:20  
575:8 578:13  
587:11 590:2

610:2 625:16  
**understands**  
571:5  
**understood**  
446:2 480:14  
553:22 576:17  
582:26  
**undertaken**  
504:21  
**undertakes**  
535:4  
**undertaking**  
464:1  
**underwater**  
616:7 619:14,15  
620:19  
**underway** 445:4  
**unduly** 529:23  
541:7  
**unfamiliar**  
559:26  
**unfrozen** 640:1,  
22  
**Unger** 426:24  
437:5 631:23,25,  
26 632:19,23,24  
638:18  
**Unit** 436:7,24  
**units** 567:21  
**Uniuqsaraq**  
434:4  
**unknown** 536:12  
**unmute** 443:16  
449:10  
**unresolved**  
503:10 523:9  
609:18  
**update** 444:10  
483:9,17 599:4  
630:20 640:24  
644:14  
**updated** 598:17  
634:21,22,26  
635:15,19,23,26

636:22 639:1  
**updates** 537:15  
639:11  
**updating** 631:7  
**uphold** 502:23  
**upmost** 523:5  
**uranium** 512:26  
515:16 644:19  
**urges** 596:16  
**user** 468:14  
**users** 490:3  
**utilize** 481:1  
**utilized** 451:20  
638:10 639:6  
640:4,12 642:14  
**utmost** 524:4  
537:22

---

## V

---

**V-I-C-T-O-R-I-**  
**A** 605:26  
**vague** 560:12  
**valid** 496:26  
624:4  
**validate** 625:12  
**validity** 628:13  
629:13  
**valuable** 495:9  
541:12  
**values** 506:16  
522:16 611:18  
**variations**  
642:26  
**varies** 527:24  
**varying** 620:18  
**vegetation** 480:4,  
9 527:4 535:17  
544:12 597:3  
629:26  
**vehicles** 478:14  
**vent** 479:4

<b>version</b> 611:24 <b>versions</b> 599:10 <b>versus</b> 642:10 <b>vertical</b> 634:4 636:16 <b>vessel</b> 619:6 <b>vessels</b> 619:7,21 <b>viable</b> 537:26 <b>Vice</b> 433:21 434:11 <b>vicinity</b> 528:2,5, 16 583:7 640:7, 18 641:3 <b>Victoria</b> 426:4 605:25 606:1,25, 26 607:5 <b>video</b> 443:25 475:17,24 <b>view</b> 442:21 464:21 483:8,17 506:7 529:9 568:7 <b>viewing</b> 567:4 <b>views</b> 504:7 506:13 595:13,16 596:6,11 <b>vigilant</b> 475:4 <b>virtually</b> 594:2 <b>visible</b> 466:15 492:26 493:4 516:18 532:22 <b>vision</b> 533:1 <b>visits</b> 609:10 <b>visual</b> 475:14 485:3,12 486:6 488:12 490:20 517:7,11 <b>visualization</b> 462:9,11,15 463:12 530:19 <b>visualizations</b> 485:17 <b>visualized</b> 581:25	<b>vitae</b> 454:8 <b>voice</b> 522:19 523:18 <b>volume</b> 546:1,4 580:7 617:5 <b>volumes</b> 539:18 601:25 <b>vulnerability</b> 540:24 <hr/> <b>W</b> <hr/> <b>W-E-N-D-Y</b> 621:24 <b>W-I-L-S-O-N</b> 621:25 <b>wait</b> 443:12 518:25 562:17 <b>Walker</b> 435:25 <b>walking</b> 472:20 475:20,21 477:26 <b>wall</b> 641:11 <b>Walsh</b> 435:12 <b>wanted</b> 465:11 472:26 473:13 484:23 552:8 604:18 625:10 <b>warm</b> 642:10 <b>warmer</b> 534:16, 24 535:19 536:13 <b>warning</b> 643:4 <b>warranty</b> 524:11 <b>washrooms</b> 445:6 <b>waste</b> 448:1 481:8 523:6 524:2 546:11 597:3 600:5,7,18 612:8,22 633:21 634:5,16,25 637:8 638:14,23, 26 639:12 642:3 644:1,2,7,9,13, 21,26 645:4	<b>wastes</b> 612:15 645:3 <b>watch</b> 481:19 <b>water</b> 432:3 433:15 435:19 447:12,20,21,24 464:15 469:18 489:6 490:8 503:13,19,21 512:21 513:16 515:12,22 523:7 538:3,4,8,9,11, 15,26 539:14,17, 19,21,26 540:6,9 545:24,25 546:1, 3,10,11,12,16 549:6 550:1 551:15 579:11 580:11,13,14,17 588:22,23 594:20,24 596:26 597:1 598:17,18, 21 599:4,7 600:16,24 601:1, 4,8,11,13,16,17 603:15 604:6,7, 11,15,16,17,19,21 607:8 608:17 609:5,17 612:7, 11,13,20,23 613:1,5,7,8 616:21 617:12, 19,20 618:3,7,14 620:3,8,13 624:15 629:6,17, 26 630:3,15 633:25 634:7,20 635:8,16,17 636:1,2,7,8,10,11 637:9,10 640:2, 10,16,25,26 641:4,9,14,15,23 642:18 643:5 <b>waterline</b> 450:7 456:20 458:17 482:7,13,18,23 483:2 538:5,14, 20 539:8,10 580:8 599:14,17, 23,25 <b>waterline's</b> 483:23 <b>waterlines</b> 483:12,20 <b>waters</b> 549:7 601:2 603:7,10 604:2 619:8 634:17 <b>Watershed</b> 618:2 620:8,10 <b>watersheds</b> 617:18,21 <b>waterway</b> 603:23,26 <b>wave</b> 479:18 <b>ways</b> 471:9 473:12,16,22 501:19 541:8 595:16 605:8 <b>wear</b> 444:16 <b>week</b> 481:2 514:25 521:12 <b>weekend</b> 597:14 <b>welcomes</b> 444:25 507:6 <b>welcoming</b> 593:19 <b>well-being</b> 522:2 523:3 524:17 <b>well-designed</b> 555:18 <b>well-</b> <b>documented</b> 544:9 <b>well-placed</b> 570:8 <b>well-protected</b> 469:25 <b>well-recognized</b> 565:4	<b>Wendy</b> 426:17 621:24 622:1 623:13 <b>western</b> 633:9 <b>wet</b> 642:10 <b>WHALE</b> 438:21 <b>white</b> 468:16 <b>width</b> 603:25 <b>wildlife</b> 432:9 433:2,4,22,24 434:24 438:9 485:9 503:1,7 515:21 521:1,2 529:24 551:14 554:22 563:23 564:24 609:17 <b>Wilson</b> 426:18 436:13 621:24 622:1 623:13 <b>wind</b> 468:4 481:3 494:7 495:26 497:5 504:17,19 505:10,17,23,25 506:4,6 508:10 509:23,26 513:6 514:9 523:19,23 524:9 526:25 531:9,13,14,21, 24 532:17 533:26 537:1 542:10 549:2 555:6,7,9, 17,20 557:9,22 558:3,5 559:10, 14 568:17,19,21 569:8,17 571:15 575:14,22 585:17 588:16,18 603:14 605:3 629:26 <b>winter</b> 478:7,13 511:26 532:15 573:16 585:18 <b>wire</b> 477:20 478:2,6,10,12,15 <b>wishes</b> 524:14 537:9
--	---	---	--

**witnesses** 499:13  
 500:3 519:14  
 520:4 590:18  
 605:23 614:3  
 621:18  
**wolverine** 478:4  
**wolves** 533:2  
**woman** 515:7  
**womb** 515:6  
**wondering**  
 564:14 579:21  
 581:8,11  
**wood** 478:8  
**word** 474:9  
**wording** 537:20  
**words** 474:19  
 477:15 634:17  
**work** 456:22  
 461:25 462:24  
 470:6 476:25  
 479:23 501:9  
 506:20,26 516:3  
 529:6 531:5  
 541:22 553:13  
 571:12 573:20  
 603:18 617:5  
 618:2,13 620:2,  
 15  
**work-in-**  
**progress** 573:8  
**worked** 469:26  
 538:6 616:14  
**working** 450:10  
 469:10 477:3  
 495:1 541:21  
 542:9 543:17  
 553:17 560:3  
 602:13  
**workings** 633:23  
**works** 461:25  
**workshop**  
 460:12 612:2,4,  
 17  
**world** 513:1

548:18,21 611:1  
**worth** 573:12  
**written** 443:26  
 455:21 463:1  
 522:22,24 572:22  
 607:11,26 608:8  
 623:19 624:21  
 626:8 628:1,26  
 631:1  
**WSP** 450:15  
 457:9 459:13  
 460:14 489:26

---

### Y

---

**year** 452:9  
 464:21 465:2  
 472:17,24 481:17  
 511:12,13 512:11  
 527:4,24 528:24  
 530:14 537:15,17  
 538:23 637:21  
**year-round**  
 553:20,26  
**years** 452:6  
 453:20 456:21,24  
 459:7,8 464:19  
 466:5 469:10  
 473:2,11 481:10  
 490:15,19,21  
 501:11 515:15,19  
 529:14 534:5  
 535:4 538:16  
 564:3,11 575:24  
 604:25  
**yellow** 527:5  
 528:8  
**yesterday** 442:1  
 446:5 448:11,26  
 452:13,17 453:8,  
 16 454:25 464:13  
 467:22 468:8,11  
 485:21 494:22  
 503:15 512:4  
 525:6

**young** 433:6  
 471:5 473:4,7,10,  
 22,25,26 526:2  
 533:24 542:21  
 552:21,22 573:14  
 576:1  
**younger** 466:16

---

### Z

---

**zone** 453:2  
 504:22 639:22  
**zones** 496:6  
 619:12  
**Zoom** 443:2,13