

NUNAVUT IMPACT REVIEW BOARD

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

PUBLIC HEARING

VOLUME 8

Rankin Inlet, Nunavut

September 20, 2023

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3 Rankin Inlet, Nunavut

4
5 NUNAVUT IMPACT REVIEW BOARD

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

12

13 NUNAVUT IMPACT REVIEW BOARD STAFF

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

21

22 PROPONENT

23

24 AGNICO EAGLE MINES LIMITED (REGISTERED SPEAKERS)

25	B. Armstrong	Legal Counsel
26	C. Kowbel	Legal Counsel

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

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

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

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

1	Assessment
2	DEPARTMENT OF FISHERIES AND OCEANS (REGISTERED
3	SPEAKERS)
4	J. Audet-Lecouffe Senior Biologist Fish and Fish
5	Habitat
6	P. Harper Biologist, Fish and Fish
7	Habitat
8	A. Beattie Unit Head, Fish and Fish
9	Habitat
10	
11	HEALTH CANADA (REGISTERED SPEAKERS)
12	J. Anderson Impact Assessment Specialist
13	J. Kaushansky Impact Assessment Specialist
14	W. Wilson Senior Environmental Health
15	Advisor
16	N. Lyrette Senior Environmental Health
17	Advisor
18	
19	TRANSPORT CANADA (REGISTERED SPEAKERS)
20	J. McHattie Legal Counsel
21	S. Tielesh Legal Counsel
22	A. Downing Regional Senior Environmental
23	Supervisor, Technical and
24	Environmental Services
25	R. King Indigenous Relations Unit
26	N. D'Souza Project Officer, Environmental

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

1

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

4 K. Olson Legal Counsel

5 G. Bussidor Sayisi Dene First Nation

6 Chief Negotiator

7 B. Denechezhe Northlands Denesuline

8 First Nation

9 Chief Negotiator

10 D. Chranowski Wildlife Biologist Advisor

11

12 HAMLET OF RANKIN INLET (REGISTERED SPEAKERS)

13 M. Hickes Community Representative

14 A. Kabvitok Community Representative

15 L. Curley Community Representative

16

17 HAMLET OF BAKER LAKE (REGISTERED SPEAKERS)

18 D. Owingayak Community Representative

19 E. Elytook Community Representative

20 L. Nukik Community Representative

21

22 HAMLET OF WHALE COVE (REGISTERED SPEAKERS)

23 P. Kabloona Community Representative

24

25 HAMLET OF CHESTERFIELD INLET (REGISTERED SPEAKERS)

26 S. Sammurtok Community Representative

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

1

2 INTERPRETERS/TRANSLATORS (INUKTITUT)

3 J. Tucktoo Language Translator

4 M.R. Angoshadluk Language Translator

5 B. Dean Language Translator

6

7 INTERPRETERS/TRANSLATORS (DENE)

8 D. Alphonse Language Translator

9 N. Pacquette-Mercredi Language Translator

10

11 COURT REPORTERS

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

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

14 CRR

15

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1 (PROCEEDINGS COMMENCED AT 9:09 AM)

2 Opening Remarks

3 THE CHAIR: Good morning. My name is
4 Kaviq Kaluraq, and I am the chairperson of the Nunavut
5 Impact Review Board or NIRB.

6 On behalf of the board, I would like to welcome
7 you to Day 8, our last day, of the NIRB's public
8 hearing associated with the NIRB's assessment of Agnico
9 Eagle Mines Limited's Meliadine Extension proposal,
10 which is a modification of the existing Meliadine Gold
11 Mine project, and the Nunavut Impact Review Board in
12 the final public hearing. Thank you to the community
13 of Rankin Inlet for hosting us during this public
14 hearing.

15 Before we begin, a quick reminder, please turn off
16 your cell phone or put them on "silent" before we
17 begin.

18 Before we begin we are going to start this morning
19 with an opening prayer by David Kuksuk. If you can
20 begin.

21 Opening Prayer

22 THE CHAIR: Thank you, David.

23 The Nunavut Impact Review Board is holding this
24 public hearing to hear evidence, ask questions, and
25 listen to comments and concerns of registered
26 intervenors, community representatives, and members of

1 the public in order to assess the potential ecosystemic
2 and socioeconomic effects of the changes to the
3 existing Meliadine Gold Mine project proposed by Agnico
4 Eagle under the Meliadine extension proposal.

5 This morning we'll be closing out the public
6 hearing with the parties providing the last of their
7 deferred responses to questions and then closing
8 remarks from the intervenors, the proponent, and the
9 Board.

10 After the mid-morning break, the Board will
11 provide direction with respect to the discussion of
12 exhibits last night. For those of you in the hall, we
13 ask that you sign in at the table as you enter the hall
14 for today's session. This will help the Board keep an
15 accurate record of attendance.

16 As you know, simultaneous interpretation is being
17 provided by our interpreters here in Rankin Inlet. In
18 the Zoom feed you can choose the language feed you want
19 to hear, but when you go to speak, you may have to turn
20 off the interpretation feed to avoid feedback.

21 For the people here in Rankin, receivers are
22 available from the sign-in table, and they're set to:
23 Channel 1 is the floor sound; Channel 2, English;
24 Channel 3, Inuktitut; and Channel 4, Dene.

25 A reminder for all parties, please have patience
26 as we shift between speakers, and for the sake of our

1 interpreters, sound tech, and court reporters, please
2 wait until I call your name before you speak. If
3 you're participating by Zoom, when your name is called,
4 please click on the "raise your hand" button at the
5 bottom of the screen. This will help the techs
6 identify you more quickly so that they can unmute your
7 line and turn on your camera.

8 If you're having trouble hearing the proceedings,
9 please see our technical support, Ryan Dempster, from
10 Pido at the side of the room. If you're having issues
11 with the online feed, please email Emily Koide at
12 ekoide@nirb.ca.

13 The Board reminds everyone participating in this
14 hearing that no one is allowed to record or rebroadcast
15 the images, video, or audio of these proceedings in any
16 form without the express consent of the Nunavut Impact
17 Review Board. Failing to follow these directions may
18 result in sanctions by the Board, including suspending
19 access to the live feed or being asked to leave the
20 hall.

21 The NIRB is generating a transcript from these
22 proceedings, which will be available following the
23 hearing on the NIRB's public registry.

24 These proceedings are being attended by members of
25 the media, and we ask that all media check in at the
26 front table and wear a press badge or a similar

1 identification so that it is clear to parties which
2 media outlet you're representing.

3 Media participating online should provide notice
4 to Ryan Barry, the Board's interim executive director,
5 at rbarry@nirb.ca, and inquiries for information from
6 media representatives should also be sent to Ryan.

7 The Board welcomes the media providing information
8 about these meetings to those who cannot attend;
9 however, the Board members and our staff cannot take
10 questions or provide interviews to the media or make
11 public comments regarding the meetings while we're
12 underway.

13 Before we return to our agenda, I have a few quick
14 housekeeping matters. The washrooms are located
15 outside this room in the lobby area. Exits are located
16 through the main doors to the lobby and on the side of
17 the room at the front and back corners.

18 As you will see from the agenda, today's session
19 is scheduled from 9 AM to 12 PM central time with a
20 mid-morning break. Just a quick reminder when you're
21 leaving the hall, please turn the interpretation
22 receivers off and return them to the table beside the
23 front door.

24 The Board appreciates everyone continuing to
25 comply with the Board's directions for the public
26 hearing. I'm not going to restate them but remind

1 everyone to be aware of our interpreters and court
2 reporters when you're speaking so that we can ensure
3 everyone is heard and understood.

4 Before we move to closing statements, I'd like to
5 provide a final opportunity for those parties needing
6 to provide deferred responses to questions posed
7 yesterday that have yet to be answered.

8 It is my understanding that the Board circulated
9 our list of deferred responses yesterday, and I asked
10 the Board's legal counsel to go through the list. NIRB
11 legal counsel.

12 Procedural Matters by Nunavut Impact Review Board Legal
13 Counsel (Responses to Deferred Questions)

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

17 So, Madam Chair, the first deferred response to a
18 question arising during the public hearing is a
19 question from you, Madam Chair, to Agnico Eagle, and
20 the question was: On Slide 14, what are you
21 communicating there? Are you saying that the caribou's
22 reaction to tall stationary structures is predicted to
23 be the same as to linear infrastructure such as the
24 road?

25 Agnico Eagle gave an answer but indicated that
26 there was a table in the final environmental impact

1 statement regarding loss of habitat addressing this
2 question and relevant to this question and indicated
3 they would provide the number of the table to the
4 Chair.

5 THE CHAIR: Agnico Eagle, Manon Turmel.

6 MS. KOWBEL: Thank you, Madam Chair.

7 Christine Kowbel, legal counsel for Agnico Eagle.

8 We just need one moment to give that reference.

9 Thank you, Madam Chair.

10 My apologies, Madam Chair. We weren't clear that
11 that question was to Agnico Eagle, which is why we
12 weren't ready with that, so that was my fault. Thank
13 you, Madam Chair.

14 THE CHAIR: NIRB legal counsel.

15 MS. MEADOWS: Thank you, Madam Chair.

16 So maybe we'll defer the response to the deferred
17 response.

18 Moving on to Item 2. That was a question from the
19 Sayisi Dene First Nation to Environment and Climate
20 Change Canada, and the question was: Will the lights
21 required on the wind farm allow birds to see and avoid
22 hitting the turbines?

23 THE CHAIR: Environment and Climate Change
24 Canada, Victoria Shore.

25 MS. SHORE: Thank you, Madam Chair.

26 Victoria Shore, Environment and Climate Change Canada.

1 So the number, location, and types of lights can
2 have an important effect on the probability of
3 migratory birds being attracted to and killed at wind
4 turbines at night. Lighting should only be used where
5 required by Transport Canada regulations, and it's our
6 understanding that Agnico Eagle's plans for lighting at
7 the wind farm aligns with this. Thank you.

8 THE CHAIR: NIRB legal counsel.

9 MS. MEADOWS: Thank you, Madam Chair.

10 Teresa Meadows, legal counsel for the Nunavut Impact
11 Review Board.

12 The next question is a question from the Sayisi
13 Dene First Nation to Crown-Indigenous Relations and
14 Northern Affairs Canada. The question was: Commitment
15 38 -- the Commitment 38 study, as required under the
16 Revised Term and Condition 44, involved the minister
17 modifying that term and condition, and so has
18 Crown-Indigenous Relations and Northern Affairs Canada
19 continued to monitor Agnico Eagle's compliance with the
20 requirements of that revised term and condition, and
21 can Crown-Indigenous Relations and Northern Affairs
22 Canada advise when that term and condition was
23 satisfied?

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

26 MR. DEWAR: Qujannamiik, Madam Chair.

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

3 Crown-Indigenous Relations and Northern Affairs
4 Canada is responsible for compliance and enforcement of
5 the Nunavut Impact Review Board project certificates.
6 Part of our role is to monitor the effectiveness of
7 project certificates; however, we're not a member of
8 the terrestrial advisory group, as indicated in Term
9 and Condition 44, and, therefore, we rely on TAG
10 members to raise concerns.

11 We have heard loud and clear that there is some
12 disagreement with the status, and we commit to meeting
13 with the terrestrial advisory group members to better
14 understand the issues, and we'll look to seek a path
15 forward through consensus.

16 I would also like to note going forward that
17 Crown-Indigenous Relations and Northern Affairs Canada
18 will sit on the terrestrial advisory group as an
19 observer, and this is at the request of the Government
20 of Nunavut and the Kivalliq Inuit Association. That's
21 it.

22 THE CHAIR: NIRB legal counsel.

23 MS. MEADOWS: Thank you, Madam Chair.

24 Teresa Meadows, legal counsel for the Nunavut Impact
25 Review Board.

26 Madam Chair, the next question on the list is from

1 the Nunavut Impact Review Board to the Government of
2 Canada: Can the Government of Canada provide a summary
3 of community engagement undertaken or planned about the
4 project and the extension proposal conducted by the
5 Government of Canada outside of the Nunavut Impact
6 Review Board review process?

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

9 MR. DEWAR: Qujannamiik, Madam Chair.
10 Spencer Dewar, Crown-Indigenous Relations and Northern
11 Affairs Canada.

12 The Government of Canada relies on the Nunavut
13 Impact Review Board for its review of project
14 proposals. To avoid circumventing or duplicating the
15 Nunavut Impact Review Board process, the Government of
16 Canada does not proactively carry out separate
17 engagement activities regarding ongoing assessments;
18 however, there are a few legislative and/or regulatory
19 requirements that may require independent consultation
20 and engagement. I will speak to a few now.

21 Environment and Climate Change Canada will likely
22 lead consultations for any application to amend
23 Schedule 2 of the Metal and Diamond Mining Effluent
24 Regulations. These regulations authorize the deposit
25 of effluent from metal and diamond mines into water
26 frequented by fish under Subsection 36(3) of the

1 Fisheries Act. They help protect Canada's lakes and
2 rivers by setting strict limits on the quality of
3 effluent that can be discharged and by requiring
4 effluent testing, monitoring, and reporting.

5 Natural Resources Canada would also write to
6 impacted Inuit indigenous groups to inform them of
7 coming -- of a coming issuance of a licence for an
8 explosives factory under the Explosives Act. The
9 initial Meliadine Gold Mine project, which had an
10 explosives factory, Natural Resources Canada did send a
11 letter to the Kivalliq Inuit Association in 2016. The
12 Meliadine extension project does not involve a change
13 to that licence, so, therefore, they're not planning
14 any consultation activity on that subject.

15 Transport Canada may perform consultation under
16 the Canadian Navigable Waters Act if the assessment
17 process does not address all issues that fall within
18 the department's mandate, such as project impacts to
19 navigation to the satisfaction of potentially impacted
20 Inuit or indigenous groups.

21 The Department of Fisheries and Oceans Canada will
22 do a separate consultation process if there's an
23 authorization under the Fisheries Act. An
24 authorization under the Fisheries Act would be required
25 if fish habitat is to be affected.

26 If an application is received from Agnico Eagle,

1 Fisheries and Oceans will consult with communities to
2 ensure that the Nunavut Impact Review Board process
3 captured all concerns and discussed other matters
4 including a detailed offsetting plan.

5 I would just like to add that we're available to
6 provide additional information on each of these
7 consultation requirements in respect to their specific
8 Acts and regulations. That's it.

9 THE CHAIR: NIRB legal counsel.

10 MS. MEADOWS: Thank you, Madam Chair.

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

13 The next question, Madam Chair, is a question that
14 was directed by a board member to Environment and
15 Climate Change Canada, but we have since had it
16 identified that Natural Resources Canada would be the
17 appropriate agency to provide a response: Do you have
18 any information regarding how much of the world's
19 energy is being generated by renewable energy?

20 THE CHAIR: Natural Resources Canada,
21 Peter Unger.

22 MR. UNGER: Peter Unger, Natural Resources
23 Canada.

24 Thank you, Guy, for the question. I heard the
25 question as both Canada and the world, so I'm going to
26 answer both of those.

1 For electricity generation in Canada, renewables
2 provide 68 percent, but approximately 60 percent of
3 this is hydroelectricity, with the remaining
4 electricity generation breaking down to approximately
5 15 percent from nuclear and 17 percent from
6 hydrocarbons. This is just for electricity.

7 In terms of total energy generation -- that
8 includes heating homes, for example -- the total for
9 renewable energy is approximately 17 percent in Canada.

10 According to the International Energy Association,
11 in 2022, the share of solar, wind, hydro, geothermal,
12 and ocean power in total global energy supply reached
13 5.5 percent. This does not include biofuels whose
14 share in the global supply reached 6.8 percent in 2022.
15 Thank you.

16 THE CHAIR: NIRB legal counsel.

17 MS. MEADOWS: Thank you, Madam Chair.

18 Teresa Meadows, legal counsel for the Nunavut Impact
19 Review Board.

20 Madam Chair, the next question is a question from
21 a board member to the Kivalliq Inuit Association. My
22 apologies, Madam Chair, I have a frog in my throat. I
23 will get Tara to read it out.

24 MS. ARKO: Thank you, Madam Chair.

25 Dr. Gunn gave an example of calving grounds that
26 moved because of oil exploration. How many caribou

1 were displaced from their calving ground, how many
2 moved from traditional calving grounds, and also how
3 far away did they move? Thank you, Madam Chair.

4 THE CHAIR: Kivalliq Inuit Association,
5 Jonathan Katz.

6 MR. KATZ: Hi, thank you. Jonathan Katz,
7 Kivalliq Inuit Association.

8 I just want to note that yesterday I forwarded an
9 email from Ms. Gunn to Ms. Meadows just to confirm that
10 this response that I'm about to read is directly from
11 Dr. Gunn, who is unable to be here this morning.

12 In the 1990s, the area of greatest calving
13 concentration by the western segment of the Alaskan
14 Central Arctic caribou herd shifted southward as the
15 oil field was developed in the original calving area.
16 The western calving area had lower quality forage.
17 Calves were smaller, but it was uncertain if the calf
18 survival differed between the two calving areas.

19 Between 1983 and 1986 to 1993 and 1995, the
20 western calving shifted south, approximately
21 50 kilometres south. The herd size in 2002 was 32,000
22 caribou. The research did not compare numbers of cows
23 or the proportion of cows between the two calving
24 areas. The citation that Dr. Gunn has provided is
25 Arthur, S.M. and P.A. Del Vecchio, 2009, Effects of Oil
26 Development on Calf Production and Survival in the

1 Central Arctic Herd. Thank you.

2 THE CHAIR: NIRB legal counsel.

3 MS. MEADOWS: Thank you, Madam Chair. Thank
4 you to everyone who helped me recover.

5 Agnico Eagle -- the next question is a question by
6 Agnico Eagle to the Government of Nunavut: The number
7 of collared caribou vary over time. Can the Government
8 of Nunavut provide numbers of the caribou that were
9 collared during the years of the movement animations?
10 And you'll recall at the time that this question was
11 asked that numbers were put forward by Agnico Eagle,
12 but the Government of Nunavut deferred to confirm the
13 specific information.

14 THE CHAIR: Government of Nunavut, Daniel
15 Haney.

16 MR. HANEY: Thank you, Madam Chair.
17 Daniel Haney, Government of Nunavut.

18 Thank you for the question. I'm going to read out
19 the list. For the year 2015, there were 42 collars
20 placed; 2016, 48; 2017, 78; 2018, 61; 2019, 82; 2020,
21 60; 2021, 36; 2022, 45; and, finally, 2023, 34. And
22 this is the total number of collars that are on the
23 herd in that given year. Thank you.

24 THE CHAIR: NIRB legal counsel.

25 MS. MEADOWS: Thank you, Madam Chair.

26 Teresa Meadows, Nunavut Impact Review Board legal

1 counsel.

2 The next question was a question from the Board
3 staff to the Government of Nunavut: Can the Government
4 of Nunavut provide information showing the caribou
5 density for the time period and land base shown in the
6 Government of Nunavut's movement animations?

7 The response of the Government of Nunavut was to
8 provide slides that showed heat maps that had been
9 provided previously in Agnico Eagle's materials, and
10 the remaining 2023 data was the request.

11 All I would like to do to close this off is just
12 confirm we heard yesterday evening that the 2023
13 materials are not available yet and cannot be provided
14 by the close of the hearing, and I just wanted to
15 confirm that with the Government of Nunavut.

16 THE CHAIR: Government of Nunavut, Daniel
17 Haney.

18 MR. HANEY: Thank you, Madam Chair.
19 Daniel Haney, Government of Nunavut.

20 That is correct. The type of analysis that that
21 would require takes more time than we have. The
22 information, however, is contained within the movement
23 animations, just not in aesthetic form. Thank you.

24 THE CHAIR: NIRB legal counsel.

25 MS. MEADOWS: Thank you, Madam Chair.

26 Teresa Meadows, legal counsel for the Nunavut Impact

1 Review Board.

2 The next one is a question from Nunavut Tunngavik
3 Incorporated to Fisheries and Oceans Canada and Natural
4 Resources Canada. The question was: Can you provide a
5 map that can show the watersheds, and most specifically
6 A and B, and the named lakes that may be most affected
7 by the project?

8 Natural Resources Canada committed to providing --
9 seeking out and providing a map.

10 THE CHAIR: Fisheries and Oceans and
11 Natural Resources, just Natural Resources. Natural
12 Resources Canada, Peter Unger.

13 MR. UNGER: Thank you, Madam Chair. Peter
14 Unger, Natural Resources Canada.

15 Fisheries and Oceans and Natural Resources Canada
16 were asked to provide a map that indicates the
17 watersheds including the lakes with taliks in the
18 project area to Nunavut Tunngavik Incorporated. We did
19 that, albeit in two different maps because taliks are a
20 little bit difficult to depict on a watershed map.
21 Thank you.

22 THE CHAIR: NIRB legal counsel.

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

26 So, Madam Chair, we have a question, a board

1 member to the Government of Nunavut, and that was --
2 the statement was: We've heard from Baker Lake that
3 the caribou haven't reached down the south side of the
4 shore, and from Chesterfield Inlet they don't go as far
5 south. In 2021 there was a late snowfall, and some
6 lakes didn't freeze over completely until late in the
7 winter. The question was: Have there been any studies
8 to understand if the late freeze-ups are causing them
9 to stay more -- the caribou to stay more on the land,
10 avoid lakes, or change their migration routes?

11 Government of Nunavut responded that they didn't
12 have any information on that that was immediately
13 apparent but deferred until they could speak with their
14 biologist to confirm.

15 THE CHAIR: Government of Nunavut, Daniel
16 Haney.

17 MR. HANEY: Thank you, Madam Chair.
18 Daniel Haney, Government of Nunavut.

19 Please bear with me, I'm just going to paraphrase
20 a response from our biologist. So he says there are no
21 specific studies that he is aware of, but freeze-up at
22 times will delay migration, but in most cases the
23 migration will continue. He has seen caribou cross
24 substantial water bodies half on the ice and half in
25 the water through slush and broken ice on many
26 occasions in both the spring and fall. He would assume

1 that major rivers could pose a more difficult barrier
2 to get around, but overall caribou have few options
3 they can use to get to where they need to go. This is
4 why water crossings are so important to keep clear from
5 disturbance.

6 Outside of a few possible delays, generally short
7 delays during freeze-up and spring thaw, not much gets
8 in the way of migrating caribou. When it does, it
9 becomes obvious and repetitive, such as the delays we
10 have seen and continue to see along mining roads and
11 other linear infrastructure which we have studied and
12 continue to study. These types of delays are not
13 normal and quite disruptive --

14 THE CHAIR: Can you --

15 MR. HANEY: Sorry. These types of delays
16 are not normal and quite disruptive and repetitive if
17 not mitigated effectively. Thank you.

18 THE CHAIR: NIRB legal counsel.

19 MS. MEADOWS: Thank you, Madam Chair.

20 Teresa Meadows, legal counsel for the Nunavut Impact
21 Review Board.

22 So, Madam Chair, I'll return to the start of the
23 table where the remaining question was: Can you
24 provide the table -- the number of the table in the
25 final environmental impact statement addendum regarding
26 loss of habitat for caribou?

1 THE CHAIR: Agnico Eagle, Manon Turmel.

2 MS. TURMEL: Thank you, Madam Chair. Manon
3 Turmel, Agnico Eagle.

4 It is in Section 6, Table 6.6-6, and it's on
5 page 177. Thank you.

6 THE CHAIR: NIRB legal counsel.

7 MS. MEADOWS: Thank you, Madam Chair. That
8 concludes the deferred responses to questions raised
9 during the public hearing.

10 THE CHAIR: Now I'll turn the microphone
11 back to the Board's legal counsel to walk us through
12 any final procedural matters that need to be dealt with
13 before the Board closes this public hearing.
14 Procedural Matter 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, I just wanted to update everyone
20 regarding the discussions of exhibits yesterday. With
21 respect to the picture clip -- video clip that was
22 shown of several pictures combined, several still
23 pictures, to which the Nunavut Tunngavik provided an
24 objection, Agnico Eagle has withdrawn that compilation
25 of pictures from Camera 36, but, as a result of that,
26 we've set off a little bit of a domino effect.

1 The Government of Nunavut -- Agnico Eagle provided
2 those materials in response to a Government of Nunavut
3 objection to the picture, a single picture of the
4 caribou at the narrows, and so with those additional
5 video -- with those additional pictures being struck
6 from the record, the Government of Nunavut has
7 requested that Slide Number 7 in the Agnico Eagle reply
8 slides be struck from the record.

9 And I will just ask that legal counsel for the
10 Government of Nunavut, Eamonn Carroll, confirm that
11 that is the position of the Government of Nunavut and
12 advise with respect to any other additional follow-up
13 as a result of Agnico Eagle's withdrawal of the
14 pictures -- the video clip of the several pictures.

15 Thank you, Madam Chair.

16 THE CHAIR: Eamonn Carroll.

17 MR. CARROLL: Thank you, Madam Chair.

18 Yeah. The Government of Nunavut's position is
19 that a static image falls under 33(b) of the rules of
20 procedure of NIRB in that there is no confusion that
21 animals are around the narrows. It is about crossing.

22 We worked with Agnico Eagle to -- we worked with
23 Agnico Eagle to come up with a solution, which was
24 those -- those images which have now been struck. It
25 is our understanding that this was simply something
26 done in haste, and Agnico Eagle had no intention to

1 deceive the Board or anything of that nature. This was
2 a negotiated position with the Government of Nunavut;
3 however, with those other images withdrawn, our
4 original objection stands in that a static image that
5 doesn't show necessarily a crossing shouldn't be
6 adduced for that, as it confuses the issue of animals
7 being near the narrows versus animals crossing the
8 narrows.

9 Agnico Eagle has been very helpful and has done an
10 amazing job finding those other images on such short
11 notice as a replacement, but without those new images,
12 our original objection stands.

13 THE CHAIR: NIRB legal counsel.

14 MS. MEADOWS: Thank you, Madam Chair.

15 Teresa Meadows, legal counsel for the Nunavut Impact
16 Review Board.

17 So, Madam Chair, it is my understanding that in
18 response, Agnico Eagle has indicated that they would
19 withdraw Slide 7 from the slide deck, which is
20 currently entered as Exhibit Number 6 in these
21 proceedings, but I will turn the microphone over to
22 Agnico Eagle to explain their position.

23 THE CHAIR: Agnico Eagle, Christine
24 Kowbel. Brad Armstrong.

25 MR. ARMSTRONG: Thank you, Madam Chair. Brad
26 Armstrong.

1 Madam Chair, you did hear the evidence from
2 Mr. Coulton in connection with those slides.
3 Mr. Coulton did confirm that the caribou did cross the
4 narrows, and you'll recall there's a slide which shows
5 a white polygon at the same time which shows caribou on
6 both sides of that crossing. We will not withdraw that
7 picture. We have presented the evidence that the
8 caribou crossed the narrows on the day in question.
9 Thank you.

10 THE CHAIR: NIRB legal counsel.

11 MS. MEADOWS: Thank you, Madam Chair.

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

14 So, Madam Chair, there are two exhibits that the
15 Board will have to make a determination on handling
16 going forward, and so I would request that the Board
17 adjourn now, right about the time we would take our
18 normal mid-morning break, and the Board will adjourn
19 for 20 minutes and return with some direction with
20 respect to these two exhibits. Thank you, Madam Chair.

21 THE CHAIR: While the Board is adjourned,
22 everyone else can take a break.

23 (ADJOURNMENT)

24 THE CHAIR: Going back to procedural
25 matters from NIRB's legal counsel.

26 Procedural Matters by Nunavut Impact Review Board Legal

1 Counsel

2 MS. MEADOWS: Thank you, Madam Chair.

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

5 So, Madam Chair, I will now convey the Board's
6 rulings on the objections of the parties to the filing
7 of various exhibits.

8 With respect to the two pages containing graphs
9 that were provided by Agnico Eagle that were taken from
10 the Government of Nunavut's 2010 technical report
11 series already filed by the Board in its entirety as
12 Exhibit 39, the Board has decided that as the full
13 context for this exhibit has been provided by the
14 report filed as Exhibit 39, the Board accepts these
15 graphs for filing on the public hearing record, and the
16 Board has denied the request by parties to keep the
17 public hearing record open to provide further reply.

18 With respect to Slide Number 7 in Agnico Eagle's
19 reply, slide deck, filed as Exhibit 6, the Board finds
20 the foundation for the admissibility of this picture
21 has been adequately provided by sworn testimony and
22 accepts Slide 7 for filing on the public hearing
23 record.

24 EXHIBIT 45 - Hard copy, Various Graphics
25 (attributed) to indicate changes to the
26 Qamanirjuaq herd over time (English)

1 MS. MEADOWS: Madam Chair, there's one more
2 procedural matter that I wanted to raise at -- at this
3 time before we go into closing statements, and that is
4 it's my understanding that there may be parties
5 providing closing statements who have not yet been
6 sworn or affirmed in these proceedings. So when we
7 come to those speakers, before they provide their
8 closing statements, I will administer the oath to them
9 before they provide their closing statements. Thank
10 you, Madam Chair.

11 Closing Remarks by Nunavut Tunngavik Incorporated

12 THE CHAIR: Now we'll turn to short
13 closing remarks from the registered intervenors,
14 starting with Nunavut Tunngavik Incorporated.

15 Paul Irngaut.

16 MR. IRNGAUT: Thank you. Before I begin, I
17 have to take an oath.

18 Procedural Matters by Nunavut Impact Review Board Legal
19 Counsel

20 THE CHAIR: NIRB legal counsel.

21 MS. MEADOWS: Thank you, Madam Chair.

22 Teresa Meadows, legal counsel for the Nunavut Impact
23 Review Board.

24 If I can have the witness state spell your name
25 for the record, please.

26 MR. IRNGAUT: I am Paul Irngaut.

1 PAUL IRNGAUT, Affirmed

2 MS. MEADOWS: Thank you, Madam Chair.

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

5 Madam Chair, those are all my procedural matters.

6 THE CHAIR: Nunavut Tunngavik
7 Incorporated, Paul Irngaut.

8 MR. IRNGAUT: Thank you, Madam Chair.

9 From -- vice president for Nunavut Tunngavik
10 Incorporated. I will speak in English -- Inuktitut
11 first, but I want to thank you all, the Nunavut Impact
12 Review Board. You are operating under Article 12. You
13 are required to do hearings on anything that will
14 impact Inuit. You are conducting this work very well,
15 so I thank you.

16 Yesterday, the people that were talking, they were
17 very touching to our hearts, especially from the
18 community roundtable. I want to thank
19 Simeonie Sammurtok for addressing the difficult part.
20 We -- we hear you. We hear your community that is
21 going through a difficult time. And to the people of
22 Rankin Inlet for always being welcoming, thank you very
23 much. And the closing comments I will speak in English
24 so that everyone will have a clear understanding.

25 Nunavut Tunngavik thanks all the participants,
26 especially the hunters and trappers organizations and

1 the communities that participated and that are
2 affected, especially our Elders and our youth for their
3 dedication to provide their knowledge to the Nunavut
4 Impact Review Board. I know the youth didn't make a
5 comment, but they're listening.

6 We also thank the Sayisi Dene and Northlands
7 Denesuline and Athabasca Denesuline who travelled to
8 Nunavut to share their knowledge and their deep
9 concerns for the well-being of Qamanirjuaq caribou
10 herd.

11 Caribou and water quality have been the two
12 biggest issues at this hearing. All developments in
13 Nunavut must be safe for caribou and the water that is
14 being used. And many Inuit participants at this
15 hearing confirmed this. Nunavut Tunngavik Incorporated
16 urge the Board to act on the concerns expressed by the
17 Kivalliq Inuit Association, hunters and trappers
18 organizations, and the communities related to caribou
19 and Meliadine Lake water quality.

20 The wind farm is a great idea in theory, but the
21 proposed location doesn't work. It poses too much risk
22 for the Qamanirjuaq caribou herd, for Inuit harvesting
23 rights, and for their way of life.

24 Nunavut Tunngavik urge the Board to reject that
25 part of Agnico Eagle's application. The wind farm,
26 should not be approved unless and until a suitable

1 location is found. Nunavut Tunngavik encourage Agnico
2 Eagle to work with Kivalliq Inuit Association and Inuit
3 communities to identify another location for the wind
4 farm that will not put caribou well-being at risk.

5 Starting with the Subblu area, building a wind
6 farm to power Rankin Inlet could be a strong legacy for
7 Agnico Eagle after the mine has been closed. Also, I
8 have just been advised that Agnico Eagle is now seeking
9 a conditional approval for the wind farm subject to
10 agreement on location, with Kivalliq Inuit Association.
11 Agnico Eagle has not shared this proposal with Nunavut
12 Tunngavik, and we have not had time to consider it. If
13 the Board is going to consider this proposal, NTI
14 requests time to consider it and discuss it with
15 Kivalliq Inuit Association before providing NTI's
16 comment to the Board.

17 This hearing also confirms the need to review the
18 existing monitoring and mitigation measures for
19 caribou. This review needs to happen even if the wind
20 farm is not approved at this time. Agnico Eagle should
21 work closely with the terrestrial advisory group on
22 caribou monitoring and mitigation. KIA is proposing
23 new terms and conditions to help structure this work as
24 well as revise their existing Terms and Conditions 44
25 and 56. Nunavut Tunngavik supports Kivalliq Inuit
26 Association's proposal.

1 Agnico Eagle is proposing a commitment about
2 caribou monitoring and mitigation instead of a new
3 terms and condition. Their proposal is not adequate.
4 And it continues to assert that Agnico Eagle already
5 completed -- completed Commitment 38, which is not the
6 case. It says nothing about seeking consensus with the
7 terrestrial advisory group on how to improve caribou
8 monitoring and mitigations and how to ensure Inuit
9 Qaujimajatuqangit is incorporated. The term and
10 conditions is enforceable under the Nunavut agreement
11 and the Nunavut Planning and Project Assessment Act in
12 ways that a proponent can admit is not.

13 Kivalliq Inuit Association's proposal proposed new
14 terms and conditions reserved for the Board, the power
15 to settle these matters if the terrestrial advisory
16 group cannot reach consensus. Nunavut Tunngavik is
17 committed to working with the terrestrial advisory
18 group to help achieve consensus on how to improve
19 caribou monitoring and mitigations; however, if
20 consensus prove impossible, Agnico Eagle should not be
21 the final and only decision-maker. Caribou monitoring
22 and mitigation is too important. If there isn't
23 consensus, the Board needs to have the authority to
24 step in and decide what the monitoring and mitigation
25 plan will be. Nunavut Tunngavik supports the Athabasca
26 Denesuline joining the terrestrial advisory group.

1 The last major issue that Nunavut Tunngavik raised
2 in this hearing is the discharge of water to the
3 Meliadine Lake. Kivalliq Inuit Association has
4 informed Nunavut Tunngavik that they have reached an
5 agreement with Agnico Eagle on a new commitment on this
6 issue. Nunavut Tunngavik is pleased by this
7 development, and we have no further comments on this
8 issue in this hearing. Thank you very much, Madam
9 Chair.

10 Closing Remarks by Kivalliq Inuit Association

11 THE CHAIR: Kivalliq Inuit Association,
12 Luis Manzo.

13 MR. MANZO: Thank you, Madam Chair.
14 Luis Manzo, Kivalliq Inuit Association.

15 One of the speakers for the closing remark, the
16 vice president, needs to be sworn in. Thank you.

17 Procedural Matters by Nunavut Impact Review Board Legal
18 Counsel

19 THE CHAIR: NIRB legal counsel.

20 MS. MEADOWS: Thank you, Madam Chair.
21 Teresa Meadows, legal counsel for the Nunavut Impact
22 Review Board.

23 If I can have the witness state and spell their
24 name for the record, please.

25 MR. KUSUK: David Kuksuk, Kivalliq Inuit
26 Association. D-A-V-I-D K-U-K-S-U-K.

1 DAVID KUKSUK, Affirmed

2 MS. MEADOWS: Thank you, Madam Chair.

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

5 Madam Chair, it's my understanding that there will
6 be reference in the final closing statements from the
7 Kivalliq Inuit Association of proposed new terms and
8 conditions, and they have provided a written copy of
9 those terms and conditions, and I propose to file those
10 as the next exhibit in this public hearing. For the
11 benefit of people in the room, these materials have
12 been circulated in advance to the parties present in
13 the -- and participating in the public hearing.

14 EXHIBIT 46 - Hard Copy, Kivalliq Inuit
15 Association Terms and Conditions for the
16 Reconsideration of the Meliadine Extension
17 Proposal (English)

18 MS. MEADOWS: Thank you, Madam Chair. Those
19 are all my procedural matters.

20 THE CHAIR: Kivalliq Inuit Association,
21 David Kuksuk.

22 MR. KUKSUK: Thank you, Madam Chair. I'm
23 David Kuksuk. I'm the chair -- vice president for
24 Kivalliq Inuit Association.

25 First of all, we'd like to thank everyone that
26 travelled here to help us fully understand the impacts

1 of this proposal, Meliadine extension.

2 If you think you have said something small, please
3 know that we've understood you. But for the Meliadine
4 extension, we understand that, and we'd like to
5 acknowledge and thank our friends to the south, the
6 Dene, who have come far and shared their stories and
7 experiences. We understand their experiences.

8 I'm reading from the papers. So I just want to
9 thank the intervenors, the hunters and trappers, Agnico
10 Eagle, also Nunavut Impact Review Board for coming
11 together to help find a path forward for the betterment
12 of Inuit. I also want to thank the Rankin Inlet
13 Hunters and Trappers Organization as well as Rankin
14 Inlet. We're not just hearing you. We have to work
15 together to make sure things run smoothly.

16 These animals, we have to respect them. Just like
17 I said before, we have to collaborate properly to work
18 together. I don't want to say -- I don't want to talk
19 too much. But over the week, we've heard a lot of
20 things from different organizations. Some of them are
21 very emotional.

22 And also for the last part, we really understand
23 our friends from the south and the Dene, their
24 experiences and -- experiences. And we can relate to
25 them about the land. I also need to -- without them,
26 this gathering could not happen.

1 I will let the director of lands for KIA address
2 the final comment -- or our legal counsel.

3 THE CHAIR: Kivalliq Inuit Association,
4 Jonathan Katz.

5 MR. KATZ: Thank you, Madam Chair.

6 The Kivalliq Inuit Association is confident that
7 we can continue to work with Agnico Eagle so both
8 parties can benefit from the Meliadine project while
9 ensuring Inuit rights, especially harvesting rights,
10 are not negatively impacted.

11 The Kivalliq Inuit Association will continue
12 working with intervenors, who have provided many
13 comments over the past months leading to this hearing,
14 to address the environmental concerns that have been
15 raised throughout this process.

16 On August 5th, 2022, the minister of northern
17 affairs directed the Nunavut Impact Review Board to
18 focus -- focus its assessment on the impacts to caribou
19 and to Meliadine Lake. These two topics were discussed
20 in detail at this public hearing, and it should be
21 apparent to the Nunavut Impact Review Board and to
22 everyone in this room that these two issues still
23 remain of utmost importance.

24 As it was put earlier in the meeting, people here
25 are united by caribou. We have to make sure
26 disturbances to their calving and migration are

1 minimized and that the healthy herd can continue to
2 support people from Nunavut to northern Saskatchewan
3 and northern Manitoba. To that end, the Kivalliq Inuit
4 Association continues to oppose the location Agnico
5 Eagle has put forward for the wind farm.

6 It should be apparent to the Nunavut Impact Review
7 Board that the only participant up until around
8 early -- 9, 10 this morning that believes that placing
9 the wind farm at the mine site is a good idea, and that
10 is Agnico Eagle.

11 Now, KIA, the Kivalliq Inuit Association, will be
12 working with Agnico Eagle to try to come up with
13 alternate wind farm locations, but should an alternate
14 be agreed on, it's the position of the Kivalliq Inuit
15 Association that a thorough and complete assessment
16 will have to be done of those proposed locations. We
17 cannot risk the health of the herd by experimenting
18 with wind turbines in an area so critical for caribou
19 well-being.

20 While the climate is changing -- and as we've
21 heard from both scientific experts and traditional
22 knowledge holders, it's already impacting the herds
23 that Inuit and Dene peoples rely on for food -- moving
24 towards green energy will be good for the environment,
25 but it has to be done in a safe and sustainable way
26 without threatening the health of the Qamanirjuaq herd.

1 A precautionary approach must be taken.

2 The Kivalliq Inuit Association has tried to work
3 with Agnico Eagle to come to mutually agreeable
4 solutions to resolve outstanding differences on caribou
5 concerns but were unable to reach an agreement. It's
6 difficult to reach an agreement when Agnico Eagle has
7 failed to acknowledge throughout this hearing that the
8 proposed extension will impact the caribou despite
9 hearing a mountain of evidence to the contrary.

10 Agnico Eagle, in their closing remarks, may try to
11 deflect and say terms and conditions that are being
12 proposed by the Kivalliq Inuit Association are
13 redundant and not required and can be satisfied with a
14 commitment. But the Kivalliq Inuit Association's view
15 is this hearing has been dominated -- this hearing has
16 been dominated by the very important topic of caribou,
17 and an issue that is so important and impacts
18 Section 35 treaty rights should not be relegated to a
19 commitment that's not as enforceable as a term and
20 condition that would be contained in an amended project
21 certificate.

22 Yes, current mitigation at the existing project
23 works from an operational level. But the current
24 mitigation must be assessed taking into consideration
25 the proposed 11-year increase in mine life and the
26 recent shifting calving ground closer to the mine site.

1 Based on the concerns of caribou experts around
2 the room, the Kivalliq Inuit Association has proposed
3 terms and conditions for the Meliadine extension which
4 are essential and necessary to ensuring negative
5 impacts to caribou are minimized. In the interest of
6 time, I'm not going to read in the -- the proposed
7 terms and conditions, but I will note that what is
8 being proposed relates to a reassessment of caribou
9 movements around the mine site and project
10 infrastructure due to an incomplete and flawed
11 Commitment 38 analysis to produce a new and distinct
12 calving protection plan to protect the very vulnerable
13 newborn calves and, finally, for Agnico Eagle to
14 undertake a cumulative effects analysis.

15 The proposed terms and conditions, which have now
16 been filed as an exhibit with the Nunavut Impact Review
17 Board, are supported by Nunavut Tunngavik Incorporated,
18 the Sayisi Dene First Nation, the Northlands Denesuline
19 First Nation, the Athabasca Dene Ne Ne Land
20 Corporation, although I -- I note that the Athabasca
21 will be including some additional points for
22 consideration, and finally the Government of Nunavut
23 has confirmed that they support the Kivalliq Inuit
24 Association's proposals that relate to the new proposed
25 Term and Condition 44(a), amendments to Term and
26 Condition 44, and amendments to Term and Condition 54.

1 The Kivalliq Inuit Association echoes Nunavut
2 Tunngavik Incorporated's comments with respect to the
3 importance of terms and conditions on such a matter
4 such as this one.

5 The Kivalliq Inuit Association believes that with
6 continued cooperation between them and Agnico Eagle,
7 these terms and conditions will be helpful in managing
8 caribou and can be discussed also at the terrestrial
9 advisory group.

10 The Meliadine project extension proposal has also
11 raised concerns about the quantity and quality of
12 discharge of water to Meliadine Lake. The Kivalliq
13 Inuit Association and Agnico Eagle have agreed on a
14 commitment to work together to ensure that only the
15 cleanest contact water on-site is discharged to the
16 lake. Tailings runoff and camp sewage will be diverted
17 away from the lake to Itivia Harbour. I understand
18 that a copy of the commitment has been provided to the
19 Nunavut Impact Review Board legal counsel. While the
20 Kivalliq Inuit Association still has concerns over the
21 increase in the total discharge quantity, we will
22 continue to work with Agnico Eagle through the Nunavut
23 Water Board licencing process.

24 The Kivalliq Inuit Association wishes to confirm
25 that they are confident that the parties will work
26 together to ensure that Inuit in the Kivalliq continue

1 to benefit from projects such as the Meliadine
2 extension without compromising the health of either the
3 caribou or Meliadine Lake.

4 In closing, thank you to the Nunavut Impact Review
5 Board and all the intervenors and commenters who have
6 worked so hard throughout this process. I know the
7 impact review board has a very difficult task ahead of
8 you, but the Kivalliq Inuit Association is confident
9 that the Board will be able to weigh all the evidence
10 and provide a recommendation on this extension that
11 works for Inuit. Thank you.

12 THE CHAIR: Government of Nunavut,
13 Daniel Haney.

14 MR. HANEY: Thank you, Madam Chair.
15 Daniel Haney, Government of Nunavut.

16 Naomie Pudluk, the assistant deputy minister of
17 environment, is on the line, and she will be delivering
18 our closing remarks, but she does need to be sworn in.
19 Thank you.

20 Procedural Matters by Nunavut Impact Review Board Legal
21 Counsel

22 THE CHAIR: NIRB legal counsel.

23 MS. MEADOWS: Thank you, Madam Chair.

24 Teresa Meadows, legal counsel for the Nunavut Impact
25 Review Board.

26 If I can have the witness state and spell their

1 name for the record.

2 MS. PUDLUK: My name is Naomie Pudluk,
3 N-A-O-M-I-E P-U-D-L-U-K.

4 NAOMIE PUDLUK, Affirmed

5 MS. MEADOWS: Thank you, Madam Chair.

6 Teresa Meadows, legal counsel for the Nunavut Impact
7 Review Board.

8 Madam Chair, those are my procedural matters.

9 Closing Remarks by Government of Nunavut

10 THE CHAIR: Government of Nunavut,
11 Naomie Pudluk.

12 MS. PUDLUK: Thank you, Madam Chair. My
13 name is Naomie Pudluk, assistant deputy minister for
14 the Government of Nunavut, department of the
15 environment.

16 On behalf of the Government of Nunavut, I would
17 like to thank the Nunavut Impact Review Board for the
18 opportunity to be here and participate in the final
19 public hearing for the Meliadine extension proposal.
20 We also thank the Inuit community members, the Sayisi
21 Dene and the Northlands Denesuline First Nations and
22 the Athabasca Denesuline Ne Ne Land Corporation for
23 travelling to Rankin to share their thoughts. The
24 Government of Nunavut remains committed to the process
25 outlined in the Nunavut agreement and the Nunavut
26 Planning and Project Assessment Act for impact

1 assessment and continues to support the efforts of the
2 Board in this task.

3 The Meliadine proposal, if approved, will increase
4 the mine life by 11 years, allowing Nunavummiut to
5 continue to benefit from the employment and training
6 opportunities, local economic development and business
7 opportunities, and community programs associated with
8 the project. The approval of the Meliadine extension
9 proposal would provide the first renewable energy
10 project in the territory and has the potential to
11 diversify the energy sector and reduce Nunavut's
12 reliance on fossil fuels.

13 As we presented at this hearing, the proposal has
14 the potential to prolong any existing impacts and to
15 create new ones on wildlife; specifically, Nunavut
16 wildlife will be exposed to disturbance from a wind
17 farm not yet experienced in the territory. We have
18 heard much about the concerns many have about this
19 proposal, and we have submitted our own. We ask the
20 Board to consider the recommendations that the
21 Government of Nunavut have made. As stated in our
22 presentation, the Government of Nunavut sees the need
23 for changes to certain thresholds and mitigation
24 measures to ensure impacts to wildlife and wildlife
25 habitat are minimized.

26 On the issue of Commitment 38, the Government of

1 Nunavut has stated its concerns that this commitment
2 has not been fulfilled by the proponent. The
3 Government of Nunavut continues to recommend that the
4 study be revised in consultation with the project's
5 terrestrial advisory group.

6 In addition, the Kivalliq Inuit Association has
7 submitted new and revised terms and conditions to be
8 considered by the Nunavut Impact Review Board. The
9 Government of Nunavut offers its support to Term and
10 Condition 44(a), the amendments to Term and
11 Condition 44, and the amendments to Term and
12 Condition 54 as proposed by the Kivalliq Inuit
13 Association as these are aligned with our submissions
14 to the Board. And we continue to seek collaboration
15 among terrestrial advisory group members.

16 The Government of Nunavut also continues to
17 recommend the terms and conditions outlined in our
18 final written submission. We have listened to and
19 recorded the different perspectives we've heard
20 regarding the Meliadine extension proposal and more
21 broadly on the issues of caribou movement, shifting
22 migration routes, and calving grounds. These concerns
23 contribute to the Government of Nunavut's ongoing
24 monitoring of caribou and active projects in Nunavut.

25 In response to sharing data and information, the
26 Government of Nunavut will continue to monitor caribou

1 at a regional scale to ensure that populations remain
2 healthy and stable. The Government of Nunavut will
3 continue to make information available to interested
4 parties in these types of forums for impact assessment
5 and monitoring. We must note, however, that realtime
6 collar locations are not and will not be shared with
7 any party for the purposes of harvesting as this is not
8 the reason GN monitors caribou and practices -- places
9 collars on animals.

10 The Government of Nunavut encourages participation
11 of Inuit and specifically Inuit youth in monitoring
12 initiatives, and we support the engagement of youth in
13 both the regulatory process and in proponent-led
14 management and mitigation initiatives.

15 In addition, we heard the comments on ensuring
16 people are employed at the project and have access to
17 employment and training opportunities to receive
18 benefit from the proposed activities. The Government
19 of Nunavut agrees that benefits of the proposed project
20 must go towards the local people as much as possible,
21 and we continue to support programs and initiatives
22 that can promote this.

23 The issue of climate change demands response by
24 governments and businesses. A wind farm and other
25 sources of renewable energy are desirable, and the
26 Government of Nunavut supports reducing dependence on

1 diesel fuel. Our climate change secretariat provides
2 support for renewable energy upgrades for cabins,
3 advises the Nunavut housing corporation on renewable
4 energy upgrades for homeowners, and the department of
5 economic development supports small businesses through
6 the Kivalliq energy forum.

7 We want clean energy, and we applaud the proponent
8 for bringing forward the proposed wind farm component
9 of the project; however, the reason Government of
10 Nunavut seeks to reduce our carbon footprint and combat
11 climate change is to protect our land, our water, and
12 our animals. One of the last great migratory herds is
13 threatened and is increasingly interacting with
14 infrastructure. The most sensitive seasons are calving
15 and post-calving, and note they are moving closer to
16 the mine site.

17 The Government of Nunavut has listened and heard
18 the passionate words of Inuit and Dene. We will take
19 these concerns back to the rest of the Government of
20 Nunavut, and they will help to inform our continued
21 participation in impact assessments in the territory
22 and our ongoing monitoring of arctic projects.

23 To list some of the concerns we have heard, we
24 heard Kivalliq youth's concerns with lack of indigenous
25 knowledge into assessment and management plans. We
26 heard from Sayisi Dene First Nation and Northlands

1 Denesuline First Nation and their deep concerns over
2 caribou health and foraging grounds. We heard from the
3 Athabasca Denesuline on the importance of caribou to
4 their way of life. We heard from the Inuit of Arviat
5 and Baker Lake and their concerns about caribou
6 movements shifting and herd no longer arriving in their
7 communities. We heard the Inuit of Rankin Inlet about
8 water quality and helicopter traffic. We hear
9 Chesterfield Inlet's concerns about mining jobs not
10 staying in the communities long term.

11 The Government of Nunavut is a participant in this
12 process and contributes information to the assessment
13 in relation to our mandate and jurisdiction. We look
14 forward to working with the Board and our fellow
15 intervenors to ensure that if the project were to move
16 forward, it would be in accordance with our mandate,
17 Katujjiluta, and appropriately managed and impacts
18 appropriately mitigated.

19 We look forward to the Board's public hearing
20 report after this public hearing. This assessment is a
21 difficult task for the Board requiring a balanced
22 approach that is reflective of a range of views. I
23 would therefore like to thank the Board for their hard
24 and dedicated work as well as all those who have
25 travelled here to participate in this public hearing.

26 In addition, we would like to thank the

1 interpreters for their tireless work, the technicians
2 and support staff, the caterers, and the community of
3 Rankin Inlet for hosting this important event.

4 Qujannamiik, thank you, Matna, Mahsi Cho.

5 Closing Remarks by Crown-Indigenous Relations and
6 Northern Affairs Canada on behalf of the Government of
7 Canada

8 THE CHAIR: Crown-Indigenous Relations and
9 Northern Affairs Canada on behalf of the Government of
10 Canada, Spencer Dewar.

11 MR. DEWAR: Thank you, Madam Chair.
12 Spencer Dewar, Crown-Indigenous Relations and Northern
13 Affairs Canada.

14 On behalf of the Government of Canada, we'd like
15 to thank the community of Rankin Inlet for hosting and
16 your warm welcome. To be clear, the warmth is in
17 regards to the people and at times the weather. We
18 would like to thank the Board and its team for
19 respectfully leading this hearing and providing all
20 parties and community members an opportunity to share
21 their perspectives. Thank you to the Elders for
22 leading us in prayer each day, encouraging us to think
23 of those who have recently lost loved ones, and to be
24 thankful for what gifts we do have. Special thanks to
25 the interpreters for the long hours and hard work,
26 exercising patience and diligence that have allowed us

1 to communicate with each other. We want to thank
2 everyone for sharing your knowledge and experience and
3 speaking your truth. It has been an honour and a
4 privilege to participate, and we are all richer for
5 having done so.

6 We are aware, the Government of Canada, that we
7 share more rigidly. Our presentations are technical
8 based on legislation and mandate. But I can assure you
9 that every department here shares a common value, and
10 that is the commitment to the protection of the
11 environment for now and future generations.

12 It has been said during this session that you
13 learn something every day. We definitely learned extra
14 over the last eight days. The importance of caribou
15 cannot be understated. We've heard its importance as a
16 vital food source and an integral part of culture.
17 Caribou's not just a way of life, but caribou is life.

18 The Government of Canada supports and encourages
19 the use of renewable energy as it is critical for the
20 reduction of greenhouse gas emissions; however, this
21 support is not absolute, and it must be weighted
22 against the concerns raised by Inuit and Dene regarding
23 location. The construction of the wind farm needs
24 support from those impacted, and the location needs to
25 incorporate Inuit Qaujimajatuqangit and traditional
26 knowledge.

1 Additionally, we have heard a lot of concerns
2 about water quality. We note that the current water
3 management practices for Meliadine are robust and
4 include monitoring and inspections for compliance to
5 ensure the water is safe. We do echo the Kivalliq
6 Inuit Association and the community members' concerns,
7 and we strongly encourage Agnico Eagle to continue to
8 take measures to reduce or eliminate discharges in the
9 Meliadine Lake.

10 Should the extension proceed, we will continue to
11 work with Agnico Eagle and parties to improve sound
12 water management through the Nunavut Water Board
13 processes. The Government of Canada has participated
14 actively in each phase of this process. And we'd like
15 to thank Agnico Eagle. Your professionalism and
16 responsiveness to work through issues has been much
17 appreciated.

18 During our review, the federal departments
19 identified a series of concerns related to potential
20 project impacts. Most of the Government of Canada's
21 concerns have been addressed in full or through a
22 commitment from Agnico Eagle; however, I will note the
23 Department of Fisheries and Oceans has put forward
24 measures to monitor and minimize impacts in the marine
25 environment. These are related to the protection
26 against aquatic invasive species and the reduction of

1 shipping noise, which remain outstanding. We ask the
2 Board to fully consider including these recommendations
3 within the terms and conditions of the project
4 certificate.

5 In closing, I offer another round of thanks, and
6 I'll highlight the optimism experienced during the
7 hearings. Despite opposing views, the spirit to work
8 together continued as a theme for many. At times, our
9 all-too-recent shared history loomed heavy, and it's
10 our hope that continued collaboration will lead to a
11 brighter future. Matna. Mahsi Cho. Thank you.
12 Merci.

13 Closing Remarks by Kangiqliniq Hunters and Trappers
14 Organization

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

17 MR. KALUDJAK: Thank you, Madam Chair.

18 Noel Kaludjak, hunters -- Kangiqliniq Hunters and
19 Trappers Organization. Thank you for giving me this
20 opportunity to share and hear your questions, comments
21 and concerns, and everything in between.

22 While I sit here when we talk about the land, the
23 animals, and the activities that affect our daily
24 lives, I -- I reflect back into my childhood when my
25 father would take me up the Ferguson River between
26 Whale Cove and Arviat by canoe. And when we get up to

1 where the caribou roam, you could see the land move by
2 thousands and thousands of caribou. I grew up watching
3 the caribou, harvesting the caribou, and living on the
4 caribou in the Keewatin, in the Kivalliq.

5 We see the effects of the migration in Kivalliq
6 over the years, either by airplanes, exploration,
7 hunting and sport hunters, and many other human
8 activities that affect the caribou and their migration.
9 The majority -- the main effect the caribou has in
10 their migration is the weather.

11 We Inuit live in this harsh environment where the
12 winters are very cold, and the weather wreaks havoc on
13 the caribou. The weather plays a majority of the
14 migration in the caribou, their migration, their food,
15 the lichen, the lakes and rivers, the snow.

16 We saw the animation by Government of Nunavut
17 about their migration over the years, before and after
18 the operation of the Agnico Eagle mine at Meliadine
19 Lake area. Every spring, the caribou migrate starting
20 in April along the coast of the Kivalliq from Arviat
21 area through Whale Cove through Rankin up to Diane
22 Lake, Peter Lake, and the surrounding area, to
23 Qamanirjuaq herd area on their calving grounds. Over
24 the years this has changed dramatically due to
25 greenhouse effect. We are getting earlier and earlier
26 spring thaw.

1 This year, in seeing the -- the animation from the
2 Government of Nunavut, we saw the calving grounds
3 closest to the mine. This is due to the fact that we
4 had a very early spring thaw in the Kivalliq that we
5 have never seen in my lifetime. Every spring in May on
6 Victoria long weekend, we have a fishing derby with our
7 families, and we travel to the lakes around Rankin to
8 catch the biggest trout, which is an annual event.
9 This spring, Roger's son, Aaron, and his family and my
10 family and a few families did travel in mid-May to
11 Peter Lake to catch a largest trout.

12 Within three days on our return, the travel back
13 to Rankin was impossible. We left our equipment, our
14 sleds not far from Rankin because we could not travel
15 due to soft and deep snow. We came home with -- just
16 with our snowmobiles. Imagine the caribou trying to
17 migrate up to their calving grounds in those
18 conditions. And it will get worse and worse in the
19 coming years. They will calve closer and closer to the
20 coast, including the mine. We need the terrestrial
21 advisory group to work harder to consider this.

22 Like I mentioned earlier this week, the caribou
23 rely on their senses. One of them -- one of them is
24 sight. And these wind turbines will be a visually --
25 and hearing and smell will include their disruptive --
26 disruptive behaviour of the caribou during their

1 migration. Monitoring must increase either by Inuit
2 organizations, by Government of Nunavut, and our local
3 Kangiqliniq Hunters and Trappers Organization to
4 communicate better and to work together.

5 Time is short. I could say more. But being
6 observer and user of the caribou and the land and
7 environment, we're seeing -- we're seeing so much
8 changes. We support the Kivalliq Inuit Association
9 terms and condition for the reconsideration of the
10 Meliadine expansion extension proposal. We wish to
11 work together on that.

12 We'd like to thank each organization and companies
13 that sit here in this table discussing the very future
14 of the caribou, the animals, the fish, the land, and
15 our youth. We still stand on the fact that the
16 location requested by the Agnico Eagle Mines to locate
17 the wind turbines at the Meliadine site is not
18 feasible, and we oppose it.

19 We would like to thank the Elders that gave us
20 advice during our breaks to make sure we speak the
21 truth and honesty. We also recommend that
22 Environment Canada be included in these meetings in the
23 future as it is very important to consider our weather
24 because it really affects the caribou and the animals
25 and -- and the waters and the land. We thank the Board
26 for being patient and listening to our long comments

1 and use of -- of these meetings.

2 We thank the Agnico Eagle Mines for putting in the
3 proposal and making sure they hear from us and our
4 concerns. We encourage them to keep hiring our local
5 people, to keep giving us infrastructure to help our
6 lives and our youth and our Elders in the community.
7 We encourage them to keep our land clean, from
8 disturbing -- minimal disturbance of our land animals
9 and the fish. Yes, they can work to extract the gold
10 and mine and make their money, but keep working with us
11 to learn from our ways and learn from other
12 organizations to keep the land and animals from
13 contamination. Thank you for providing funding for our
14 organizations around the community and the Kivalliq,
15 but at the same time, we encourage them to keep working
16 hard from contaminating our land and animals.

17 We thank the Nunavut Tunngavik Incorporation in
18 supporting our views and desires. Also the Kivalliq
19 Inuit Association for supporting us and encouraging us
20 to keep pushing for our wishes. We thank our
21 neighbours from the south, the Dene of northern
22 Manitoba and northern Saskatchewan. We thank you for
23 your presentations and your support. We thank all the
24 government organizations for giving us very good
25 information. We thank the people of Rankin for giving
26 us the support and the prayers that are made daily to

1 give us wisdom. Thank you for listening to our
2 concern. We have a lot more to say, but time is short.

3 And have a safe trip back home. Blessings to you
4 and your families back home. We all have families. We
5 wish the best for everyone. Thank you, interpreters,
6 for your hard work and everyone else who is involved in
7 this very, very important session. Thank you.

8 THE CHAIR: We were -- our original agenda
9 was to finish at 12, but we have a few more parties to
10 get through, so we're going to reconvene at 1:00. We
11 will finish early this afternoon 'cause some people
12 have flights to catch. So we'll take a lunch break and
13 reconvene at 1 PM.

14 (PROCEEDINGS ADJOURNED UNTIL 1:00 PM)

15 (PROCEEDINGS RECOMMENCED AT 1:08 PM)

16 THE CHAIR: Welcome back, everyone.
17 Continuing with closing remarks from registered
18 intervenors. Next we have the Sayisi Dene First Nation
19 and Northlands Denesuline First Nation. Benjamin
20 Denechezhe.

21 Closing Remarks by Northlands Denesuline First Nation

22 MR. DENECHYZHE: Thank you, Madam Chair.

23 Benjamin Denechezhe, Northlands First Nation.

24 I would like to thank the Nunavut Impact Review
25 Board and their staff for their hard work to put on
26 this public hearing, and I also thank the interpreters

1 for a tremendous job.

2 Thank you for helping to arrange for the
3 participation of our community representation. Thank
4 you, Agnico Eagle, for your presentation and responses.
5 We'd also like to thank the other parties for bringing
6 forward important comments and perspective about the
7 Meliadine extension.

8 It has been an honour to be in Rankin Inlet and to
9 be welcomed by everyone. I always appreciate coming
10 here to meet with my friends here in Rankin.
11 Denesuline and Inuit have many, many things in common.
12 Our cultures are different, but our way of life
13 similar. Caribou are the central importance of both
14 our people. There are only two Dene bands in Manitoba,
15 the Sayisi Dene and Northlands. We are the only Dene
16 bands.

17 In our presentation, Geoff mentioned that the
18 Sayisi Dene were forcibly relocated by government in
19 1956 due to incorrect claims that they were
20 overharvesting and misinformation about the health of
21 the Qamanirjuaq herd. This terrible mistake by the
22 Government of Canada led to a great hardship for the
23 Sayisi Dene. They were just dropped on the shores of
24 the Hudson Bay in Churchill. Their people suffered
25 harm, death, and other losses.

26 They also lived in terrible conditions, first at

1 the camp at the shores of the Hudson Bay without heat,
2 hydro, running water, or proper sanitation. They were
3 then moved to another location near the local cemetery,
4 and they finally set outside of town.

5 These locations and conditions were no better.
6 With continued hunger, despair, and hardship on top of
7 physical conditions, the Dene also experienced great
8 poverty, racism, and prejudice. They left the people
9 desperate and destitute without basic needs and
10 necessities of life. They lost a third of their
11 members.

12 The Government of Canada at that time were
13 responsible for taking our people out and dumping them
14 on the shores of Churchill to die off. In our view,
15 that is called "genocide". See, First Nations people,
16 especially the Dene, are kind-hearted. They can
17 forgive. As we speak about our rights and recognition,
18 sometimes it's very difficult, but we continue to echo
19 our voices.

20 Natural Resources Canada and the Government of
21 Canada at that time put the caribou in front before the
22 Dene people. That is why it's so hard for my brothers
23 to even speak about it because it hurts them so bad.

24 The very same herd that they lost their lives for
25 is the very same thing that we're talking about today,
26 industrial companies that are working alongside the

1 Government. This is why we cannot just simply accept
2 when others tell us we don't need to worry about our
3 rights, that they know best.

4 The Dene people have lived and co-existed on the
5 land with the caribou for thousands of years. The
6 habitat of the caribou is crucial because it is our
7 habitat. The land and the caribou and our shared
8 habitat sustained the Dene and the Qamanirjuaq herd.
9 We know about the caribou, and we know about the land,
10 and we know when things do not feel right.

11 Northlands Denesuline and the Sayisi First Nations
12 are participating in this review to make sure that we
13 understand what is being proposed and to make sure that
14 we can have an opportunity to be heard. We know that
15 even small impacts in one spot can build up over time
16 and cause serious problem to the herd. These impacts
17 affect not only my rights but also my next generation
18 of the Denesuline people.

19 On the day I left for Rankin Inlet, I was blessed
20 with a new great grandson, and I'm looking forward to
21 meet after this public hearing. And I am here to make
22 sure that the caribou are protected and kept safe for
23 him and his children.

24 Northlands Denesuline First Nation and the Sayisi
25 First Nation have identified concerns about the
26 Meliadine extension, including a great deal of

1 uncertainty about potential effects of caribou and
2 their calving and post-calving grounds. Because of
3 that, we cannot support the wind farm in the location
4 that is currently proposed.

5 We also have a number of grave concerns that can
6 be addressed -- that must be addressed by Agnico Eagle.
7 Geoff Bussidor and the Sayisi Dene First Nation will
8 give more detail on the specific outstanding concerns.

9 I hope I made myself clear and understand the
10 importance of why we travelled so far to be heard, as I
11 sit here and remember the atrocities of the people that
12 they encountered, what happened to them, and we told a
13 story, a glimpse of what happened. We had one
14 non-First Nation member approaching us and said, We
15 never heard anything about it. This is the first time
16 we've heard about it.

17 Those were human beings, not animals, and I seen
18 firsthand where they were dropped. And I know what I'm
19 talking about because in my heart I cried. With no
20 place to go, nothing to work with, they had to survive,
21 and those very same people that are sitting amongst us
22 today and trying to protect the very same Qamanirjuaq
23 herd that most of their people died for because of
24 accusation. They weren't slaughtering caribou. They
25 were killing caribou for them to survive for eight
26 months, winter. When they killed those caribou, they'd

1 leave them there. They gut them. They'd leave them
2 there with their skin. Come January, February, March,
3 and the coldest part, they look for those meat. When
4 the snow was about 8 feet, 6 feet, they used a bar to
5 locate those meat. That was their fridge. But one
6 simple quarrel changed everything.

7 So when we do things together going forward, we
8 must take time and look at all options before we decide
9 and make sure we don't leave anybody behind and to work
10 together collectively. I'm pretty sure that we can
11 come up with a mutual understanding and respect going
12 forward here.

13 In our language, the Denesuline people, there is
14 no goodbyes. We say, I will see you again. So with
15 that, I hope the creator, the almighty God bless each
16 one of you, your family, so that we'd be happy to see
17 each other again on the road. With that, mahsi cho.

18 THE CHAIR: Geoff Bussidor.

19 Closing Remarks by Sayisi Dene First Nation

20 MR. BUSSIDOR: Masi, Benji.

21 Thank you, Madam Chair. Geoff Bussidor, Sayisi
22 Dene First Nation.

23 On behalf of the Sayisi Dene First Nation, I would
24 like to thank the Nunavut Impact Review Board
25 chairperson, panel members, and staff for their hard
26 work to put on this public hearing.

1 We also would like to thank the other parties and
2 the community representatives for bringing forward
3 important comments and concerns about this project
4 proposal and Agnico Eagle for its responses. And thank
5 you to the translators for your excellent work at
6 making sure we could all understand each other.

7 Sayisi Dene First Nations and Northlands
8 Denesuline First Nation participated in this review to
9 ensure full understanding of the potential adverse
10 impacts of the project on our treaty and aboriginal
11 rights, particularly those impacts that may affect the
12 Qamanirjuaq herd.

13 Since time immemorial, the Qamanirjuaq herd was
14 and continues to be central to survival, culture, and
15 way of life of our people. The health of the caribou
16 and their habitat are of critical importance to our
17 people and to our ability to exercise our inherent
18 rights throughout our traditional territory. The need
19 to minimize the local, regional, and cumulative impacts
20 resulting from the Meliadine extension proposal and all
21 other developments in the caribou range is key to the
22 future sustainability of the herd.

23 THE CHAIR: Geoff, your earpiece is
24 causing some feedback.

25 MR. BUSSIDOR: Oh, sorry.

26 Okay. Through Sayisi Dene First Nations and

1 Northlands Denesuline First Nations' technical review
2 and participation in this reconsideration process, we
3 have identified concerns about the Meliadine extension.
4 Our review has focused on the potential impacts to the
5 Qamanirjuaq herd which may adversely affect our
6 Section 35 rights.

7 At this time, we still have outstanding concerns
8 about the Meliadine extension proposal. In particular,
9 we remain concerned about the high level of uncertainty
10 of potential negative impacts to the caribou within
11 their post-calving and calving range. In our view,
12 Agnico Eagle has not adequately demonstrated that it is
13 able to limit the potential for the significant adverse
14 project effects; therefore, Sayisi Dene First Nation
15 and Northlands Denesuline First Nation do not support
16 the building of the wind farm in the location currently
17 proposed.

18 Northlands Denesuline First Nation and Sayisi Dene
19 First Nation have raised concerns about the recent
20 changes to caribou distribution and increased presence
21 since 2015, concerns about the Discovery road
22 waterline, concerns about the group and distance
23 thresholds and the current caribou mitigation and
24 protection measures, and concerns about the need for
25 further review and refinement of the Commitment 38
26 study.

1 Enhanced and continued discussion, monitoring, and
2 assessment are critical to fully understanding and
3 minimizing any negative impacts from the Meliadine
4 extension.

5 Sayisi Dene First Nation and Northlands Denesuline
6 First Nation have a number of recommendations to the
7 Nunavut Impact Review Board, including revisions to the
8 project certificate.

9 First, we accept and are in agreement with the
10 terms and conditions proposed by the Kivalliq Inuit
11 Association. This includes a new term and condition
12 related to caribou monitoring and mitigation and a new
13 term and condition related to cumulative impact
14 analysis as well as the revisions to the Terms and
15 Conditions 44 and 54. It is very important that these
16 matters are reflected in terms and conditions of any
17 amended project certificate.

18 Second, we propose a Term and Condition 43 as
19 revised to require Agnico Eagle to review and refine
20 the group size and distance thresholds, based on
21 science, and changes to the caribou distribution, based
22 on the advice of the terrestrial advisory group,
23 including consideration of seasonal shutdowns.

24 In the interim period, we suggest the Board
25 consider the recommendations of the Government of
26 Nunavut to increase the distance threshold from

1 5 kilometres to 10 kilometres.

2 Third, we recommend that Terms and Condition 54 is
3 revised specifically to address the caribou crossing at
4 the southeast end of Meliadine Lake, including the
5 requirement for additional studies and assessment of
6 this crossing, as well as the potential for enhanced
7 mitigation measures for this crossing.

8 Fourth, we recommend that Term and Conditions 132
9 is revised to provide for the inclusion of the
10 Athabasca Denesuline in the terrestrial advisory group.

11 Fifth and finally, Sayisi Dene First Nation and
12 Northlands Denesuline First Nation would ask that our
13 Elders be invited to participate in meetings of the
14 Elders advisory committee.

15 Sayisi Dene First Nation and Northlands Denesuline
16 First Nation feel that the terrestrial advisory group
17 can be a meaningful source of knowledge on technical
18 advice to Agnico Eagle.

19 We can confirm our continued commitment to
20 good-faith positive work through this group, and we
21 look forward to continuing this work immediately.
22 However, the terrestrial advisory group is an advisory
23 group and not a decision-making group. It is not the
24 proper avenue to answer important issues, including
25 matters that may potentially have adverse impacts to
26 aboriginal treaty rights and/or environmental or

1 socioeconomic impacts. In our view, these issues
2 should be addressed by the Board and the responsible
3 ministers.

4 And one final comment, in light of the comments
5 and presentation made this week, we would be encouraged
6 if Agnico Eagle was open to reconsidering the location
7 of the wind farm. However, Sayisi Dene First Nation
8 and Northlands Denesuline First Nation note that the
9 wind farm in a new location would require an assessment
10 and a review of the proposal and its impacts in that
11 new location.

12 Okay. That's the written stuff. I just wanted
13 to -- I have -- I had an idea that just sort of popped
14 into my mind early this morning, and I just wanted to
15 share it with you.

16 I know it's kind of far-fetched, but thinking of
17 this wind turbine and the height of it and seeing it
18 from a great distance, what if, you know, if you could
19 blend it into the surrounding vegetation, the horizon.
20 Have some Inuit mural painters and -- it's just an
21 idea, but, you know, something that wouldn't be so
22 shocking to the caribou. It would provide the
23 community with employment, you know. I don't know if
24 they would want to climb up there to do it, but it's
25 something, you know. It would show -- it would show
26 that the -- how caring and committing we are to our

1 source of survival and sustaining animals that we care
2 so much for and that affected us deeply. So it's just
3 an idea, but something to think about.

4 Masi. I enjoyed being here too.

5 THE CHAIR: Athabasca Denesuline Ne Ne
6 Land Corporation.

7 Closing Remarks by Athabasca Denesuline Ne Ne Land
8 Corporation

9 MS. DENECHZHE: Thank you, Madam Chair.
10 Elizabeth Mary Denechezhe representing Athabasca
11 Denesuline Ne Ne Land Corporation.

12 I would like to thank the Elder for the opening
13 prayer this morning. We would like to thank Nunavut
14 Impact Review Board and the staff for all their hard
15 work in bringing us together here. Thank you to the
16 people of Rankin Inlet and to the people of Kivalliq
17 region to welcome us to your home. It has been a great
18 gift to connect with many of you and to hear our
19 stories. Rankin Inlet has been welcoming, is generous
20 to us. You have beautiful lands here, and it is very
21 emotional to be here and to stand on the land where the
22 same -- the same caribou who lives within our territory
23 walk within yours.

24 We have many -- we have talked many times
25 throughout this past week that our people used to see
26 each other out on the land. We have always been

1 connected through the caribou, and we look forward to
2 continue kindly these relationships with you.

3 At this time, I want to thank all of you who spoke
4 here over the last week, to Agnico Eagle, to the
5 intervenors, interpreters, the local hunting -- hunters
6 and the trapping organizations, and to the Elders and
7 the community member for all your comments,
8 presentations, response, and important discussion.

9 We are here to speak to our concern for the
10 caribou and for our people and to hear from the local
11 people to understand your experience and your
12 observations. We have found that we share many of the
13 same concern for the caribou and the land and the
14 water. We also share the needs to support the
15 well-being of our communities and future generations.

16 We must ensure that Qamanirjuaq caribou are
17 protected to the highest standard to make sure that
18 they can continue following their migration trails,
19 that they are not being disturbed during the sacred
20 time of calving and post-calving, and that their
21 population can stay strong and striving.

22 The Athabasca Denesuline depends on the
23 Qamanirjuaq caribou to continue our ways of life.
24 Protecting these caribou is essential to our people,
25 our culture, our food security, and to uphold our
26 inherent Section 35 rights. We have shared that we

1 used to have three caribou herds came into our
2 territory. We have sat at the table with the industry
3 and mining companies telling us that there would be no
4 significant impact, and we have seen that over the time
5 of -- is a significant impact. And we have experienced
6 how the developments that seem far away from us do have
7 a profound impact on our people and their way of life.

8 The distance between us and the Meliadine Mine is
9 not so far from the perspective of the caribou. Now we
10 only have one caribou herd that we depend on, and that
11 is the Qamanirjuaq herd, the same herd that connects
12 all of us here today. Now I'm going to pass it on to
13 my colleague, Katie.

14 MS. RASMUSSEN: Thank you, Mary. Katie
15 Rasmussen, consultant for the Athabasca Dene Ne Ne Land
16 Corporation.

17 Listening to the conversations these past many
18 days and taking part in the technical review, we have
19 outstanding concerns about impacts to caribou and
20 concerns about the caribou protection measures.

21 We have heard the observations of the local
22 harvesters who have told us that, yes, the caribou
23 movements have changed, and we have seen that with the
24 collar data as well. What we see as particularly
25 dangerous for the caribou and for the Athabasca
26 Denesuline people is that Agnico Eagle hasn't

1 acknowledged that the caribou calving has moved into
2 the regional study area of the mine and have not
3 acknowledged that calving caribou may be impacted by
4 the mine.

5 If Agnico Eagle will not acknowledge it, how will
6 they adapt to this new reality and ensure proper
7 mitigation and protection? That is why Athabasca
8 Denesuline believe it is essential, if any part of the
9 extension is approved, to have a term and condition
10 that requires a calving caribou protection plan with
11 heightened caribou protection when the distribution of
12 the calving caribou overlap with the regional study
13 area and that this plan be finalized and put in place
14 well before any extension activities begin.

15 We would like to remind everyone that there is
16 precedent in Nunavut for such a plan at the Back River
17 Gold Mine. They have committed to proactively monitor
18 shifts in the calving grounds, to immediately inform
19 the appropriate parties if an overlap occurs, to
20 trigger heightened protection measures, and to have
21 seasonal operational shutdowns the following year to
22 ensure the protection of the calving caribou. This is
23 the standard of caribou protection measures that we can
24 and must expect for the Qamanirjuaq herd here as well.

25 Now we'll go through our specific recommendations.

26 Due to the uncertainty of impacts of the wind

1 turbines, the impacts that we've heard will happen to
2 local harvesters in that location, and the unacceptable
3 risk of impacting calving caribou at the north end of
4 Meliadine Lake, the Athabasca Denesuline do not support
5 the wind turbines in the proposed location.

6 We request that the Board update the Term and
7 Condition Number 132 to add the Athabasca Denesuline as
8 a responsible party on the terrestrial advisory group.
9 Many of the caribou protections, monitoring, and
10 mitigations are determined through this group, and
11 currently there is no representation from the Athabasca
12 region, creating a gap in knowledge exchange and
13 preventing the Athabasca Denesuline from participating
14 in conversations and decisions that will have a
15 profound impact on them.

16 We continue to request that Agnico Eagle organize
17 a meeting of Elders from all potentially impacted
18 communities specifically to acknowledge and discuss the
19 important change in the calving grounds overlapping
20 with the regional study area. We support the Sayisi
21 Dene and Northlands Denesuline First Nations to be
22 included in these discussions as well.

23 We support the terms and conditions put forward by
24 the Kivalliq Inuit Association. These include new
25 Terms and Conditions 44A to address caribou mitigation
26 and protections and new term and condition to address

1 the cumulative impacts. We also support the proposed
2 revision to Term and Condition 44.

3 We support the revisions to Term and Condition 54
4 proposed by the Kivalliq Inuit Association to develop a
5 specific calving protection plan. We add, however,
6 that we would like to see stronger wording that ensures
7 that any overlap in distribution of the calving caribou
8 will trigger heightened protection, that the definition
9 of overlap of distribution be determined by the
10 terrestrial advisory group, that this plan be agreed
11 upon by the terrestrial advisory group and implemented
12 before any new extension activities begin.

13 And, finally, we want to note that many of these
14 terms and conditions are linked to participation with
15 the terrestrial advisory group. We support these
16 proposed terms and conditions with the anticipation
17 that the Athabasca Denesuline will become part of this
18 group. We have already been working closely and
19 collaborating with many members of the group.

20 If the event should occur that we are not included
21 in the group, we do request that another pathway for
22 Athabasca Denesuline to provide meaningful input into
23 the draft calving protection plan be created. And I'll
24 pass it back to Mary.

25 MS. DENECHZHE: Marsi. On behalf of Athabasca
26 Denesuline Lands Corporation, John (NO ENGLISH FEED)

1 and we visit here today. We came to visit here. I'm
2 very thankful. We'd like to thank you all. Some of
3 our leaders, they went home today, but they advised us,
4 Thank the people for us. They told, Review board and
5 all in this building and community, we'd like to thank
6 you all. We support each other, and you support each
7 other, and it will be grateful. The ones that going
8 home, journey -- go home in a safe way, return to your
9 family, return to your loved ones. In the future we
10 get together again with -- we work together in the
11 future. Any nationality -- or we need to understand to
12 work together, and we'll work together.

13 We came to visit Rankin Inlet today. You guys
14 treated us well, and thank you from the bottom of my
15 heart. May the God bless you. Thank you.

16 THE CHAIR: Next on the agenda are closing
17 remarks from the proponent, Agnico Eagle Mines.
18 Christine Kowbel.

19 Closing Remarks by Agnico Eagle Mines Limited

20 MS. KOWBEL: Thank you, Madam Chair.
21 Christine Kowbel, Agnico Eagle.

22 We're going to begin with just a few -- a few
23 comments to the Board on some of the intervenors'
24 suggested terms and conditions and a few remarks on
25 some conditions and commitments that Agnico Eagle would
26 like to provide to the Board. I provided a filing of

1 some of those to Board counsel, and internet permitting
2 we'll complete those filings momentarily.

3 So first of all we would like to speak to the
4 Government of Nunavut's suggested terms and conditions.
5 We disagree with their suggestions that the Board
6 should make changes to the thresholds. In particular,
7 the GN -- the Government of Nunavut did not provide an
8 evidentiary basis for increasing the distance
9 thresholds to 10 kilometres. As Dr. Atkinson
10 mentioned, the 10-kilometre proposal has not yet been
11 considered by the terrestrial advisory group, and,
12 Madam Chair, I think the existing terms and conditions
13 are clear that it's one of the responsibilities of the
14 terrestrial advisory group to review the terrestrial
15 environment mitigation and monitoring plan on a
16 continual basis, and we trust they will do that.
17 We've, in fact, heard during this hearing that the
18 terrestrial advisory group is looking at an update to
19 the plan this fall. So, in our view, the Nunavut
20 Impact Review Board should maintain the proper role of
21 the terrestrial advisory group to review and provide
22 advice.

23 I'd also like to speak to the Kivalliq Inuit
24 Association's proposed draft terms and conditions, and
25 I should say our comments are given in the context of
26 the existing strong terms and conditions included in

1 the project certificate that are protective of caribou.

2 Those existing terms and conditions were set by
3 the Board when the original project certificate was
4 issued. They've been reviewed in the last few years
5 with the addition of the waterline, and they're very
6 strong, very stringent terms and conditions, Madam
7 Chair, and we appreciate that we all heard how
8 important caribou are during this hearing, and Agnico
9 understands that.

10 With respect to specifics, generally -- the topics
11 included in the suggested new Term and Condition 44A,
12 in our view, are already included in the existing
13 project terms and conditions in other places, and so
14 we've got some notes on that in our submission, but
15 they're very well covered in particular by existing
16 Term and Condition 44.

17 I also want to speak to a few of the sub -- the
18 components of that new 44A that has been suggested.
19 One suggestion is to direct and require the proponent
20 to revise the Commitment 38 analysis in the report.
21 And, Madam Chair, that -- I just want to make sure that
22 there's a good understanding that the Commitment 38
23 report, the caribou analysis update, that is not Agnico
24 Eagle's report. That report is authored by one of
25 Agnico Eagle's independent third-party experts, Dr. Dan
26 Coulton.

1 So respectfully, Madam Chair, it's not open to
2 Agnico Eagle, the terrestrial advisory group, or anyone
3 to direct Dr. Coulton on what he should or should not
4 say in his report. We trust him for his independent
5 advice, and that advice is within the judgment of
6 Dr. Coulton alone, so we don't think the Board should
7 accept that kind of wording or any wording on
8 Commitment 38 at all.

9 But we do -- we have heard that there's a desire
10 for further discussion of that memo, and Agnico Eagle
11 welcomes that discussion, and so we've made a new
12 commitment, "we" being Agnico Eagle. And I'll just ask
13 Manon Turmel to read that in just so you hear it from
14 Agnico Eagle.

15 THE CHAIR: Can you remember to pause
16 between sentences for the interpreter.

17 MS. TURMEL: Manon Turmel, Agnico Eagle.

18 Agnico Eagle appreciates and acknowledges the
19 efforts of the terrestrial advisory group members in
20 respect of the caribou analysis updates. In our view,
21 the caribou analysis updates submitted to the Nunavut
22 Impact Review Board on July 15 satisfies the relevant
23 requirements of Term and Condition 44 and Commitment 38
24 for the reason that we have stated and supports the
25 conclusions of the third-party expert authors.

26 However, Agnico Eagle recognizes that members of

1 the terrestrial advisory group have requested further
2 collaboration and discussion with respect to the
3 analysis. Agnico Eagle commits to adding an agenda
4 item to the upcoming October 23rd terrestrial advisory
5 group meeting to determine a path forward together with
6 the other terrestrial advisory group members for
7 additional collaboration and discussion, including a
8 schedule for, one, exchanging written comments on the
9 July 15 update submitted to Nunavut Impact Review
10 Board; two, any additional opportunities for
11 discussions; and, three, issuance of written responses
12 to comments or a revised V2 of a memo, if deemed
13 appropriate by its authors.

14 The target for completion of these steps is
15 March 2024. TAG recommendations -- terrestrial
16 advisory group recommendations and advice will be
17 issued following the process set out in the terms of
18 reference per Term and Condition 132.

19 Should any terrestrial advisory group member
20 organizations have further outstanding concerns after
21 steps above, it's also open to them to issue their own
22 report on the same topics following the methods and
23 study design developed at the terrestrial advisory
24 group for the caribou analysis update.

25 Additional discussions, actions regarding this
26 update are not intended to delay the current initiative

1 to finalize the terrestrial environment mitigation and
2 monitoring plan Version 5 update. That is the primary
3 focus of the October 2023 terrestrial advisory group
4 meeting.

5 MS. KOWBEL: Thank you, Manon. Christine
6 Kowbel, Agnico Eagle legal counsel.

7 So just a few further points, Madam Chair. We've
8 heard many confirmations during this hearing that the
9 terrestrial advisory group is a good group, functioning
10 well. With respect to Term and Condition 44A proposed
11 by KivIA -- or -- sorry -- Kivalliq Inuit Association,
12 we do not agree the Board should accept the recommended
13 language regarding decision-making, and that is because
14 there is already an agreed process for making
15 terrestrial advisory group recommendations and advice.
16 That process is included in the terms of reference that
17 have been filed with NIRB, and the terms of reference
18 were reviewed by the parties to the TAG, and everyone
19 agreed on those. And, as we said, we think it's going
20 to function quite well and continue to function quite
21 well, and so we don't think there should be a term and
22 condition that potentially conflicts with that or
23 changes that approach.

24 On the request for a stand-alone calving
25 protection plan, Agnico Eagle has suggested that idea
26 could be addressed by a new condition which requires

1 Agnico Eagle to add a section to the next Version 6
2 update of the terrestrial environment monitoring and
3 investigation plan, and that new section would
4 specifically address calving caribou and calves and, of
5 course, to be discussed with the TAG -- the update to
6 be discussed with the TAG, terrestrial advisory group
7 in accordance with the terms of reference.

8 And I should emphasize, Madam Chair, that Agnico
9 Eagle does already have existing measures that are also
10 protective of caribou and their calves, but a section
11 could be added to the existing plan. And just as an
12 example, one practical issue with a separate
13 stand-alone plan is that in the field you don't want to
14 have to wonder what plan applies. It's better to have,
15 in our view, all the measures in one plan so there's
16 just one reference point. We just don't want to create
17 any confusion.

18 And then one final point, Madam Chair, regarding
19 the suggestion about a cumulative impact analysis of
20 the caribou population scale. In Agnico Eagle's view,
21 this is not an analysis that would be appropriate for
22 an individual proponent to undertake. There is an
23 existing term and condition that encourages Agnico
24 Eagle to take into account regional studies. The type
25 of regional study suggested might be a project that
26 perhaps another government party, such as the

1 Government of Nunavut, might wish to undertake if they
2 wish to do that, but, in our view, this type of
3 regional study is beyond the scope of the project.

4 And, again, Madam Chair, a very comprehensive
5 analysis of caribou has already -- caribou movement has
6 already been undertaken in the caribou analysis update.

7 I think those are all my submissions on proposals,
8 terms and conditions, and so I will pass it now back to
9 Manon to complete Agnico Eagle's closing remarks.

10 MS. TURMEL: Manon Turmel, Agnico Eagle.

11 First, I want to give my condolences to all of the
12 hearing participants that lost loved ones this week.
13 We are very sorry for your losses.

14 I would like to thank our hosts for this past
15 week, the community of Rankin Inlet. I would also like
16 to thank all of the community representatives and
17 intervenors who have come to these hearings and
18 participated in such a meaningful way giving us your
19 experience and knowledge to help us develop a better
20 project. Thank you to the interpreters.

21 I want to thank the Agnico Eagle team for their
22 dedication and a special thank you to David
23 Kritterdlik. You have been so generous in sharing
24 advice with us. We are very grateful to you.

25 We would like to thank the Board and the Board
26 staff for the opportunity that you have provided to

1 Agnico Eagle and all intervenors and interested parties
2 to address all issues relating to the Meliadine
3 extension proposal in a very thorough and constructive
4 way.

5 In our closing statement, we would like to provide
6 a brief summary of issues and how they've been
7 addressed by Agnico Eagle during the review of the
8 proposal and through the public hearing.

9 The Board clarified the scope in Part 2.1 of the
10 prehearing conference report of December 22, 2022. The
11 scope can be seen to include two basic components:
12 extension of mining operations for an additional
13 11 years and associated activities, and construction
14 and operation of a wind farm.

15 The extension is not dependent on the wind farm
16 proposal. The Board may recommend approval of the
17 extension proposal, and the Board may make a separate
18 recommendation respecting the wind farm proposal. In
19 this closing statement, we will first address the wind
20 farm proposal and then the extension proposal.

21 During the review of the mine project in 2014, the
22 Kivalliq Inuit Association requested a term and
23 condition that Agnico Eagle develop a greenhouse gas
24 reduction plan. The Board supported this request and
25 included Term and Condition 9 in the project
26 certificate requiring us to consider options for

1 reducing dependence on diesel fuel and reducing
2 greenhouse gas emissions.

3 Agnico Eagle has set an objective to reduce its
4 greenhouse gas emissions by 30 percent by 2030. We
5 developed a plan to generate energy from a wind farm,
6 which would replace up to 30 percent of the
7 diesel-generated energy and reduce our greenhouse gas
8 emissions.

9 The Government of Canada has also set objectives
10 for reducing carbon emissions and has imposed a carbon
11 tax, currently at \$65 per tonne and increasing up to
12 \$170 per tonne in 2030. Carbon taxes will cost Agnico
13 Eagle over \$20 million per year at the Meliadine Mine
14 when the increase comes into effect.

15 The purpose of the carbon tax is to provide an
16 incentive to reduce emissions, and we are committed to
17 pursue our objective to reduce emissions. All parties
18 at the hearing are supportive of measures to reduce
19 carbon emissions.

20 We recognize that there are many concerns with
21 respect to the proposed location of the wind farm and
22 with respect to the mitigation measures, which we
23 believe the 5-kilometre buffer is conservative and
24 adaptable and have provided evidence in support of this
25 recommendation. Taking these into concerns -- taking
26 these concerns into account, we have modified our

1 position.

2 A wind farm can reduce greenhouse gas emissions at
3 the Meliadine Mine. What we learn from that wind farm
4 could help other mining operations and even communities
5 reduce dependence on diesel. We heard very clearly
6 that hearing participants would like to see the wind
7 farm in a different location, and so we made a
8 commitment. This commitment can form a basis for the
9 Board to include a term and condition in the project
10 certificate, which approves the concept of a wind farm
11 and provides direction to Agnico Eagle and Kivalliq
12 Inuit Association to work together to find an agreeable
13 location for a wind farm. We're asking for the Board's
14 support to continue down this path. I will read in our
15 commitment now.

16 In order to reduce greenhouse gas emissions as per
17 Term and Condition 9 from the project, Agnico Eagle may
18 proceed with construction and operation of a wind farm
19 for the Meliadine Mine subject to the following:
20 Agnico Eagle and Kivalliq Inuit Association will
21 proceed with discussions regarding potential locations
22 of wind turbines taking into account information shared
23 during the Meliadine extension Nunavut Impact Review
24 Board process.

25 After location is agreed by the Kivalliq Inuit
26 Association, a supplemental report on environmental

1 information respecting the agreed location will be
2 prepared by Agnico Eagle.

3 This report will then be provided to the Nunavut
4 Impact Review Board at least six months prior to
5 planned construction for Nunavut Impact Review Board
6 consideration.

7 The wind farm management plan will also be
8 discussed with the terrestrial advisory group. After
9 the processes set out in this commitment are completed,
10 installation of wind turbines would proceed in a phased
11 approach, which would involve an initial installation
12 of up to three wind turbines, and installation and
13 operation of any future wind turbines up for a total of
14 11 would be based on monitoring results from the
15 initial wind turbine phase.

16 Going to the extension proposal, the
17 infrastructure and operations of the current Meliadine
18 Mine are already approved under project certificate.
19 All of the associated documentation is on the Nunavut
20 Impact Review Board registry. For the purpose of the
21 Meliadine extension proposal, it is only the proposed
22 changes and the mine life extension which are within
23 the scope of the Board's review.

24 The extension proposal is largely within the
25 approved mine footprint and, in fact, includes
26 optimization on footprint compared to the 2014

1 assessment.

2 Evidentiary issues are addressed by the Board in
3 the final hearing report of October 2014. Agnico Eagle
4 recognize that it has the onus of assessing the
5 anticipated ecosystemic and socioeconomic impact of the
6 changes to facilities and activities within the scope
7 of the extension proposal.

8 Agnico Eagle is confident that this requirement
9 has been met through the assessment of 2022, responses
10 to information requests, supplemental reports and
11 studies, responses to written submissions, and evidence
12 provided through the final hearing.

13 In its final hearing report of October 2014, the
14 Board also noted that other participants in the review
15 must also meet the burden of proof for specific
16 information or assertions offered to the Board and must
17 provide the Board with sufficient information to
18 support that party's position.

19 Agnico Eagle is confident that its assessments and
20 its current monitoring and mitigation measures meet the
21 precautionary principle and includes adaptive
22 management.

23 We heard throughout the review process that
24 caribou is very important. Protection of caribou is
25 very important for us as well. The terrestrial
26 environment management and monitoring plan, the

1 monitoring measures and mitigation measures included in
2 that plan include designing roads to facilitate caribou
3 crossing, providing caribou with the right-of-way on
4 all roads and stopping traffic, monitoring of caribou
5 movement and numbers, and caribou behaviour monitoring.

6 Protocols provide for work suspension at the mine
7 site operations when 50 or more caribou are at
8 5 kilometre for site activities and suspension of mine
9 traffic on the all-weather access road when 50 or more
10 caribou are within 100 metres from the road.

11 The caribou protection measures, including
12 monitoring and decisions for implementing work in
13 traffic suspension under the protocols, are carried in
14 collaboration with members of the Kivalliq Inuit
15 Association, the Kangiqliniq Hunters and Trappers
16 Organization, and Inuit and Inuit youth that are part
17 of our environment department.

18 The Board has heard that the collaboration is
19 working well before and during the migration for both
20 monitoring and protocol decisions.

21 We've also heard that until you've been at site
22 and have really felt the migration, it's difficult to
23 really understand. Traditional knowledge and Inuit
24 Qaujimagatugangit are at the centre of this
25 collaboration process, and protocols have evolved over
26 the years based on lessons learned in the field. We

1 are looking forward to continue working with the
2 Kivalliq Inuit Association and the Kangiqliniq Hunters
3 and Trappers Organization before, during, and even
4 after the migration.

5 In the 2014 hearing report, it was recognized that
6 the project would have some effects on migration
7 patterns, which would be low in magnitude. It was also
8 recognized that caribou would interact with the project
9 during the post-calving period. Agnico Eagle developed
10 the terrestrial plan to comply with the Nunavut Impact
11 Review Board's requirements for a wildlife monitoring
12 and mitigation plan.

13 The evidence provided by Agnico Eagle is that the
14 caribou protection measures are working and are
15 effective. Caribou are crossing the all-weather access
16 road, as shown in the Government of Nunavut animations
17 of collared caribou. Caribou are interacting with the
18 mine site and road to a greater extent than assumed or
19 predicted in 2014.

20 Caribou are migrating through the regional study
21 area and the local study area without significant
22 deterrence during the post-calving and summer
23 migrations.

24 As stated by the Agnico Eagle expert consultant at
25 the final hearing, this means that the impact of the
26 mine and all-weather access road are less than

1 predicted in 2014.

2 A number of parties had concerns about the
3 movement of calving, post-calving, and summer grounds
4 over time. This movement is documented by Agnico Eagle
5 consultants in the May 19, 2023, memo titled "Meliadine
6 Mine Caribou Movement Mapping", and please refer to the
7 same memo reissued with corrections on August 18.

8 This memo analyzed collar data to create heat maps
9 showing caribou distribution grounds for calving,
10 post-calving, and summer and pre-construction, 1993 to
11 2011; advanced exploration from 2012 to 2017; and
12 construction and operation from 2018 to 2022.

13 The calving grounds moved north by approximately
14 80 kilometre over these periods. Table 3-1 shows
15 overlaps between the regional study area and the local
16 study area for calving, post-calving, and summer.
17 Calving went from 0 percent overlap with the regional
18 study area pre-construction to 2.6 percent during
19 construction and operation.

20 Calving does not overlap with the local study area
21 in any period. It can be anticipated that the calving
22 grounds may continue to move north away from the
23 regional study area and the local study area.

24 The Brownian Bridge memo concluded avoidance of
25 infrastructure, road, or mine is not apparent in
26 qualitative assessment. As noted above, this means

1 that the impacts predicted in the 2014 assessment,
2 which was that caribou would be deterred from
3 infrastructure, were conservative. The experience in
4 the field is that the mine and road have had less
5 deterrent impact on caribou movement than predicted.

6 As we have shown, the increased presence of
7 caribou within 5 kilometre of the mine site during
8 post-calving and summer has resulted in an increase in
9 the shutdown days for the mine and road. This shows
10 that the caribou protection measures are flexible and
11 adaptive in response to increase or decrease of caribou
12 presence.

13 The Government of Nunavut animation was coming
14 from an information request from the Kivalliq Inuit
15 Association, a request made over a year ago. Agnico
16 Eagle is still confused as to why it took 53 weeks for
17 the Government of Nunavut to bring this in front of the
18 Nunavut Impact Review Board and all parties as part of
19 this Nunavut Impact Review Board process. The
20 Government of Nunavut animation of caribou movement
21 based on collar data demonstrated that caribou
22 migration patterns shift year to year within the
23 regional study area and local study area and that
24 caribou are migrating through the regional study area
25 and the local study area and following migration paths
26 across the road.

1 In all years mine operations and mine road traffic
2 were suspended to ensure that caribou could move
3 through, and in most years the caribou went straight
4 across.

5 During the waterline application process, Agnico
6 Eagle made Commitment 38, a commitment to do a detailed
7 analysis of caribou movements related to the mine and
8 all-weather access road. The process for completing
9 the analysis was summarized in Slides 25 and 26 of our
10 presentation, "Caribou in Meliadine Mine, the Response
11 to the GN Animation".

12 After detailed data analysis of collar data
13 statistical modelling, the report concluded the results
14 of Commitment 38 analysis indicated intrapopulation
15 variability by collared Qamanirjuaq caribou in response
16 to different environmental factors, that collared
17 caribou movement behaviour is best predicted by natural
18 factors and no measurable presence of an adverse
19 response by collared caribou to the road or mine.
20 Again, this confirms that the mine and road are less of
21 a deterrent to caribou movement than predicted in 2014.

22 Any proposal such as those of the Government of
23 Nunavut to change the caribou protection measures
24 should be referred to the advisory group, which
25 includes input from science, on-site monitoring,
26 traditional knowledge, Inuit Qaujimajatuqangit.

1 The Board has not been provided with sufficient
2 evidence to change the caribou protection measures or
3 thresholds through term and conditions. In our view,
4 the existing measures also provide the necessary and
5 reasonable balance of mining operations in the north
6 with appropriate and responsive mitigation.

7 THE CHAIR: If you can pause between
8 sentences for the interpreter.

9 MS. TURMEL: Yes. Thank you.

10 We have listened carefully to the questions and
11 concerns raised by the communities in the Kivalliq
12 region and by the Dene representatives. We know that
13 there are -- they are concerned about the caribou and
14 water quality. We are confident that we have addressed
15 their concerns through the caribou protection measures
16 and our water quality management.

17 No changes in terms and conditions are required
18 with respect to Meliadine Lake. The volume of water to
19 be discharged is within the limits approved under the
20 current project certificate. The discharge will meet
21 all conditions set under the water licence. Water
22 quality in Meliadine Lake will continue to meet all
23 guidelines and limits for the protection of aquatic
24 life, human health, and drinking water standards.

25 The representatives from the Kivalliq Inuit
26 Association confirm that all water samples have shown

1 that Meliadine Lake water is safe and healthy.

2 As you've heard, Kivalliq Inuit Association and
3 Agnico Eagle have come to an agreement on a commitment
4 to help address community concerns and will work
5 together to hold a community open house on water
6 matters to provide more opportunity to share
7 information and collaborate with the community, and we
8 are looking forward to continued collaboration with the
9 Kivalliq Inuit Association on that matter.

10 The Board should not accept the department of
11 Fisheries and Oceans Canada request for terms and
12 condition requiring Agnico Eagle to monitor
13 Rankin Inlet for invasive species or to monitor the
14 underwater noise from third-party supply ships.

15 First, there is no change in shipping practices
16 under the extension proposal. Under our shipping
17 management plan, the third-party supply ships are
18 required to mitigate impacts by avoiding sensitive
19 areas and maintaining slow speeds. These measures have
20 been adjusted following discussions with the
21 communities along the shipping route, and we're looking
22 forward to continue engaging with them.

23 Second, the third-party supply ships are only a
24 small fraction, 6 percent, of shipments in the region.
25 They do not discharge ballast water as they come in
26 full and take on ballast for the return trip. They

1 comply with all regulations under the Fisheries Act,
2 the Canada Shipping Act, and the Arctic Waters
3 Pollution Prevention Act.

4 Third, Fisheries and Oceans Canada has provided no
5 evidence to support its request for these new terms and
6 conditions. In our view, they are raising issues that
7 are outside the scope of this review, and we ask that
8 the Board decline to accept these recommendations.

9 The socioec benefits of the extension proposal are
10 significant. We summarize those benefits in our
11 presentation at this final hearing, and these include
12 benefits to employment, training, business
13 opportunities, and revenues to the Inuit organizations
14 and to the government.

15 In conclusion, the Board may make separate
16 recommendations with respect to the extension proposal
17 and the wind farm proposal.

18 With respect to the extension proposal, we are
19 confident that we have met the requirements to show
20 that the proposal will have significant socioeconomic
21 benefits, and that with the application of monitoring
22 and mitigation measures, there will not be significant
23 environmental effects. We ask that the Board recommend
24 approval of the extension proposal.

25 THE CHAIR: Before you --

26 MS. TURMEL: And with respect to -- oh --

1 THE CHAIR: Before you continue, we're
2 going to take a 15-minute break.

3 MS. TURMEL: I have two more paragraphs.

4 No worries. Thank you.

5 (ADJOURNMENT)

6 THE CHAIR: Welcome back, everyone.

7 Continuing with Agnico Eagle's closing remarks.

8 Manon Turmel.

9 MS. TURMEL: Manon Turmel, Agnico Eagle.

10 With respect to the wind farm proposal, we have
11 modified our position. For clarity, this is Agnico
12 Eagle's commitment. We're not suggesting it is a
13 commitment of anyone else.

14 We have made a commitment that can form the basis
15 for a project certificate condition for this aspect of
16 the application. We request that the Board recommend
17 approval of a wind farm subject to location as it shows
18 we have listened to the comments and concerns.

19 We also wish to emphasize to the Board that terms
20 and conditions must be reasonable and be implementable.
21 We have an existing comprehensive project certificate.
22 We appreciate that the Board will take care to avoid
23 duplicating requirements that are already included in
24 the existing approval. We also ask the Board to take
25 care to include terms and conditions that are within
26 the ability of Agnico Eagle to achieve.

1 Thank you, Madam Chair. Matna. Mahsi Cho.
2 Merci. Safe travels home, everyone. We'll see you
3 again.

4 Closing Remarks by Nunavut Impact Review Board

5 THE CHAIR: On behalf of the Nunavut
6 Impact Review Board, I would like to thank the
7 proponent and all the registered intervenors for their
8 participation leading up to this public hearing and
9 their presentations, comments, and questions provided
10 to us during this week and -- and last here in Rankin
11 Inlet. The Board is grateful for your participation,
12 sharing your knowledge, offering your advice, and
13 answering questions.

14 The Board recognizes that we may have different
15 mandates and perspectives, but we all have a collective
16 responsibility to listen to each other, share our
17 views, and work together. We thank everyone for your
18 participation. And also the Elders. Thank you very
19 much. You have provided us with -- with your wise
20 knowledge. You have made us understand that we have to
21 work properly together.

22 The Board would also like to recognize the
23 significant sacrifice of the community representatives
24 who gave up their time to travel here to Rankin to help
25 make the community roundtable a success. Thank you to
26 the members of the public who have spoken during the

1 hearing and shared your heartfelt views and important
2 information with us. Thank you to the intervenors and
3 the proponent for your contributions to a thorough
4 technical review of the proposal. You have all made
5 significant contributions to the Board's consideration
6 of the Meliadine extension proposal.

7 The Board would also like to thank the community
8 of Rankin Inlet for hosting us this week. I would like
9 to turn the microphone to Tara Arko, the Board's
10 director of technical services, for some specific
11 thank-yous on behalf of the Board.

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

14 We have now completed eight days of hearings
15 through two weeks for this proposal, and it has taken a
16 lot of effort by a lot of people to make these hearings
17 happen and make them go as smoothly as they have.

18 On behalf of the staff of the Nunavut Impact
19 Review Board, we would like to offer our thanks to the
20 following individuals and groups from Rankin Inlet:
21 first to the community in general and the hamlet staff
22 for being so welcoming, keeping the hall in good order,
23 ensuring equipment is secure each night, and helping us
24 plan additional evening sessions around bingos and
25 other community activities. We'd like to thank the
26 hotels here in town and their staff as well as the many

1 residents of Rankin Inlet who opened their homes to
2 billet out-of-town visitors. Your hospitality is
3 sincerely appreciated. To the caterers for ensuring we
4 have coffee, tea, and good food during sessions to fuel
5 all of our thoughts. We would like to thank Veronica
6 for being local support to the meetings and keeping us
7 connected to necessary resources.

8 And we'd especially like to thank the audio-visual
9 support provided by Ryan Dempster and Pido Productions
10 as well as his epic production screen; the court
11 reporters, Sandra and Derek; and, of course, our
12 interpreters Josie, Mary Rose, Bernadette, Verna,
13 Daniel, and Nancy. Each of these individuals helped to
14 ensure that everyone that spoke could be heard, could
15 be understood, and their words set into the public
16 record for all to see.

17 And finally into leading up to these meetings,
18 we'd like to appreciate Martha who helped organize and
19 connect a lot of the details that played out through
20 the meeting. Thank you to all the government
21 departments, Inuit organizations, and other groups who
22 have participated through this assessment and in this
23 hearing. We've seen a tremendous amount of effort
24 undertaken by all participants in this assessment.
25 Your submissions, comments, and advice have been
26 greatly appreciated by the Board throughout, and the

1 Nunavut Impact Review Board appreciates that many of
2 the experts and knowledge holders travelled great
3 distances from home in order to join us for these
4 meetings. Those who were not able to secure
5 accommodations, we appreciate you supporting online.
6 Through these meetings we have heard the deep personal
7 investment into the comments, knowledge, and experience
8 shared here to inform the Board as they go to make
9 their decision.

10 Thank you to Agnico Eagle for your respectful and
11 professional attitude throughout this review and
12 efforts to answer questions and provide information.
13 The Agnico Eagle representatives have done well to
14 respect the Board's process, need for transparency,
15 meaningful public engagement, and provide responses to
16 the many questions from our Board, staff, intervenors,
17 and the public.

18 As director of technical services for the Board, I
19 would like to extend a special thank you to the Board's
20 legal counsel and the staff that are here, acknowledge
21 the support from our executive director online, as well
22 as the staff back in the Cambridge Bay office working
23 very hard through the days both leading up to the
24 hearing and to ensure the smooth transfer of
25 information throughout so that we could be inclusive of
26 those online.

1 For events like this, it is often easy to overlook
2 the little things, how the coffee and catering arrive
3 out of nowhere just in time, how the room is kept clean
4 and tidy between sessions, as well as the efforts to
5 keep all of us comfortable throughout the meetings and
6 able to focus on the task at hand.

7 I would like to thank the Board members for their
8 patience and direction. As staff, we truly appreciate
9 the example that you set, your patience and dedication,
10 as well as your continued professionalism on this and
11 all of the Board's assessments.

12 And an additional thank you and acknowledgement to
13 the Nunavut Water Board staff and board members who
14 participated in the site visit as well as attending the
15 hearing in preparation for their technical meetings.
16 If anybody's interested, the Nunavut Water Board will
17 be holding its technical meeting back here in Rankin
18 Inlet, from October 12th to 13th, 2023.

19 Thank you, Madam Chair. That's it for me.

20 THE CHAIR: As this is the closing of the
21 public hearing, I will conclude my remarks by letting
22 everyone know what happens next.

23 With respect to the closing of the public hearing
24 record for the Nunavut Impact Review Board's assessment
25 of Agnico Eagle Mines Limited's Meliadine extension
26 proposal, recognizing the substantive nature of

1 commitments and recommended amendments to the terms and
2 conditions of the project certificate received today,
3 the Board has directed that the public hearing record
4 remain open for the Board to properly review these new
5 submissions and to determine whether and to what extent
6 additional information may be necessary for the Board
7 before the Board can engage in decision-making. The
8 Board will issue updated guidance on this in due
9 course. This public hearing is now adjourned.

10 I would like to end our time here with the same
11 way as it began, with a prayer. I ask Eva Elytook to
12 provide us with a closing prayer.

13 Closing Prayer

14 THE CHAIR: Thank you, Eva. Thank you,
15 Eva, for closing in prayer.

16 As you leave the hall, please remember to turn off
17 your headsets, put them on the table by the hall doors
18 as you leave, and clean up your seating area. Thank
19 you to everyone, and we hope you have safe travels
20 home. And we'll do some door prizes before everyone
21 leaves.

22

23 PROCEEDINGS ADJOURNED

24

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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.

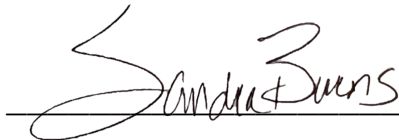
8 Dated at the City of Edmonton, Province of
9 Alberta, this 9th day of October 2023.

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Sandra Burns, CSR(A), RPR, CRR

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Official Court Reporter

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Derek Lopez, CSR(A), RPR

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Official Court Reporter

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