

NUNAVUT IMPACT REVIEW BOARD

WHALE TAIL PIT EXPANSION PROJECT PROPOSAL

NIRB FILE NUMBER 16MN056

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HEARING

VOLUME 1

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Baker Lake, Nunavut

August 26, 2019

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1 Proceedings taken at Baker Lake Community Hall,  
 2 Baker Lake, Nunavut

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4 August 26, 2019 Morning Session

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6 NUNAVUT IMPACT REVIEW BOARD

7 K. Kaluraq Chair of Hearing

8 P. Kadlun Vice-Chair

9 G. Alikut Board Member

10 C. Emrick Board Member

11 U. Puqignak Board Member

12

13 NUNAVUT IMPACT REVIEW BOARD STAFF

14 T. Meadows Legal Counsel

15 R. Barry Executive Director

16 T. Arko Director of Technical Services

17 S. Granchinho Manager, Impact Assessment

18 E. Reimer Technical Advisor I

19 L. Atatahak Secretary/Receptionist

20 A. Omilgoitok Environmental Administrator

21 B. Beattie Environmental Technologist

22

23 INTERVENORS

24

25 AGNICO EAGLE MINES LIMITED

26 C. Kowbel Legal Advisor

1	K. Bergner	Legal Advisor
2	J. Quesnel	Regional Manager, Permitting
3		and Regulatory Affairs
4	P. Lapointe	Superintendent Permitting and
5		Regulatory Affairs
6	M. Groleau	General Supervisor, Permitting
7		and Regulatory Affairs
8	M. Turmel	Permitting Lead, Nunavut
9	C. Kennedy	Technical Specialist
10	C. Squires	Senior Coordinator
11	C. Ramcharan	General Supervisor Community
12		Relations
13	R. Allard	General Supervisor Interim
14	S. Leclair	Community Affairs
15		Superintendent
16	L. Chouinard	General Manager Meadowbank
17	M. Beaucage	Nunavut Senior Community
18		Coordinator
19	G. Côté	General Supervisor
20	B. Boucher	Superintendent, Human
21		Resources
22	C. de la Mare	Environmental Specialist
23		(Golder)
24	J. Faithful	Principal, Senior Water
25		Quality Specialist (Golder)
26	C. McNaughton	Environmental Engineer

1		(Golder)
2	C. Stevens	Associate, Aquatic Biologist
3		(Golder)
4	J. Range	Project Coordinator (Golder)
5	A. Amendola	Senior Risk Assessor (Golder)
6	M. O'Kane	Senior Technical Advisor (OKC)
7	M. Setterington	Senior Terrestrial Biologist
8		(EDI)
9	A. Franke	Principal Investigator (Arctic
10		Raptors Project)
11	G. Sharam	Technical Director (ERM)
12		
13	KIVALLIQ INUIT ASSOCIATION	
14	K. Gilson	Legal Counsel
15	L. Manzo	Director of Lands
16	K. Poole	Wildlife Biologist
17		
18	BAKER LAKE HUNTERS AND TRAPPERS ORGANIZATION	
19	R. Aksawnee	Chairman
20	Dr. W. Bernauer	Consultant
21		
22	GOVERNMENT OF NUNAVUT	
23	E. Stockley	Legal Counsel
24	S. Pinksen	Deputy Minister
25	E. Taylor	Project Manager Socioeconomic
26		Monitoring

1	D. Haney	Project Manager Impact
2		Assessment
3	B. Pirie	Project Manager Research and
4		Monitoring
5	A. Robinson	Acting Director Environmental
6		Protection Division
7	Dr. S. Atkinson	Technical Wildlife Consultant
8		
9	CROWN-INDIGENOUS RELATIONS AND NORTHERN AFFAIRS CANADA	
10	S. Dewar	Director of Resource
11		Management
12	F. Ngwa	Manager of Impact Assessment
13	D. Abernethy	Regional Socioeconomic Analyst
14	S. Qazi	Senior Environmental
15		Assessment Specialist
16	R. Tookoome	Social Policy Officer
17	J. Walsh	Senior Environmental Policy
18		Analyst
19	T. Brown	Senior Technical Advisor for
20		Arcadis
21	S. Gruda-Dolbec	Department of Justice
22		
23	ENVIRONMENT AND CLIMATE CHANGE CANADA	
24	M. Pinto	Senior Environmental
25		Assessment Coordinator
26	B. Asher	Senior Air Quality Analyst

1

2 DEPARTMENT OF FISHERIES AND OCEANS CANADA

3 M. D'Aguiar Senior Biologist

4 M. Janowicz Regional Manager for

5 Regulatory Reviews

6 B. Tracz Biologist

7

8 HEALTH CANADA

9 P. Partridge Regional Environmental

10 Assessment Specialist

11

12

13 NATURAL RESOURCES CANADA

14 P. Unger Senior Environmental

15 Assessment Officer

16 J. Quinn Senior Environmental Advisor

17

18 INTERPRETERS/TRANSLATORS

19 J. Tucktoo Language Translator

20 M. Angoshadluk Language Translator

21

22 C. Longacre, RPR, CSR(A) Official Court Reporter

23 A. Vidal, CSR(A) Official Court Reporter

24

25 (PROCEEDINGS COMMENCED AT 9:00 AM)

26 Opening Remarks

1 THE CHAIR: Kaviq Kaluraq, and I'm the  
2 acting chairperson the NIRB -- before we proceed, I  
3 would like to let everyone know that there will be  
4 interpretation available throughout the meetings, and  
5 the interpreters -- Channel 0 for our sound; Channel 1,  
6 English; Channel 2, Inuktitut. And there -- in the --  
7 when you come in, there's a sign-up sheet. If you  
8 didn't sign, please go and sign. And there's washrooms  
9 at -- located outside this room in the lobby area.  
10 Exits are located at the rear of the room and on the  
11 side and through the main doors to the lobby. There's  
12 coffee available. Just before we begin, if you have a  
13 cell phone please shut off your cell phone -- turn it  
14 off. I'm going to ask Lucassie Nakoolak to start off  
15 with the opening prayer.

16 Opening Prayer

17 THE CHAIR: I have the mayor. (OTHER  
18 LANGUAGE SPOKEN)

19 MR. ATTUNGALA: Good morning. (OTHER LANGUAGE  
20 SPOKEN). On behalf of the Hamlet Council of Baker  
21 Lake, I'd like to welcome you guys back to Baker --  
22 Baker, our beautiful community, NIRB Board, Agnico  
23 Eagle, federal government. (OTHER LANGUAGE SPOKEN)

24 THE CHAIR: On behalf of the Nunavut  
25 Impact Review Board, welcome to Baker Lake and to the  
26 public hearing for Agnico Eagle Mines Limited Whale



1 Tail Pit Expansion Proposal NIRB File Number 16MN056.  
2 This proposal involves the proposed amendment to the  
3 approved Whale Tail Pit Gold Mine operated by Agnico  
4 Eagle, north of Baker Lake and north of Meadowbank Gold  
5 Mine. Thank you to the community of Baker Lake for  
6 hosting us.

7 Throughout this public hearing, the Nunavut Impact  
8 Review Board will be hearing evidence, asking  
9 questions, and listening to comments and concerns  
10 regarding Agnico Eagle's assessment of the potential  
11 effects for the Whale Tail Pit Expansion Proposal.  
12 Agnico Eagle's assessment has been set out in an  
13 addendum to its final environmental impact statement  
14 for the Whale Tail Pit Gold Mine Project, which has  
15 been reviewed and commented on by the intervenors  
16 presenting at this hearing. We have a community round  
17 table scheduled as part of this hearing where community  
18 representatives and the general public will have an  
19 opportunity to express their views and ask questions of  
20 Agnico Eagle and the intervenors regarding this  
21 proposed project amendment.

22 After the public hearing has concluded, based on  
23 all the evidence, information, comments, and concerns  
24 provided to the Board throughout the assessment, the  
25 Nunavut Impact Review Board will determine whether or  
26 not the proposed amendment should be allowed to proceed

1 and, if so, whether any changes or additions to the  
2 terms and conditions of the existing Whale Tail Pit  
3 project certificate are required.

4 The Board will provide its final report and  
5 recommendations to the Minister of Crown-Indigenous  
6 Relations and Northern Affairs and other responsible  
7 government ministers for consideration. The  
8 responsible ministers will then have the option of  
9 accepting, varying, or rejecting the Board's report and  
10 associated recommendations as set out under the Nunavut  
11 Agreement and the Nunavut Planning and Project  
12 Assessment Act.

13 Moving on to introductions, I'm the acting chair  
14 of the Board. I'm from Baker Lake, and I have served  
15 continuously with the Board since my first term, 2010.  
16 I'll ask each of my fellow Board members to take a  
17 moment to introduce themselves.

18 MR. ALIKUT: Thank you, Ms. Chair. My name  
19 is Guy Alikut, and I'm from Arviat and also a Board  
20 member for NIRB.

21 MS. EMRICH: Thank you, Madam Chair. My  
22 name is Catherine Emrich, from Calgary, Alberta --  
23 (OTHER LANGUAGE SPOKEN)

24 MR. KADLUN: I'm Phillip Kadlun, Nunavut  
25 Impact Review Board, Vice Chair, and I'm from  
26 Kugluktuk.

1 MR. PUQIQNAK: Uriash Puqiqnak. I'm from Goa  
2 Haven and also Board member for NIRB.

3 THE CHAIR: The Board has several staff  
4 members attending who have contributed to the NIRB's  
5 administration and technical review of this project  
6 proposal as well as our legal counsel. When I say  
7 their name, I ask that the staff wave so that people  
8 can see them. Teresa Meadows, (OTHER LANGUAGE SPOKEN);  
9 Ryan Barry, executive director; Tara Arko, director of  
10 technical services; Sophia Granchinho, manager, impact  
11 assessment; Erin Reimer, technical advisor; Lena  
12 Atatahak, sitting over there, secretary/receptionist;  
13 Andrea Omilgoitok, environmental administrator; Brydon  
14 Beattie, environmental technologist.

15 We have two interpreters available today for  
16 simultaneous interpretation: Mary Rose Angoshadluk and  
17 the NIRB interpreter/translator Josie Tucktoo.

18 Our environmental technologist Brydon Beattie will  
19 be assisting us with our audio system. If you are  
20 having trouble with being able to hear through the  
21 headsets or speakers, please let Brydon know.

22 To ensure an accurate record of the public  
23 hearing, we'll be keeping a transcript of these  
24 proceedings. We have Christy Longacre and Andres  
25 Vidal, court reporters from Dicta Court Reporting, here  
26 to prepare the transcript. I ask that all parties

1 please state their name every time prior to speaking to  
2 assist the court reporters in preparing an accurate  
3 transcript.

4 I would also like to notify all participants that  
5 these proceedings are open to the media, should they  
6 choose to attend. If possible, we do ask that media  
7 wear a press badge or similar ID throughout these  
8 meetings so that it's clear to the parties who you're  
9 here representing.

10 If there are any members of the media in the room,  
11 I would ask that they please take a moment to introduce  
12 themselves now.

13 The Board welcomes the media providing information  
14 about this public hearing to those who cannot be in  
15 attendance in person; however, I remind everyone that  
16 the Board members and staff cannot and will not take  
17 questions or provide comments to the media, the  
18 parties, or anyone else regarding these proceedings  
19 until the Board makes its determination and issues its  
20 written report and recommendations publicly.

21 As many of you know, Baker Lake is my home  
22 community, and some of you might be wondering whether  
23 community members can just provide their comments about  
24 the Whale Tail Pit Expansion Project to me directly.  
25 This is not the way the Board operates. As you will  
26 see over the next four days, the Board welcomes

1 receiving information, questions, and comments from the  
2 communities throughout the public hearing and  
3 particularly during the community roundtable. But we  
4 ask that all parties wishing to get information before  
5 the Board do so on the record during these proceedings  
6 so that everyone can hear what you have to say and has  
7 an opportunity to respond to your questions and  
8 information in an open and respectful way. I encourage  
9 everyone who wants to present information to the Board  
10 but who may be a bit shy about speaking during the  
11 public hearing to please talk to any of the board staff  
12 or legal counsel about how to get your information on  
13 the public hearing record.

14 If you have any questions about the Board and its  
15 practices and procedures, please talk to our executive  
16 director and he will assist you.

17 Prior to identifying and introducing all the  
18 parties in attendance today, I will provide a brief  
19 overview of the project proposal that is before the  
20 Board at this public hearing and provide information  
21 regarding the file history.

22 The approved Whale Tail Pit Gold Mine includes a  
23 single open pit mine and facilities located on the  
24 Amaruq property approximately 150 kilometres north of  
25 Baker Lake and approximately 50 kilometres northwest of  
26 the existing Meadowbank Gold Mine project. It is owned

1 and operated by Agnico Eagle Mines Limited. The Whale  
2 Tail Pit project is connected to the Meadowbank Gold  
3 Mines by all -- an all-weather access road. Ore from  
4 the approved project is to be processed at the  
5 Meadowbank mine with operations continuing until 2022  
6 and closure and remediation until 2029.

7 The expansion proposal includes a combination of  
8 open pit and underground mining operations and  
9 continued processing of ore at the Meadowbank Gold  
10 Mine. The proposal would expand the project footprint  
11 for the approved Whale Tail Pit project increasing the  
12 size of the Whale Tail open pit and developing an  
13 additional open pit called the "IVR pit". The open  
14 pits would also be extended underground and an  
15 additional waste rock storage facility and an  
16 attenuation pond created to support operations. Mining  
17 would be extended from the four years currently  
18 approved for the site to eight years, with processing  
19 continuing until 2026, followed by closure and  
20 remediation.

21 The expansion proposal would generate an  
22 additional 15.2 million tonnes of tailings from the  
23 milling process in addition to the 8.3 million tonnes  
24 of tailings produced from the approved Whale Tail Pit  
25 project for a total of 23.5 million tonnes to be stored  
26 within the existing Meadowbank Gold Mine's tailings

1 storage facility.

2 In terms of the file history with the proposed  
3 project, the Nunavut Impact Review Board approved the  
4 Whale Tail Pit Gold Mine Project to proceed in  
5 March 2018 with the issuance of Project Certificate  
6 Number 8.

7 In October 2018, the Nunavut Impact Review Board  
8 received the referral to assess the Whale Tail Pit  
9 Expansion Proposal from the Nunavut Planning Commission  
10 with confirmation that the proposal conformed to the  
11 Keewatin regional land use plan. After considering the  
12 scope of the amendment, in November 2018, the Board  
13 provided notice to the Minister of Intergovernmental  
14 Affairs, Northern Affairs and Internal Trade and the  
15 parties that the existing Whale Tail Pit project  
16 certificate required reconsideration under  
17 Section 12.8.2 of the Nunavut Agreement and Section 112  
18 of the Nunavut Planning and Project Assessment Act.

19 In November 2018, Agnico Eagle updated their  
20 assessment of the potential impacts of the original  
21 Whale Tail Pit Gold Mine Project to reflect their  
22 proposed changes to the project by submitting an  
23 addendum to the final environmental impact statement.  
24 After additional information and clarification on the  
25 scope of activities included in Agnico Eagle's updated  
26 assessment was provided by the proponent, the Nunavut

1 Impact Review Board formally accepted the addendum as  
2 complete in January 2019.

3 The technical review of the final environmental  
4 impact statement addendum that has been underway since  
5 January provided the public and parties with an  
6 opportunity to review the information and identify  
7 where there was agreement or disagreement with the  
8 proponent's impact predictions and assessment  
9 conclusions. A technical meeting was held in Baker  
10 Lake hosted by the Nunavut Impact Review Board in June  
11 2019 to allow parties to further discuss regulatory  
12 requirements and other issues. Following the provision  
13 of additional information by Agnico Eagle, the Board  
14 requested that parties prepare final written  
15 submissions for the Nunavut Impact Review Board's  
16 consideration in July 2019 and issued notice of this  
17 public hearing.

18 Agnico Eagle has since provided a formal response  
19 to the final written submissions from parties, which  
20 will be the focus of our discussions at this public  
21 hearing.

22 For anyone interested in looking at any of the  
23 documentation associated with this assessment, please  
24 see our staff at the side table. They can provide you  
25 with an opportunity to review electronic copies of  
26 anything you might need. This documentation is also



1 available from the Board's online public registry, and  
2 our staff can direct you to the relevant parts of the  
3 website.

4 Yesterday, on Sunday, August 25, as discussed at  
5 the technical meeting in June, the Board and the  
6 intervenors participated in a -- in a site visit to the  
7 Meadowbank mine hosted by Agnico Eagle. The purpose of  
8 the site visit was to provide the Board and the  
9 intervenors with a firsthand view of the site features,  
10 project area, and the general location of both the  
11 existing infrastructure already at the mine site.

12 All parties are reminded that the Nunavut Impact  
13 Review Board does not use site visits as a mechanism  
14 for gathering evidence that is not otherwise provided  
15 to the Board leading up to and during this public  
16 hearing. And the Board did not discuss any matters of  
17 substance associated with the Board's review of Whale  
18 Tail Pit Expansion Project with anyone, including the  
19 project proponent, on-site personnel, and parties to  
20 review or members of the public during yesterday's site  
21 visit.

22 Anyone interested in reviewing more detail  
23 regarding the specific itinerary of the site visit is  
24 welcome to follow up with the Board's executive  
25 director. The Board will be attaching a short site  
26 visit report to the public hearing report for this file

1 so that everyone can see where the Board went and what  
2 the Board saw during the site visit.

3 The Nunavut Impact Review Board thanks the  
4 proponent for arranging the site visit and respecting  
5 the Board's need for transparency throughout.

6 Now that we're up to date about how the assessment  
7 of this proposed amendment to the Whale Tail Pit  
8 project has proceeded to this point, I'd like to give a  
9 brief description of what this public hearing involves  
10 and what you can expect.

11 The Board is here to conduct the public hearing  
12 under Article 12, Section 12.8.2 of the Nunavut  
13 Agreement, and Section 112 of the Nunavut Planning and  
14 Project Assessment Act. It is the Board's duty to  
15 assess and evaluate the potential socioeconomic and  
16 ecosystemic impacts of the Whale Tail Pit Expansion  
17 Proposal and to determine whether or not it should be  
18 allowed to proceed.

19 In making this determination, the primary  
20 objectives of the Board are to protect and promote the  
21 existing and future well-being of the residents and  
22 communities of the Nunavut settlement area and Canada  
23 in general and also to protect and promote the  
24 ecosystemic integrity of the Nunavut settlement area.

25 The board is conducting this public hearing to  
26 hear evidence, comments, and concerns from the

1   proponent, intervenors, community members, and other  
2   interested parties about the proposed project amendment  
3   to inform the Board's decision-making. During the  
4   hearing, the board will listen to the submissions of  
5   all the parties appearing on the record at the hearing,  
6   but the board itself will not be responding to  
7   questions or providing comments or opinions regarding  
8   this file.

9           The board is holding this public hearing in Baker  
10   Lake as the community which would be most directly  
11   affected by the works and activities associated with  
12   the project. We are pleased to welcome all the  
13   community representatives in attendance, and we look  
14   forward to having you join us at the table later this  
15   week during the community roundtable portion of the  
16   hearing.

17           When the public hearing concludes and the hearing  
18   record closes, the board will begin its deliberations  
19   based on all the written material filed with the board  
20   to date and the evidence and the questions, concerns,  
21   and comments the board hears during these proceedings.

22           I want to emphasize how important it is that  
23   everyone participate fully in this hearing to ensure  
24   that the board has a full and fair basis for our  
25   decision and recommendations. The board has structured  
26   this hearing to support this participation to the

1 greatest extent possible.

2 In terms of the day ahead, the public hearing is  
3 scheduled to run from Monday, August 26, through  
4 Thursday, August 29. We will be starting each day at  
5 9 AM and breaking for dinner at 5 PM, followed by  
6 evening sessions from 6:30 PM to 9 PM tonight and  
7 Wednesday evening. At present, it's anticipated  
8 proceedings will break for lunch at 12 PM, reconvening  
9 at 1:15 PM, and breaking for supper at 5 PM.

10 We have scheduled time in the agenda for technical  
11 sessions today and tomorrow where technical experts and  
12 intervenors present -- present and can be questioned  
13 with respect to technical issues. On Wednesday, we  
14 intend to begin the community roundtable portion of the  
15 hearing, where there will be an opportunity for  
16 community representatives to join us at the table and  
17 ask questions directly to the proponent and  
18 intervenors, in turn sharing their perspectives on the  
19 proposed project with the board.

20 Although the board has done its best to prepare a  
21 realistic agenda, the board appreciates everyone's  
22 flexibility as we work together to ensure that we make  
23 the most productive use of our time together this week.

24 Lastly, before I turn to roll call, in order to  
25 ensure that everyone has a reasonable opportunity to  
26 participate in this public hearing, the board requests

1     that everyone respect the following board directions:  
2     It is our tradition to give respect to our Elders;  
3     therefore, at any time during the proceedings, we  
4     invite any elders who are present to indicate to me  
5     that they wish to speak. So that we hear the comments  
6     provided, we do ask that Elders wait until our staff  
7     can get a microphone to them before they speak.

8             It's very difficult to predict the precise time  
9     requirements for presentations and questions, and as a  
10    result, the schedule remains somewhat flexible.  
11    Consequently, the board ask that all participants bear  
12    with us as we adjust to reflect the needs of the  
13    participants and the board throughout the hearing.

14            It is our intention to have one 15-minute break at  
15    the halfway point in the morning and one 15-minute  
16    break in the mid-afternoon. I will let everyone know  
17    when they're -- when we are coming up to break time.  
18    The Nunavut Impact Review Board will be supplying  
19    coffee, tea, and snacks for the morning and afternoon  
20    breaks, but parties are responsible for their own lunch  
21    and dinner arrangements. Please respect the timelines  
22    I've set for breaks and return promptly to the meeting.  
23    We have a lot to cover, and the board cannot wait for  
24    late arrivals.

25            For all participants, please do not interrupt when  
26    a person is speaking. As set out in the agenda, there

1 will be an orderly opportunity to ask questions when  
2 speakers have concluded their presentations. For the  
3 sake of our court reporters and interpreters, when it  
4 is your turn to speak, please use a microphone, state  
5 your name first, and then speak clearly and at a  
6 reasonable pace. Also, please do not use abbreviations  
7 and acronyms, and be mindful that some terms may  
8 require our interpreters to take time to explain in  
9 detail. So please be aware of the interpreters and  
10 pause when it appears they need extra time to explain  
11 what you are saying.

12 For the benefit of all the participants here,  
13 please turn your cell phones and electronic devices off  
14 or at least to vibrate or silent setting. The board  
15 appreciates everyone's contribution to a respectful and  
16 productive public hearing.

17 Now I would like to move forward to a roll call.  
18 As I call out the name of each group or organization, I  
19 would ask that a representative step forward and  
20 introduce their representatives and also very briefly  
21 describe their group's mandate so that their role in  
22 this review is clear to everyone in attendance.

23 I will begin the roll call with the proponent,  
24 Agnico Eagle Mines Limited.

25 Roll Call

26 MR. QUESNEL: Thank you, Madam Chair.

1           Good morning, everyone. My name is Jamie Quesnel.  
2   I'm the regional manager - permitting and regulatory  
3   affairs for Agnico. And I'll just go through the --  
4   our -- our team and just by raising your hand or if you  
5   can stand up to introduce yourself to -- to the -- to  
6   the -- everyone here.

7           So Philippe Lapointe with Agnico, superintendent -  
8   permitting and regulatory affairs; Michel Groleau,  
9   general supervisor - permitting, regulatory affairs;  
10   Manon Turmel, permitting lead; Chris Kennedy, geochem  
11   technical specialist; Candace Ramcharan, community  
12   relations; Courtney Squires, community relations --  
13   she's not here right now; Robin Allard, general  
14   supervisor environment -- Robin's not here; they'll be  
15   coming later; Suzanne Leclair, community affairs; Luc  
16   Chouinard, general manager Meadowbank complex -- he  
17   will be in tomorrow; Marie-Pier Beaucage, communication  
18   [sic] coordinator; Gabriel-Antoine Côté, general  
19   supervisor, HR; Benoit Boucher, superintendent human  
20   resources; Christine Kowbel, legal advisor; Keith  
21   Bergner, legal advisor. From Golder Associates, we  
22   have Corey de la Mare, terrestrial; John Faithful,  
23   principal, senior water quality specialist; Cameron  
24   McNaughton, air quality and greenhouse gases; Cam  
25   Stevens, aquatic biologist, fish, and fish habitat;  
26   Jennifer Range, project management; Andrea Amendola,

1 senior risk assessor and toxicologist. From O'Kane  
2 Associates, Mike O'Kane, engineering and project  
3 management. From EDI, Michael Setterington,  
4 terrestrial. And supporting EDI, Alastair Franke,  
5 wildlife ecology and management. And Greg Sharam from  
6 ERM on terrestrial. Thank you.

7 THE CHAIR: Thank you. Now, moving on to  
8 the intervenors. Kivalliq Inuit Association.

9 MR. MANZO: My name is Luis Manzo,  
10 director of lands for Kivalliq Inuit Association. At  
11 my side is Ashley Aupaluktuq, in charge of  
12 environmental and regulatory affairs. We are here with  
13 our biologist -- terrestrial biologist and Kim Poole  
14 and Kim Gilson, our legal counsel. Thank you.

15 THE CHAIR: Baker Lake Hunters and  
16 Trappers Association.

17 MR. AKSAWNEE: Thank you, Madam Chair.  
18 Richard Aksawnee. I'm the chairman of the Baker Lake  
19 Hunters and Trappers Association. Sitting with me is  
20 Warren Bernauer, our consultant for the hunters and  
21 trappers, and we're sitting here today to represent the  
22 local hunters and the traditional land users. Thank  
23 you.

24 THE CHAIR: Government of Nunavut.

25 MR. PINKSEN: Good morning. My name is  
26 Steve Pinksen. I'm the assistant deputy minister with



1 the Department of Environment, Government of Nunavut.  
2 I'm joined by a team consisting of Emily Taylor,  
3 project manager socioeconomic monitoring; Emily  
4 Stockley, legal counsel; Daniel Haney, project manager  
5 impact assessment; Brad Pirie, project manager research  
6 and monitoring; Amy Robinson, acting director  
7 environmental protection division; and our technical  
8 wildlife consultant, Dr. Stephen Atkinson. Thank you.

9 THE CHAIR: CIRNAC.

10 MR. DEWAR: My name is Spencer Dewar. I'm  
11 the director of resource management -- management for  
12 Crown-Indigenous Relations and Northern Affairs Canada.  
13 With me today -- I have quite a team. I'll ask that  
14 they stand up when I mention their name just so we can  
15 put a name to their face. First with me I have Felexce  
16 Ngwa, manager of impact assessment; David Abernethy,  
17 regional socioeconomic analyst; Saba Qazi, senior  
18 environmental assessment specialist; from his hometown,  
19 Robert Tookoome, social policy officer; and Jennifer  
20 Walsh, a senior environmental policy analyst. We also  
21 have Tony Brown, who's a senior technical advisor for  
22 Arcadis. And we're also represented -- well, the whole  
23 federal family today -- by Simon Gruda-Dolbec, who is  
24 with the Department of Justice.

25 The minister of CIRNAC is a responsible minister,  
26 and her, along with other responsible ministers, will

1 be making a decision on the proposed Whale Tail  
2 expansion based on a recommendation from the Nunavut  
3 Impact Review Board. During this process, we'll act as  
4 an intervenor, and we'll provide expert advice to the  
5 board on topics which fall within Crown-Indigenous  
6 Affairs [sic] and Northern Affairs' mandate, which are  
7 both environmental and socioeconomic. And also if the  
8 proposed Whale Tail expansion is authorized to proceed,  
9 CIRNAC will have a regulatory role. CIRNAC will  
10 monitor the project certificate and will also  
11 participate in inspection enforcement of authorizations  
12 to do with the project, in particular, the Nunavut  
13 water licence that would be issued by the Nunavut Water  
14 Board.

15 THE CHAIR: Environment Canada.

16 MS. PINTO: Good morning. My name is  
17 Melissa Pinto with Environment and Climate Change  
18 Canada. I'm a senior environmental assessment  
19 coordinator. And with me today I have Brian Asher, our  
20 senior air quality analyst.

21 Environment and Climate Change Canada provides  
22 expert advice to the Nunavut Impact Review Board with  
23 regards to water and air quality, species at risk,  
24 migratory birds, impacts to climate change on the  
25 project, and environmental emergencies. Thanks.

26 THE CHAIR: Fisheries and Oceans Canada.

1 MR. D'AGUIAR: Thank you, Madam Chair. My  
2 name is Mark D'Aguiar, and I'm a senior biologist with  
3 the Fish and Fish Habitat Protection Program for  
4 Fisheries and Oceans Canada. With me today is -- to my  
5 right is Marek Janowicz; he is the regional manager for  
6 regulatory reviews with Fisheries and Oceans Canada;  
7 and my colleague Boyan Tracz, biologist with Fisheries  
8 and Oceans Canada.

9 Our mandate and responsibilities are around  
10 assessing the impacts to fish and fish habitat for the  
11 Whale Tail Expansion Project, most notably determining  
12 if all the impacts to fish and fish habitat have been  
13 adequately addressed and potentially offset. Overall,  
14 our mandate is to maintain the sustainability and  
15 ongoing productivity of commercial, recreational, and  
16 Aboriginal fisheries.

17 Fisheries and Oceans Canada is also a responsible  
18 minister and we do have a regulatory role that we  
19 will -- we have a regulatory role which we will --  
20 should the project be approved to proceed, we'll have a  
21 role there as well. Thank you.

22 THE CHAIR: Health Canada.

23 MR. PARTRIDGE: Hello. My name is Paul  
24 Partridge. I'm from Health Canada. I'm a regional  
25 environmental assessment specialist.

26 I'm here on my own for this visit -- or for this

1 hearing, and Health Canada is responsible for helping  
2 Canadians maintain and improve their health. One way  
3 this is done is through participating in federal review  
4 processes of major resource development and resource  
5 projects. Health Canada provides expert advice and  
6 knowledge of proposed project impacts to health and  
7 makes recommendations to reduce risks of those  
8 projects. Health Canada doesn't make any decisions or  
9 issue any permits or licences related to this project.

10 THE CHAIR: NRCan, Natural Resources  
11 Canada.

12 MR. UNGER: Thank you, Madam Chair. Good  
13 morning. My name is Peter Unger, and I'm with Natural  
14 Resources Canada or NRCan. For this project, NRCan has  
15 provided scientific expertise in the areas of  
16 permafrost and terrain stability, as well as  
17 hydrogeology or groundwater. NRCan also regulates the  
18 Explosives Act, and I am a senior environmental  
19 assessment officer with the environmental assessment  
20 division. And to my right is Jason Quinn, a senior  
21 environmental advisor with the explosives safety and  
22 security branch. Thank you very much.

23 THE CHAIR: I will now proceed to request  
24 that any parties with motions or any objections in  
25 relation to the public hearing identify such motions or  
26 objections now.

1           Hearing none, we will now proceed with the start  
2 of the technical sessions. Next up is Item 4 of the  
3 agenda, the swearing in/affirmation of the proponent's  
4 witnesses, marking of exhibits, and the technical  
5 presentations by the proponent.

6           I will ask that our legal counsel swear or affirm  
7 all Agnico Eagle presenters and mark the exhibits so  
8 that we can begin the presentations. Legal counsel.

9 MS. MEADOWS:                   Thank you, Madam Chair.  
10 Teresa Meadows, legal counsel for the Nunavut Impact  
11 Review Board. If I can have the witnesses who will be  
12 presenting the presentations state and spell their name  
13 for the record, please.

14 MR. QUESNEL:                   Jamie Quesnel, J-A-M-I-E  
15 Q-U-E-S-N-E-L.

16 MR. GROLEAU:                   Michel Groleau, M-I-C-H-E-L  
17 G-R-O-L-E-A-U.

18 MS. TURMEL:                   Manon Turmel, M-A-N-O-N  
19 T-U-R-M-E-L.

20 MR. LAPOINTE:                  Philippe Lapointe,  
21 P-H-I-L-I-P-P-E L-A-P-O-I-N-T-E.

22 MS. RAMCHARAN:                Candace Ramcharan, 'R' --  
23 C-A-N-D-A-C-E R-A-M-C-H-A-R-A-N.

24 MS. MEADOWS:                   Thank you. If I can have the  
25 witnesses -- oh, there's more?

26 MS. KOWBEL:                   Thank you, Madam Chair. I

1 just have a question. Those are all our witnesses that  
2 are giving presentations. Of course, we do have some  
3 of the experts that prepared this environmental  
4 assessment in the room. Would you like, for  
5 convenience, to swear those as well now?

6 MS. MEADOWS: Thank you, Madam Chair.  
7 Teresa Meadows, legal counsel for the Nunavut Impact  
8 Review Board. If the subject matter specialists want  
9 to be sworn in before the presentation of the subject  
10 matter areas that they will be addressing, that's what  
11 I would recommend. So do we have everyone who will be  
12 presenting the first presentation?

13 If I can have the witnesses who -- anyone who  
14 wishes to be affirmed or sworn.

15 MR. QUESNEL: Thank you, Madam Chair. For  
16 the front table, affirmed.

17 JAMIE QUESNEL, MICHEL GROLEAU, MANON TURMEL, PHILIPPE  
18 LAPOINTE, CANDACE RAMCHARAN, Affirmed

19 MS. MEADOWS: Thank you, Madam Chair.  
20 Teresa Meadows, legal counsel for the Nunavut Impact  
21 Review Board. Madam Chair, there are exhibits that  
22 have been provided to me in advance, including the hard  
23 copy of the presentation materials that will be  
24 presented here, and so I have a copy of those in  
25 English. I have a copy of those in Inuktitut.

26 As well, it's my understanding that there is a

1 video clip that will be played during the course of  
2 this. The video clip will be posted electronically as  
3 an electronic exhibit, and I also have a package of  
4 nine resumés which are the expert subject matter  
5 specialists that will be presenting as well, and I will  
6 be proposing to mark those as well as exhibits in the  
7 public hearing.

8 Am I missing any exhibits for the first part of  
9 the presentation?

10 MS. KOWBEL: Thank you, Madam Chair,  
11 Christine Kowbel, legal counsel for Agnico Eagle.  
12 Those are all of our exhibits for now. Thank you.

13 EXHIBIT 1 - Hard Copy PowerPoint Presentation  
14 Whale Tail Pit Expansion Project NIRB Public  
15 Hearing - August 26-29, 2019 (English)

16 EXHIBIT 2 - Hard Copy PowerPoint Presentation  
17 Whale Tail Pit Expansion Project NIRB Public  
18 Hearing - August 26-29, 2019 (Inuktitut)

19 EXHIBIT 3 - Hard Copy Resumé Andrea Amendola  
20 (English)

21 EXHIBIT 4 - Hard Copy Curriculum Vitae Corey  
22 De La Mare (English)

23 EXHIBIT 5 - Hard Copy Resumé John Faithful  
24 (English)

25 EXHIBIT 6 - Hard Copy Curriculum Vitae  
26 Alastair Franke (English)

1           EXHIBIT 7 - Hard Copy Resumé Cameron  
2           McNaughton (English)  
3           EXHIBIT 8 - Hard Copy Curriculum Vitae Mike  
4           O'Kane (English)  
5           EXHIBIT 9 - Hard Copy Curriculum Vitae Mike  
6           Settlington (English)  
7           EXHIBIT 10 - Hard Copy Curriculum Vitae  
8           Gregory Sharam (English)  
9           EXHIBIT 11 - Hard Copy Curriculum Vitae  
10          Cameron Stevens (English)  
11          EXHIBIT 12 - Electronic Exhibit Only (Video  
12          Clip) Simulation of Existing Whale Tail Mine  
13          and Proposed Expansion and the Site at  
14          Closure  
15   MS. MEADOWS:                    Thank you, Madam Chair.  
16   Teresa Meadows, legal counsel for the Nunavut Impact  
17   Review Board. And that, Madam Chair, are all of my  
18   procedural matters before these witnesses present.  
19   Thank you.  
20   THE CHAIR:                       We will now proceed to Agenda  
21   Item 4. Today Agnico Eagle will deliver several  
22   presentations providing an overview of the components  
23   and activities associated with the Whale Tail Pit  
24   Expansion Proposal with summaries of their assessment  
25   of potential ecosystemic and socioeconomic impacts. We  
26   will begin their overview presentation, followed by the



1 subsequent presentations, making time for questions  
2 after each grouping.

3 For the first three, we have the introduction,  
4 project overview, and response to final written  
5 submissions; public participation and engagement; and  
6 the alternative assessment and cumulative effects.

7 Agnico Eagle.

8 Presentation by Agnico Eagle Mines Limited  
9 (Introduction, Project Overview, and Response to Final  
10 Written Submission)

11 MR. QUESNEL: Thank you, Madam Chair. Jamie  
12 Quesnel, Agnico Eagle. Just before we get into the  
13 presentations, I just want to provide some context for  
14 this application. As it was recently mentioned, the  
15 Whale Tail project certificate was issued by the  
16 Nunavut Impact Review Board 17 months ago, and we have  
17 received the remaining regulatory approvals that were  
18 required to proceed to construction and operations at  
19 the Whale Tail operation.

20 This week, we had our official Whale Tail opening  
21 ceremony at the mine and a celebration here in the  
22 community of Baker Lake. That was a very proud day for  
23 Agnico, and we were told it was a proud day for the  
24 community of Baker Lake and Nunavut as well. The  
25 collaboration between everyone involved has resulted in  
26 a very strong project that is a safe operation vital to

1 the community, and it protects the environment as well.

2 As we talked about at the last hearing, Agnico  
3 Eagle wants to stay and operate in Nunavut for a long  
4 time. In this application, Agnico Eagle is asking  
5 permission to increase the life of mine. To do that,  
6 Agnico Eagle is proposing to expand the Whale Tail open  
7 pit, develop another open pit called the "IVR pit", and  
8 also including underground mining operations.

9 One important point that I would like to emphasize  
10 is that we already have a very comprehensive Whale Tail  
11 project certificate in place, as well as applicable  
12 terms and conditions from the Meadowbank project  
13 certificate. Together, there are already 103 stringent  
14 and carefully considered project certificate conditions  
15 that would apply to the expansion project. In Agnico  
16 Eagle's view, these are comprehensive, and we believe  
17 the Nunavut Impact Review Board will be able to  
18 recommend to the minister that the Whale Tail Expansion  
19 Project should proceed.

20 Overall, we thank the parties -- all the  
21 intervenors for the comments and recommendations that  
22 they have submitted. In preparation for the hearing,  
23 we reviewed and addressed the recommendations parties  
24 have submitted in our final written submissions to the  
25 Nunavut Impact Review Board on August 9th, 2019.  
26 Through that submission, we indicated those

1 recommendations. Where we were in agreement with the  
2 parties, we provided them a detailed response to  
3 comments where we believed that such a response would  
4 be helpful and also flagged those recommendations where  
5 further discussion is required or where we did not have  
6 agreement at that point in time. All of these were  
7 filed with the board as part of our submission.

8 In the past two weeks, we have worked with several  
9 of the parties to better -- better understand each  
10 other's positions, provide better clarity, and to try  
11 to find agreement. You will hear more about this  
12 engagement and the outcome as we move through our  
13 presentations today, and through the presentations from  
14 the parties over the next couple of days.

15 We will provide an update to you on a  
16 topic-by-topic basis at the end of each presentation.  
17 And with that, I will turn to my colleague Michel  
18 Groleau to start with the introduction overview of the  
19 expansion project. Thank you.

20 MR. GROLEAU: Thank you, Madam Chair.  
21 Michel Groleau for Agnico Eagle.

22 As Jamie mentioned, this presentation will discuss  
23 of the Whale Tail Expansion Project overview and  
24 response to final written submission. First, I will  
25 present the project. Second, I will provide the  
26 summary of the final written submission status. I will

1 briefly describe the Whale Tail project timeline.  
2 Agnico Eagle started exploration drilling activities in  
3 2013. Construction activities of the Whale Tail  
4 approved project was initiated in 2017 and are plan to  
5 be completed in 2019, which will trigger the operation  
6 phase from 2019 to '22. The Whale Tail Expansion  
7 Project consists of an addition of four year of  
8 operation, which will postpone the beginning of the  
9 closure activities to the end of 2026.

10 Nunavut Impact Review Board issued Project  
11 Certificate 008 in March 2018 and has 64 terms and  
12 condition for the Whale Tail approved project, and the  
13 Project Certificate 004 for the Meadowbank project has  
14 another 87 terms and condition, which 44 are applicable  
15 to the Whale Tail approved project and are applicable  
16 to the expansion project. And we feel that no new  
17 terms and condition are required for the Meadowbank  
18 project certificate.

19 This slide here briefly highlight the project  
20 assets that are within the existing footprint of the  
21 approved project. We're having the IVR pit; the IVR  
22 waste rock storage facility; the IVR attenuation pond  
23 and associated water management infrastructure; the  
24 underground mine; and the widening of the Whale Tail  
25 road from 9.5 metre to 15 metre width.

26 Similar to the approved project, the ore that will

1 be mined at the Whale Tail project will be hauled and  
2 stockpile at Meadowbank for milling.

3 Here on that slide, we can observe the Whale Tail  
4 ore road. From the Meadowbank project at the bottom  
5 left to the corner at the -- at the right -- at the  
6 left for the Whale Tail project. The expansion from  
7 9.5 to 15 metre is for the safety of the daily passage  
8 of the long-haul truck and other traffic. Borrow  
9 material from exist -- existing quarries and esker  
10 presented in green on this figure will be used for the  
11 road expansion, and four new quarries or esker  
12 presented in red on this slide are proposed.

13 This slide present the expansion project site  
14 layout at the end of operation. Agnico Eagle is  
15 planning to expand the Whale Tail Pit and the Whale  
16 Tail waste rock storage facility to the west and the  
17 IVR pit, IVR waste rock storage facility, and IVR  
18 attenuation pond. The underground mine, underground  
19 waste rock storage facility, and also the three  
20 groundwater storage pond are included as well to the  
21 proposal for the management of the water and waste from  
22 the underground mine.

23 Here on that slide, we can see these  
24 infrastructure in red that are associated with the open  
25 pit mining from the Whale Tail Pit and IVR pit. And  
26 the infrastructure in purple are the one associated

1 with the underground mine.

2 This slide provide more description related to the  
3 open pit mining of the expansion project. Briefly, ore  
4 from the pits will be segregated by grade and  
5 temporarily stored in one to [sic] four primary  
6 stockpiles at the Whale Tail site before being  
7 transport to the Meadowbank mine for milling.

8 It is important to highlight that the expansion  
9 project will use the same infrastructure from the  
10 approved project.

11 This slide provide more description related to the  
12 development of the underground mine of the expansion  
13 project which will consist of long-hole mining with cut  
14 and fill in flat areas. The existing ramp will be the  
15 main connection to the surface. Waste rock from the  
16 underground will be return underground as backfill, and  
17 no residual waste rock will be store at the surface at  
18 the end of operation for the underground mining.

19 Again, Agnico Eagle plan to widen the haul road  
20 from 9.5 to 15 metre for safe passage of haul truck  
21 using the existing quarries and the new quarries and  
22 esker and regarding water management infrastructure  
23 along the road. Bridge will not be modified, and  
24 culvert -- culverts will be widened.

25 This slide is summarizing the local and regional  
26 studies areas [sic] surface increase between the

1 approved and expansion project, and few change can be  
2 observe. Mainly the project development area has  
3 expanded, primarily for the IVR pit and waste rock  
4 storage facilities, and we can observe a 45 percent  
5 increase. Similarly, the heritage resource has  
6 expanded, primarily for the IVR pit and waste rock  
7 storage facility, and, again, only an increase of 16  
8 percent was observed in this case. All other areas are  
9 the same.

10 Next couple of slide will highlight the regional  
11 study area and local study area from the approved and  
12 expansion project. Overall, the expansion project  
13 activities fit within the existing and approved  
14 regional studies area and local studies areas.

15 Here on that slide, we can see the terrestrial  
16 regional area, which is still the same. This next  
17 slide is presenting the local study areas for the  
18 terrestrial, and we can observe a slight change for the  
19 potential access to Lake D1 and D5 in that area.

20 Related to the noise and vibration local and  
21 regional study area, they are the same than for the  
22 approved project.

23 For the aquatics local and regional studies area,  
24 they are the same except for the Lake D1 and D5 located  
25 in this -- this area.

26 This slide is summarizing the production

1 highlights for the Whale Tail project. Production  
2 throughput at the Meadowbank remains the same, and the  
3 traffic profile on the Whale Tail haul road will remain  
4 the same as assessed for the approved project.

5 This slide is summarizing the Whale Tail Expansion  
6 Project schedule. As discuss, from 2019 to '20, we're  
7 going to continue operation of the Whale Tail Pit as  
8 approved. Site preparation for the Whale Tail  
9 Expansion Project will occur from -- will start in  
10 May 2020. Anticipate receiving permits, licence, and  
11 authorization to operate is July 2020. From  
12 July 2020 to 2022, begin operation of the expanded  
13 Whale Tail IVR pit, Whale Tail Pit, and the  
14 construction of the other infrastructure. From 2020  
15 'to 25, we operate the Whale Tail Pit expansion project  
16 and closure activities will start in 2026 with the  
17 active flooding. Flooding is planned to be completed  
18 in 2043. And the care and maintenance is waiting for  
19 the water quality to -- to meet the water quality  
20 objective within the pit lake to reconnect with the  
21 surrounding lake. As per the project certificate, this  
22 is planned to happen in 2051, but based on more refined  
23 result for water quality forecasts for the Type A water  
24 licence, this will occur at the end of pit flooding in  
25 2043.

26 As we have been discussing with board staff and



1 we -- and as we presented in some detail in the  
2 presentation during the technical meeting, Agnico Eagle  
3 is planning to proceed with certain site preparation  
4 activities such as -- such as constructing certain  
5 buildings and pads and tanks starting in May 2020.  
6 These activities are required as a result of the short  
7 Arctic construction windows. Many of these items can  
8 be completed under existing approval. Agnico Eagle  
9 will be considering to discuss water licencing  
10 requirements with the Nunavut Water Board and the  
11 Nunavut Impact Review Board.

12 We will present a short video showing the project  
13 infrastructure.

14 (VIDEO PLAYED)

15 MR. GROLEAU: So here it close out on Baker  
16 Lake and the mine facility. We can see Meadowbank Mine  
17 and the Whale Tail haul road going through the Whale  
18 Tail project.

19 This part of the video is showing baseline  
20 condition of the project, so we're kind of flying above  
21 the Whale Tail Lake. So the dike will be constructed  
22 in that area. You can see here we're leaning toward  
23 the Mammoth Lake. Here, the connection between the  
24 Whale Tail and Mammoth Lake.

25 This next part of the video presenting the Whale  
26 Tail Pit operation for the approved project. So here

1 at the bottom we can see the Whale Tail dike, right  
2 here, the attenuation pond -- the Whale Tail  
3 attenuation pond, and the Whale Tail WRSF at the  
4 surface.

5 So here, it's the Whale Tail Pit. You can see  
6 size of a truck compared to the size of the ramp with  
7 the pickup truck. Then the camp located in this area  
8 and the Lake A53 with the garage and other  
9 infrastructure for the -- associated with the mining  
10 activities.

11 Then the Whale Tail Pit expansion project, same  
12 infrastructure, the Whale Tail dike, the 'W' -- Whale  
13 Tail waste rock storage facility, and the Whale Tail  
14 Pit. References the pit going deeper, same footprint.  
15 At the back, it's the IVR pit. And here we can see the  
16 IVR waste rock storage facility. So in between the pit  
17 and the IVR waste rock storage facility, we're having  
18 the portal of the underground mine. The camp. And  
19 those infrastructure here are the water treatment  
20 infrastructure for the saline water coming from the  
21 underground mine. And the different ponds here are for  
22 the storage of the saline water from the underground  
23 mine.

24 So speaking of the underground, we can see here  
25 the ore deposit and the ramp accessing the Whale Tail  
26 ore body and the IVR ore body on the right. So this is

1 giving us an understanding of the geology of the  
2 project and the potential of the project.

3 Then the last part of the video is presenting the  
4 site at closure after flooding activities are  
5 completed. So here we can see that the Whale Tail Lake  
6 have been reconnected with the pit lake from the Whale  
7 Tail Pit and IVR pit at the back. The water at natural  
8 flow will be re-established then and reach back the  
9 Mammoth Lake, toward that direction.

10 I'll get back to the presentation. So the next  
11 couple of slides are presenting the highlights of the  
12 terrestrial ecosystem management plan update. These  
13 aspect will be covered more in detail by my colleague  
14 Manon during the terrestrial presentation. However, we  
15 are confident that the recent update of the terrestrial  
16 ecosystem management plan Version 6 and above are  
17 adequate and protective of the caribou protection  
18 measure.

19 The next four slide are presenting the -- some  
20 infographic on caribou mitigation and management  
21 measure that were developed for training and  
22 communication purposes.

23 This slide presents the sensitive season for  
24 caribou interacting with the Meadowbank and the Whale  
25 Tail Pit sites. Sensitive seasons are period of time  
26 during the year when increased monitoring and

1 mitigation be implemented to ensure caribou protection.  
2 Specific group size terrestrial were developed per  
3 collar data and observation for the main periods when  
4 caribou are observe near or on-site of the all-weather  
5 access road and the Whale Tail haul road.

6 The terrestrial ecosystem management plan define  
7 action level based on the caribou proximity to the mine  
8 and to the haul road and to the all-weather access  
9 road, and number of caribou is used to define group  
10 size threshold as presented on the other slide.

11 In many cases, measure remain unchanged across  
12 action level, but their frequencies increase with  
13 proximity of caribou to the project. Action level are  
14 describe in detail in the terrestrial ecosystem  
15 management plan and will be covered during the  
16 terrestrial presentation.

17 For example, Level 3 for the mine site and Whale  
18 Tail haul road during the sensitive season are  
19 presented on this slide. Sensitive season are  
20 corresponding to spring and fall caribou migrations.  
21 If a group larger than the group size threshold are  
22 observed within 1.5 kilometres of the mine site or --  
23 or haul road, the highest level of mitigation, Level 3,  
24 is triggered. And under a Level 3, we must trigger  
25 specific action such as suspending nonessential vehicle  
26 within 500-metre radius from the group of caribou, and

1 the road is closed to nonessential vehicle.

2 Agnico Eagle public participation approach is  
3 guided by our commitment to Indigenous people  
4 engagement and our responsible mining management  
5 system. Our commitment is to work at [sic] partnership  
6 with Indigenous people to establish a mutually  
7 beneficial and cooperative and productive relationship.  
8 Our approach is characterized by an effective two-way  
9 communication, consultation, and partnering.

10 Agnico Eagle responsible mining management system  
11 is an integrated framework for the management of health  
12 and safety, environment, and social performance. The  
13 responsible mining management system support the  
14 application of Agnico Eagle's sustainable development  
15 policy and takes a plan, do, check, act management  
16 style approach. Process for public engagement will  
17 also be described in the public participation  
18 presentation more in detail.

19 Agnico Eagle evaluated several options to identify  
20 different adaptive management strategies for the  
21 expansion project. The objective of these adaptive  
22 management strategies is to develop alternative or  
23 contingencies for the project in order to have an  
24 action plan defined which allow the project to be  
25 protective of the environment in such circumstance.  
26 This approach is based on continuous monitoring,

1 evaluation, modelling, and planning with a feedback  
2 loop for continuous improvement.

3 Agnico Eagle has defined three type of management  
4 plan formulated for the review of the expansion  
5 project: the new plan, the updated plan, and the plan  
6 with no change. A total of 22 plan have been filed for  
7 this application with only three new plans and  
8 17 updated plan. The three new plan are the conceptual  
9 Whale Tail expansion offsetting plan, the land farm  
10 design and management plan, and the incinerator and  
11 composter waste management plan.

12 We had a small mistake. It's 42 total management  
13 plan that have been filed.

14 So that's complete [sic] the overview of the  
15 project. We'll go rapidly through a summary of the  
16 technical comments and information requests.

17 So this slide is presenting an overview of the  
18 project certificate reconsideration main activities.  
19 We can note that there's a significant reduction in the  
20 number of these activities through the different  
21 project phase. So we went from 156 information  
22 requests to 90 technical comments, 53 commitments, and  
23 receive 77 final written submission.

24 Also, a number of those item was defer to the  
25 water licence amendment process, which have been  
26 initiated in May 2019 with the Nunavut Water Board.

1           This slide is providing a summary of the  
2 information requests for -- from each intervenor. So  
3 from the 156 technical information requests, 14  
4 required more clarification, and 24 were deferred to  
5 the technical review period.

6           So this slide is providing a summary of the  
7 technical comment from each intervenor. So a total of  
8 90 technical comments were issued. And this slide is  
9 giving up [sic] a breakdown of the information requests  
10 and technical comment by team or key disciplines. So  
11 majority was related to freshwater and waste, and some  
12 of those item have been deferred to the Nunavut Water  
13 Board water licence amendment process.

14           Next slide will present commitment summary from  
15 the technical meeting that have been held in Baker from  
16 June 11 to 14. So a total of 53 commitment were made  
17 during the technical meeting. It was held in Baker.

18           Here, again, that slide's providing a breakdown by  
19 key discipline of those commitment. Again, freshwater  
20 was the one with the highest number of commitment, and  
21 we consider that all the commitments from each key  
22 discipline have been resolved, and an action plan have  
23 been developed to address them in the future.

24           And we'll complete the presentation by going  
25 through an overview of our final written submission.  
26 This slide is presenting again a breakdown of the final

1 written submission from each intervenor. You can see  
2 the 77 final written submission. And here, again, the  
3 breakdown by key disciplines.

4 This slide is presenting the status as per  
5 August 9, 2019. As Jamie was mentioning, we had  
6 discussion with the intervenor related to some of the  
7 outstanding final written submission since then, and we  
8 made progress on those items. Some discussion are  
9 still required during this week through the public  
10 hearing, and we're looking forward to have all those  
11 item resolved by the end of the week.

12 The next slide highlight Agnico Eagle response to  
13 the final written submission, but each of those element  
14 will be discuss specifically through the related  
15 presentation to the key disciplines. So I'll go  
16 through them rapidly just to give us a sense of where  
17 we stand with the -- with the project.

18 So as per August 9, 2019 -- related to the  
19 atmospheric, feel that all of those items are resolved.  
20 Two items might need bit more discussion related to ECC  
21 Final Written Submission Technical Comment 1 and 2  
22 related to the Canadian atmospheric standard, and the  
23 same with Health Canada and monitoring associated with  
24 those measure.

25 On the freshwater, we'll go through that more in  
26 detail, but we're presenting a proposed terms and



1 condition related to the alternative discharge in  
2 Lake D1 and D5. So this terms and condition have been  
3 reviewed with Environment Canada, and we're looking  
4 forward to have comments from other intervenor during  
5 the week.

6 Related to marine, we consider that the marine  
7 mammal observation and related monitoring have been  
8 resolve with the Department of Fisheries and Ocean  
9 following our discussions.

10 Related to the socioeconomic final written  
11 submission status, a bit more discussion will be  
12 required this week to finalize our final written  
13 submission, but we're having good draft version of  
14 those proposed commitment, and we're looking forward to  
15 have them buckle up by the end of the week.

16 Related to the terrestrial topic, made good  
17 progress in the last week related to this topic, and we  
18 still have two items under discussion with the -- with  
19 the parties. And, again, we're looking to resolve  
20 those -- those outstanding item prior to the end of the  
21 public hearing.

22 So this is the end of the presentation. For  
23 conclusion, I would like to say that the Project  
24 Certificate 004 and 008 already have stringent  
25 applicable terms and condition, and from Agnico point  
26 of view, only minimal updates are required in order to

1 proceed with the expansion project. Matna.

2 THE CHAIR: Thank you for that  
3 presentation.

4 It's now 10:35. Let's take a 15-break and  
5 reconvene at 10:50 and continue with presentations.

6 (ADJOURNMENT)

7 THE CHAIR: We will continue with Agnico  
8 Eagle's presentation on public participation and  
9 engagement.

10 Agnico Eagle, you can start your presentation.  
11 Presentation by Agnico Eagle Mines Limited (Public  
12 Participation)

13 MS. RAMCHARAN: Hello, Madam Chair, members of  
14 the board. My name is Candace Ramcharan with Agnico  
15 Eagle.

16 In this presentation, I will provide an overview  
17 of public engagement and participation for the Whale  
18 Tail Pit Expansion Project.

19 As mentioned by Michel, Agnico Eagle's public  
20 participation approach is guided by our commitment to  
21 Indigenous people engagement and our responsible mining  
22 management system.

23 Our commitment is to work in partnership with  
24 Indigenous people to establish a mutually beneficial  
25 cooperative and productive relationship. Our approach  
26 is characterized by effective two-way communication,

1     consultation, and partnering. Our responsible mining  
2     management system is an integrated framework for the  
3     management of health and safety, environment, and  
4     social performance. The system is how we implement  
5     Agnico Eagle's sustainable development policy, and it  
6     takes a plan, do, check, act, and management approach.

7             The responsible mining management system process  
8     applied to our public engagement strategy is a form of  
9     adaptive management. We plan engagement strategies  
10    based on our sustainable development policy and  
11    best-practice guidance like the Mining Association of  
12    Canada's toward sustainable mining protocol and on  
13    legal and other requirements such as project  
14    certificates in Inuit Impact Benefit Agreements.

15            We do by implementing effective communication in  
16    stakeholder engagement strategies based on our  
17    planning. We have several methodologies that make up  
18    our engagement plan such as community liaison officers  
19    in each Kivalliq community, open houses and public  
20    meetings, community investment agreements, and  
21    community liaison committees.

22            We check to make sure that our engagement  
23    practices are working by evaluating and reporting on  
24    implementation and considering results of our feedback  
25    mechanisms such as Tusaajugut, which is our community  
26    complaints process, or feedback received through our

1 Inuit Impact and Benefit Agreement committees with the  
2 Kivalliq Inuit Association.

3 Finally, we act by reviewing the results of our  
4 public engagement strategy regularly both internally  
5 and with external stakeholders to see how we can  
6 improve our practices. Agnico Eagle has documented  
7 where, when, how, why, and with whom we have consulted  
8 and engaged. We have also documented how the  
9 information collected from participants was used.

10 Information obtained through the various public  
11 participation activities has been integrated into the  
12 final environmental impact study addendum, including  
13 the respective monitoring and management plans.

14 An updated record of consultation undertaken since  
15 June 2016 is provided in the final environmental impact  
16 study addendum, Volume 2, Appendix 2D.

17 Agnico Eagle is active in engaging and consulting  
18 with the public community stakeholders and  
19 organizations and governments on all aspects of our  
20 project activities. Public engagement takes a variety  
21 of forms which Agnico Eagle adapts depending on the  
22 subjects and the stakeholder ranging from community  
23 information sessions to site visits, focus groups, and  
24 committee meetings.

25 Since 2016, there have been over 60 project  
26 consultations and engagements for the Meadowbank

1 complex. Between 2016 and 2018, there are over  
2 20 Whale Tail-approved project, consultations, and  
3 engagements. And since 2018, there were eight Whale  
4 Tail Expansion Project consultations and engagements.

5 Through the various consultations specific to the  
6 expansion project, the following concerns were  
7 identified: Potential effects of the project on  
8 climate change; potential changes to air quality,  
9 particularly dust, in the mine area and roads;  
10 potential effects of mine operations, dust and dust  
11 suppressants on caribou habitat and food resources;  
12 potential effects of increased traffic on caribou  
13 movements in migration and wildlife in general;  
14 potential effects of noise and vibration on caribou and  
15 other wildlife; water quality effects, flow, storage,  
16 and monitoring; fish out processes and potential  
17 effects and fish return at closure; an increased  
18 shipping traffic and potential effects on the marine  
19 environment.

20 These concerns have been incorporated and  
21 addressed in the relevant sections of the final  
22 environmental impact study.

23 THE CHAIR: Thank you for that  
24 presentation. You can continue with the alternatives  
25 assessment and cumulative effects. Agnico Eagle, you  
26 can continue.

1 MR. GROLEAU: Thank you, Madam Chair.

2 MS. MEADOWS: Madam Chair, just one moment.

3 THE CHAIR: Legal counsel.

4 MS. MEADOWS: Thank you, Madam Chair.

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

7 So, Madam Chair, I had not yet marked the exhibit  
8 for the presentation materials that were given for the  
9 last presentation on public engagement. So I will be  
10 marking those two, and, also, with respect to the  
11 cumulative effects assessment presentation that is  
12 coming next, I will mark those two as the next two  
13 exhibits in the public hearing. Thank you, Madam  
14 Chair.

15 EXHIBIT 13 - Hard Copy PowerPoint  
16 presentation, Whale Tail Pit Expansion  
17 Project, NIRB Public Hearing - August 26-29,  
18 2019, Public Participation (English)

19 EXHIBIT 14 - Hard Copy PowerPoint  
20 presentation, Whale Tail Pit Expansion  
21 Project, NIRB Public Hearing - August 26-29,  
22 2019, Public Participation (Inuktitut)

23 EXHIBIT 15 - Hard Copy PowerPoint  
24 presentation, Whale Tail Pit Expansion  
25 Project, NIRB Public Hearing - August 26-29,  
26 2019, Alternative Assessment and Cumulative

1           Effects (English)

2           EXHIBIT 16 - Hard Copy PowerPoint

3           presentation, Whale Tail Pit Expansion

4           Project, NIRB Public Hearing - August 26-29,

5           2019, Alternative Assessment and Cumulative

6           Effects (Inuktitut)

7   THE CHAIR:                   Thank you, legal counsel.

8   Agnico Eagle, you can continue.

9   Presentation by Agnico Eagle Mines Limited (Alternative  
10   Assessment and Cumulative Effects)

11   MR. LAPOINTE:               Thank you, Madam Chair.

12           Philippe Lapointe, Agnico Eagle. This  
13   presentation will discuss the alternative assessment  
14   and cumulative effects.

15           First, I will present the topic overview, and then  
16   I will provide a summary of the final written  
17   submission status. Since we already -- oops. Sorry  
18   about that. There you go. Since we already presented  
19   that slide in the overview presentation and for the  
20   interest of time, I'll skip past these ones. That's  
21   the Whale Tail expansion detail.

22           The next few slides are to show the board what  
23   existing approved infracture will be used as part of  
24   the expansion project. Here you see our Baker Lake  
25   facilities, the fuel storage facility, and dock on the  
26   left-hand side, and on the right, the all-weather

1 private road.

2 As with the approved project, we will continue to  
3 use the Meadowbank camp and process plant to support  
4 the expansion project. Here's a closer look at the  
5 camp, the mill, the ore storage dome. We'll also be  
6 continuing to use the tailing storage facilities at  
7 Meadowbank as well. All these facilities and  
8 activities are approved under the Meadowbank Project  
9 Certificate Number 004, and there are no changes to any  
10 of these facilities at Meadowbank as a result of the  
11 expansion project.

12 The slide is just to go back to the expansion  
13 project layout for which our plan is to go from  
14 210 people to 390 at Amaruq. This increase is mainly  
15 due to the underground operation, which requires more  
16 worker.

17 We are using existing approved project facilities  
18 such as the garage, exploration camp, and pads. So for  
19 the benefit of the board, photos of the Whale Tail pit  
20 water treatment plant and one of the long-haul trucks  
21 that are currently being used.

22 So in the alternatives and cumulative effects  
23 assessment, we focus on areas where the expansion  
24 project caused changes to the approved project. Again,  
25 those areas are shown on this diagram in red for  
26 infrastructures related to the open pit. And in



1 purple, for those associated with the underground mine.

2 We'll now go through the different studies' areas  
3 showed earlier during the project overview  
4 presentation. Those have been considered as part of  
5 the cumulative effects assessment. This first one  
6 shows the terrestrial local and regional study areas.  
7 The terrestrial regional study area is the same, and we  
8 will be giving more information about these in the  
9 terrestrial presentation.

10 This one shows the terrestrial local study areas,  
11 which was considered as part of the cumulative effects  
12 assessment. This terrestrial local study areas was  
13 slightly increased, like mentioned earlier by Michel  
14 Groleau, for the potential access to Lake D1 and D5.  
15 Again, we'll be giving more information on this in the  
16 terrestrial presentation.

17 This one shows the noise and vibration local and  
18 regional studies' areas which were also considered as  
19 part of the cumulative effects assessment. Noise and  
20 vibration, regional study area and local study areas  
21 are the same as the approved project. We'll also be  
22 giving more information on these in the atmospheric  
23 presentation.

24 This one shows the aquatics local and regional  
25 study areas. Again, I'll consider it in the cumulative  
26 effects assessment. This study area and local studies

1 area are the same except for D1 and D5 lakes.

2 In summary, technical comments related to -- oops.  
3 Sorry about that. We have a bit of an issue here. So  
4 getting back to the summary of the final written  
5 submissions, there are no outstanding or unresolved --  
6 there's -- there's no final written submission related  
7 to the alternative assessment, sorry, and cumulative  
8 effects that have been identified. Thank you.

9 THE CHAIR: Thank you for that  
10 presentation.

11 Moving on to questions on all three presentations  
12 for introduction, project overview, and response to  
13 final written submissions, public participation and  
14 engagement, and alternative assessment and cumulative  
15 effects. We'll start with KIA and NTI.

16 MR. MANZO: Thank you, Madam Chair.

17 Luis Manzo, Kivalliq Inuit Association.

18 No questions at this time.

19 THE CHAIR: Baker Lake Hunters and  
20 Trappers Organization.

21 MR. AKSAWNEE: Thank you, Madam Chair.

22 Richard Aksawnee, Baker Lake Hunters and Trappers.

23 We have no questions at this time.

24 THE CHAIR: Government of Nunavut.

25 MR. PINKSEN: Thank you.

26 Steven Pinksen, Government of Nunavut.

1           We have no questions at this time.

2   THE CHAIR:                   CIRNAC.

3   MR. DEWAR:                   Madam Chair, Spencer Dewar,  
4   Crown-Indigenous Relations and Northern Affairs Canada.

5           No questions.

6   THE CHAIR:                   Environment Canada.

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

9           We have no questions at this time. Thank you.

10   THE CHAIR:                   Fisheries and Oceans Canada.

11   MR. D'AGUIAR:               Thank you, Madam Chair. Mark  
12   D'Aguiar with Fisheries and Oceans.

13           We have no questions on these topics. Thank you.

14   THE CHAIR:                   Health Canada.

15   MR. PARTRIDGE:              Thank you, Madam Chair. Paul  
16   Partridge from Health Canada.

17           We have no questions at this time.

18   THE CHAIR:                   NRCan.

19   MR. UNGER:                  Peter Unger, Natural Resources  
20   Canada. Thank you, Madam Chair.

21           No questions.

22   THE CHAIR:                   Environment Canada.

23   MR. BARRY:                  Thank you, Madam Chair. Ryan  
24   Barry, Nunavut Impact Review Board staff.

25           We have no questions on these presentations.

26   THE CHAIR:                   NIRB Board.

1     Nunavut Impact Review Board Questions Agnico Eagle  
2     Mines Limited

3     MR. KADLUN:                     (Other Language Spoken), Madam  
4     Chair.   Phillip Kadlun, Nunavut Impact Review Board.

5             I just have a short one.   It's just for my  
6     clarity.   You spoke -- you spoke to the issue about  
7     widening the road from 9.5 to 15 metres wide for  
8     improved safety.   My question is:   In having --  
9     expanding that road or widening it -- rather widening  
10    it, is there any changes to how -- how the dust  
11    management and noise management is handled seeing that  
12    it's -- they will -- I'm assuming also that there may  
13    be increased traffic, and so if that is the case, will  
14    there be any changes to dust collection, noise, and so  
15    on that's associated with the road?

16             (OTHER LANGUAGE SPOKEN), Madam Chair.

17    THE CHAIR:                     Agnico Eagle.

18    MR. QUESNEL:                  Thank you, Madam Chair.   Jamie  
19    Quesnel, Agnico Eagle.

20             Thank you for your question.   Dealing with the  
21    dust management component, that would remain the same  
22    based on the observation of dust and the application of  
23    dust suppressants as per our plan.   So that would  
24    remain the same for the -- for the haul road, if we get  
25    the approval for the additional width.

26             Noise management related to the traffic, it all

1 remains within the -- the original 'F' -- final  
2 environment impact statement for the approved project,  
3 so the traffic profile would remain the same. It's  
4 primarily for the safety of the vehicles for the long  
5 haul.

6 Just to provide a little bit more clarification,  
7 right now, we're just ramping up to steady state, and  
8 these were observations from the pilot program once we  
9 selected the final long haul truck 'cause we had -- we  
10 evaluated different trucks, different styles, and  
11 this -- this truck has been specifically designed for  
12 this road, and this is -- this is an observation from  
13 the original pilot program. Thank you.

14 MR. KADLUN: (OTHER LANGUAGE SPOKEN), Madam  
15 Chair. Phillip Kadlun, Nunavut Impact Review Board.

16 That's all for now.

17 THE CHAIR: Uriash.

18 MR. PUQIQNAK: Thank you, Madam Chair.

19 Uriash Puqignak, NIRB Board member.

20 A short -- a short question. Do you have a -- do  
21 you have a sewage lagoon? There are sewage lagoons  
22 situated in each of the -- in each of the communities,  
23 and do you have a lagoon of some type where you dump  
24 sewage?

25 MR. QUESNEL: Thank you, Madam Chair. Jamie  
26 Quesnel at Agnico Eagle.

1           Thank you for your question. The sewage  
2 management at the Whale Tail expansion -- the approved  
3 project and also for the expansion project, we have a  
4 sewage treatment plant that does not include a lagoon.  
5 So it is a sewage treatment plant similar to what we  
6 have at Meadowbank, what's operating right now in the  
7 approved project, and also at Meliadine so in that  
8 there will not be a sewage lagoon.

9 MR. PUQIQNAK:                   Thank you. There is wildlife  
10 protection measures that are -- that you have plans  
11 for. There -- there are some places where you have a  
12 tailings pond. Sometimes birds come in. When birds  
13 start to arrive, they land in areas where there's marsh  
14 or lakes or ponds.

15           The tailings pond never freezes -- fully freezes  
16 over. It's a continuous place for -- the tailings  
17 are -- are -- are being put -- when the -- when the --  
18 when it begins to get warmer, ducks and geese and loons  
19 and birds of all types of species tend to land where  
20 they want to, and sometimes they may land at the  
21 tailings pond and may have difficulty in getting out  
22 because of the tailings. It's -- I wonder: Do you  
23 have any plans in place for birds that may eventually  
24 land at the tailings pond? Do you have any plans in  
25 place where you have to deter birds from landing there?

26 THE CHAIR:                   Agnico Eagle.

1 MR. QUESNEL: Thank you, Madam Chair. Jamie  
2 Quesnel, Agnico Eagle.

3 Thank you for your question. Related to the  
4 tailings, we do have a monitoring program for the  
5 existing tailings facility at Meadowbank. Also, we  
6 have deterrents, cannons, when birds are coming in, to  
7 keep them away from the tailings facility.

8 Also, right now at Meadowbank, the -- the original  
9 tailings facility is being reclaimed based on some  
10 observations yesterday. We're encapsulating the north  
11 and south cell with rock with a thermal cover. And  
12 based on our recent approval with our tailings in a  
13 pent up position, we're depositing our tailings  
14 starting at the Bay Goose pit.

15 So we do have a monitoring program to observe  
16 birds. We have completed analysis regarding the water,  
17 and also we have the deterrents to keep the birds away  
18 from that footprint. Hopefully, that helps with your  
19 question. Thank you.

20 MR. PUQIQNAK: Yeah. Thank you for that  
21 answer. (OTHER LANGUAGE SPOKEN) what type of  
22 deterrence do you have, and how much noise -- how many  
23 decibels? Can you maybe possibly give an example?

24 MR. QUESNEL: Thank you, Madam Chair. Jamie  
25 Quesnel at Agnico Eagle.

26 We have the cannons. It just makes a bang at a

1 different frequency. The decibels, we would have to  
2 get back to you with that number. We don't have that  
3 readily available, but we can provide it this  
4 afternoon. Thank you.

5 THE CHAIR: When you talk about proposing  
6 to increase the width of the road to 15 metres, can you  
7 explain in comparison to the roads within the community  
8 how wide that would be?

9 MR. QUESNEL: Thank you, Madam Chair. Jamie  
10 Quesnel, Agnico Eagle.

11 It would be approximately 8 panels if you look on  
12 the walls. It could possibly be 8 panels or so or  
13 double the width of the -- of the road out front of the  
14 hall. So -- approximately.

15 THE CHAIR: Thank you.

16 Many of the people involved in the public hearing  
17 haven't had the opportunity firsthand to see the pits  
18 or the waste rock storage facility. Can you describe  
19 the size of the proposed additional features in  
20 relation to the distances within the community?

21 MR. QUESNEL: Thank you, Madam Chair. Jamie  
22 Quesnel, Agnico Eagle.

23 For the approved Whale Tail Pit -- and we had that  
24 with the 3D model for that public hearing, and we had a  
25 scale for Baker Lake. Approximately, the community of  
26 Baker Lake would fit into the Whale Tail-approved pit,



1 and the -- the footprints of the waste rock storage  
2 facility would be approximately the same. However,  
3 we'll confirm with the exact measurements and provide  
4 that after lunch, but that just gives you a little bit  
5 of context of the relationship of Baker Lake versus  
6 the -- the opening of the pit and the footprint of the  
7 base of the waste rock storage facility for -- for  
8 Whale Tail. Hopefully, that helps.

9 THE CHAIR: Thank you.

10 Now, before our lunch, we're going to move on to  
11 the next presentation on atmospheric environment from  
12 Agnico Eagle.

13 Legal counsel.

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

17 I will be marking the exhibits, the next two  
18 exhibits being the presentation materials for this  
19 section.

20 EXHIBIT 17 - Hard Copy PowerPoint  
21 presentation, Whale Tail Pit Expansion  
22 Project, NIRB Public Hearing - August 26-29,  
23 2019, Atmospheric Environment (English)

24 EXHIBIT 18 - Hard Copy PowerPoint  
25 presentation, Whale Tail Pit Expansion  
26 Project, NIRB Public Hearing - August 26-29,

1           2019, Atmospheric Environment (Inuktitut)

2   MS. MEADOWS:                   And I'd also like to inquire  
3   whether there should be additional subject matter  
4   specialists sworn or affirmed to give evidence in the  
5   proceedings.

6   MS. KOWBEL:                   Madam Chair, yes. We do  
7   have -- Christine Kowbel, legal counsel for Agnico  
8   Eagle. We do have two additional experts we'd like to  
9   have sworn or affirmed.

10   MS. MEADOWS:                 Thank you, Madam Chair.  
11   Teresa Meadows, legal counsel for the Nunavut Impact  
12   Review Board. If I can have the additional witnesses  
13   state and spell their names for the record, please.

14   MR. MCNAUGHTON:             Thank you, Madam Chair.  
15   Cameron McNaughton with Golder Associates.

16   C-A-M-E-R-O-N, M-C, capital 'N', A-U-G-H-T-O-N.

17   MS. AMENDOLA:                Thank you, Madam Chair.  
18   Andrea Amendola, Golder Associates. A-N-D-R-E-A,  
19   A-M-E-N-D-O-L-A.

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

23           Do the witnesses wish to be sworn or affirmed?

24   MR. MCNAUGHTON:             Thank you, Madam Chair.

25           Affirmed.

26   MS. AMENDOLA:                Thank you, Madam Chair.

1 Andrea Amendola, Golder Associates.

2 Affirm.

3 ANDREA AMENDOLA, CAMERON MCNAUGHTON, Affirmed

4 MS. MEADOWS: Teresa Meadows, legal counsel  
5 for Nunavut Impact Review Board. Madam Chair, those  
6 are my procedural matters.

7 THE CHAIR: Agnico Eagle, you can continue  
8 with your presentation.

9 Presentation by Agnico Eagle Mines Limited (Atmospheric  
10 Environment)

11 MS. TURMEL: Thank you, Madam Chair. Manon  
12 Turmel, Agnico Eagle Mines.

13 Good morning. This presentation will discuss the  
14 atmospheric environment valued component. As with  
15 other topics, the final environmental impact statement  
16 addendum concludes that the expansion project will not  
17 have any significant residual effects on air quality.  
18 First, I will present the topic overview. Second, I  
19 will provide a summary, a final written submission  
20 status.

21 This figure presents the air quality study area  
22 for the expansion project. A 60 by 60 kilometre around  
23 the Whale Tail Expansion Project. The purple line  
24 represents the project boundary. The purple dots are  
25 model grid receptors, and yellow stars indicate  
26 selected discreet receptors. I'm referring to

1 receptors all through this presentation.

2 A model grid receptor is a location point where  
3 our modeling has given us a predicted concentration.  
4 It helps us understand how the emissions are dispersed  
5 over the area, and it helps us understand air quality  
6 around our project. A discreet receptor is a location  
7 point that we have identified through traditional  
8 knowledge and other research where people could go, for  
9 example, a fishing spot.

10 We want to understand these -- the conditions for  
11 those place as well. The study area, model grid  
12 receptors, discreet receptors are consistent with the  
13 approved project. The approved project air quality  
14 assessment was updated to include additional sources of  
15 traditional knowledge, community consultation, and  
16 engagement outcomes. No additional baseline studies  
17 were completed.

18 An example of the additional traditional knowledge  
19 is that the most frequently mentioned type of use of  
20 the area is the travel through the area on the way to  
21 the Back River, which we learned through consultation  
22 with the Baker Lake community.

23 Changes in sources of air emissions from the  
24 approved to the expansion project are the following:  
25 New emission sources from the IVR pit and underground  
26 mine; increased emissions from mobile equipment exhaust

1 and dust has -- with the expansion project, there's  
2 more road; increased emissions from material handling  
3 and ore crushing; wind erosion emissions from the waste  
4 rock storage facilities; we have added generators and  
5 heaters to support the expansion project; and an  
6 incinerator. These sources fall into two groups,  
7 combustion sources and dust.

8 These slides presents a summary of air quality  
9 results for combustion sources and dust. Emissions  
10 from combustion sources are all predicted through  
11 results in concentrations in air at the Whale Tail  
12 property boundary that are below the relevant Nunavut  
13 ambient air quality standards.

14 Combustion emissions include oxides of nitrogen  
15 referred to as "NO2" in this presentation as well as  
16 fine particulate matter, for example, soot from diesel  
17 engines.

18 Dust concentrations in air and disposition of dust  
19 along the road are predicted to be below applicable  
20 standards within 1 kilometre from the haul road.  
21 Specifically, maximum total suspended particulate  
22 concentrations are predicted to be below Nunavut's  
23 standard at 500 metre to 1,000 metre downwind of haul  
24 road.

25 Dust disposition rates are predicted to be below  
26 the Alberta guideline for residential and recreational

1 areas within 300 to 500 metre downwind of haul road.  
2 Alberta guideline was used in absence of a Nunavut  
3 guideline here.

4 Because there were no significant changes to air  
5 quality predicted, the existing air quality and  
6 dustfall monitoring plan was developed to be in line  
7 with the Whale Tail Pit Project Certificate Number 8,  
8 and referring here specifically to Conditions 1 and 2.

9 This plan includes continuous passive monthly  
10 monitoring of NO2 downwind from the Whale Tail project  
11 and dustfall monitoring at Whale Tail Expansion and at  
12 three transits along the haul road.

13 Continuous type of monitoring involves the use of  
14 passive NO2 samplers, which are small pucks deployed at  
15 the start of the month and then recovered 30 days later  
16 and replaced with a new puck. The pucks are sent to an  
17 independent laboratory in the south, and the result is  
18 the average concentration of NO2 measured at that  
19 location over a 30-day period. We have used these for  
20 many years at site, and they are successfully used at  
21 many sites across the arctic, including Meliadine.

22 We will continue to follow this monitoring plan as  
23 part of the expansion project. Future monitoring and  
24 data analysis will inform adaptive management  
25 strategies related to air quality, including NO2 and  
26 dust.

1           Emissions from combustion sources are all  
2 predicted to result in concentrations in air at the  
3 Whale Tail property boundary that are below the  
4 relevant Nunavut ambient air quality standards.

5           Dust concentrations -- sorry. I'm going through  
6 the same one. I just will go to the next one. My  
7 apologies. I would like to give some more context to  
8 how we approached this part of the assessment.

9           In order for a potential risk to a receptor to be  
10 present at any given location and for monitoring at  
11 that location to be warranted, the following three  
12 conditions must be met: A chemical must be present at  
13 levels that could be harmful, a receptor must be  
14 present, and there must be an exposure pathway by which  
15 the receptor can come into contact with the chemical.

16           If these three conditions are not all met at a  
17 specific location and for a specified period of time,  
18 we do not consider that as a risk. For example,  
19 results of the air quality modeling indicate ambient  
20 concentrations are below the Nunavut standards.  
21 Therefore, the risk to potential health -- human health  
22 and environment receptors is deemed to be very low to  
23 negligible. What we mean here is that the source is  
24 not at levels that could be harmful. We discussed this  
25 on the previous slide as well.

26           Traditional knowledge is very important when we

1 are considering receptors. Traditional knowledge  
2 obtained during public engagement sessions indicated  
3 that grave sites and traditional hunting, fishing  
4 activities occurred in the area historically but are  
5 not visited regularly by local Inuit today, and there  
6 are no Inuit living in that area.

7 Since local Inuit told us they are not in the  
8 study area for extended period of times and we have not  
9 identified any risk to human health, there is no  
10 exposure pathway.

11 This figure presents monitoring locations included  
12 in a current air quality and dustfall monitoring plan.  
13 Consistent with the approved project, there are three  
14 dustfall transits along the Whale Tail haul road.

15 On the figure to the right, Station DF5 will  
16 monitor dustfall for the site. Still on the right  
17 figure, Station DF6 in green was added as part of the  
18 expansion project and in collaboration with Environment  
19 and Climate Change Canada during this reconsideration  
20 process, and it will measure total suspended  
21 particulate, fine particulate matter, dustfall, and  
22 NO2. It's in the area southeast of the camp. So DF6  
23 in green, and DF5 here. Dustfall here; NO2 dustfall  
24 articulate matter here. And the wind is blowing in  
25 this direction.

26 This figure presents the noise and vibration



1 regional study area, the red-dashed line, and local  
2 study area, the red solid line, for the expansion  
3 project which is consistent with the approved project.

4 Noise and vibration levels are all predicted to be  
5 below the relevant standards such as the Alberta Energy  
6 Regulator directive, 38; Noise Pollution Control  
7 Guideline 119; and Department of Fisheries and Oceans  
8 guidelines for the use of explosives in or near  
9 Canadian fisheries waters. As previously, the Alberta  
10 directive was used in the absence of one for Nunavut.

11 As a result, monitoring proposed includes two  
12 stations along the Whale Tail haul road and four  
13 stations around the Whale Tail site. We aim to conduct  
14 at a minimum two noise surveys per year at each of  
15 these stations. Each survey will be for about two to  
16 four days. No blasting in water is proposed, and  
17 blasting on land will be carefully managed and  
18 monitored.

19 This slide presents the list of meetings that were  
20 held with interveners to try and resolve technical  
21 comments. Four meetings were held with Environment and  
22 Climate Change Canada. Two meetings were held with the  
23 Government of Nunavut. One meeting was held with  
24 Health Canada on air quality specifically.

25 On this component, we received 12 information  
26 requests, 7 technical comments, and 9 final written

1 submissions. Additionally, we made six commitments  
2 during the technical meeting. As a note, of the nine  
3 final written submissions received, only two needed our  
4 response.

5 Environment and Climate Change Canada final  
6 written submission, Technical Comment 1 and 2; Canadian  
7 ambient air quality standards for nitrogen dioxide and  
8 proposed monitoring. We are proposing the following  
9 commitment: Continued passive measurements of 30-day  
10 average NO2 at location DF6.

11 Health Canada final written submission 3.1-1, air  
12 quality, Canadian ambient air quality standards and  
13 monitoring of nitrogen dioxide. We are already  
14 conducting continuous passive 30-day monitoring of  
15 nitrogen dioxide at both the Meadowbank and the  
16 approved project. Both of these methods were approved  
17 by the Nunavut Impact Review Board at Meadowbank Mine  
18 and the approved project 18 months ago.

19 We will continue to monitor for the life of the  
20 project and report back to the Nunavut Impact Review  
21 Board and regulators to ensure that we continue to  
22 comply with the Nunavut ambient air quality standards.

23 We considered that we have addressed and fully  
24 responded to all technical comments and that there are  
25 no additional terms and conditions on this topic that  
26 should be added to the project certificate. As the

1 existing conditions, Conditions 1 and 2 of Project  
2 Certificate Number 8, are predictive of air quality,  
3 and the expansion project is not predicted to have more  
4 impacts on air quality than the approved project as  
5 approved by the Nunavut Impact Review Board a year and  
6 a half ago.

7 THE CHAIR: Thank you for that  
8 presentation.

9 Moving on to questions on the presentation for  
10 atmospheric environment, questions from KIA and NTI.

11 MR. MANZO: Luis Manzo, Kivalliq Inuit  
12 Association.

13 No questions at this time. Thank you.

14 THE CHAIR: Baker Lake Hunters and  
15 Trappers Organization.

16 MR. AKSAWNEE: Thank you, Madam Chair.  
17 Richard Aksawnee (LOST AUDIO FEED - OTHER LANGUAGE  
18 SPOKEN).

19 THE CHAIR: Government of Nunavut.

20 MR. PINKSEN: Thank you, Madam Chair.  
21 Steven Pinksen, Government of Nunavut.

22 We have no questions.

23 THE CHAIR: CIRNAC.

24 MR. DEWAR: Thank you, Madam Chair.  
25 Spencer Dewar, Crown-Indigenous Relations and Northern  
26 Affairs Canada.

1           No questions.

2   THE CHAIR:                   Environment Canada.

3   Environment and Climate Change Canada Questions Agnico

4   Eagle Mines Limited

5   MR. ASHER:                   Brian Asher, Environment

6   Climate Change of Canada. I do have a couple of

7   questions.

8           In Environment and Climate Change Canada's

9   submission, we noted some concerns related to accuracy

10   of passive and of two samplers. So referencing that,

11   our submission, my question for AEM is: To what extent

12   has Agnico Eagle considered the accuracy problems with

13   passive NO2 samplers, and -- and are -- is Agnico Eagle

14   aware of any field studies that validate their accuracy

15   at temperatures that are typical of Baker Lake winters

16   where temperatures are -- average temperatures are

17   35 degrees celsius below? Thank you. That's one

18   question, and I have another question after that, but

19   I'll let the proponent respond. Thank you.

20   THE CHAIR:                   Agnico Eagle.

21   MR. QUESNEL:                Thank you, Madam Chair. Jamie

22   Quesnel, Agnico Eagle.

23           To answer Environment Canada and Climate

24   Change's [sic] question, dealing with the passive

25   samplers, they're -- they're an approved application

26   to -- to monitor the associated activities.

1           At Meadowbank, it's approximately ten years we  
2   have been using this application. It's a part of the  
3   approved Whale Tail project. Also, we use the same  
4   technique at Meliadine. We probably can ask our  
5   experts to give you a list of operations throughout  
6   Nunavut and the territories in Canada that uses a  
7   similar technique.

8           Saying all this, we have not completed the field  
9   studies related to that question based on the  
10   applicability and the -- the results we have received  
11   and presented this information for a decade in annual  
12   reports where this concern historically has not been an  
13   issue.

14          So we felt there was no need to evaluate the  
15   accuracy component related to the application of the  
16   passive -- continuous passive sampler that we have at  
17   our operations. We feel the process that we go  
18   through, the rigour through the Nunavut Impact Review  
19   Board, the process where we have the monitoring results  
20   presented in the annual report is a rigorous enough  
21   process to validate our results related to this  
22   application of the passive samplers. Thank you.

23   THE CHAIR:                   Environment Canada. Do you  
24   have any further questions?

25   MR. ASHER:                   Brian Asher, Environment and  
26   Climate Change Canada.

1 I'll move on to the next question, but I guess in  
2 summary, what I would consider a validation study would  
3 be one that collocates a passive sampler with a  
4 continuous sampler so that we would have some idea of  
5 the accuracy of the passive sampler as a method, but I  
6 myself have looked through the literature. I am not  
7 aware of such a study, and -- and I think your response  
8 confirms similarly, but I would welcome if -- if Agnico  
9 Eagle were interested in --

10 MR. BERGNER: Madam Chair --

11 MR. ASHER: -- providing such.

12 MR. BERGNER: -- if I may, Keith Bergner,  
13 legal counsel for Agnico Eagle.

14 There is an opportunity tomorrow for intervenor  
15 submissions, and if we could keep today to intervenor  
16 questions, that would be greatly appreciated.

17 MR. ASHER: Brian Asher, Environment and  
18 Climate Change Canada.

19 Fair. I'll move on to my next question quickly or  
20 briefly. Agnico Eagle had indicated that NO2  
21 concentrations from passive monitoring would inform  
22 adaptive management -- an adaptive management strategy,  
23 and I'm curious if you can explain a little bit more.  
24 Because to my knowledge, I'm not aware of -- of any  
25 indication in the air quality management plan of how  
26 the NO2 concentrations from the passive samplers would

1 be used. Thank you.

2 THE CHAIR: Legal counsel.

3 MS. MEADOWS: Thank you, Madam Chair.

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

6 With respect, I do think that the -- that  
7 Environment and Climate Change Canada was asking a  
8 question and not making a presentation. So I believe  
9 that their question -- if they wish to pursue any  
10 additional follow-up from your answer, that they were  
11 entitled to do so. But if they want to defer it  
12 to following up in their presentation, that is also  
13 acceptable, but my understanding of what they were  
14 discussing was a follow-up to the answer that they had  
15 received as a question.

16 And following up on that point, Environment and  
17 Climate Change Canada, I think there was an offer made  
18 by Agnico Eagle to provide a listing of other northern  
19 sites where this passive sampling has been used, and I  
20 didn't hear in Environment and Climate Change Canada's  
21 response whether or not they wished to have that  
22 information or not. So if you can provide us with  
23 direction on that as to whether or not that's a  
24 deferred response.

25 Thank you, Madam Chair.

26 THE CHAIR: Agnico Eagle.

1 MR. BERGNER: No furth -- Keith Bergner,  
2 legal counsel with Agnico Eagle.

3 No further comments. The question as it was  
4 ultimately posed was perfectly acceptable.

5 THE CHAIR: Environment and Climate Change  
6 Canada, did you get a response?

7 MR. ASHER: Brian Asher, Environment and  
8 Climate Change Canada.

9 To respond on the issue of providing more  
10 information on where passive monitoring is done at  
11 other mine sites, we're pretty -- we're -- we're quite  
12 aware of what is done at other mine sites, and we don't  
13 request that additional information. So it would not  
14 be necessary.

15 And then, secondly, because I guess this is a bit  
16 of a sidetrack, we still would request a response to  
17 our most recent question related to adaptive  
18 management. Thank you.

19 THE CHAIR: Agnico Eagle.

20 Agnico Eagle, we'll take that as a deferred  
21 response, and it's now 12:00. So we're going to break  
22 for lunch until 1:15. We'll reconvene at 1:15 and  
23 await your response to Environment and Climate Change  
24 Canada's question.

25

26 PROCEEDINGS ADJOURNED UNTIL 1:15 PM



1

2 (PROCEEDINGS COMMENCED AT 1:16 PM)

3 THE CHAIR: Good afternoon. We'll  
4 continue with questions on the atmospheric environment  
5 questions to Agnico Eagle.

6 We left for lunch with a deferred response to  
7 Environment and Climate Change Canada's question  
8 from [sic] Agnico Eagle.

9 Agnico Eagle, do you have a response ready?

10 MS. TURMEL: Manon Turmel, Agnico Eagle.

11 We don't have any problem with updating the air  
12 quality and dust fall monitoring plan as per  
13 Environment Canada request to -- yeah, to add adaptive  
14 management on our NO2 passive monitoring activities.

15 THE CHAIR: Environment and Climate Change  
16 Canada, any more questions to Agnico Eagle?

17 MR. ASHER: Brian Asher, Environment and  
18 Climate Change Canada.

19 We acknowledge that you're willing to update it,  
20 but I -- the question was more if you could explain how  
21 you would incorporate the passive sampling results to  
22 your adaptive management strategy.

23 MR. QUESNEL: Thank you, Madam Chair. Jamie  
24 Quesnel, Agnico Eagle.

25 My colleague, Manon Turmel, was mentioning we  
26 would just add a threshold to the -- the table that was

1 referenced, and that would be a trigger for adaptive  
2 management.

3 THE CHAIR: Canada (OTHER LANGUAGE  
4 SPOKEN). Any more questions?

5 MR. ASHER: Thank you. No more questions.

6 THE CHAIR: DFO Canada, questions?

7 MR. D'AGUIAR: Mark D'Aguiar with Fisheries  
8 and Oceans. We have no questions on the atmosphere.  
9 Thanks.

10 THE CHAIR: Health Canada, questions?

11 MR. PARTRIDGE: Paul Partridge. No questions  
12 at this time. Thank you.

13 THE CHAIR: Natural Resources Canada.

14 MR. UNGER: Peter Unger, Natural Resources  
15 Canada. Thank you, Madam Chair. No questions.

16 THE CHAIR: Environment -- or NIRB.  
17 Questions?

18 Nunavut Impact Review Board Staff Questions Agnico  
19 Eagle Mines Limited

20 MR. BARRY: Thank you, Madam Chair. Ryan  
21 Barry, Nunavut Impact Review Board staff.

22 Just a couple of quick questions. I'm wondering  
23 if -- for the benefit of the Board, if Agnico Eagle can  
24 elaborate on the reasons for their reluctance to adopt  
25 in full the recommendations of Environment and Climate  
26 Change Canada for updates to your air sampling program,

1 specifically any information that you can provide,  
2 maybe elaborating a bit, on any barriers you see either  
3 financial or technical feasibility for the active  
4 monitoring methods that are being recommended.

5 THE CHAIR: Agnico Eagle.

6 MR. QUESNEL: Thank you, Madam Chair. Jamie  
7 Quesnel, Agnico Eagle.

8 Just based on our presentation, the results are --  
9 are very low. So there's a very low risk for the --  
10 for this component of the application. And dealing  
11 with the logistics aspect, if we did install them --  
12 which we're not saying we are -- it would be  
13 challenging for power to -- based on our assessment  
14 with our subject matter experts, with that type of  
15 sampler, it's a very expensive process, the  
16 applicability of it to the operation is -- is not  
17 relevant, and the applicability of the -- of the  
18 Canadian Ambient Air Quality Standard is not relevant  
19 for this type of project. And, also, we have a Nunavut  
20 standard. I think it meets the requirements and the  
21 rigour that's required for this type of project.

22 So our results are very low, which my colleague,  
23 Manon, presented. The exposure's not there, which  
24 doesn't create a pathway and a receptor. So we feel  
25 the risk is very low for this type of request.

26 THE CHAIR: NIRB staff.

1 MR. BARRY: Thank you, Madam Chair. Ryan  
2 Barry, Nunavut Impact Review Board staff. Thank you.  
3 That clarification is helpful.

4 I think, in general, I would, you know, encourage  
5 the proponent to -- to keep in mind we recognize you've  
6 had extensive back-and-forth with Environment Canada,  
7 other regulators about many of the issues that we'll be  
8 discussing, but sometimes when you can, you know,  
9 provide some of that background in plain terms where --  
10 it's helpful for the Board for context.

11 Also, in that vein, regarding the additional  
12 information you offered on sites -- in other sites in  
13 northern Canada that are using -- utilizing similar  
14 passive monitoring approaches that are in place, if you  
15 could provide those for the Board's information, I  
16 think that would be very helpful. So if you can commit  
17 to that, that would be noted.

18 THE CHAIR: Agnico Eagle.

19 MR. QUESNEL: Yeah. Thank you, Madam Chair.  
20 Jamie Quesnel, Agnico Eagle.

21 Yes, we can provide a list. Thank you.  
22 Nunavut Impact Review Board Questions Agnico Eagle  
23 Mining Limited

24 THE CHAIR: Phillip. NIRB Board of  
25 director, Phillip.

26 MR. KADLUN: Thank you. Phillip Kadlun,

1 NIRB Board member.

2 Earlier this morning you spoke -- spoke about  
3 the -- about the ambient air quality standards.  
4 Having -- having heard that the standards are, I guess,  
5 based somewhat mostly on Alberta standards, I guess  
6 where my concern is, up in the north, we do live in a  
7 little bit different climate, and -- and -- and we  
8 don't have as much as trees. The -- the reason I --  
9 that -- that's one of the reasons why I raised this  
10 concern is that the trees could act as what you might  
11 call -- you know, the trees themselves could act as a  
12 buffer, I guess, even with the dust and the noise.  
13 Maybe I should ask the proponent or the Environment and  
14 Climate Change Canada whether -- whether those things  
15 are taken into consideration. Like I said, it's -- our  
16 environment up here, it's very, very much different, as  
17 we have not very many trees and no trees in most places  
18 in Nunavut, and -- and the air quality -- air, it's a  
19 lot more drier, and, you know, it -- to -- to -- to get  
20 a better understanding of how those standards are set,  
21 I would like to ask either proponent or Environment --  
22 or Environment and Climate Change Canada if they can  
23 respond to my question and concern. Thank you, Madam  
24 Chair.

25 THE CHAIR: Environment and Climate Change  
26 Canada, we'll mark that as a question for when you do

1 your presentation.

2 And, Agnico Eagle, you can provide your response  
3 to Phillip's question.

4 MR. MCNAUGHTON: Madam Chair, Cameron  
5 McNaughton with Golder Associates.

6 So I'll answer the question in two parts. The  
7 Nunavut Ambient Air Quality Standards relate to the  
8 concentrations of things like NO2 in the air which you  
9 would breathe, and those standards are set by the  
10 Government of -- and adopted by the Government of -- of  
11 Nunavut.

12 When we complete the air quality modelling for the  
13 project, we take into account that it is a tundra  
14 ecosystem here in Nunavut as opposed to a forested  
15 ecosystem, and the model has the ability to account for  
16 the differences in the surface terrain, the weather,  
17 and the climate in this region.

18 The second part of it is the Alberta guideline  
19 that you mentioned, and that's related to dust fall  
20 that is falling onto the ground, and there is no  
21 standard here in Nunavut for dust fall. So there are  
22 standards in some of the southern provinces, and  
23 Alberta has two standards, one for industrial  
24 facilities and then one for residential and  
25 recreational areas. And we have compared the results  
26 of the model to the residential and recreational uses

1 standard, which is the strictest of those dust fall  
2 standards here in Canada.

3 THE CHAIR: Guy?

4 MR. ALIKUT: Thank you. Guy Alikut from  
5 NIRB Board.

6 I have questions in regards to what is being said  
7 to the different departments. It goes to all of you,  
8 to the federal government, to all these -- are -- I  
9 would like to see that better information be given to  
10 the communities according to -- like, you have said  
11 "IQ" earlier. We need to use more local people and  
12 make sure they're informed. How -- how much  
13 information is given to them? That -- we have  
14 questions all the time in our mind. Because we are the  
15 ones who live in this -- in this -- Nunavut, and people  
16 are going to be hunting from there. And have this ever  
17 been considered? Which -- has HTO or Hamlet or the  
18 community reps -- when they are doing reporting to the  
19 community, when you're doing your report like you do  
20 reporting to the federal government and to others. Can  
21 you answer my question? What kind of -- what kind of  
22 relationship do you have with the communities in --  
23 closer to the mine? Like, there's dust, and there's  
24 air that we breathe. Like, it's not our -- and I'll  
25 finish up here. And I'll wait for your answer. Thank  
26 you.

1 THE CHAIR: Agnico Eagle.

2 MR. QUESNEL: Thank you, Madam Chair. Jamie  
3 Quesnel, Agnico Eagle.

4 With all our monitoring results, we provided that  
5 in the annual report, which is circulated to a lot of  
6 people, the Nunavut Impact Review Board report  
7 regarding the project certificate. Also, we do have  
8 our community affairs group, which we have an office  
9 here in Baker Lake and other -- other -- other hamlets  
10 around where we have community coordinators. Some of  
11 this information is shared at these meetings. But we  
12 could look at other ways to -- to include these reports  
13 at the offices and also looking at improving our -- our  
14 many meetings we have with the communities to -- to  
15 share this information. So we'll -- we can improve  
16 that, and we -- we look for other recommendations where  
17 we can improve that with community.

18 But, overall, we have the annual report where we  
19 share the monitoring results, and we do have meetings  
20 in the community with our community affairs group and  
21 the coordinators associated with that information.

22 Thank you.

23 THE CHAIR: Catherine.

24 MS. EMRICH: Thank you, Madam Chair.

25 I just have a follow-up question from the question  
26 posed by NIRB staff. I'm wondering if we could also



1 have a list of projects in the north that are using  
2 continuous monitoring, if there are any that are doing  
3 that.

4 And as a follow-up, I wanted to understand a  
5 little bit about how onerous a field study would be --  
6 I think Environment Canada alluded to that -- to  
7 compare results of continuous versus passive monitoring  
8 and whether or not you think this would help to verify  
9 the results you're seeing in the passive monitoring.

10 Thank you.

11 THE CHAIR: Agnico Eagle.

12 MR. QUESNEL: Thank you, Madam Chair. Jamie  
13 Quesnel, Agnico Eagle.

14 The first part of your question dealing with  
15 locations for continuous monitoring, we leave that to  
16 other parties to respond to the Board 'cause we don't  
17 have that information readily available.

18 However, dealing with the field study, I'll let  
19 our subject matter expert Cam -- he can respond on  
20 that.

21 MR. MCNAUGHTON: Thank you, Madam Chair.

22 Currently, there are several locations in the  
23 north where continuous one-hour monitoring is  
24 undertaken, and those are undertaken by the Government  
25 of the Northwest Territories and Nunavut in  
26 collaboration with Environment and Climate Change

1 Canada.

2 And during the technical meeting prior to this, we  
3 undertook a rigorous analysis of that data and provided  
4 it to Environment Canada, and it was on the basis of  
5 that analysis that we were able to determine that the  
6 30-day passive sampling was -- gave us the information  
7 that we needed in order to determine whether or not  
8 there was a risk associated with the NO2. And the  
9 30-day -- the conclusion was that the 30-day passive  
10 monitoring was -- allowed us to implement adaptive  
11 management if we were to observe concentrations in the  
12 30-day averages that would correspond to levels that  
13 would be of concern. Basically, that analysis showed  
14 that the -- the risk was not -- was not there. Does  
15 that answer your question?

16 MS. EMRICH: Thank you for that response.  
17 I'd just like a little bit of clarification as to how  
18 you used the continuous monitoring information.

19 MR. MCNAUGHTON: We -- Madam Chair, Cam  
20 McNaughton, Golder Associates.

21 We used the monitoring data collected at Norman  
22 Wells and Yellowknife and in Iqaluit, and we computed  
23 the statistics associated with the 30-day average  
24 concentrations observed at those locations using the  
25 one-hour NO2 data and compared those to the 30-day  
26 observations at the Meadowbank project, which we have

1 many years of data; and, essentially, we found that the  
2 30-day average values measured at Meadowbank were  
3 either not statistically different or slightly below  
4 the concentrations measured on 30-day average periods  
5 at those towns here in the north.

6 MS. EMRICH: Thank you.

7 THE CHAIR: Okay. Moving on to the  
8 terrestrial environment presentation from Agnico Eagle.  
9 Legal counsel.

10 MS. MEADOWS: Thank you, Madam Chair. It's  
11 also my understanding that Agnico Eagle has two  
12 deferred responses from questions that were asked  
13 earlier this morning that they would be able to reply  
14 to before we open up the terrestrial environment  
15 discussions.

16 THE CHAIR: Agnico Eagle, you have  
17 deferred responses?  
18 Response to Deferred Questions by Agnico Eagle Mines  
19 Limited

20 MR. QUESNEL: Thank you, Madam Chair. Jamie  
21 Quesnel, Agnico Eagle.

22 My response would be related to the cannons to  
23 deter birds related to the tailings storage facility.  
24 So with those cannons, the noise decibels would be in  
25 the range of 110 to 120, and that's adjustable. And  
26 that would be comparable -- it would be lower than a

1     shotgun and higher than a snowmobile at -- I think it's  
2     at 50 metres. So that's just to give you a range of  
3     the noise from the cannons to deter birds.

4             And my colleague Chris Kennedy will respond on the  
5     next deferred question.

6     MR. KENNEDY:                     Thank you, Madam Chair. Chris  
7     Kennedy, Agnico Eagle.

8             So we -- we pulled some distances from our -- our  
9     engineering drawings and then compared them to the  
10    distances in town.

11    THE CHAIR:                     Sorry. I believe you didn't  
12    affirm or swear in. You're a new person giving  
13    evidence.

14             Legal counsel.

15    MS. MEADOWS:                    Thank you, Madam Chair.

16             So if I can get the witness to state and spell his  
17    name for the record, please.

18    MR. KENNEDY:                    Sure. Chris Kennedy,  
19    C-H-R-I-S K-E-N-N-E-D-Y.

20    MS. MEADOWS:                    And does the witness wish to  
21    be sworn or affirmed?

22    MR. KENNEDY:                    Affirm.

23    CHRIS KENNEDY, Affirmed

24    MS. MEADOWS:                    Thank you, Madam Chair. Those  
25    are my procedural matters.

26    THE CHAIR:                     Please continue.

1 Response to Deferred Questions by Agnico Eagle Mines  
2 Limited

3 MR. KENNEDY: Thank you, Madam Chair. Chris  
4 Kennedy, Agnico Eagle.

5 So the distance from this hall to the airport is  
6 approximately 4 kilometres, and -- sorry. To pause for  
7 a minute, I can bring up a -- a picture. If we could  
8 actually bring back Slide 9 from the opening  
9 presentation, it'll make this explanation maybe a  
10 little -- little easier. Sorry about that.

11 So as I mentioned, the distance from here, the  
12 hall, to the airport is 4 kilometres, and if you look  
13 on this image, north is pointing up, so the western  
14 edge of our project -- there's a -- oh, thank you. If  
15 you can see the laser pointer, from the western edge  
16 of -- this is the Whale Tail waste rock storage  
17 facility. To the very far eastern side of the IVR  
18 waste rock storage facility is 4 kilometres, so the  
19 same distance as here to the airport.

20 The width of the Whale Tail open pit -- it's this  
21 grey here -- is approximately 1 kilometre. And if we  
22 travel from the hall here to the baseball diamond, that  
23 is the same distance. It's 1 kilometre from here to  
24 the baseball diamond.

25 If we think about the town of Baker Lake, so just  
26 the buildings not going up -- away from the -- from the

1 town, it's approximately 2 kilometres squared, or you  
2 could fit four of these Whale Tail open pits in the  
3 size of Baker Lake. So it's about half a kilometre  
4 squared, so one fourth of the town of Baker Lake. The  
5 Whale Tail waste rock storage facility here is about  
6 1 kilometre squared or about half the size of the town  
7 of Baker Lake.

8 The -- the mine portals, the underground  
9 operations -- really there is no surface  
10 infrastructure; there's only a portal. And you  
11 consider that about the same -- same as a fire hall  
12 garage, if you will.

13 And, lastly, there's a question about the road  
14 that we're going to be building. So 15 kilometres --  
15 sorry, 15 metres -- I apol-- 15 metres wide. And if  
16 you pace from -- from the front of the hall here to the  
17 ditch on the other side, that is approximately  
18 15 metres or from the northern to the end -- the  
19 northern entrance, this door, to the other side of the  
20 road, that's 20 metres. Thank you.

21 THE CHAIR: Thank you for those responses.

22 We can move on to the presentation on the  
23 terrestrial environment.

24 Legal counsel.

25 MS. MEADOWS: Thank you, Madam Chair. It's  
26 my understanding that there will be potentially

1 additional witnesses that you wish to swear in for this  
2 as well. And there are two exhibits associated with  
3 this. And it is also my understanding that at the back  
4 of the hall Agnico Eagle has provided a 3D model. So  
5 if I can get, Jamie, first of all for you to speak to  
6 the model, and then we'll swear in the additional  
7 witnesses.

8 MR. QUESNEL: Thank you, Madam Chair. Jamie  
9 Quesnel, Agnico Eagle.

10 As Teresa has mentioned, we have our 3D model in  
11 the back of the hall, and the model represents the --  
12 the expansion -- the Whale Tail Expansion Project  
13 related -- shows the -- the surface pits, the waste  
14 rock storage facilities, our attenuation pond,  
15 Lake A53, the existing infrastructure of the approved  
16 project such as the Whale Tail dike, the Mammoth dike.

17 In addition, we have a model for the underground  
18 operation to highlight the -- the configuration of the  
19 underground. And at the next break, we'll have a  
20 representative there. If anyone's interested, we can  
21 walk them through and explain the model.

22 In addition to the model, which we forgot to  
23 mention, we do have the posters on the back wall which  
24 highlight some of our activities and some of the  
25 components of the assessments that we completed. Thank  
26 you.

1 MS. MEADOWS: Thank you, Madam Chair.

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

4 If I can have the additional witnesses who need to  
5 be sworn or affirmed to please come up to the front and  
6 state and spell your name for the record.

7 MR. DE LA MARE: Thank you, Madam Chair. It's  
8 Corey, C-O-R-E-Y, de la Mare, D-E L-A M-A-R-E.

9 MS. MEADOWS: Mr. de la Mare, do you wish to  
10 be sworn or affirmed?

11 MR. DE LA MARE: Affirmed, please.

12 COREY DE LA MARE, Affirmed

13 MS. MEADOWS: Thank you, Madam Chair.

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

16 Madam Chair, I have two additional exhibits, being  
17 the terrestrial environment presentation in hard copy  
18 in English and Inuktitut. And those are my procedural  
19 matters.

20 EXHIBIT 19 - Hard Copy PowerPoint

21 Presentation Whale Tail Pit Expansion Project

22 NIRB Public Hearing - August 26-29, 2019,

23 Terrestrial Environment (English)

24 EXHIBIT 20 - Hard Copy PowerPoint

25 Presentation Whale Tail Pit Expansion Project

26 NIRB Public Hearing - August 26-29, 2019,



1           Terrestrial Environment (Inuktitut)

2   THE CHAIR:                   Agnico Eagle, you -- you may  
3   proceed.

4   Presentation by Agnico Eagle Mines Limited (Terrestrial  
5   Environment)

6   MS. TURMEL:                 Thank you, Madam Chair.   Manon  
7   Turmel, Agnico Eagle.

8           This presentation will discuss the terrestrial  
9   environment valued component.   First, I will present  
10   the topic overview.   Second, I will provide a summary  
11   of final written submission status.

12          The following figure presents the terrestrial  
13   regional study area, the red dashed line, and local  
14   study area, red solid line, for the Whale Tail Pit  
15   Expansion Project.   This assessment considered the same  
16   spatial boundaries as those defined for the approved  
17   project.   The proposed activities associated with the  
18   expansion project fall within the previously assessed  
19   areas.   The expansion project will result in an  
20   addition of four years of operation, an expansion of  
21   the haul road from 9.5 to 15 metres.   There is no  
22   change in traffic.   There is no change in the number of  
23   trucks resulting from the expansion project compared to  
24   the approved project.

25          This figure present in greater detail the  
26   terrestrial local study area.   The assessment was

1 comprehensive and used available and relevant data and  
2 knowledge, both traditional and scientific. We engaged  
3 traditional knowledge-holders and harvesters to learn  
4 about their perspectives of the potential impacts on  
5 wildlife. That engagement was fundamental to the  
6 assessment, and I'll talk about that more in some of  
7 the following slides.

8         We have on-site experience with wildlife  
9 monitoring and mitigation during the last ten years of  
10 operation and two years for the Whale Tail Project,  
11 exactly the same activities as the Whale Tail  
12 Expansion.

13         Wildlife responses to the Meadowbank project have  
14 been monitored since 2006, and this practical  
15 information was used in the assessment for the Whale  
16 Tail and Whale Tail expansion projects. So in addition  
17 to the literature and studies, this assessment is also  
18 based on adaptive management as a result of practical  
19 experience and learning.

20         The Government of Nunavut currently manages the  
21 caribou collaring program for Nunavut, which is  
22 currently ongoing today. We also had a new source of  
23 information for this assessment, which the Nunavut  
24 Impact Review Board directed us to form under Project  
25 Certificate 8, the terrestrial advisory group, which is  
26 made up of the Hunters and Trappers Organization, the

1 Kivalliq Inuit Association, the Government of Nunavut,  
2 Environment and Climate Change Canada, and Agnico  
3 Eagle. I will describe more about this group later in  
4 the presentation.

5 But in our meetings over the past year, one of the  
6 things we regularly discussed was the expansion project  
7 and the assessment. In fact, the mitigations included  
8 in the current terrestrial ecosystem management plan  
9 were designed with the approved project in mind.

10 We have been proactive and inclusive in the  
11 incorporation of both Inuit Qaujimajatuqangit and  
12 traditional knowledge in the project design,  
13 construction, and mitigation measures. We've also been  
14 conducting consultation and engagement with the  
15 communities on the project. "Inuit Qaujimajatuqangit"  
16 can be defined as the Inuit ways past, present, and  
17 future and encompassing the entire realm of Inuit  
18 experience in the world and the values, principles,  
19 beliefs, and skills which have evolved as a result of  
20 that experience. And "traditional knowledge" is  
21 defined by the Nunavut Impact Review Board as a  
22 cumulative body of knowledge, practice, and belief  
23 evolving by adaptive processes and handed down through  
24 generations by cultural transmission.

25 Agnico Eagle has been actively collecting and  
26 discussing Inuit Qaujimajatuqangit and traditional

1 knowledge with communities from 2005 through 2019.  
2 This has been done through multiple workshops held with  
3 communities, public meetings in Baker Lake and Kivalliq  
4 Hunter and Trapper Organization, reviews of 17 existing  
5 reports for the project area, ongoing engagements with  
6 the Hunters and Trappers Organization, including  
7 through their participation in the terrestrial advisory  
8 group, which has met regularly over the years.

9 This information was used to design the scientific  
10 studies that complemented the traditional knowledge for  
11 the Whale Tail site. It was also used to structure the  
12 environmental assessment.

13 The Inuit Qaujimajatuqangit and traditional  
14 knowledge gathered for the project site included  
15 harvesting sites, wildlife, and fisheries. We used  
16 this traditional knowledge along with scientific  
17 information to produce maps of environmental  
18 sensitivities for the Whale Tail project. The Whale  
19 Tail project used traditional knowledge and science to  
20 address these issues following the mitigation hierarchy  
21 of avoid, minimize, and manage.

22 For instance, Elders were concerned about  
23 vegetation and wildlife habitat, which was addressed  
24 using traditional knowledge to avoid important wildlife  
25 sites such as dens, nests, and rare ecosystems. Elders  
26 wanted to ensure that caribou can cross the haul road

1 safely, which was addressed using traditional knowledge  
2 to minimize the structure of the road and locate  
3 crossing points for caribou.

4 Finally, Elders wanted to prevent negative changes  
5 to caribou and any impact to harvest, which was  
6 addressed using traditional knowledge and science to  
7 manage vehicle use on the road so that caribou can  
8 safely cross the road.

9 The Whale Tail expansion project uses the same  
10 infrastructure as the Whale Tail project, so these  
11 mitigations still apply. Remember that the project is  
12 remaining the same from a wildlife perspective. There  
13 is the same activity at Whale Tail and Meadowbank and  
14 the same amount of vehicles driving on the haul road  
15 and the all-weather access road.

16 This slide shows the movement of the principal  
17 caribou herds in eastern Nunavut. These include the  
18 Qamanirjuaq to the southeast, which does not interact  
19 with the project; the Beverly and Ahiak to the west of  
20 the project; there is a small interaction with Ahiak;  
21 the Wager Bay to the northeast, which also have a small  
22 interaction with the project; and, finally, the  
23 Lorillard, which cross the road in spring and fall and  
24 are the focus of our assessment and management.

25 One important note is that the project does not  
26 overlap with any caribou calving area for any herd.

1           In addition, we worked with Elders and land users  
2   to install trail cameras along the Whale Tail haul road  
3   to further investigate interactions of caribou with the  
4   road. On the left-hand side, you can see a group of  
5   caribou crossing the road. You can also see what the  
6   road looks like from the side. The first and second  
7   caribou are on the tundra. The other three are  
8   crossing the road. You can see the trail to the side  
9   where other caribou have been crossing at this  
10   location. And on the right-hand side, you can see a  
11   camera on a post in the middle of a caribou trail.

12           This map simply highlights the various  
13   observations from field programs along the Whale Tail  
14   haul road that was used for the terrestrial baseline  
15   characterization report. Observations shown include  
16   trails and signs, raptor observations, musk ox  
17   observations, fox and wolves observations, as well as  
18   wolverine.

19           In accordance with the Nunavut Impact Review Board  
20   Project Certificate Number 8 and, more specifically,  
21   Term and Condition 27, a terrestrial advisory group was  
22   established for the Meadowbank and Whale Tail project.  
23   It provides technical oversight on the project  
24   mitigation, monitoring, and adaptive management  
25   measures related to the protection of wildlife. The  
26   following parties are actively part of the terrestrial

1 advisory group: the Baker Lake Hunter and Trapper  
2 Organization, the Government of Nunavut, the Kivalliq  
3 Inuit Association, Nunavut Tunngavik Incorporated, and  
4 Environment and Climate Change Canada.

5 And there are people in this room here today that  
6 are part of this terrestrial advisory group. We can --  
7 with us, we have Luis Manzo, who is part of this group;  
8 Kim Poole as well; with the HTO, Warren has  
9 participated in this terrestrial advisory group, along  
10 numerous members of the Hunters and Trappers  
11 Organization. We've got Government of Nunavut. We  
12 have Stephen Atkinson, who's been a member of this  
13 group, and also some other members of the Government of  
14 Nunavut.

15 The terrestrial advisory group is also a venue for  
16 members to openly raise concerns about wildlife and to  
17 review and discuss the results of wildlife monitoring  
18 and to discuss opportunities for ongoing research.  
19 Additionally, terms of reference for the group were  
20 finalized and signed by all parties in 2019. Several  
21 meetings were held since June 2018, and the latest ones  
22 occurred in July 2019 and August of this year. These  
23 meetings consist of formal two-day meetings or can be  
24 as simple as a conference call to discuss a document or  
25 a specific topic. The next meeting is planned for  
26 October of this year. Thus, we have a substantial

1 track record of engaging with regulators to adaptively  
2 manage the terrestrial ecosystem management plan in  
3 response to monitoring needs, field realities, and to  
4 address concerns over potential impact to wildlife.

5 Meeting minutes and any subsequent updates to the  
6 terrestrial ecosystem management plan are submitted to  
7 the Nunavut Impact Review Board as part of the annual  
8 report process.

9 In response to concerns raised at the terrestrial  
10 advisory group meetings, our plan has been updated  
11 several times since 2016. As per Nunavut Impact Review  
12 Board project certificate, specifically Condition 28,  
13 we maintain a terrestrial --

14 THE CHAIR: You can continue.

15 MS. TURMEL: Okay. For each potential  
16 effect, mitigation measures are proposed. To confirm  
17 that residual effects are acceptable, a comprehensive  
18 monitoring plan is presented. It evaluates the  
19 response of wildlife habitat and wildlife populations  
20 to the effect of the project and project-related  
21 activities and measure effects against thresholds.

22 Further to this, a comprehensive data analysis  
23 report will be prepared at three-year intervals. This  
24 is in addition to the annual wildlife report that we  
25 prepared. This comprehensive report would consider  
26 questions such as zone of influence, deflection of



1 caribou by the road, the efficacy of mitigation, or  
2 other such questions depending on the availability of  
3 data.

4 We have received our project certificate in  
5 March 2018, have collected data through the migrations  
6 of spring 2018, fall 2018, and spring of 2019.  
7 Additional years of monitoring are still required to  
8 complete the comprehensive report. This report will  
9 combine 2018, 2019, and 2020 data and will be submitted  
10 as part of the 2020 annual report. This terrestrial  
11 ecosystem management plan outlines a tiered monitoring  
12 and mitigation approach based on feedback from the  
13 terrestrial advisory group. The terrestrial advisory  
14 group members' input have been heard by Agnico Eagle  
15 Mines, including our on-site environmental department  
16 representatives, which has resulted in the  
17 implementation of strong caribou protection measures.

18 During caribou migrations, site decisions -- for  
19 example, heightened monitoring, road closures, road  
20 opening -- are made on a daily basis in collaboration  
21 with terrestrial advisory group members that are  
22 on-site or available. The Hunter and Trapper  
23 Organization haul road wildlife monitor is also a key  
24 player. Finally, local field technicians are highly  
25 involved in decision-making and wildlife monitoring.

26 During the 2019 caribou spring migration, we

1 implemented Version 6 of the terrestrial ecosystem  
2 management plan. This plan revised with terrestrial  
3 advisory group's feedback contains reduced group size  
4 thresholds and tiered caribou protection measures that  
5 are more conservative than previous versions. And,  
6 finally, we've just recently provided Version 7 as part  
7 of the Nunavut Impact Review Board process.

8 We would like to present you a video showing herd  
9 movement during the 2019 spring migration.

10 THE CHAIR: Legal counsel.

11 MS. MEADOWS: Thank you, Madam Chair.

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

14 Thank you, Madam Chair. We will be marking this  
15 presentation as the next exhibit in the public hearing.  
16 Thank you, Madam Chair.

17 EXHIBIT 21 - Electronic Exhibit Only Video  
18 Clip Visual Representation of Caribou  
19 Migration in the Spring of 2019

20 THE CHAIR: Agnico Eagle, you can  
21 continue.

22 MS. TURMEL: Thank you, Madam Chair.

23 (VIDEO PLAYED)

24 MS. TURMEL: All right. Before it starts  
25 too quickly -- we can see the colour's a little bit --  
26 yeah. So in orange is the Wager Bay herd. We have

1 pictograms showing where the caribou is on a specific  
2 day. The date is specified here. It's going to go one  
3 per day. Like, this snapshot will be one per day. And  
4 in green are individuals from the Lorillard herd. We  
5 also identified a buffer around the road, so the one  
6 here to the outside -- like -- is 50 kilometre, and the  
7 one closer to the road is 4 kilometre.

8 (VIDEO PLAYED)

9 MS. TURMEL: You can see that when it's in  
10 red, the road -- this means the road is closed. You  
11 can see at the bottom the all-weather access road, and  
12 to the top is the Whale Tail haul road, and you can see  
13 caribou progressing through the 2019 spring migration.  
14 In the spring, the road was closed for 34 days this  
15 year. So we can see the haul road is reopening. The  
16 all-weather access road reopens, and there's ...

17 So we just wanted to give you a visual of what it  
18 can look like in migration using collar information and  
19 using the latest migration that occurred and the latest  
20 mitigation measures we've employed.

21 So I'll go back to the main presentation.

22 We are confident that recent updates to the  
23 terrestrial ecosystem management plan are adequate and  
24 protective caribou protection measures. Further  
25 analysis of the 2019 spring migration data will be  
26 completed as part of the annual report and discussed at

1 further terrestrial advisory group meetings.

2 The Whale Tail project certificate was issued in  
3 March 2018. Between approval and now, three caribou  
4 migration have occurred, as mentioned previously. It  
5 would be premature to request further mitigation  
6 measures without properly analyzing the effect of  
7 stricter measures recently implemented. This addition  
8 would be inconsistent with measures and reporting  
9 developed in collaboration with the terrestrial  
10 advisory group members and as per Project  
11 Certificate 8.

12 As mentioned previously, a comprehensive report  
13 combining the first three years of data will be  
14 completed in 2021. The terrestrial ecosystem  
15 management plan has been revised eight times since  
16 June 2016, and we are looking forward to continue  
17 engaging with the members of the terrestrial advisory  
18 group.

19 And one last point, the hunter harvest study  
20 resumed in spring 2019. So we'll continue doing that  
21 study in the upcoming years.

22 This slide presents the sensitive seasons for  
23 caribou interacting with the Meadowbank and Whale Tail  
24 Pit site. Sensitive seasons are periods of time during  
25 the year when increased monitoring and mitigation have  
26 to be implemented to ensure caribou protection.

1           The spring sensitive season is from April 1st to  
2   May 25 and corresponds to the spring migration. As you  
3   can see on this infographic, there's a higher number of  
4   caribou interacting with our site there. So this is  
5   the number of caribou interacting. So you can see at  
6   spring this is higher during the time.

7           The fall sensitive season is from September 22nd  
8   to December 15 and corresponds to the rut and fall  
9   migration. And both winter and summer are  
10   characterized as regular seasons.

11          As per the existing project certificate Term and  
12   Condition 30, seasonal caribou group size thresholds  
13   were developed using collar data and observations. For  
14   each season where caribou might interact with the site  
15   or road, these group size thresholds were developed.  
16   During spring, the group size threshold has been set at  
17   12. So if 12 or more caribou are observed within a  
18   certain distance, then additional mitigation is  
19   required, depending on the distance. In fall, this  
20   threshold is 110.

21          Through discussions with the Government of Nunavut  
22   and the Kivalliq Inuit Association, a desired minimum  
23   protection level of 75 percent of all caribou observed  
24   was used as the foundation for the group size  
25   threshold. We will collect additional data to continue  
26   to refine these thresholds and sensitive season timing

1 as the project progresses.

2 The terrestrial ecosystem management plan defines  
3 action levels based on caribou proximity to the road or  
4 to the site and the number of caribou based on the  
5 thresholds as presented.

6 The next set of slides presents you in greater  
7 details our tiered monitoring so you have a better idea  
8 of how we are monitor -- mitigation -- mitigating at  
9 site. So here you can see Level 1 for the mine site  
10 and the Whale Tail haul road. So if one or more  
11 satellite caribou collared are observed within  
12 50 kilometre from the mine site or haul road, a Level 1  
13 is triggered. When we are under a Level 1, we must  
14 provide daily notifications site-wide to all employees.  
15 This is to ensure a heightened level of awareness  
16 site-wide, inform employees that caribou can be  
17 encountered, and that additional mitigation measures  
18 can be quickly enacted. Speed limits are maintained at  
19 50 kilometres an hour. In addition, we conduct  
20 height-of-land surveys every two days, road surveys  
21 every two days, and we review the collar information  
22 twice per week. That's our Level 1.

23 The next one is Level 2. We go to a Level 2 if a  
24 caribou group larger than the threshold we just talked  
25 about are observed within 4 kilometre of the mine site  
26 or haul road. Under a Level 2, we have to provide

1 daily notifications site-wide, and drivers on the road  
2 are notified every three hours. Again, this is to  
3 ensure that employees are ready should caribou get  
4 closer and additional measures be required. And at  
5 that level, the environmental supervisor on-site  
6 notifies the Kivalliq Inuit Association, the Government  
7 of Nunavut, and the Hunter and Trapper Organization.  
8 In addition, height-of-land surveys are conducted every  
9 day, road surveys are conducted every day, and we  
10 review collar information as well every day so we are  
11 fully ready should caribou get closer.

12 Level 3 now, which is the highest level in our  
13 tiered approach. If a caribou group larger than the  
14 group size threshold are observed within 1.5  
15 kilometre -- so Level 2 was 4; Level 3 is 1.5 -- we go  
16 to a Level 3. Under Level 3, road is closed to all  
17 nonessential vehicles. For example, right now, our  
18 haul road is closed and has been closed for the past  
19 six days approximately due to caribou presence. Hourly  
20 site-wide notification are provided by the road  
21 dispatch to inform of caribou presence, and the  
22 environmental supervisor is in constant contact with  
23 the Kivalliq Inuit Association, the Government of  
24 Nunavut, and the Hunter and Trapper Organization  
25 representatives on-site or available to discuss. In  
26 addition, height-of-land surveys are conducted twice a

1 day, our road surveys are conducted at least every day  
2 and sometimes even more, and satellite collar  
3 information are also reviewed every day.

4 Finally, pilot convoys of essential vehicle  
5 equipment were completed during the 2019 spring --  
6 spring migration in collaboration with local field  
7 technicians, Hunter and Trapper Organization, the  
8 Hunter and Trapper Organization wildlife monitor, and  
9 the Kivalliq Inuit Association representative on-site.  
10 So those convoys were mainly to help bring food from  
11 Meadowbank to Amaruq, bring the workers, some special  
12 fuel deliveries, waste management, among others.

13 As part of the Whale Tail Expansion Project review  
14 process, we've made the following commitments: We will  
15 conduct a study designed to monitor snow berm height  
16 and depth of snow along the sides of the haul road in  
17 representative areas. We've also committed to report  
18 all caribou observations in future annual reports.  
19 We're already providing that information, but we'll  
20 make it in more detail so that we can compare  
21 observations and decisions on-site for greater  
22 transparency. And we will also develop a study design  
23 to examine the permeability of the Whale Tail haul road  
24 to caribou movement, as those interactions relate to  
25 the physical parameters of the road. We're committed  
26 to provide additional details on the study to the



1 terrestrial advisory group in October of 2019. And,  
2 finally, we've also committed to explore alternative to  
3 the haul road widening construction schedule, including  
4 windows of inactivity to accommodate caribou  
5 crossing -- migration. We will provide an update to  
6 the construction schedule and windows of construction  
7 activity to the terrestrial advisory group by the  
8 second quarter of 2020. So those are new commitments  
9 as part of this review process.

10 Also, to mitigate impacts to wolves, wolverines  
11 and bears, we will conduct den surveys prior to  
12 construction activities. We will also ensure proper  
13 waste management procedures are followed. And to  
14 mitigate impacts to raptors, we will conduct raptor  
15 nest surveys prior to construction activities.

16 For the Meadowbank and Whale Tail approved  
17 project, we've been successful in monitoring raptor  
18 nest sites, and we'll continue to work with the Arctic  
19 Raptor Group working out of the University of Alberta  
20 and represented by Dr. Alastair Franke, which [sic] is  
21 also here with us today.

22 We will monitor shoreline birds, conduct bird  
23 surveys prior to and during flooding activities, and  
24 deter birds prior to nesting season in areas predicted  
25 to be flooded. Just a note, there is no new flooding  
26 activities related to the expansion project. It's the

1 same as was planned for the approved project.

2 As part of the Nunavut Impact Review Board  
3 process, we have updated our migratory birds protection  
4 plan as per Environment Canada and Climate Change [sic]  
5 recommendations.

6 Also, during fishout, we will implement the  
7 fishout water bird mitigation plan. This plan is to  
8 ensure that bird do not get trapped with nets used to  
9 fish out at the lakes. During the Whale Tail Lake  
10 fishout in 2018, there were no water bird mortalities  
11 related to that activity, but we will continue to  
12 implement this plan in -- for the expansion project.

13 In addition, we will conduct wildlife screening  
14 level risk assessment, which aims to evaluate risk to  
15 local wildlife from dietary ingestion of chemical  
16 contaminants, so what wildlife is ingesting during mine  
17 construction and operation.

18 To conclude, we are committed to protect all  
19 wildlife, and as per the terrestrial ecosystem  
20 management plan, numerous sources of data are used to  
21 predict impacts of the project on wildlife. Our  
22 assessment was based on accurate information. We  
23 appreciate the review provided by all parties, and we  
24 are looking forward on future discussions which could  
25 be as part of the terrestrial advisory group process or  
26 annual report review process.

1           This slide presents the list of meetings that were  
2 held with intervenors to try and resolve technical  
3 comments. This is as of August 9. Additional meetings  
4 were held since then, but it's giving you an overview  
5 of meetings that were held with Environment and Climate  
6 Change Canada, with the Government of Nunavut, the  
7 Kivalliq Inuit Association, and the Hunter and Trapper  
8 Organization.

9           We have received 11 information requests as part  
10 of the Nunavut Impact Review Board process,  
11 21 technical comments, and 24 final written  
12 submissions. Additionally, we have made 11 commitments  
13 during the technical meeting.

14           Of the 24 final written submissions received, we  
15 consider that 22 are resolved and 2 are still under  
16 discussion. In response to Kivalliq Inuit Association  
17 Final Written Submission Terrestrial 1, we have  
18 completed an analysis of existing data on caribou  
19 crossings. This report was submitted on August 1st,  
20 2019. We have received additional feedback and are  
21 preparing a revised report, and it will be submitted to  
22 relevant parties by the end of day today.

23           Additionally, we will develop a study design to  
24 examine the permeability of the haul road to caribou  
25 movement.

26           In response to the Hunter and Trapper Organization

1 Final Written Submission Number 2, the terrestrial  
2 ecosystem management plan includes monitoring and  
3 mitigation that will be implemented for the protection  
4 of caribou when group size thresholds are triggered.  
5 The use of haul traffic convoys will not increase the  
6 amount of mining traffic on roads but will change the  
7 frequency and duration of mining traffic on the haul  
8 road. So our objective is to reduce the frequency that  
9 caribou may be exposed to traffic by grouping vehicles  
10 together.

11 In response to Hunter and Trapper Organization  
12 Final Written Submission 4, we would be interested in  
13 discussing this further to ensure that Inuit hunting  
14 practices are assessed and are part of the discussion  
15 to encourage conservation-based best practices in the  
16 project area, especially traditional Inuit rules for  
17 caribou hunting. We feel that this concern should be  
18 part of a discussion with the Government of Nunavut and  
19 the Kivalliq Inuit Association to ensure that the Baker  
20 Lake Hunter and Trapper Organization has the proper  
21 support on this Inuit traditional activity.

22 I'm not going through all the items, just some of  
23 the key ones.

24 In response to Government of Nunavut Final Written  
25 Submission Number 2, we believe that the current  
26 caribou protection measures that we've presented

1 earlier and have been developed in collaboration with  
2 the Government of Nunavut through the terrestrial  
3 advisory group are effective. In fact, the 2019 data,  
4 which is being considered by the terrestrial advisory  
5 group, provides further evidence that the current  
6 caribou protection measures are effective. We  
7 considered that no additional term and condition to the  
8 existing project certificate is required as this is a  
9 normal update to the terrestrial ecosystem management  
10 plan process and can be addressed at the terrestrial  
11 advisory group as per the terrestrial advisory group  
12 terms of reference.

13 We are still discussing with the Government of  
14 Nunavut on Government of Nunavut Final Written  
15 Submission 1 and 5 related to caribou monitoring and  
16 mitigation and project roads as barrier to caribou  
17 movement. We consider that all other final technical  
18 comments are resolved and that no additional term and  
19 conditions are required for this project certificate.  
20 Thank you.

21 THE CHAIR: Moving on to questions on the  
22 terrestrial environment.

23 Questions from Kivalliq Inuit Association? We'll  
24 go first KIA and NTI.

25 Kivalliq Inuit Association Questions Agnico Eagle Mines  
26 Limited

1 MR. POOLE: Thank you, Madam Chair. Kim  
2 Poole for the Kivalliq Inuit Association.

3 Agnico Eagle has stated that their comprehensive  
4 report on caribou movement through the road systems in  
5 the project is -- is going to be conducted -- or  
6 completed in -- the first one will be completed in  
7 2021, but the Kivalliq Inuit Association requires an  
8 assessment of the current knowledge to evaluate  
9 potential impacts of the expansion project. Based on  
10 monitoring of caribou responses to date, could you  
11 summarize for the Board the current knowledge of  
12 caribou deflection and delay in crossing the  
13 all-weather access road and the haul road?

14 THE CHAIR: Agnico Eagle.

15 MR. DE LA MARE: Thank you, Madam Chair. Corey  
16 de la Mare with Golder.

17 Thank you, KIA, for the question. So -- so, to  
18 date, since the revised Whale Tail Expansion Project --  
19 or since the Whale Tail Expansion Project has been  
20 implemented, we've seen a migration in the spring of  
21 2018, in the fall of 2018, and the spring of 2019. To  
22 date, our main data sources in terms of understanding  
23 caribou movements around the haul road and the AOR have  
24 been on-site observations, through height-of-land  
25 monitoring, and through road monitoring. And then in  
26 addition to that, we have caribou collar data from the

1 Government of Nunavut.

2 And so based on what we've seen to date in the  
3 absence of a comprehensive analysis, as the KIA alluded  
4 to, we have seen some interaction with the project in  
5 2018 and during the spring and fall migrations in terms  
6 of caribou miller -- milling and interacting with the  
7 road over the course of a few days, to the past spring  
8 of 2019 migration where we saw more of a seamless  
9 movement through the road, with the exception of a few.

10 So we -- we appreciate the point of the  
11 comprehensive three-year report, which we have outlined  
12 in the TEMP. And in addition to that, as data becomes  
13 available on an annual basis through collaring data,  
14 that would also be presented to TAG meetings on an  
15 annual basis as well, whether it's -- whether it's  
16 twice in the year or once in the year. And that also  
17 goes in line with our ability to look at on-site  
18 monitoring data, which Agnico has control of and -- and  
19 accessing data from the GN on a regular basis as well  
20 for that collar data. So in -- as an example, now  
21 we're currently looking at the most recent collar data  
22 to look at the interaction of the road based on collar  
23 information and on-site information and hope to present  
24 some of that at the fall TAG meeting. Thank you.

25 THE CHAIR: Kivalliq Inuit Association.

26 MR. POOLE: Thank you, Madam Chair. Kim

1 Poole for the Kivalliq Inuit Association.

2 Could Agnico kindly define -- and they alluded to  
3 this in their Slide 18, I believe. Could they define  
4 what kind of traffic we see on the haul road during  
5 periods when the road is closed? I think the comment  
6 was that in the -- this spring, the road was closed for  
7 32 or 33 days or something like that. What kind of  
8 traffic or convoys have occurred during this period if  
9 there's day-to-day closures? And I'm looking for the  
10 frequency of either traffic or convoys. And if it's  
11 convoys, if you could give me an idea of the number of  
12 vehicles in those convoys. Thank you.

13 THE CHAIR: Agnico Eagle.

14 MR. QUESNEL: Thank you, Madam Chair. Jamie  
15 Quesnel, Agnico Eagle.

16 Dealing with the convoys and as my colleague Manon  
17 has mentioned, before that decision is made to have a  
18 convoy, if it's a daily or weekly convoy, you know, the  
19 Kivalliq Inuit Association and the Baker Lake Hunter  
20 and Trapper Organization are involved with that  
21 decision. So that information's discussed at that  
22 time. However, it appears that the Kivalliq Inuit  
23 Association does not have that information handy today.  
24 We will provide that information. We can get the  
25 details on the -- on the convoys.

26 And, also, just as a little bit more clarity,



1 we -- we -- the convoys would include fuel for the  
2 operation, also dealing with moving people from  
3 Meadowbank to the Whale Tail operation and other  
4 essential items related to waste management, material  
5 coming back from Whale Tail to -- to the Meadowbank  
6 operation.

7 Typically, when the road is closed, outside of  
8 these convoys, we would have the environmental  
9 operational team on the road observing so we can  
10 continue with the height-of-land surveys and other  
11 activities related to our existing approved program.  
12 Thank you.

13 THE CHAIR: Kivalliq Inuit Association.

14 MR. POOLE: Thank you, Madam Chair. Kim  
15 Poole for the Kivalliq Inuit Association.

16 So I take it the answer to that question is a  
17 deferred answer? All I'm looking for is an example  
18 from this past spring of 30-some-odd days of closure  
19 and a hard idea of the frequency, once a day, every  
20 second day, Monday, Wednesday, Thursday, whatever, and  
21 the number of vehicles in those convoys. So -- this  
22 wasn't a trick question. I was just trying to figure  
23 out what -- what has happened in the past so I get an  
24 understanding of that.

25 THE CHAIR: Agnico Eagle.

26 MR. QUESNEL: Thank you, Madam Chair. Jamie

1 Quesnel, Agnico Eagle.

2 We do have the information. We just -- we don't  
3 have it readily available at our table right now. So  
4 it is a deferred answer, and we'll provide that  
5 information as early as tomorrow morning.

6 THE CHAIR: Any more questions from  
7 Kivalliq Inuit Association?

8 MR. POOLE: Thank you, Madam Chair. Kim  
9 Poole with the Kivalliq Inuit Association. One more  
10 question.

11 On Slide 17, which is the Level 2 of -- triggered  
12 Level 2, it seems that the trigger level is the certain  
13 number of caribou in the -- in the group size  
14 threshold -- group size threshold within 4 kilometres  
15 distance of mine infrastructure, mainly the haul road.  
16 Could you please provide us with the kind of monitoring  
17 and evidence of what has actually triggered increased  
18 mitigation from, presumably, level -- at Level 2 at  
19 this 4-kilometre distance?

20 THE CHAIR: Agnico Eagle.

21 MS. TURMEL: Manon Turmel, Agnico Eagle.

22 So basically how we went to, let's say, a Level 2  
23 base -- is based on monitoring. So let's say for 2019,  
24 prior to road closures or heightened monitoring, we did  
25 height-of-land surveys every two days, haul road  
26 surveys at least daily, and reviewed collaring maps

1 every day. And all that is very dynamic. It -- it  
2 goes fast, depending on how fast caribou are  
3 approaching and their group. And so this is difficult  
4 to point, like, each situation that we went to a  
5 Level 2 was triggered by what monitoring, and this is  
6 what we will flag better in the upcoming year, based on  
7 a concern from the Government of Nunavut. But it --  
8 it's depending on a situation. It can be the  
9 height-of-land survey. It can be the caribou collaring  
10 that will trigger additional measures. So that's my  
11 response to this question.

12 THE CHAIR: Kivalliq Inuit Association.

13 MR. POOLE: Thank you, Madam Chair. Kim  
14 Poole for the Kivalliq Inuit Association.

15 Just to -- kind of a follow-up on that. My  
16 reading of the 2018 monitoring report suggests that the  
17 height-of-land surveys triggered basically saw very  
18 little and triggered almost essentially nothing from a  
19 monitoring perspective that actually made any changes  
20 in mitigation in 2019, including -- my understanding is  
21 that the Whale Tail haul road is currently closed, at  
22 least portions of it, as a result of a fairly large  
23 group of caribou at the northern end that was not  
24 accompanied by a collared animal. Are you suggesting  
25 that height-of-land surveys have actually triggered  
26 changes in Level 1, 2, 3 mitigation in 2019? Thank

1     you.

2     THE CHAIR:                     Agnico Eagle.

3     MR. QUESNEL:                 Thank you, Madam Chair.   Jamie

4     Quesnel, Agnico Eagle.

5             Just for an example, just for the last four or  
6     five days, the -- the Whale Tail haul road has been  
7     closed, and based on the collared maps, it did not  
8     indicate any collared caribou within the haul road. So  
9     based on the road surveys -- primarily road surveys  
10    with some height-of-land surveys, that triggered the  
11    road closure for noncollared caribou crossing our road.  
12    So we went from -- right to a Level 3 based on that  
13    monitoring program.

14    THE CHAIR:                     Kivalliq Inuit Association.

15    MR. POOLE:                     Thank you, Madam Chair.   Kim  
16    Poole for the Kivalliq Inuit Association. No further  
17    questions at this time.

18    THE CHAIR:                     Baker Lake Hunters and  
19    Trappers Organization.

20    Baker Lake Hunters and Trappers Organization Questions  
21    Agnico Eagle Mines Limited

22    MR. AKSAWNEE:                 Thank you, Madam Chair.

23    Richard Aksawnee, Baker Lake HTO.

24             My question is in regards to Slide 13 as we heard  
25    in the presentation, since March of 2018, that there  
26    has been three migrations by the Amaruq camp or by the

1 haul road. We just seen satellite collared data from  
2 the spring of 2019. My question is: Do you guys have  
3 information on the previous two migrations?

4 THE CHAIR: Agnico Eagle.

5 MR. QUESNEL: Thank you, Madam Chair. Jamie  
6 Quesnel, Agnico Eagle.

7 We have received the -- the information from the  
8 spring 2018 and fall 2018 migrations. We're completing  
9 an evaluation right now based on that -- the additional  
10 data that we have received.

11 THE CHAIR: Baker Lake Hunters and  
12 Trappers Organization.

13 MR. AKSAWNEE: Richard Aksawnee. Thank you,  
14 Madam Chair.

15 Yeah. The reason why I bring up that question is  
16 'cause there was some negative impacts from the fall  
17 2018 migration. I, myself, was up -- up on the  
18 Meadowbank road on Kilometre 74, and I noticed about  
19 500 caribou that were ready to cross, but a  
20 contractor -- not a convoy, but tractors going up with  
21 sea cans and fuel just zooming by there with no one --  
22 not one monitor in site. So that's why I bring up that  
23 question as to if you have information on the previous  
24 two migrations.

25 Seeing that the collared data is a very important  
26 tool for monitoring, on Slide 19, under commitments for

1 the expansion project, is Agnico Eagle willing to  
2 commit to -- I know this is a GN mandate, but is Agnico  
3 Eagle willing to provide additional collared --  
4 collars for collar data collecting, like, for the life  
5 of the mine?

6 Thank you, Madam Chair.

7 THE CHAIR: Agnico Eagle.

8 MR. QUESNEL: Thank you, Madam Chair. Jamie  
9 Quesnel, Agnico Eagle.

10 We -- we have -- our memorandum of understanding  
11 that we have with the Government of Nunavut for the  
12 caribou collaring program is a -- it's a three-year  
13 memorandum of understanding. So this year is the  
14 third-year anniversary. We are in discussions at this  
15 time with the Government of Nunavut regarding the  
16 renewal of the memorandum of understanding and looking  
17 at improvements related to the documents and other  
18 components of the memorandum of understanding. So  
19 we're in discussions right now with the Government of  
20 Nunavut.

21 The funding for 2019 has been provided to the  
22 Government of Nunavut for the year of 2019 and the  
23 associated activities that the Government of Nunavut is  
24 completing related to that associated funding. Thank  
25 you.

26 THE CHAIR: Baker Lake Hunters and

1 Trappers Organization.

2 MR. AKSAWNEE: Thank you, Madam Chair.

3 Yeah. This collaring data monitoring is very  
4 important, as we just heard that Agnico Eagle wasn't  
5 aware of a group of caribou right by the mine site --  
6 they didn't have any collar data on those -- on that  
7 one group of caribou. That's because the mine site or  
8 the haul road -- I know the proponent calls this road  
9 from Baker Lake to Meadowbank a "Meadowbank road", but  
10 to us local hunters, we -- we call it a -- an "Amaruq  
11 road" 'cause all the supplies that are being shipped  
12 from Baker Lake to Amaruq site is used on this road.  
13 So I'm going to consider this an Amaruq road.

14 So with that being said, it's not just the  
15 Lorillard and the Ahiak that are being affected. We  
16 also have the Wager Bay and the Beverly as well. Those  
17 seem to be the forgotten herds when it comes to a  
18 hearing like this.

19 We used to be able to harvest from five different  
20 herds, and, to date, we only hear about two specific  
21 herds, the Ahiak and the Lorillard. What I don't want  
22 you guys to forget is that the Beverly also comes down  
23 this way and also the Wager Bay herd.

24 So with that being said, is that -- I want to see  
25 additional funding or more involvement with collared  
26 data. With our HTO monitor, we were lucky that he was

1 at -- up at the mine site to tell us that there was a  
2 group of about 300 caribou right by the mine site,  
3 right by the road, and nothing -- the traffic was still  
4 going. But after about a day later, that's when the  
5 road did get closed down. So -- and that's what I just  
6 wanted to refer to.

7 I'm going to pass the mic over to my colleague  
8 Warren if you don't mind, Madam Chair.

9 MR. BERNAUER: Thank you. Warren Bernauer  
10 with the Baker Lake Hunters and Trappers Organization.

11 My first question deals with your proposed use of  
12 convoys for haul trucks, which is something that we've  
13 discussed in our written submissions. Just for  
14 clarity, will these proposed haul truck convoys be used  
15 during the road closures or between road closures?

16 Thank you.

17 THE CHAIR: Agnico Eagle.

18 MR. QUESNEL: Thank you, Madam Chair. Jamie  
19 Quesnel, Agnico Eagle.

20 For that proposal, we were calling it a "pilot  
21 program" for the fall migration. As we -- we do have  
22 daily and weekly convoys occurring, we were looking  
23 at -- looking at a pilot program for the haul trucks  
24 during those road closures; that was presented as an  
25 option.

26 So the other thing I just want to add, Madam



1 Chair, just a bit more clarification and just following  
2 up with Richard's comments regarding the collaring  
3 program. In addition to the collaring program, as you  
4 can see, there are gaps in data. We -- we had  
5 presented a pilot program to include drones and also  
6 satellite imagery. We're finalizing that work  
7 program -- the work plan to be circulated to the TAG  
8 members. And at the technical meeting in June of this  
9 year for this application, we did have a demonstration  
10 on drones. So we are looking at different technologies  
11 to provide guidance to the TAG members during the  
12 sensitive seasons. So I just wanted to add that, as  
13 there was some comments related to the collaring  
14 program and ensuring that we understand where the --  
15 the caribou are moving. We're trying to provide  
16 additional tools to the operation to understand where  
17 the caribou are and to enhance the monitoring program  
18 that we have established at the Meadowbank complex,  
19 which includes the Meadowbank operation, the Whale Tail  
20 operation. Thank you.

21 THE CHAIR: Baker Lake Hunters and  
22 Trappers Organization.

23 MR. BERNAUER: Thank you, Madam Chair. This  
24 is Warren Bernauer for the Baker Lake Hunters and  
25 Trappers Organization.

26 I have one final question that deals with the

1 Hunters and Trappers Organization's participation in  
2 the terrestrial advisory group. As I'm sure you're  
3 quite aware, the Hunters and Trappers Organization is a  
4 very small organization that experiences capacity  
5 issues. This is a problem across Nunavut. So I'm just  
6 trying to get some clarity on how meaningful the --  
7 this organization's participation is in your advisory  
8 group. So could you give us an example of how the  
9 terrestrial management plan has been changed because of  
10 issues raised by the Hunters and Trappers Organization  
11 during a terrestrial advisory group meeting? Thank  
12 you.

13 THE CHAIR: Agnico Eagle.

14 MR. DE LA MARE: Thanks, Madam Chair. Corey  
15 de la Mare with Golder Associates.

16 I'm one of the representatives for Agnico Eagle at  
17 the TAG meetings as well, so I've been to all of the  
18 TAG meetings, and prior to the TAG meetings, they were  
19 labelled as "caribou workshops" until the TAG was  
20 formally developed.

21 So a few examples where the HTO have -- have  
22 contributed to the monitoring and to the TEMP, one has  
23 been primarily around staffing and -- and monitoring.  
24 So we've -- through some discussions through the TAG,  
25 we helped to facilitate the implementation of monitors  
26 on-site and -- and where and including height-of-land

1 survey locations and roadside survey locations. We've  
2 also talked about some of the crossings along the haul  
3 road. Those have been identified by HTO members in the  
4 past. And -- and then one particular discussion I  
5 recall -- and folks who were at that meeting would  
6 remember too -- is just the concept of facilitating the  
7 passage of lead caribou and trying to be as proactive  
8 as -- as possible. And that came up from an HTO member  
9 at the TAG meeting. That also spurred on some  
10 additional discussions during development of some of  
11 our procedures in the TEMP, including with the  
12 environment superintendent up on-site. Thank you.

13 THE CHAIR: Just a reminder. Please  
14 refrain from using acronyms.

15 MR. DE LA MARE: Apologies.

16 THE CHAIR: Baker Lake Hunters and  
17 Trappers Organization.

18 MR. BERNAUER: Thank you, Madam Chair.

19 I have one follow-up that -- and I'll be brief.  
20 You've mentioned that the HTO's raised the need to  
21 avoid disturbing the lead group of caribou. How is  
22 that reflected in the TEMP in your mitigation measures,  
23 just in a more concrete way? Thank you.

24 THE CHAIR: Agnico Eagle.

25 MR. DE LA MARE: The -- the -- Corey de la Mare  
26 with Golder Associates.

1           Madam Chair, the -- the simplest way to convey  
2   this now is -- is -- in the most recent version of the  
3   TEMP, our Level 1 -- so the heightened alert,  
4   heightened communication, and recognizing that  
5   monitoring will have to get to a higher frequency and  
6   crews are mobilized and ready to do that monitoring is  
7   now triggered at 50 kilometres. So when that first  
8   collar hits the 50-kilometre radius, we are now ready  
9   to be proactive with our mitigation measures, which  
10   will -- would -- certainly ties into the lead caribou.  
11   Thank you.

12   THE CHAIR:                   Baker Lake Hunters and  
13   Trappers Organization.

14   MR. BERNAUER:                Thank you, Madam Chair. No  
15   further questions from me. Thank you.

16   THE CHAIR:                   Government of Nunavut.  
17   Government of Nunavut Questions Agnico Eagle Mines  
18   Limited

19   MR. PINKSEN:                 Thank you, Steve Pinksen,  
20   Government of Nunavut.

21           We have a few questions. So the first is on haul  
22   road construction. And during the technical review  
23   phase, Agnico made a two-part commitment on the haul  
24   road. One was to do an analysis of available  
25   information and determine the sections that are most  
26   likely to be used by migrating caribou. And I

1 understand that work is -- is done; it may be being  
2 revised, but I think it's done.

3 But the second part of the commitment was to  
4 develop a plan for constructing the haul road to  
5 facilitate the caribou crossing. So that second part,  
6 we believe, remains outstanding. And since we haven't  
7 seen it, it's apparently not going to be available for  
8 the hearing, so we're just wondering when it might be  
9 available. Thank you.

10 THE CHAIR: Agnico Eagle.

11 MR. QUESNEL: Thank you, Madam Chair. Jamie  
12 Quesnel, Agnico Eagle.

13 The -- the second part of that commitment was  
14 provided. We provided a -- a conceptual four-to-one  
15 slope for a road crossing, as -- that came from our  
16 as-built report for the existing haul road between  
17 Meadowbank and Whale Tail. And as we have -- I think  
18 it's 53 crossings -- 52? -- 52 areas on the existing  
19 haul road at a four-to-one slope, we've taken that  
20 conceptual cross-section which came from an as-built  
21 report for the second part of that commitment. So  
22 that's been provided to -- to the TAG members.  
23 Maybe -- it was prior to the public hearing.

24 The next step is to have a feedback from the --  
25 the associated parties that have received that  
26 document, and then we can look at discussions related

1 to where this conceptual four-to-one slope  
2 cross-section can be utilized along the road.

3 And building roads in the north -- I think we've  
4 built close to 200 kilometres of roads in Nunavut --  
5 there's a -- there's a process for -- for construction  
6 engineering, and we follow that process. We have to  
7 understand where. We have to survey this information.  
8 We -- we work with a conceptual drawing, issue a  
9 drawing for construction, field fit that design into  
10 the existing conditions in the field, and provide a  
11 as-built report typically 90 days after. So there's  
12 a -- a process that we follow, which is typical  
13 construction practices. Hopefully that clarifies that  
14 question. Thank you.

15 THE CHAIR: Government of Nunavut.

16 MR. PINKSEN: Thank you, Madam Chair.

17 So the commitment as we read it was to produce  
18 a -- a construction plan, basically -- I'll just get  
19 the wording here -- develop a plan for constructing the  
20 widened haul road to facilitate caribou crossing. If I  
21 understand the answer correctly, the cross-section we  
22 were provided is the plan for construction?

23 THE CHAIR: Agnico Eagle.

24 MR. QUESNEL: Thank you, Madam Chair. Jamie  
25 Quesnel, Agnico Eagle.

26 That's the conceptual drawing. A construction

1 plan would include the other components. Like, we  
2 would have to -- once we agree on the locations based  
3 on the Part A, then we would have to survey that and  
4 provide a schedule. So there's a little bit more  
5 required for the final plan.

6       However, based on some of the questions we  
7 received to date, an updated plan will be provided  
8 tonight based on the comments we receive to date. We  
9 haven't received all comments from all parties, but we  
10 received some comments. We're -- we're providing an  
11 updated report to -- to everyone later today.

12 THE CHAIR:                   Nunavut Government [sic].

13 MR. PINKSEN:                Thank you, Madam Chair.

14       Just on -- the second question, then, is about  
15 road closures for caribou. So certainly road closures  
16 is a key feature of your caribou protection measures,  
17 as noted in your presentation. On reviewing the -- the  
18 2018 annual report, there were a number of dates and  
19 periods in 2018 when caribou groups above -- above the  
20 group size thresholds were within 1.5 kilometres of the  
21 haul road, but the road was not closed. So I guess  
22 we're wondering why -- why the triggers -- or the  
23 thresholds didn't trigger that closure, and how you  
24 ensure that similar gaps don't occur in future? Thank  
25 you.

26 THE CHAIR:                   Agnico Eagle.

1 MR. QUESNEL: Thank you, Madam Chair. Jamie  
2 Quesnel, Agnico Eagle.

3 We're not the aware of this -- this data. This  
4 would be -- be helpful if you could provide a little  
5 bit more clarification. Maybe we could talk offline  
6 about that.

7 But with our existing program, we find with the  
8 50 kilometres, it's very helpful to ensure that the --  
9 the decision tree is initiated from one level to -- to  
10 the third level to -- to close the road. And also  
11 we're improving. With the existing monitoring and also  
12 dealing with the -- the different surveys that are  
13 occurring, again, we just received approval in March  
14 last year, and we've gone through three migrations with  
15 the new terrestrial ecosystem management plan. So  
16 we're always looking at ways to improve as we -- as we  
17 move forward. Thank you.

18 THE CHAIR: Government of Nunavut.

19 MR. PINKSEN: Thank you, Madam Chair.

20 We'll be happy to discuss it offline and bring  
21 back to the -- to the Board a little further  
22 clarification on that item.

23 Our next item is regarding caribou monitoring. In  
24 our final submission, the GN expressed concern that  
25 capacity for monitoring should be increased if the  
26 project is to proceed, and other intervenors have



1 expressed similar concerns. During the final hearing  
2 for the approved project, Agnico Eagle committed to  
3 increase the frequency of road and height-of-land  
4 surveys to enhance the capacity to detect caribou near  
5 project roads, and this increase was to be made within  
6 one year of the project certificate and was to follow  
7 the advice of the terrestrial advisory group.

8 To our knowledge, in reviewing the -- the TEMP and  
9 other relevant documents, it doesn't appear that this  
10 commitment to increase road and the height-of-land  
11 surveys has been met, so I just wondered if there was  
12 any explanation or response to that. Thank you.

13 THE CHAIR: Agnico Eagle.

14 It's now 3:15, so before you give a response,  
15 let's take a 20-minute break and be back for 3:35.

16 (ADJOURNMENT)

17 THE CHAIR: Okay. We are waiting for a  
18 response from Agnico Eagle to the Government of  
19 Nunavut's questions.

20 Agnico Eagle.  
21 Response to Deferred Questions by Agnico Eagle Mines  
22 Limited

23 MR. QUESNEL: Thank you, Madam Chair. Jamie  
24 Quesnel, Agnico Eagle.

25 The question was related to updating the  
26 monitoring within one year of the -- receiving the

1 project certificates. So March 2018, we received  
2 the -- the project certificates. March 2019 would be  
3 the one-year anniversary. So we -- we did update the  
4 terrestrial ecosystem management plan within that  
5 period of time, and we are increasing our road  
6 monitoring and also our height-to-land surveys in 2019.  
7 Thank you.

8 THE CHAIR: Government of Nunavut.

9 MR. PINKSEN: Thank you, Madam Chair.

10 And thank you for that response. If I could, I'd  
11 just like to go back to the last question -- the  
12 previous question I had asked about road closures.

13 And so the question was about times in 2018 when  
14 threshold -- group size thresholds of caribou were  
15 exceeded within the 1.5 kilometres range, but the road  
16 was not closed. So we just pulled it up. We submitted  
17 a response to the 2018 annual report to Agnico Eagle,  
18 and the data came directly from their annual report.  
19 So I'm just wondering, if I could repeat that question:  
20 Why wasn't the road -- or what -- what went wrong that  
21 the road was not closed on those days, and are there  
22 changes or anything happening to ensure that we don't  
23 have similar things happening in the future? Thank  
24 you.

25 THE CHAIR: Agnico Eagle.

26 MS. TURMEL: Manon Turmel, Agnico Eagle.

1           So, basically, to address what the Government of  
2   Nunavut have noticed in the 2018 annual report, we have  
3   increased monitoring in 2019. So prior to the road  
4   closure in 2019, we had collaring maps updated daily,  
5   did height-to-land surveys every two days, and road  
6   surveys at least daily. And as mentioned in my  
7   presentation, it's very dynamic when caribou are  
8   approaching. So it's -- sometimes it goes quickly from  
9   a Level 1 to a Level 3. So that's my response.

10   THE CHAIR:                   Government of Nunavut.

11   MR. PINKSEN:                 Thank you, Madam Chair.

12           And thank you for that response. I'll just go  
13   into my last item.

14           Reviewing Slides 13 to 18 in your presentation  
15   regarding caribou protection measures, in your 2018  
16   annual report, you concluded that the project is to  
17   some degree deflecting migrating caribou. I guess  
18   we're asking what specific changes have been made to  
19   the TEMP between Version 6 and current Version 7 to --  
20   to reduce that deflection of caribou as occurred in --  
21   in 2018. Thank you.

22   THE CHAIR:                   Agnico Eagle.

23           Agnico Eagle, are you prepared to respond?

24   MR. DE LA MARE:             I am, Madam Chair. Thank you  
25   for the question. So, essentially, there's been a few  
26   key changes in the terrestrial ecosystem management

1 plan. Through that time frame, largely changes in the  
2 group size thresholds decreased, monitoring frequency  
3 increased for Level 2, and we also immediately go to  
4 Level 1 when a collared caribou is within 50 kilometres  
5 as previously it was 25 kilometres. So currently those  
6 three key -- key areas at the high level seem to be --  
7 being allow us to have effective caribou protection  
8 measures for 2019.

9 THE CHAIR: Government of Nunavut.

10 MR. PINKSEN: Thank you, Madam Chair. Steve  
11 Pinksen, Government of Nunavut.

12 No further questions.

13 THE CHAIR: CIRNAC.

14 MR. DEWAR: Matna, Madam Chair. Spencer  
15 Dewar, Crown-Indigenous Relations and Northern Affairs  
16 Canada. No questions.

17 THE CHAIR: Environment Canada.

18 MS. PINTO: Melissa Pinto, Environment and  
19 Climate Change Canada.

20 We have no questions at this time. Thank you.

21 THE CHAIR: Fisheries and Oceans Canada.

22 MR. D'AGUIAR: Thank you, Madam Chair. Mark  
23 D'Aguiar with Fisheries and Oceans.

24 We have no questions. Thank you.

25 THE CHAIR: Health Canada.

26 MR. PARTRIDGE: Thank you, Madam Chair. It's

1 Paul Partridge from Health Canada. We have no  
2 questions.

3 THE CHAIR: NRCan.

4 MR. UNGER: Peter Unger, Natural Resources  
5 Canada. Thank you, Madam Chair.

6 No questions.

7 THE CHAIR: NIRB staff.

8 Nunavut Impact Review Board Staff Questions Agnico  
9 Eagle Mines Limited

10 MR. BARRY: Thank you, Madam Chair. Ryan  
11 Barry, Nunavut Impact Review Board staff.

12 We do have a few questions. Mostly points of  
13 clarification. Madam Chair, the first point of  
14 clarification relates to Slide 14 from your  
15 presentation. And, specifically, we're wondering if  
16 you can clarify whether or how the thresholds that were  
17 set are reflective of the population size and health of  
18 the different herds in the region.

19 So we're wondering if the population size or  
20 health is markedly different for any of the caribou  
21 herds, and do the thresholds for disturbance reflect  
22 this in any way? And this ties back to the concern  
23 that's been raised by the Hunters and Trappers  
24 Organization. Have you been considering all of the  
25 herds, effectively?

26 THE CHAIR: Agnico Eagle.

1 MR. DE LA MARE: Thank you, Madam Chair. Corey  
2 de la Mare, Golder Associates.

3 So the -- the group size thresholds were developed  
4 based on observation data of caribou on the project  
5 site itself. So it started in 2006 with construction  
6 of the all-weather access road and has included all the  
7 data collected to date, all the observation data of  
8 caribou. So it's not based on the population size per  
9 se or reflective of the health.

10 So what we've done is taken observation data and  
11 tried to capture group sizes that represented  
12 75 percent of all observations during each season to  
13 apply the group-size threshold. The population  
14 information and population health information would be  
15 under the mandate of the -- of the Government of  
16 Nunavut. Thank you.

17 THE CHAIR: NIRB staff.

18 MR. BARRY: Thank you, Madam Chair. Ryan  
19 Barry, Nunavut Impact Review Board staff.

20 Thank you for that response. The next point --  
21 you did touch on this and explained it in your  
22 presentation, but I'm hoping maybe you can elaborate or  
23 be more specific. This is regarding what constitutes  
24 essential traffic during road closures. In other  
25 words, what vehicles specifically may be permitted to  
26 continue using the road during a road closure, and does

1 that change at all seasonally, for example, in the fall  
2 when you may be bringing supplies from a sealift or --  
3 or anything of that nature?

4 THE CHAIR: Agnico Eagle.

5 MS. TURMEL: Manon Turmel, Agnico Eagle.

6 At this time, the definition in Version 7,  
7 nonessential vehicle and heavy equipment, the  
8 definition is all vehicles were heavy equipment except  
9 those operated for the purpose of maintaining the  
10 safety of personnel.

11 For clarity, nonessential vehicles shall include  
12 vehicles and equipment used to continue mining  
13 operations or hauling of ore. Essential vehicles  
14 includes vehicles operated for the purpose of  
15 maintaining the safety of personnel, emergency response  
16 team, security, and wildlife monitoring.

17 And to the last part of your question, this  
18 definition does not change throughout the year.

19 THE CHAIR: NIRB staff.

20 MR. BARRY: Thank you, Madam Chair. Ryan  
21 Barry, Nunavut Impact Review Board staff.

22 And thank you, again, for -- for that  
23 clarification. In terms of caribou interaction with  
24 the project, can you, again, expand upon what you  
25 referenced as or considered to be small or minimal  
26 interactions, and are these primarily behavioural

1 changes or something else?

2 THE CHAIR: Agnico Eagle.

3 MR. DE LA MARE: Thank you, Madam Chair. Corey  
4 de la Mare with Golder Associates.

5 In general, I'll -- I can answer the question  
6 in -- in general terms. Depending on the time of  
7 year -- so as an example, right now, there is a herd  
8 that's on the north part of the haul road on either  
9 side, and they appear to be grazing and -- and resting  
10 within proximity to the road or within the distant  
11 threshold of the road.

12 In springtime, they tend to be moving towards the  
13 cabin grounds, and when we saw them interacting in  
14 2018, groups would come in. Some groups crossed the  
15 road. Some groups walked parallel to the road. Some  
16 groups rested. And that -- it's -- it's hard to  
17 describe what the behaviour is other than that. We do  
18 as part of then monitoring program do record behaviour.  
19 So we know if they're resting, grazing, running, or  
20 alert, and then in fall migration, typically, when  
21 they're coming back, they're -- they're also foraging  
22 heavily as they -- as they come back across the south  
23 part of the -- the access road, all-weather access  
24 road.

25 So that generally describes the main behaviours  
26 when we see them adjacent to the roads. Sometimes you



1   hear the term "milling around". That sort of means  
2   just occupying the space on either side of the road,  
3   but -- but we do characterize some of that behaviour  
4   too.

5   THE CHAIR:                   NIRB staff.

6   MR. BARRY:                   Thank you again, Madam Chair.  
7   Ryan Barry, Nunavut Impact Review Board staff.

8           And, again, thank you. We were just looking for  
9   that kind of general response.

10          Madam Chair, please indulge me for just two more  
11   quick questions. I'm wondering if Agnico Eagle can  
12   clarify what their experience has been to date  
13   regarding work time loss through road closures in  
14   contrast to the predictions that were made during the  
15   assessment of the now approved project. Specifically,  
16   have you been experiencing greater or few closures than  
17   was predicted, and does this influence the viability of  
18   the approved project?

19   THE CHAIR:                   Agnico Eagle.

20   MR. QUESNEL:                Thank you, Madam Chair. Jamie  
21   Quesnel, Agnico Eagle.

22          Historically, the -- the closures were -- were  
23   less than what they are with the approved project.  
24   With all the changes within the -- the terrestrial  
25   ecological management program, the recent closures that  
26   we have seen in the twenty -- primarily, the 2018 and

1 2019 spring migration is a concern for the operation  
2 and -- and the company.

3 Right now, we have seen this -- this spring  
4 migration. I think we're 40-something days. We had a  
5 block of time, approximately, 33, 34 days, and now with  
6 the recent shut down this past week. Based on our  
7 information that we have had in operating and  
8 constructing roads and -- and building the Meadowbank  
9 mine, typically we factor in 28 days based on our  
10 experience related to caribou migration and weather.

11 So that's looked at very carefully based on just  
12 the economics of a project and related to the activity  
13 that has occurred around the all-weather access road  
14 and also transferring that knowledge to the -- to the  
15 haul road, the Whale Tail haul road.

16 So with all these changes right now within the --  
17 the -- through the TAG, the terrestrial advisor group,  
18 and multiple changes, we see -- we see an impact, and  
19 it's -- it's concerning to us, and this is why we're  
20 looking at other alternatives where we can move  
21 material during the sensitive seasons, looking at other  
22 alternatives which we provided some information to the  
23 terrestrial advisory groups. So it's concerning for us  
24 the numbers we see right now related to -- to the road  
25 closure, and it could be an impact on that project  
26 moving forward, and we're analyzing that right now just

1 based on -- we're at 40 days.

2 So we're just continuing to analyze that and  
3 understanding the overall impact, but it's -- it's  
4 concerning for that op -- that operation right now for  
5 that satellite operation. Hopefully, that clarifies  
6 that. Thank you.

7 THE CHAIR: NIRB staff.

8 MR. BARRY: Thank you, Madam Chair. Ryan  
9 Barry, Nunavut Impact Review Board staff.

10 And, again, thank you for the response. That does  
11 help. This is our final question from staff at the  
12 moment, and this is somewhat in follow up to issues  
13 raised by the Kivalliq Nunavut Association.

14 Can you clarify how many of your road closures  
15 relate to times falling outside of a spring or fall  
16 caribou migration? For example, your most recent  
17 closures over the weekend, can you clarify whether  
18 you -- I'm assuming these fall out outside of what  
19 you're referring to as a spring or fall migration, but,  
20 again, classification would be useful there.

21 THE CHAIR: Agnico Eagle.

22 MS. TURMEL: Manon Turmel, Agnico Eagle.

23 So, typically, the road closures were during --  
24 and the migrations were during the sensitive seasons.  
25 So what we're seeing this year is a little different.  
26 So, usually, it was really close to the sensitive

1 seasons. Yeah.

2 Nunavut Impact Review Board Questions Agnico Eagle  
3 Mines Limited

4 THE CHAIR: NIRB staff. NIRB Board  
5 members, Guy.

6 MR. ALIKUT: Thank you. Board of director,  
7 Guy Alikut.

8 The question that I have: I here -- we hear the  
9 work places, everywhere, because of the different herd.  
10 There's four different herds, four or five different  
11 herds, and they have trails everywhere. Like, they go  
12 to different direction, and they migrate everywhere.  
13 IQ said that's the IQ Inuit -- can you ask the Inuit  
14 what month herd travels, like, migrate. Do you ask  
15 these questions? That's my question.

16 THE CHAIR: Agnico Eagle.

17 MR. DE LA MARE: Madam Chair, Corey de la Mare  
18 of Golder Associates. Thank you for your question.

19 Through the -- the process of -- of permitting  
20 Meadowbank and for Whale Tail and Whale Tail Expansion  
21 as part of the consultation process, we have asked the  
22 Elders and -- the community of Baker Lake around time  
23 frames, and and -- and that corresponds quite well with  
24 the observation data that we have on-site, so ...

25 But the initial indication was from local Elders  
26 and community members in terms of timing of -- of

1 caribou occurrence in the area. Thank you.

2 THE CHAIR: Guy?

3 MR. ALIKUT: Guy Alikut, NIRB Board.

4 And the other question I have, the caribou, when  
5 you close -- because of caribou, that once the last  
6 herd who tells you that -- they're pass through, do you  
7 have somebody over there monitoring, or do you have  
8 only you, yourself -- like, do you have -- these are  
9 questions that I have to -- how do you find out? Who  
10 tells you that the road closure can open now? Who  
11 decides? Thank you.

12 THE CHAIR: Agnico Eagle.

13 MS. TURMEL: So right now, yes, there's the  
14 Agnico Eagle environmental team on-site, but we do also  
15 have the Hunter Trapper Organization and Wildlife  
16 monitor for the whole road that is supporting us during  
17 caribou migrations to take those decisions and do  
18 monitoring.

19 THE CHAIR: Uriash.

20 MR. PUQIQNAK: Thank you, Madam Chair.

21 Uriash Puqignak, board member for NIRB.

22 I have two questions. Yesterday when we were at  
23 Meadowbank, the roads, some who are -- some of the road  
24 who is low so that the caribou can cross. Like, the  
25 road is pretty long. How do you know how wide it is,  
26 two, three miles? Is it two, three miles? Like, the

1 ones that are lowered so that caribou can pass through  
2 there, how wide -- how far are they, the -- the -- the  
3 road that is being lowered so that the caribou can pass  
4 through that road? How far apart?

5 MS. TURMEL: Manon Turmel, Agnico Eagle.

6 So for the all-weather access road and some parts  
7 of the haul road, we use consultation and have  
8 determined some crossings, but, also, as part of this  
9 review process, based on concerns shared by the  
10 Kivalliq Inuit Association and the Government of  
11 Nunavut and the Hunters and Trappers Organization, we  
12 have completed an analysis of where caribou are most  
13 likely to cross. We have used Inuit Qaujimagatugangit,  
14 traditional knowledge, trails, observations, collar  
15 maps, and this has helped us identify which sections  
16 should be sloped so that caribou can pass. A revised  
17 study will be provided by end of day today to parties.  
18 So that's how we've dealt with that.

19 THE CHAIR: Uriash.

20 MR. PUQIQNAK: Uriash Puqignak, NIRB Board  
21 director.

22 Like, in your report, when you talk about where  
23 you heard -- like, you said you used IQ, and you work  
24 with the Inuit, and through that, the caribou migration  
25 trail, and these -- like, the ones that you -- you had  
26 mentioned that you -- kind of took from the IQ, and

1    then 300 kilometres, we have heard -- I think it's in  
2    that -- like, you also mentioned sometimes when there's  
3    too much caribou, that you road the closed -- you  
4    closed the road, and some go on the trail -- I mean,  
5    the -- the road.

6           Madam Chair, like, you mentioned that you worked  
7    with the IQ, Inuit knowledge. Like -- like, I grew up  
8    in the main land. A lot of us grew up in the main  
9    land. In the trail, the caribou have -- that's not  
10   very big. Even -- it doesn't even, like the -- like,  
11   it's deep -- deep and the trail -- caribou trail, and  
12   they go to the calving ground during the fall or  
13   spring, and then they'll be spending time in the  
14   wintertime.

15           And over there, Inuit name -- land, the rivers, a  
16   hundred thousand mile is the river, and it has a name.  
17   Aqqusiniqtuuq, the name of that river area, because  
18   that was the trail for the caribou. I'm wondering if  
19   the caribou trail -- you can see them on the main land  
20   'cause we -- we used to see them. 300 kilometres,  
21   you're going to be building a road. I'm wondering if  
22   you're going to be overlapping the -- the trail for the  
23   caribou. You can tell right away. Have you done  
24   survey, yourselves, the road that will be used? Like,  
25   make that sure you go outside so that you won't go  
26   through the caribou trail.

1           Thank you, Mr. Chair.

2   THE CHAIR:                   Agnico Eagle.

3   MR. DE LA MARE:            Thank you, Madam Chair.   Corey  
4   de la Mare, Golder Associates.

5           Thank you for the question.   So as part of the  
6   approved Whale Tail project, the haul road is -- is  
7   currently built, and as part of that process, we did  
8   characterize observations of caribou trails, caribou  
9   observations, and collar information, so pathways  
10   between two collar points along the road to identify  
11   areas where caribou may cross that road.

12          So we have considered that information that you've  
13   pointed out to us, and it's -- it -- it has been part  
14   of the approved project assessment as well.   Thank you.

15   THE CHAIR:                I'm going back to your  
16   presentation on terrestrial environment.   In parts of  
17   your presentation, you referred to having ten years of  
18   experience with Meadowbank and using three migrations  
19   on assessing your impacts to caribou.   So when  
20   you're -- based on your predictions on impacts to  
21   caribou, are you using baseline information from prior  
22   to both projects, Meadowbank and Amaruq, or are you  
23   assessing those impacts to just the Amaruq site?

24          Because based on the project proposal, the  
25   addendum, it includes the all-weather access road, and  
26   what we looked at earlier was focused on the haul road.



1 So if you can clarify when you're making -- based on  
2 your predictions on impacts to caribou, what time frame  
3 are you talking about? Are you talking about long-term  
4 impacts, including both Meadowbank and Amaruq, or are  
5 you talking about the more short-term impacts when you  
6 encounter caribou?

7 MR. DE LA MARE: Thank you, Madam Chair. Corey  
8 de la Mare, Golder Associates.

9 I'll try and unpack that question. There's  
10 multiple parts to it. So in terms of what's being  
11 assessed as part of this project, it specifically --  
12 the -- an amendment to the approved project of Whale  
13 Tail and the haul road, and -- but to understand what  
14 our impact predictions are, we used past information  
15 and past experience to apply those learnings and -- and  
16 what those potential effects might be to the proposed  
17 project.

18 So some of the things, as an example, are the  
19 group-sized thresholds. That was all gathered from  
20 data collected as -- from the monitoring that occur  
21 during construction and operations and around the  
22 Meadowbank project.

23 In terms of the -- how we assess the potential  
24 effects, we have an impact classification system. So  
25 it considers if that effect might be a short-term  
26 effect or a long-term effect, and depending on what

1     you're looking at, it might -- they -- they will vary.  
2     We try and determine what the magnitude is, so how  
3     severe, to what degree of an impact that might be, and  
4     then whether it's reversible or not, and then, also,  
5     what geographic area that impact may cover.

6             So it -- it covers, I think, all aspects of your  
7     question, short-term, long-term, and we used this past  
8     experience to try and apply it to our predictions for  
9     the amended -- amendment project right now that we're  
10    assessing. And I hope that answers your question.

11    Thank you.

12    THE CHAIR:                     We'll move on to the next  
13    presentation from Agnico Eagle on the freshwater  
14    environment.

15             Legal counsel.

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

19             I'm not certain whether or not there are any  
20    additional witnesses that need to be sworn in.

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

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

25    MR. FAITHFUL:                   Thank you, Madam Chair. John  
26    Faithful, Golder Associates.

1 J-O-H-N F-A-I-T-H-F-U-L.

2 MR. O'KANE: Thank you, Madam Chair.

3 Michael O'Kane.

4 M-I-C-H-A-E-L 'O', apostrophe, K-A-N-E.

5 MS. MEADOWS: Thank you, Madam Chair.

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

8 Do the witnesses wish to be sworn or affirmed?

9 MR. FAITHFUL: Thank you, Madam Chair. John  
10 Faithful, Golder Associates.

11 To be affirmed. Thank you.

12 MR. O'KANE: Mike O'Kane, O'Kane  
13 Consultants.

14 Swear.

15 MICHAEL O'KANE, Sworn

16 JOHN FAITHFUL, Affirmed

17 MS. MEADOWS: Thank you, Madam Chair.

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

20 Madam Chair, I have presentation materials for the  
21 freshwater environment and waste management, one in  
22 English and one in Inuktitut, that I will mark as the  
23 next two exhibits in this public hearing, and those are  
24 my procedural matters, Madam Chair.

25 EXHIBIT 22 - Hard Copy PowerPoint

26 presentation, Whale Tail Pit Expansion

1 Project, NIRB Public Hearing - August 26-29,  
2 2019, Freshwater Environment and Waste  
3 Management (English)  
4 EXHIBIT 23 - Hard Copy PowerPoint  
5 presentation, Whale Tail Pit Expansion  
6 Project, NIRB Public Hearing - August 26-29,  
7 2019, Freshwater Environment and Waste  
8 Management (Inuktitut)

9 THE CHAIR: Thank you.

10 Agnico Eagle, you may proceed with your  
11 presentation.

12 Presentation by Agnico Eagle Mines Limited (Freshwater  
13 Environment and Wastewater Management)

14 MR. GROLEAU: Thank you, Madam Chair. My  
15 name is Michel Groleau from Agnico Eagle.

16 This presentation will discuss the freshwater  
17 environment, evaluate component, and waste management.

18 First, I will present the topic of review.

19 Second, I will provide the summary of the final written  
20 submission status.

21 Topic of review. The Whale Tail Expansion Project  
22 water management infrastructure are planned to be  
23 placed in the same freshwater regional and locals to  
24 the area as the approved project. Additionally, we  
25 have included Lake D1 and D5 in the freshwater  
26 regional, instill those to the area as part of the

1 final environmental impact statement.

2 However, these alternative discharge location are  
3 not part of the actual water management strategy of the  
4 project, and Agnico Eagle does not plan or need to  
5 discharge in Lake D1 and/or D5 as the -- at this time.

6 We saw that map a couple of time today. I will  
7 not go through the details. I just want to highlight  
8 the water and waste management strategies for the open  
9 pit and the underground, so I'll be brief. The  
10 infrastructure presented in red are related to surface  
11 operation. Waste rock generated by the mining after  
12 pits is planned to be stored in the waste rock storage  
13 facility that we can see in red here.

14 The updated water balance show a requirement for  
15 additional storage capacity of contact water, and this  
16 is achieved by the construction of the IVR pump which  
17 is the former Lake A53 that we can see in this  
18 location.

19 Surface contact water will be treated for removal  
20 of metals and total suspended solid by the approved  
21 operation water treatment plant and discharge in the  
22 Mammoth Lake here on the left and the Whale Tail south  
23 basin at the bottom here.

24 The infrastructure in purple are the  
25 infrastructure related to the underground mine. Waste  
26 rock from the underground mine will be temporarily

1 stored in the underground -- at the surface in the  
2 underground waste rock storage facility and used during  
3 operation as backfill material for the underground rock  
4 fill activity.

5 At the end of mine life, no residual waste rock  
6 from the underground mine is planned to be stored at  
7 the surface. Everything's going back underground. The  
8 updated water balance shows a requirement of two ground  
9 storage pump at the surface, and we have a third one  
10 for contingency as part of our adaptive management  
11 strategies. Water in those pump will be treated for  
12 total dissolved solid prior to be discharged in Mammoth  
13 Lake and the Whale Tail south basin.

14 Concerning fish habitat, Agnico Eagle is committed  
15 to continue to work with Fisheries and Oceans Canada on  
16 finalizing the list of water bodies and water courses  
17 affected by the expansion project during the permitting  
18 stage. Confirmed losses will include: Lake A47;  
19 Lake A49 that are located under the IVR waste rock  
20 storage facility; and Lake A53, which will be  
21 temporarily used as the attenuation pump during  
22 operation. Total losses will be finalized in the final  
23 offsetting plan.

24 This slide is presenting the three effluent  
25 discharge location during operation. So as I was  
26 saying, there is two discharge for treated water. One

1 in the Mammoth Lake and another one in the Whale Tail  
2 south basin. The updated water balance show  
3 requirement for a third discharge location and the  
4 Whale Tail south basin at this location.

5 This one is related to the Whale Tail dike  
6 seepage. So it's water flowing from the south basin  
7 through the dike and collected right at the bottom of  
8 the dike. So it's the same water that we're re-pumping  
9 back into the lake. What we want to avoid is having  
10 that clean water coming from the lake mixed with  
11 contact water from the mine. We're having a similar  
12 system at our Meadowbank operation for the ease dike  
13 seepage.

14 These two slides show the water quality prediction  
15 for arsenic and phosphorous for the Whale Tail  
16 expansion project. These are the two -- phosphorous  
17 and arsenic are the two parameters that screen out for  
18 assessment in the final environmental impact statement.  
19 The graph on the left show the predictions submitted as  
20 part of the final environmental impact statement in  
21 November 2018 for the project, and the graph on the  
22 right show the prediction submitted as part of the  
23 water licence amendment application completed in May  
24 2019.

25 The water licence model show a 30 percent  
26 reduction of the arsenic concentration compared to the

1 final environmental impact statement model. This  
2 reduction was expected as a result of refining model  
3 based on monitoring data, field observations, and  
4 review of conceptual model. This process is typical in  
5 industry practices.

6 The prediction graph show increase in arsenic  
7 concentration in Mammoth Lake, the blue line, during  
8 the operation, but then it's decline -- but then a  
9 decline, once operation stop in 2026, is observed once  
10 flooding of the pit is initiated. The increase we're  
11 seeing in 2042 is a result of the reconnection of the  
12 pit lake that are flooded at this time with the Mammoth  
13 Lake. Our total waste, the concentration, are below  
14 the site specific criterion, also shown in the Whale  
15 Tail south basin by the red line, which is used for a  
16 short time to ensure Mammoth Lake remain below the  
17 arsenic criterion.

18 As per the approved project water licence  
19 condition, Agnico Eagle will continue to update the  
20 water quality prediction on a yearly basis. Based on  
21 the most recent monitoring data which includes site  
22 information and receiving lake's condition, these  
23 results will be presented in the annual report.

24 The slide present water quality forecast for total  
25 phosphorous during operation closure and post-closure  
26 phases for the two models introduced in the previous



1 slide. The concentration trends of phosphorous of each  
2 project phase follow the same pattern than [sic] the  
3 one observed for arsenic on the previous slide.

4 As we describe in the assessment, phosphorous is a  
5 nutrient and does not trigger toxicity in the lake. As  
6 per industry best practices, Agnico Eagle compares  
7 the -- the total phosphorous prediction to the  
8 concentration that will trigger a change in the traffic  
9 status of the lake.

10 Total phosphorous concentration do increase above  
11 this trigger for a temporary duration during the  
12 project life. This change will result in a temporary  
13 increase of -- of productivity in the lake, and no  
14 residual negative effect is expected, and this is based  
15 on research that was conducted in Chesterfield Inlet  
16 area and other northern sites.

17 Note that the refined model prediction issued for  
18 the water licence amendment in May 2019 shows an  
19 approximate 50 percent reduction of phosphorous  
20 concentration compared to the final environment impact  
21 statement model.

22 As discussed previously, Agnico Eagle evaluated  
23 several option to identify different adaptive  
24 management strategies for the expansion project,  
25 especially for the water management component.  
26 The object -- the objective of those adaptive

1 management strategies is to develop alternative or  
2 contingencies for the project in order to have an  
3 action plan defined, which allows the project to be  
4 protective of the environment and of the aquatic life  
5 in those specific case.

6 The alternative effluent discharge through Lake D1  
7 and/or D5 is the main mitigation evaluated for the  
8 project related to the receiver lake water quality.  
9 The trigger of this mitigation will be defined in the  
10 water management decision tree, in the water quality  
11 and flow monitoring plan, and which will be updated  
12 during the water licence amendment process.

13 Lake D1 and D5 are located approximately  
14 8 kilometres from the project site. So we got the  
15 project site at the top, and this is the Whale Tail  
16 haul road going down toward Meadowbank project, and  
17 Lake D5 is this -- this one on the east side of the  
18 road, and Lake D1 is this one on the west side of the  
19 road and were identified as the best alternative  
20 effluent discharge location in the final environmental  
21 impact statement.

22 Following discussion with Crown-Indigenous  
23 Relations and Northern Affairs Canada, Fisheries and  
24 Oceans Canada, Environment and Climate Change Canada,  
25 and the Kivalliq Inuit Association, a proposed terms  
26 and condition has been developed to complete an effect

1 assessment of these -- of these two potential discharge  
2 location prior to initiating any work related to the  
3 requirement to use this adaptive management strategy.

4 We'll go quickly to the waste management. So the  
5 waste management strategy for the expansion project is  
6 similar than the one for the approved project. The  
7 strategy is to store the waste rock from the pits in  
8 the Whale Tail and IVR waste rock storage facility. As  
9 per the approved project, a clean waste rock thermal  
10 cover of 4.7 metre thick would be built during  
11 operation to ensure geochemical and geotechnical  
12 stability of the reactive material. This activity is  
13 part of the progressive closure plan of the Whale Tail  
14 project.

15 A failure mode and effect analysis was completed  
16 for the expansion project. To identify risk and  
17 prioritize mitigation related to waste management,  
18 several mitigation were developed during this exercise  
19 such as updating the waste rock thermal model and the  
20 land farm water balance. This updated modeling will  
21 inform the final design of the Whale Tail Expansion  
22 Project thermal cover, and this final design will be  
23 issued 60 day prior to the construction of the  
24 expansion waste rock storage facility.

25 Agnico will also provide an updated target -- an  
26 updated monitoring plan to be implemented during the

1 construction of the -- of the thermal cap, and the data  
2 collected during the operation phase of the project  
3 will be used to validate the model prediction and  
4 assist the performance of this infrastructure.

5 The ideologic numerical modelling was based on the  
6 natural properties of the waste rock which include high  
7 infiltration capacity, low runoff, and very low basal  
8 seepage. These result showed that the very low value  
9 of water is expected to be collected at the tail of the  
10 waste rock storage facility during the project life.

11 THE INTERPRETER: Going a bit too fast, and his  
12 accent is throwing me off.

13 MR. GROLEAU: Sorry.

14 THE CHAIR: You can continue.

15 MR. GROLEAU: This slide is presenting the  
16 updated waste rock storage facility thermal modeling  
17 and show that freeze back at depth will be extensive  
18 enough to ensure a rock with acid rock drainage and  
19 metal leeching potential will not impact water quality.

20 The land farm water balance conclude that less  
21 than 1 percent of the precipitation is expected to exit  
22 the land form as interflow through clean rock material,  
23 and no basal seepage will be observed during the  
24 operation, closure, and post-closure period.

25 Since December 2018, Agnico Eagle worked in  
26 collaboration with the different interveners to refine

1 the final environmental impact statement conclusions.  
2 Various topics were discussed related to freshwater  
3 component and the waste management such as the waste  
4 rock thermal cover and potential contamination; the  
5 Whale Tail haul road water crossing and fish passage,  
6 the fish status of water bodies in water courses  
7 impacted by the expansion project; the impact of the  
8 change in the water level on the downstream environment  
9 due to the flooding of the pit; the alternative  
10 effluent discharge location in Lake D1 and D5; and  
11 review of the assumption of the water balance, water  
12 quality prediction, climate change model; the review of  
13 the mercury concentration; assessment in fish due to  
14 the flooding of the Whale Tail south basin; the impact  
15 on phosphorous loading in the receiver and the river  
16 baseline data around the project area.

17 Agnico Eagle considered that all these item were  
18 resolved with the intervener for the project  
19 certificate reconsideration, and, as stated previously,  
20 Agnico Eagle will continue to engage with Department of  
21 Fish and Ocean Canada [sic] on finalizing the  
22 offsetting plan for the expansion project.

23 I'll do an overview of the final written  
24 submission status. We received 59 information requests  
25 related to freshwater component, 21 technical comments,  
26 and 23 final written submission. Additionally, Agnico

1 Eagle made 16 commitments during the technical meeting,  
2 and as note [sic], of the 23 final written submission,  
3 only one needed a response from Agnico Eagle.

4 This slide present the terms and condition that  
5 have been draft with Environment and Climate Change  
6 Canada. We did include a comment from the Kivalliq  
7 Inuit Association related to the Final Written  
8 Submission Number 2 to these terms and conditions.

9 Madam Chair, would you like I read the terms and  
10 conditions completely?

11 THE CHAIR: No.

12 MR. GROLEAU: Thank you.

13 We'll move to the waste management status on the  
14 final written submission. In this one, we got  
15 27 information requests, 4 technical comments, and  
16 5 final written submission, and Agnico Eagle made three  
17 commitments during the technical meeting. As note,  
18 five final written submission were received and only  
19 one needed a response from Agnico Eagle. This is the  
20 CIRNAC final written submission, Number 4. Agnico  
21 Eagle does not agree with the proposed terms and  
22 condition of developing a reclamation research plan.

23 To inform water rock storage facility for the  
24 closure design. We got conversation with  
25 Crown-Indigenous and Northern Affair Canada on  
26 August 23rd, and we resolved these terms and

1 conditions. Agnico Eagle agreed to provide  
2 information. Uncertainty related to the waste rock  
3 cover will be reduced during the different project  
4 phase. An extensive monitoring program is currently  
5 under development which will be included as part of the  
6 final design of the waste rock thermal cover for the  
7 expansion project and be issued 60 day prior to the  
8 construction of this infrastructure as per water  
9 licence condition.

10 This monitoring program will consist of thermistor  
11 strings to confirm the predicted freeze back and  
12 thermal conductivity of the material. A lysimeter will  
13 be installed to provide early detection of poor water  
14 quality and validate mass load input to water quality  
15 model, and differential pressure sensor will be  
16 installed to confirm the rate of convective cooling.  
17 All this information will be used to validate model  
18 prediction and performance of the design.

19 As agreed with Crown-Indigenous and Northern  
20 Affairs Canada, Agnico Eagle will provide an updated  
21 interim reclamation and closure plan that explain the  
22 work that have been done and will be done to minimize  
23 the uncertainty with the long-term potential water  
24 quality impacts from the waste rock storage facility.  
25 Agnico Eagle consider this final written submission  
26 resolved.

1           So at this stage, Agnico Eagle considered all the  
2   final technical comment resolved for the freshwater and  
3   waste management component.

4   THE CHAIR:                   Thank you. We have a few  
5   minutes before the supper break, so we have time to  
6   start questions. KIA and NTI, any questions?

7   MR. MANZO:                   Thank you, Madam Chairman.  
8   Luis Manzo, Kivalliq Inuit Association.

9           I have no questions at this time.

10   THE CHAIR:                  Baker Lake HTO.

11   MR. AKSAWNEE:               Thank you. I'm Richard  
12   Aksawnee, Baker Lake Hunters and Trappers. No  
13   questions.

14   THE CHAIR:                  Nunavut Government.

15   MR. PINKSEN:                Thank you, Madam Chair. Steve  
16   Pinksen, Government of Nunavut.

17           We have no questions.

18   THE CHAIR:                  CIRNAC.

19   MR. DEWAR:                  Matna, Madam Chair. Spencer  
20   Dewar, Crown-Indigenous Relations and Northern Affairs  
21   Canada.

22           No questions at this time.

23   THE CHAIR:                  Environment Canada.

24   MS. PINTO:                  Melissa Pinto, Environment and  
25   Climate Change Canada.

26           We have no questions at this time.



1 THE CHAIR: DFO Canada.

2 MR. D'AGUIAR: Mark D'Aguiar with Fisheries  
3 and Oceans Canada.

4 We have no questions at this time. We have some  
5 comments we'll make as part of our presentation  
6 tomorrow. Thank you.

7 THE CHAIR: Health Canada.

8 MR. PARTRIDGE: Thank you, Madam Chair. Paul  
9 Partridge for Health Canada.

10 We have no questions at this time.

11 THE CHAIR: NRCan.

12 MR. UNGER: Peter Unger with Health  
13 Canada. Thank you, Madam Chair.

14 We have no questions.

15 THE CHAIR: NIRB staff.

16 MR. BARRY: Thanks, Madam Chair. Ryan  
17 Barry, Nunavut Impact Review Board staff.

18 We also have no questions.

19 THE CHAIR: NIRB Board of directors.

20 Seeing none, let's break for supper and reconvene  
21 at 6:30.

22

23 PROCEEDINGS ADJOURNED UNTIL 6:30 PM

24

25 (PROCEEDINGS COMMENCED AT 6:31 PM)

26 THE CHAIR: If you're just joining us this

1 evening, welcome to the Nunavut Impact Review Board's  
2 public hearing regarding Agnico Eagle Mines Limited  
3 Whale Tail Pit Expansion Amendment Proposal NIRB File  
4 Number 16MN056. We are on Agenda Item 4, and we're  
5 going to continue with the presentation from the  
6 proponent on the marine environment.

7 Legal counsel.

8 MS. MEADOWS: Thank you, Madam Chair. I  
9 believe that there are additional witnesses that need  
10 to be sworn or affirmed before this presentation, a  
11 couple of witnesses. So if I can have those additional  
12 witnesses state and spell their name for the record,  
13 please.

14 MS. SQUIRES: Courtney Squires, Agnico  
15 Eagle, C-O-U-R-T-N-E-Y S-Q-U-I-R-E-S.

16 MR. SHARAM: And Greg Sharam, G-R-E-G  
17 S-H-A-R-A-M.

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

21 Do the witnesses wish to be sworn or affirmed?

22 MS. SQUIRES: Thank you, Madam Chair  
23 affirmed, please.

24 MR. SHARAM: And affirmed.

25 COURTNEY SQUIRES, GREG SHARAM, Affirmed

26 MS. MEADOWS: Thank you, Madam Chair.

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

3 Madam Chair, I have exhibits to file, two exhibits  
4 for this presentation, being the marine environment  
5 PowerPoint presentations in English and Inuktitut, and  
6 I will be marking those as the next two exhibits in the  
7 public hearing, and those are my procedural matters,  
8 Madam Chair.

9 EXHIBIT 24 - Hard Copy PowerPoint  
10 Presentation Whale Tail Pit Expansion Project  
11 NIRB Public Hearing - August 26-29, 2019  
12 Marine Environment (English)

13 EXHIBIT 25 - Hard Copy PowerPoint  
14 Presentation Whale Tail Pit Expansion Project  
15 NIRB Public Hearing - August 26-29, 2019  
16 Marine Environment (Inuktitut)

17 THE CHAIR: Thank you.

18 Agnico Eagle, you may proceed.  
19 Presentation by Agnico Eagle Mines Limited (Marine  
20 Environment)

21 MS. TURMEL: Thank you, Madam Chair. Manon  
22 Turmel, Agnico Eagle.

23 So we will go over the marine valued component.  
24 First, I will present a topic overview; and, second, I  
25 will provide a summary of final written submission  
26 status.

1           This figure presents, in red, the marine shipping  
2   route; in green, the local study area; and, in purple,  
3   the regional study area for the expansion project. So  
4   from here to the Baker Lake and also to Churchill.

5           The shipping route along with the regional study  
6   area and the local study area are consistent with those  
7   of the approved project. The shipping corridor will be  
8   comprised of the following segments all within  
9   established shipping lanes: the first segment from  
10   Bécancour, Quebec, along the coast of Labrador to  
11   Hudson Strait. We don't see it on this figure.  
12   Second, Eastern Hudson Strait to the mouth of  
13   Chesterfield Inlet, so this section here. Four,  
14   through Chesterfield Narrows to the Hamlet of Baker  
15   Lake, this portion. And, five, the mouth of  
16   Chesterfield Inlet to the Port of Churchill. Note that  
17   the last segment here was assessed, but we have not  
18   been using it in past years or not -- will not likely  
19   be used in the short term as well.

20          This figure also shows two shipping routes north  
21   and south of Coats Island within the vicinity of Coral  
22   Harbour, so right here north and then south. As per  
23   concerns shared by the community of Coral Harbour  
24   during community consultation and engagement events and  
25   to protect the important traditional hunting grounds  
26   around Walrus Island, Agnico Eagle and our shipping

1 company committed to use primarily this -- the route  
2 south of Coats Island. The northern route remains the  
3 safest and could be used in certain circumstances. For  
4 example, weather conditions are not favourable, or any  
5 conditions for which a ship's captain feel it is safer.  
6 A total of three to eight vessel will deliver annually  
7 dry goods, and two to three tankers will deliver  
8 annually diesel fuel.

9 Traditional knowledge related to marine wildlife  
10 in the project area was incorporated into baseline  
11 reporting, including information on marine wildlife  
12 abundance, distribution, migration patterns, breeding  
13 areas, critical habitat features. Here, for example,  
14 walrus haul-out locations, harvesting patterns, and the  
15 effects of climate change on marine wildlife  
16 populations and on harvesting activities. Overall, the  
17 baseline traditional knowledge report was used, as well  
18 as a 2019 Coral Harbour Arctic Corridor and Northern  
19 Voices report. Minutes from community consultation and  
20 engagement events held in previous years were also  
21 used. Finally, eight other meetings and studies  
22 conducted by parties other than Agnico for traditional  
23 knowledge were referenced in our assessment.

24 For the expansion project, no new primary pathways  
25 were identified as the shipping route, shipping  
26 volumes, volume of fuel, lightering activities,

1 anchorage locations will remain consistent with those  
2 identified for the approved project.

3 A shipping management plan, including a marine  
4 mammal and seabird observer program, were designed to  
5 avoid ship strikes with birds and marine mammals was  
6 developed to comply with Project Certificate Number 8,  
7 Condition 37, and we will continue to implement this  
8 plan as part of the expansion project.

9 As mentioned previously, we made a commitment to  
10 primarily use the route south of Coats Island to  
11 address Coral Harbour community's concerns, as per our  
12 approved project shipping management plan. We will  
13 continue to comply with this commitment.

14 We also intend to continue to meet annually with  
15 the community of Chesterfield Inlet as we've done in  
16 previous years and also in accordance with Project  
17 Certificate Number 04, Term and Condition 39. In  
18 addition, if required, we also intend to continue to  
19 meet and engage with Coral Harbour to address any  
20 additional concerns. We will continue to comply with  
21 Project Certificate Number 04, Term and Condition 36,  
22 and hire local area monitors for barges travelling  
23 between Baker Lake and Helicopter Island so when the  
24 mother ships transfer the cargo onto the barge and does  
25 the back-and-forth between Baker Lake and Helicopter  
26 Island.

1           Finally, we will continue to work with the  
2   Department of Fisheries and Oceans and communities to  
3   update the shipping management plan as per Project  
4   Certificate Number 8, Term and Condition 40. We've  
5   already agreed with the Department of Fisheries --  
6   Fisheries and Oceans to meet after the public hearing  
7   to discuss improvements to the marine mammal and  
8   seabird observer program. Communities will also be  
9   part of this discussion.

10          The shipping route was selected to avoid key  
11   marine habitat areas for migratory birds, migratory  
12   bird sanctuaries, and known important bird areas.  
13   Also, core summer concentration area for beluga whale  
14   and narwhal are outside the shipping route, the local  
15   study area, and the regional study area. Additionally,  
16   to date, there has been no vessel strikes between a  
17   mammal, a bird, and our shipping contractors. Our  
18   shipping contractor will adhere to strict federal  
19   ballast water and onboard waste management regulations  
20   and guidelines. Finally, we schedule our vessels  
21   during the open-water season to avoid having to  
22   navigate through ice.

23          As with the approved project, our conclusion in  
24   the addendum is that the expansion project will not  
25   cause any significant adverse effects to the marine  
26   environment.

1           As part of the Nunavut Impact Review Board  
2 process, we received one information request related to  
3 marine, three technical comments, and one final written  
4 submission, and this was from the Department of  
5 Fisheries and Oceans Final Written Submission 3.4. And  
6 we have responded that we are committed to comply with  
7 Condition 40 of our existing project certificate and  
8 revise our shipping management plan in consultation  
9 with the Department of Fisheries and Oceans and  
10 communities 90 days prior to the commencement of  
11 shipping activities related to the expansion project.

12           And as mentioned previously, we've already agreed  
13 with the Department of Fisheries and Oceans to meet  
14 after the public hearing and also involve communities  
15 in that process and that discussion.

16           So we consider that all technical comments are  
17 resolved and that there are no additional term and  
18 conditions required for the project certificate.

19 (OTHER LANGUAGE SPOKEN)

20 THE CHAIR:                   Thank you.

21           Moving on to questions on the marine environment.

22           KIA and Nunavut Tunngavik Incorporated.

23 MR. MANZO:                   Thank you, Madam Chair. Luis  
24 Manzo, Kivalliq Inuit Association. No questions at  
25 this time. Thank you.

26 THE CHAIR:                   Baker Lake HTO.



1 Baker Lake Hunters and Trappers Organization Questions  
2 Agnico Eagle Mines Limited  
3 MR. AKSAWNEE: Richard Aksawnee, Baker Lake  
4 HTO.

5 I just have one minor question. Maybe it can be  
6 answered by one of these other agencies, but I want to  
7 direct my question to Agnico Eagle in regards to marine  
8 environment. We also use the lake -- or the channels  
9 going down towards Chesterfield. My -- my -- my short  
10 question is: Has there been any reported minor spills  
11 or anything by Helicopter Island, like, from the mother  
12 ship to a tanker that's being shipped up from  
13 Helicopter Island to Baker Lake? Thank you.

14 THE CHAIR: Agnico Eagle.

15 MS. TURMEL: Manon Turmel, Agnico Eagle.

16 No, there has been no cases of spills during a  
17 transfer of fuel or along the Chesterfield Narrow. If  
18 there was one, it would have had to be reported as  
19 well, but I can confirm that no spill has occurred in  
20 the past.

21 THE CHAIR: (OTHER LANGUAGE SPOKEN)

22 MR. AKSAWNEE: (OTHER LANGUAGE SPOKEN)

23 Who would be reporting this incident? Like, if  
24 there was a spill at Helicopter Island, would that go  
25 to a government agency, and would the Baker Lake  
26 Hunters and Trappers Organization be notified as well?

1 Thank you.

2 THE CHAIR: Agnico Eagle.

3 MS. TURMEL: Manon Turmel, Agnico Eagle.

4 So they would have to report it to Transport  
5 Canada. The shipping company themselves would have to  
6 report it to Transport Canada, yeah.

7 THE CHAIR: Baker Lake HTO.

8 MR. AKSAWNEE: I have no further questions.

9 THE CHAIR: Nunavut Government.

10 MR. PINKSEN: Thank you, Madam Chair. Steve  
11 Pinksen, Government of Nunavut. We have no questions  
12 on this topic.

13 THE CHAIR: CIRNAC.

14 MR. DEWAR: Matna, Madam Chair. Spencer  
15 Dewar, Crown-Indigenous Relations and Northern Affairs  
16 Canada. No questions.

17 THE CHAIR: Environment Canada.

18 MS. PINTO: Thank you, Madam Chair.  
19 Melissa Pinto, Environment and Climate Change Canada.  
20 We have no questions.

21 THE CHAIR: DFO Canada.

22 Department of Fisheries and Oceans Canada Questions  
23 Agnico Eagle Mines Limited

24 MR. D'AGUIAR: Thank you, Madam Chair. Mark  
25 D'Aguiar with Fisheries and Oceans. We do have a few  
26 questions. Go ahead, Boyan.

1 MR. TRACZ: Thank you, Madam Chair,  
2 members of the Board. Boyan Tracz, Department of  
3 Fisheries and Oceans.

4 First, a -- more of a -- a comment on some of the  
5 language in one of the slides and then a fairly simple  
6 follow-up question acknowledging what you've presented  
7 already.

8 On Slide Number 5, you talk about the shipping  
9 management plan and the marine mammal and seabird  
10 observer program designed to avoid ship strikes, and we  
11 just submit that it's not just ship strikes. If you  
12 read the objective in Term and Condition 40, to ensure  
13 that the projects avoids vessel collisions -- that's  
14 the ship strikes -- with and/or disturbance of marine  
15 mammals and seabird colonies.

16 And then if you go to the 2018 marine mammal  
17 observer report, in the executive summary, the purpose  
18 of the MMSO, marine mammal and seabird observer  
19 program, is to mitigate interactions between marine  
20 mammals and seabirds and project vessels and to collect  
21 information on marine wildlife presence along the  
22 shipping route.

23 And the reason why I mention this clarification is  
24 this is where our -- our questions during the technical  
25 session and then also our final submission in terms of  
26 the community reports that are on the -- on the record

1     indicating that community members were concerned about  
2     mammals not being present, not being seen, and our  
3     questions leading to, Well, that could mean that the  
4     mammals aren't there or that marine mammal observation  
5     isn't working as well as it could. And that's what's  
6     led to this interaction in terms of follow-up on how to  
7     improve things. So we acknowledge that Agnico Eagle  
8     has reached out. We acknowledge that we can have  
9     meetings afterwards. And I'll -- I can stop right  
10    there and -- and allow for a commentary, and then I can  
11    follow up with the -- a question. So with your ...

12   THE CHAIR:                     Agnico Eagle.

13   MS. TURMEL:                   Manon Turmel, Agnico Eagle.

14           So, yes, we do acknowledge your comment, and we'll  
15   be more than happy to meet.

16   THE CHAIR:                   Fisheries and Oceans Canada.

17   MR. TRACZ:                   Thank you, Madam Chair. So  
18   now looking at Slide 6, there's the mention of the  
19   annual consultation meeting with Chesterfield Inlet and  
20   that Coral Harbour was also consulted. I'm wondering  
21   if you can clarify when these annual consultation  
22   meetings typically happen, first part.

23           Second part would be: Have DFO staff, under, you  
24   know, the DFO umbrella -- have any DFO staff been  
25   invited to the meetings? And then where I'm going with  
26   this -- are those meetings, if they're already set --

1 is that an opportunity for all of us to get together at  
2 one spot and to discuss the marine mammal and seabird  
3 observer program?

4 THE CHAIR: Agnico Eagle.

5 MS. TURMEL: Manon Turmel, Agnico Eagle.

6 So, no, DFO has not participated at this time in  
7 those meetings in Chesterfield Inlet. They typically  
8 occur just prior to the shipping season so we can  
9 advise the community of Chesterfield Inlet of our plan  
10 for the year, hire some local monitors as well. And we  
11 would be more than happy to invite the -- the  
12 Department of Fisheries and Oceans to -- to join us  
13 during that meeting.

14 THE CHAIR: Fisheries and Oceans Canada.

15 MR. D'AGUIAR: Thank you, Madam Chair. Mark  
16 D'Aguiar with Fisheries and Oceans.

17 I just have a follow-up question to the comment to  
18 DFO FWS3.4 that's on Slide 10 noting the intent is to  
19 work with DFO and communities to update the shipping  
20 management plan. I guess my question is with respect  
21 to the 90 days prior. My question is related to:  
22 Should there be some changes required in the  
23 methodology of the monitoring program -- may or may not  
24 require when you source your ships or -- or -- or  
25 shipping groups or something, depends on platforms;  
26 there's all kinds of things that could be done with a

1 shipping plan that could change -- would 90 days be  
2 enough time to be able to make those changes and  
3 implement for the season? That's basically the  
4 question.

5 THE CHAIR: Agnico Eagle.

6 MS. TURMEL: Manon Turmel, Agnico Eagle.

7 So we anticipate that 90 days will be -- will be  
8 enough, so -- prior to the shipping season, yeah.

9 THE CHAIR: Fisheries and Oceans Canada.

10 MR. D'AGUIAR: Thank you, Madam Chair. Mark  
11 D'Aguiar with Fisheries and Oceans. Thanks for that  
12 response, and we have no further questions.

13 THE CHAIR: Health Canada.

14 MR. PARTRIDGE: Thank you, Madam Chair. Paul  
15 Partridge from Health Canada. No questions at this  
16 time.

17 THE CHAIR: NRCan.

18 MR. UNGER: Peter Unger, Natural Resources  
19 Canada. Thank you, Madam Chair. No questions.

20 THE CHAIR: NIRB staff.

21 Nunavut Impact Review Board Staff Questions Agnico  
22 Eagle Mines Limited

23 MR. BARRY: Thank you, Madam Chair. Ryan  
24 Barry, Nunavut Impact Review Board staff.

25 Staff do just have one several-part question. So  
26 just bear with me, and I'll try to read it out.

1 Recognizing that Agnico Eagle now has more than ten  
2 years of experience with shipping fuel and supplies to  
3 Baker Lake, can you comment on whether any concerns  
4 regarding these annual resupply activities continue to  
5 be raised by community members during your public  
6 engagement?

7 Now, we're specifically wondering whether any such  
8 concerns were raised by community members through the  
9 engagement activities carried out for this proposal  
10 specifically. And, more broadly, we're wondering  
11 whether you feel your growing experience with shipping  
12 and the refinements you've made to your plans through  
13 the years have been successful in increasing public  
14 confidence for the safety of these activities.

15 THE CHAIR: Agnico Eagle.

16 MR. QUESNEL: Thank you, Madam Chair. Jamie  
17 Quesnel, Agnico Eagle.

18 We find over the last ten years, as any company or  
19 organization, we're always learning. But we feel with  
20 our community meetings we have these discussions  
21 regarding our -- our shipping practices, and we feel  
22 that's a -- a venue that we can discuss these concerns  
23 and look for solutions. An example here, just with the  
24 Department of Fisheries and Oceans, to go to the  
25 community with us and also our shipping company to have  
26 those discussions, so we feel that venue allows people

1 to discuss the concerns. So I think that's being --  
2 the maturity of that program is evident to us over the  
3 last while. I think that's -- provides, hopefully,  
4 some confidence with the communities, that we're going  
5 to be visiting them on an annual basis to talk about  
6 these things. So we don't have to visit this possibly  
7 at every application regarding our shipping related to  
8 the Meadowbank complex.

9 Also, just with Coats Island, when we meet with  
10 the communities, that's a common subject that we have  
11 to discuss with them, and I think with our practices  
12 and the -- and the program to go to the other side of  
13 the island has established that confidence based on  
14 that. And with this application, we're not aware of  
15 any comments from the communities related to this  
16 application besides our meetings prior to the shipping  
17 for the Meadowbank complex. Hopefully we unpacked it  
18 correctly and -- and responded appropriately for your  
19 question.

20 THE CHAIR: NIRB staff.

21 MR. BARRY: Thank you, Madam Chair. Ryan  
22 Barry, Nunavut Impact Review Board staff. And thank  
23 you for that response, Jamie.

24 I think maybe I'll just -- the last part of the  
25 question -- I realize that's the problem with these  
26 multi-part questions. They can get lost in the



1 details. I'm wondering specifically, again, do you  
2 feel -- with ten years of experience, have public  
3 concerns eased? Has public experience with your  
4 shipping activities increased overall confidence that  
5 they can be done safely, or is it possible that more is  
6 required to be done to achieve that increased public  
7 confidence?

8 THE CHAIR: Agnico Eagle.

9 MR. QUESNEL: Thank you, Madam Chair. Jamie  
10 Quesnel, Agnico Eagle.

11 I think the -- the confidence of the community  
12 is -- is being -- is increasing over time. They know  
13 we're coming back. We have that commitment. It may  
14 have slid in the past, but recently we -- we -- we're  
15 visiting the communities on an annual basis to have  
16 those discussions. So I think the confidence is -- is  
17 being established -- re-established with the  
18 communities and increasing.

19 Based on what more can be done, I think possibly a  
20 little bit more refinement on -- on the monitoring  
21 program related to not just the Department of Fisheries  
22 and Oceans, but Environment Canada and Climate Change  
23 [sic]. We had a brief discussion at a technical  
24 meeting based on support from those agencies to ensure  
25 the people that are employed for -- for this -- for the  
26 monitoring understand the -- the gaps or improvements

1 or -- or how to establish consistency in those programs  
2 and also maybe some certification or a -- a curriculum  
3 that people can follow and the company -- the shipping  
4 companies can establish more certainty in the programs  
5 and -- and look at opportunities to improve the  
6 monitoring piece.

7 I think that's where more can be done, possibly  
8 with the Department of Fisheries and Oceans,  
9 Environment Canada and Climate Change with the shipping  
10 companies to ensure they have consistency, they  
11 understand the training, there's certification at that  
12 level.

13 As we retain these companies to provide a key  
14 service for the operation, I think that's the important  
15 piece, and I feel that's where the improvement should  
16 be focused on, to ensure the monitoring is -- is -- is  
17 working well, has proper protocols, and the reporting  
18 is -- is effective and that information's passed on to  
19 the community. So I think that's one area that can be  
20 improved.

21 THE CHAIR: NIRB staff.

22 MR. BARRY: Thank you, Madam Chair. Ryan  
23 Barry, Nunavut Impact Review Board staff. Thank you  
24 again for that response. That addresses our question.

25 I think, Madam Chair, I would just highlight this  
26 as an example of an area where the Board, in conducting

1 a reconsideration assessment, must really consider the  
2 effectiveness of current mitigation, whether current  
3 mitigation and monitoring -- whether they go far enough  
4 based on current experience. And that's really the  
5 point I was driving at, recognizing the Board will be  
6 hearing directly from community members during the  
7 community roundtable and has in the past certainly  
8 heard about concerns related to the marine environment  
9 and shipping. So thank you again for that response.

10 No more questions, Madam Chair.

11 Nunavut Impact Review Board Questions Agnico Eagle  
12 Mines Limited

13 THE CHAIR: NIRB Board?

14 Uriash.

15 MR. PUQIQNAK: Thank you, Madam Chair. I am  
16 Uriash Puqignak, NIRB Board member.

17 During part of your presentation, I heard the  
18 ships that are going to be bringing supplies and  
19 bringing in fuel a few times -- two to three times and  
20 also other ships that may arrive to ship annual  
21 supplies to the mine site, we all know -- as we all  
22 know, sometimes there's rough waters on -- on some  
23 parts of the year, especially during the summer, and  
24 there's wake effects also to be considered. I would  
25 like to understand a little bit more -- I want to get  
26 more clarification on the transportation route. You

1 had said that there is going -- part of your  
2 transportation route is going to go close to Coral  
3 Harbour. My question is -- my question to you is  
4 that -- is -- is the transportation corridor -- has it  
5 been planned by Transport Canada? How -- how have you  
6 made this transportation corridor?

7 THE CHAIR: Agnico Eagle.

8 THE TRANSLATOR: Who set up the corridor? Is  
9 it Transport Canada or Agnico Eagle?

10 MS. TURMEL: Manon Turmel, Agnico Eagle.

11 So we -- we hire the shipping company to deliver  
12 the goods, but they work with Transport Canada to  
13 decide where they go and which shipping lanes they  
14 take.

15 MR. PUQIQNAK: Thank you. Uriash Puqignak,  
16 NIRB Board member.

17 I ask this question in particular. In the  
18 Kitikmeot region, I don't know how many ships have run  
19 aground. One was carrying passengers that were  
20 tourists close to our community of Goa Haven and also a  
21 fuel supply ship or a barge run aground 50 miles away  
22 from our community. It run aground. So they had to  
23 bring in another barge and transport -- or move the  
24 fuel to the other barge and pump it into the other  
25 barge. So I just wanted to ensure that there's a  
26 proper shipping route for -- especially for the fuel

1     tanker and -- fuel tankers.   Thank you.

2     THE CHAIR:                     Agnico Eagle.

3     MS. TURMEL:                  Manon Turmel, Agnico Eagle.

4             So that's why the shipping companies use  
5     designated shipping lanes, to make sure that their  
6     routes are safe.   There hasn't been any incident of  
7     ships resupplying our site to date.

8             And, lastly, the shipping companies are very aware  
9     of the roughness of the sea and weather and conditions,  
10    so they are trained and certified and follow strict  
11    regulations as well when they come to resupply our  
12    site.

13    THE CHAIR:                     Guy.

14    MR. ALIKUT:                  Thank you, Madam Chair.   Guy  
15    Alikut, NIRB Board member.

16             You've been up here for ten years.   Thank you for  
17    the clarification.   So there -- the -- you have plans  
18    in place to have an -- a Whale Tail Pit Expansion  
19    Project, and you've said that you are pretty well  
20    worked in what you plan to do in -- when you make this  
21    expansion project.   And thank you very much for  
22    clarifying that portion for us.   Thank you.

23    THE CHAIR:                     Agnico Eagle.

24    MS. TURMEL:                  Manon Turmel, Agnico Eagle.

25             Thank you for your comment.   Yeah.

26    THE CHAIR:                     Just to clarify, are you

1 proposing to continue what you have been doing for the  
2 last ten years to your proposed project in terms of  
3 marine shipping -- marine activities?

4 MS. TURMEL: Manon Turmel, Agnico Eagle.

5 Sorry. Yes, that's what -- we're planning to  
6 continue what we've been doing for the past ten years,  
7 do that for -- for the next -- for the expansion  
8 project as well. That make sense?

9 THE CHAIR: Okay. Thank you.

10 Moving on to the next item on the agenda,  
11 presentation on socioeconomics from Agnico Eagle.

12 Legal counsel.

13 MS. MEADOWS: Thank you, Madam Chair.

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

16 I don't believe -- are there any additional  
17 witnesses? No?

18 Madam Chair, I have two additional exhibits to  
19 mark, being the presentation materials for  
20 socioeconomic section in English and Inuktitut, and  
21 those are my procedural matters. Thank you, Madam  
22 Chair.

23 EXHIBIT 26 - Hard Copy PowerPoint

24 Presentation Whale Tail Pit Expansion Project

25 NIRB Public Hearing August 26-29, 2019

26 Socioeconomics (English)

1 EXHIBIT 27 - Hard Copy PowerPoint

2 Presentation Whale Tail Pit Expansion Project

3 NIRB Public Hearing August 26-29, 2019

4 Socioeconomics (Inuktitut)

5 THE CHAIR: Agnico Eagle, you may proceed.

6 Presentation by Agnico Eagle Mines Limited

7 (Socioeconomics)

8 MS. SQUIRES: Hello, Madam Chair and members

9 of the Board. My name is Courtney Squires, Agnico

10 Eagle, and I will be speaking about the socioeconomic

11 component for the Whale Tail Expansion Project.

12 In this presentation, I will provide an overview

13 of the socioeconomic component of the Whale Tail

14 Expansion Project and then summarize the status of the

15 final written submission for this topic.

16 The approval of the Whale Tail Expansion Project

17 would mean extending local employment by three years.

18 The expansion project would add around 99 more

19 employment opportunities for Nunavummiut. This is in

20 addition to the 100 employment opportunities estimated

21 in the approved project. The expansion project also

22 extends employment for the approximately 315 Inuit

23 employees that currently work at Meadowbank, over half

24 of which are from Baker Lake. It also means the

25 extension of employment for the approximately 145 Inuit

26 contractor employees working at the projects.

1           If the expansion project is approved, it would  
2   mean around 659 Inuit Agnico Eagle and contractor  
3   employees at the Meadowbank complex. In order to  
4   ensure employment benefits will go to Inuit, Agnico  
5   Eagle follows a hiring priority for Inuit employees, as  
6   per our Inuit Impact Benefit Agreement, which we would  
7   continue to apply for the expansion project. This  
8   means Inuit from the affected communities and the other  
9   Kivalliq communities will continue to have priority  
10   over non-Inuit where qualifications are equal.

11           Agnico Eagle believes that a diverse and inclusive  
12   workforce enriches our company culture of respect and  
13   collaboration and is critical to our future success and  
14   growth.

15           As mining is -- is a historically male-dominated  
16   industry, ensuring the workplace fosters women  
17   participation and success is an ongoing exercise.  
18   Women have had success at Agnico Eagle in Nunavut and  
19   represented 33 percent of our Inuit workforce in 2018.  
20   Agnico Eagle will continue its commitment to diversity  
21   and inclusion by ensuring that the work environment is  
22   adapted for both men and women, that women are  
23   represented in decision-making roles, and that women  
24   feel safe and secure in their living environment. We  
25   will continue to adhere to strong governance through  
26   policies, procedures, and training to secure a safe and



1 equitable workplace where women have the opportunities  
2 and tools to succeed.

3 The expansion project will mean that workforce  
4 training will continue for Nunavummiut employees and  
5 community members, including pre-employment training,  
6 specific training, upward mobility programs,  
7 apprenticeships, and on-site education with an adult  
8 educator.

9 As most of our future workforce is still in  
10 school, Agnico Eagle will also continue to implement  
11 community-level education programs focused on youth to  
12 provide tools and motivation to pursue higher education  
13 and a career in the mining industry. We will also  
14 continue to provide workshops and assistance for Inuit  
15 businesses and entrepreneurs to encourage economic  
16 development and diversification.

17 The expansion project will continue to contribute  
18 to territorial economic activity with total annual  
19 contributions of 100 to 120 million, which is 5 to  
20 6 percent of the current territorial gross domestic  
21 product. The expansion project will also contribute to  
22 local business development and contracting with average  
23 annual procurement in the territory expected to be over  
24 270 million.

25 Through the Inuit Impact Benefit Agreements,  
26 Agnico Eagle has developed a comprehensive

1 understanding of Inuit firms and their capacities, and  
2 the procurement and tendering process facilitates Inuit  
3 firm participation. Agnico Eagle Nunavut has already  
4 been successful in local procurement. In 2018, over  
5 50 percent of spend was with Nunavut Tunngavik  
6 Incorporated registered businesses.

7 Government tax revenues and royalties paid to the  
8 Kivalliq Inuit Association and Nunavut Tunngavik  
9 Incorporated would continue as per the negotiated  
10 agreements. And, lastly, project-generated revenues  
11 paid to the territory in the form of taxes are  
12 anticipated to be over 40 million.

13 Through the Inuit Impact Benefit Agreement, Agnico  
14 Eagle and the Kivalliq Inuit Association will continue  
15 to work closely together to monitor the impacts and  
16 benefits discussed previously, including Inuit  
17 employment and training at the project in order to  
18 maximize opportunities for the greatest number of  
19 Inuit. Agnico Eagle and the Kivalliq Inuit Association  
20 meet around 40 times per year through the various  
21 implementation committees to discuss, monitor, and  
22 collaborate on these topics.

23 The other main mechanism for our socioeconomic  
24 monitoring and management is through the project  
25 socioeconomic monitoring program. The program monitors  
26 indicators and metrics that allow us to understand the

1 social impacts of each of Agnico Eagle's projects in  
2 Nunavut. We report according to ten socioeconomic  
3 impact areas. These are also known as "valued  
4 socioeconomic components". These components are  
5 employment, income, contracting and business  
6 opportunities, education and training, culture and  
7 traditional lifestyle, population demographics,  
8 individual and community wellness, health and safety,  
9 community infrastructure and services, and Nunavut  
10 economy.

11 Although some of our valued socioeconomic  
12 components are directly related to the findings from  
13 the project assessment or our requirements of the  
14 project certificates, others are included in order to  
15 have a full picture of our socioeconomic impact. By  
16 monitoring data in these areas, we're able to identify  
17 unanticipated effects associated with the projects and  
18 to identify and recommend mitigation or enhancement  
19 measures. This is how we apply adaptive management to  
20 the socioeconomic component.

21 Socioeconomic monitoring is done collaboratively  
22 through a multi-stakeholder committee called the  
23 "Kivalliq Socioeconomic Monitoring Committee" which  
24 meets at least once per year to discuss the results of  
25 the program. Agnico Eagle, the Kivalliq hamlets, the  
26 Government of Nunavut, Hunters and Trappers

1 Organizations, Nunavut Tunngavik Incorporated, Kivalliq  
2 Inuit Association, and Crown-Indigenous and Northern  
3 Affairs Canada are some of the members of these  
4 committees.

5 As mentioned in the previous slide, some  
6 socioeconomic monitoring and management is done with  
7 the Kivalliq Inuit Association through the Inuit Impact  
8 and Benefit Agreements. Agnico Eagle also has a  
9 memorandum of understanding with the Government of  
10 Nunavut to work cooperatively on some socioeconomic  
11 areas.

12 As part of the approved project, Agnico Eagle was  
13 requested to develop a conceptual socioeconomic closure  
14 plan for the Whale Tail project. Agnico Eagle decided  
15 to expand the scope of the plan to consider the  
16 Meliadine mine and the expansion project. The plan was  
17 built in consultation with the Government of Nunavut,  
18 the Kivalliq Inuit Association, Crown-Indigenous and  
19 Northern Affairs Canada, and also the hamlets of Baker  
20 Lake and Rankin Inlet. The conceptual socioeconomic  
21 closure plan considered socioeconomic lessons learned  
22 from other northern mine closure experiences; Agnico  
23 Eagle plans, policies, and programs related to  
24 temporary closure situations; and past work as well as  
25 current input from Kivalliq communities and governance  
26 bodies on socioeconomic objectives and goals. It

1 recommended the approach to do socioeconomic closure  
2 planning; identified risks and opportunities for social  
3 closure; outlined goals, roles and responsibilities of  
4 all the parties in the planning process.

5       So the next phase of socioeconomic closure  
6 planning will be to develop an implementation plan  
7 through the socioeconomic monitoring working group in  
8 order to guide ongoing socioeconomic closure planning  
9 and develop strategies that are relevant at the time of  
10 closure.

11       For the socioeconomic component, there were  
12 11 information requests, 7 technical comments, 7  
13 commitments, and 7 final written submissions.

14       The next few slides provide a summary of final  
15 written submissions status as of August 9th. In the  
16 meantime, we've had ongoing discussions with  
17 Crown-Indigenous Relations and Northern Affairs Canada  
18 and the Government of Nunavut. So in the interest of  
19 time, I will not go through these slides, as they are  
20 out-of-date and discussions are still ongoing. But  
21 we'll provide you with an update on the status of the  
22 socioeconomic commitments later in the hearing.

23       So as I mentioned, discussions on the final  
24 written submissions are ongoing. We'll provide you  
25 with an update, and we anticipate that all of the  
26 comments will be resolved. Matna. Thank you.

1 THE CHAIR: Questions to Agnico Eagle on  
2 the presentation of socioeconomic impacts.

3 Kivalliq Inuit Association and NTI.

4 Kivalliq Inuit Association Questions Agnico Eagle Mines  
5 Limited

6 MS. GILSON: Thank you, Madam Chair  
7 Kimberley Gilson, Kivalliq Inuit Association. A few  
8 questions for you, if we could, please.

9 With respect to your comments on employment and  
10 training, you indicated an estimated 99 additional  
11 Nunavummiut employment opportunities compared to the  
12 approved project. Can you break that down for us,  
13 please? When you are saying 99 additional Nunavummiut,  
14 do you have statistics that will indicate how many of  
15 those will be Inuit and how you got to that number of  
16 99 additional employees?

17 THE CHAIR: Agnico Eagle.

18 MS. SQUIRES: Courtney Squires, Agnico  
19 Eagle.

20 So the FEIS is projecting 99 jobs for Inuit.  
21 These jobs are focused on entry-level and semiskilled  
22 positions, and they're an estimate based on our current  
23 project employment for Agnico Eagle.

24 THE CHAIR: KIA.

25 MS. GILSON: Thank you, Madam Chair.  
26 Kimberley Gilson, Kivalliq Inuit Association.

1 I -- I just need to clarify. You say  
2 "Nunavummiut" in your presentation, and just now you  
3 said "Inuit". And that's the point that I'm trying to  
4 clarify, if you could, please.

5 THE CHAIR: Agnico Eagle.

6 MS. SQUIRES: We're projecting the  
7 99 additional jobs for the expansion project to be for  
8 Inuit.

9 THE CHAIR: KIA.

10 MS. GILSON: Thank you, Madam Chair.  
11 Kimberley Gilson, Kivalliq Inuit Association. Thank  
12 you for the clarification. That's helpful.

13 You also said in your comments that you anticipate  
14 145 Inuit contractor employees as a result of an  
15 approved expansion project. Does -- can you perhaps  
16 tell us how you got to that number, 145? Are these  
17 contracts contracts that are already let [sic] so that  
18 you know that there are, in fact, 145? How did you get  
19 to 145 unless those contractors are already let? If  
20 you could clarify that as well, please.

21 THE CHAIR: Agnico Eagle.

22 MS. SQUIRES: Thank you, Madam Chair.

23 Courtney Squires, Agnico Eagle.

24 The 145 Inuit contractor employees are our current  
25 Inuit contractor employees at the project that we're  
26 anticipating extending through the expansion project.

1 Thank you.

2 THE CHAIR: KIA.

3 MS. GILSON: Thank you, Madam Chair.

4 Kimberley Gilson, Kivalliq Inuit Association.

5 Your presentation also indicates an average annual  
6 procurement in the territory of approximately  
7 270 million. First of all, can you confirm when you  
8 use that number in relation to the territory that you  
9 are, in fact, speaking of all AEM projects? And if  
10 that is correct, are you able to indicate what the  
11 number is in relation to an approved expansion?

12 THE CHAIR: Agnico Eagle.

13 MS. SQUIRES: Thank you, Madam Chair.

14 Courtney Squires, Agnico Eagle.

15 The \$270 million is projected annual procurement  
16 spend for the expansion project. Thank you.

17 THE CHAIR: KIA.

18 MS. GILSON: Thank you, Madam Chair, and  
19 thank you AEM that was helpful. Appreciate that.  
20 Thank you.

21 THE CHAIR: Baker Lake HTO.

22 Baker Lake Hunters and Trappers Organization Questions  
23 Agnico Eagle Mines Limited

24 MR. BERNAUER: Thank you, Madam Chair. This  
25 is Warren Bernauer for the Baker Lake HTO.

26 I have one brief question about Slide Number 6.



1 You list the Hunters and Trappers Organization as a  
2 member of the socioeconomic monitoring committee. What  
3 exactly is the HTO's role in that committee? 'Cause  
4 neither of us are actually aware that the HTO is  
5 involved in that.

6 THE CHAIR: Agnico Eagle.

7 MS. SQUIRES: Thank you, Madam Chair.

8 Courtney Squires, Agnico Eagle.

9 The Kivalliq socioeconomic monitoring committee is  
10 a multi-stakeholder committee meant to monitor  
11 socioeconomic components for projects, and this  
12 committee is chaired by the Government of Nunavut. So  
13 I think that the Government of Nunavut might be able to  
14 answer the question with regards to HTO's role on this  
15 committee. Thank you.

16 THE CHAIR: Government of Nunavut.

17 MR. PINKSEN: Thank you, Madam Chair. Steve  
18 Pinksen, Government of Nunavut. I just need a moment  
19 to confer with one of our experts.

20 Thank you, Madam Chair. Steve Pinksen, Government  
21 of Nunavut.

22 So the best of our information is that the HTO is  
23 invited to be a member of the SEMC and that they may  
24 have been sent emails as invitation to meetings, but  
25 maybe we'll just discuss it offline and make sure  
26 that's the case and make sure that is factual. Thank

1     you.

2     THE CHAIR:                     Baker Lake Hunters and  
3     Trappers Organization.

4     MR. BERNAUER:                 Thank you, Madam Chair.  
5     Warren Bernauer, Baker Lake Hunters and Trappers  
6     Organization. I have no further questions.

7     THE CHAIR:                     Government of Nunavut.

8     MR. PINKSEN:                  Thank you, Madam Chair. Steve  
9     Pinkсен, Government of Nunavut. We have no questions  
10    on this subject.

11    THE CHAIR:                     CIRNAC?

12    MR. DEWAR:                    Matna, Madam Chair. Spencer  
13    Dewar, Crown-Indigenous Relations and Northern Affairs  
14    Canada. No comments.

15    THE CHAIR:                     Environment Canada.

16    MS. PINTO:                    Thank you, Madam Chair.  
17    Melissa Pinto, Environment and Climate Change Canada.  
18    We have no questions at this time.

19    THE CHAIR:                     Fisheries and Oceans Canada.

20    MR. D'AGUIAR:                 Thank you, Madam Chair. Mark  
21    D'Aguiar with Fisheries and Oceans Canada. We have no  
22    questions on the subject. Thank you.

23    THE CHAIR:                     Health Canada.

24    MR. PARTRIDGE:                Thank you, Madam Chair. Paul  
25    Partridge, Health Canada. We have no questions.

26    THE CHAIR:                     NRCan.

1 MR. UNGER: Peter Unger, Natural Resources  
2 Canada. Thank you, Madam Chair. We have no questions.

3 THE CHAIR: NIRB staff.

4 MR. BARRY: Thank you, Madam Chair. Ryan  
5 Barry, Nunavut Impact Review Board staff. We have no  
6 questions on this presentation.

7 Nunavut Impact Review Board Questions Agnico Eagle  
8 Mines Limited

9 THE CHAIR: NIRB Board members?  
10 Phillip.

11 MR. KADLUN: (OTHER LANGUAGE SPOKEN), Madam  
12 Chair. Phillip Kadlun, Nunavut Impact Review Board.

13 Just for my clarity, seeing that the project will  
14 be extended, for my clarity, I'd like to ask the  
15 proponent and/or Kivalliq Inuit Association have there  
16 been any changes to the Inuit Benefit Agreement? I  
17 don't need to know the details, but just to see -- I  
18 just wanted to get a clarification on whether there are  
19 changes that reflect the extension of the mine life.

20 (OTHER LANGUAGE SPOKEN), Madam Chair.

21 THE CHAIR: Agnico Eagle.

22 MS. SQUIRES: Thank you, Madam Chair.  
23 Courtney Squires, Agnico Eagle.

24 The current Whale Tail IIBA does continue to cover  
25 the expansion project; however, there is the  
26 opportunity to review the IIBA due to changes in the

1 project. So we're still in discussions with the  
2 Kivalliq Inuit Association regarding that process.  
3 Thank you.

4 MR. KADLUN: (OTHER LANGUAGE SPOKEN), Madam  
5 Chair. Phillip Kadlun, Nunavut Impact Review Board.  
6 That's all I have.

7 THE CHAIR: I just have some questions, if  
8 Agnico Eagle can elaborate or clarify.

9 After ten years of working in Nunavut with the  
10 Meadowbank mine, Meliadine, Amaruq, has Agnico Eagle  
11 done anything to alleviate the social pressures of a  
12 career in mining for parents or primary caregivers,  
13 and, if so, how are the impacts on families  
14 considered -- families of employees considered or  
15 included in your assessment of the socioeconomic  
16 impacts as -- when we had our tour of the mine, it was  
17 stated that employees work two weeks in/two weeks out,  
18 and that's half the time. And when you're a primary  
19 caregiver, female, male, however you identify, if you  
20 have children that may -- you might end up having to --  
21 you have other responsibilities that you end up leaving  
22 behind while you go and work at the mine. So now that  
23 you have ten years of experience, can you elaborate on  
24 how that's considered in your assessment?

25 MS. SQUIRES: Courtney Squires, Agnico  
26 Eagle.

1           During the last ten years, there -- we have tried  
2   different programs or different scenarios to try to  
3   assist those people who might find the two weeks in/two  
4   weeks out difficult in terms of supporting families at  
5   home.

6           One of the programs that we had some success with  
7   was the coping with fly-in/fly-out program, which  
8   brought spouses of employees to the site to experience  
9   the site firsthand and understand where their spouses  
10   were going, and this is something that we're looking to  
11   bring back in the future. We also have spouse visits  
12   over Christmas and New Year's.

13          And we're looking really to engage with youth in  
14   the communities, so arranging for children of employees  
15   to visit the mine site to see their -- their parents at  
16   work. So it's something that we -- we acknowledge and  
17   are always looking for new opportunities to -- to  
18   improve.

19   THE CHAIR:                   And my last question. You  
20   mentioned that your current Inuit workforce makes up  
21   33 percent. What limits Agnico Eagle from going beyond  
22   that 33 percent? If you've been operating for ten  
23   years and you're looking to expand, what -- what are  
24   the limitations from going beyond that threshold that  
25   you've reached?

26   MS. SQUIRES:                 Courtney Squires, Agnico

1 Eagle. Thank you, Madam Chair.

2 So regarding the challenges, one of the -- one of  
3 the biggest challenges that we have is between the --  
4 the skills mismatch between what we require on-site and  
5 what is available in the labour force. So among the  
6 solutions that we consider -- that we use, education  
7 and training are the two ways that we focus on  
8 improving our Inuit employment.

9 Just to give a few examples, on average, we spend  
10 about \$20,000 per Inuit employee on training and  
11 develop initiatives. We have apprenticeship positions  
12 available in seven areas at the mine site. We have an  
13 adult educator also on-site to help employees who might  
14 need extra literacy or numeracy support to get to the  
15 next step. So we're really focusing on investing in  
16 education and training in order to promote our current  
17 Inuit workforce at the mine site.

18 We also know that over 40 percent of the Nunavut  
19 population is under 19 years of Aboriginal, so our --  
20 our future workforce is still in school. So that's why  
21 we're really active in the schools. We want to build  
22 confidence and knowledge and -- and understanding of  
23 the mining industry so youth are motivated to continue  
24 in school and to pursue a career with the mining  
25 industry in the future. So these are some of the --  
26 the techniques or the strategies that we're using to

1 overcome those challenges.

2 THE CHAIR: Guy.

3 MR. ALIKUT: Thank you, Madam Chair. Guy

4 Alikut, NIRB Board member.

5 The people that you have trained -- while we were  
6 up there -- I wonder if there could be more funding  
7 available to train more people. Is that going to be  
8 available to younger people? When the time comes to  
9 train these people -- these younger people, are there  
10 training in place to teach financial management?

11 Because we can see that maybe some youth may not be  
12 able to manage their money properly and misuse it.

13 Thank you.

14 THE CHAIR: Agnico Eagle.

15 MS. SQUIRES: Thank you, Madam Chair.

16 Courtney Squires, Agnico Eagle.

17 So through our Inuit Impact Benefit Agreement, we  
18 have pre-employment training called the "labour pool  
19 process". It's a five-day in-community training and --  
20 followed by a five-day training at the mine site, and  
21 financial literacy is a component of this training. So  
22 prior to an employee coming to the mine site, they are  
23 provided with some of these skills, as you mentioned,  
24 to prepare themselves for -- for employment.

25 And we're also continuing to work with the  
26 Government of Nunavut, who I understand also provides

1     these -- these trainings and these support systems in  
2     the communities as well.  Thanks.

3     THE CHAIR:                     Thank you for that  
4     presentation.  It's now 7:50.  Let's take a ten-minute  
5     break until 8:00 and reconvene moving on to human  
6     health.

7     (ADJOURNMENT)

8     THE CHAIR:                     Continuing with Agenda Item  
9     Number 4, Agnico Eagle's presentations.  Moving on to  
10    human health.

11         Legal counsel.

12    MS. MEADOWS:                 Thank you, Madam Chair.  Are  
13    there any additional witnesses to be sworn in?  No.

14         So, Madam Chair, I have two more exhibits to mark  
15    in this public hearing, being the human health and  
16    ecological risk assessment presentation in English and  
17    Inuktitut, and those are my procedural matters, Madam  
18    Chair.

19         EXHIBIT 28 - Hard Copy PowerPoint  
20         presentation, Whale Tail Pit Expansion  
21         Project, NIRB Public Hearing - August 26-29,  
22         2019, Human Health and Ecological Risk  
23         Assessment (English)

24         EXHIBIT 29 - Hard Copy PowerPoint  
25         presentation, Whale Tail Pit Expansion  
26         Project, NIRB Public Hearing - August 26-29,



1           2019, Human Health and Ecological Risk  
2           Assessment (Inuktitut)

3   THE CHAIR:                   Agnico Eagle, you may proceed.  
4   Presentation by Agnico Eagle Mines Limited (Human  
5   Health and Ecological Risk Assessment)  
6   MR. GROLEAU:                Thank you, Madam Chair.  
7   Michel Groleau, Agnico Eagle.

8           So this presentation will discuss of the human  
9   health and ecological risk assessment.

10          We'll go through the usual topic. So topic of  
11   review first, and then, second, we'll go to a summary  
12   of the final written submission status. The human  
13   health and ecological risk assessment is a tool used to  
14   estimate the level of risk of potential adverse effect  
15   on human health and ecological receptors resulting from  
16   exposure to environmental impacts.

17          The human health and ecological risk assessment  
18   process, our framework, it has four step: Problem  
19   formulation, exposure assessment, toxicity assessment,  
20   and risk characterization. In each of these steps,  
21   information about the chemicals, exposure pathways, and  
22   receptors, human and ecological, are gathered. Most  
23   human health and ecological risk assessment start out  
24   using information from the scientific literature that  
25   is intended to be very general and applied to all types  
26   of project.

1           This information tends to be very conservative,  
2   which mean it tends to overestimate the risk. In order  
3   to be protective of all type situations -- because  
4   there is uncertainty. But where project specific and  
5   site specific information is available, it is  
6   incorporated into the risk assessment to reduce that  
7   level of uncertainty.

8           For the Whale Tail Expansion Project, we begin  
9   with the human health and ecological risk assessment  
10   that was part of the approved project. Using that  
11   assessment as a starting point, we used the incremental  
12   predictions for the expansion project. We then pull in  
13   more specific information with input from consultation  
14   and traditional knowledge and also feedback from  
15   regulators and interveners.

16          Looking at all the same chemical exposure pathway  
17   and receptor combinations, as for the approved project,  
18   our conclusion indicates that there's no predictive  
19   residual effects for human health, wildlife, or aquatic  
20   life for the expansion project.

21          This map on the screen present the receptor  
22   location. 16 of them were defined to consultation,  
23   traditional knowledge, and archeological assessment of  
24   the project site. All of the same receptor location  
25   that were assessed in the approved project, and no new  
26   receptor were identified for the expansion project. As

1 example, we're having the eighth grave site location.  
2 There's four of which that are within the disturbance  
3 area and four that are outside of it.

4 Also, we're having the fishing area on Pipedream  
5 Lake southeast of the Whale Tail project, which is near  
6 the haul road of Meadowbank. More recent consultation  
7 indicates that there's little to no use of these  
8 receptors location, areas close to the project site.  
9 These are location that were used many years ago, and  
10 it's expected that people are most likely to use the  
11 area intermittently and transiently in recent years and  
12 in the near future.

13 Recent consultation indicate that hunting,  
14 tracking, casting, and fishing does not seem to be  
15 occurring at these receptor locations anymore until  
16 people still travelling just south of the project site  
17 on their way through Back River. Whale Tail is the  
18 area most commonly mentioned during consultation, which  
19 is located about 10 kilometre north of the community of  
20 Baker Lake, as travel so far north, as the Whale Tail  
21 project is difficult due to the distance from the  
22 community.

23 The human health and ecological risk assessment  
24 used the same chemical exposure pathway and receptor  
25 assumptions as the one from the approved project.  
26 Because of the expanded project, there was some change

1 to concentrations such as air quality and air -- and  
2 water quality. But considering these new  
3 concentration, the human health and ecological  
4 assessment had the same conclusion as the approved  
5 project of negligible risk.

6 Three conditions must be met for there be a  
7 potential risk. The chemical; the source; the exposure  
8 pathway; and receptor. Chemical must be present at the  
9 concentration that could be harmful. A receptor must  
10 be present at the same time and location that the  
11 chemical is harmful. There must be an exposure pathway  
12 from the receptor to the chemical. These three  
13 condition must happen at the same time and same  
14 location.

15 For a remote site, as the Whale Tail project, it  
16 is less likely that this combination will be complete  
17 because of the nature of the remote sites. As in the  
18 consultation and based on traditional knowledge,  
19 receptors are generally not present in this area and  
20 only travel through the areas south of the site  
21 occasionally. Therefore, receptors are unlikely to be  
22 present, and without the receptor, a risk is not  
23 possible.

24 Through collaboration with intervener, community  
25 consultation, and other parties, more support was  
26 provided for some of the assumption which reduced the

1     uncertainty of the overall human health and ecological  
2     risk assessment. This process is also called  
3     sensitivity analysis. This approach is a good practice  
4     in risk assessment to make sure we have a better  
5     understanding of the nature of the risk.

6             Through this collaboration, it's also mean that  
7     the human health and ecological risk assessment was  
8     reviewed many times by many different experts with  
9     different areas of expertise to make sure that the  
10    human health and ecological risk assessment was done  
11    properly based on good science and traditional  
12    knowledge.

13            Following the technical meetings in June, we met  
14    with Health Canada experts and have addressed their  
15    specific comments related to additional support for  
16    exposure calculation, additional support for chemical  
17    groups that were not included in the human health and  
18    ecological risk assessment, and updated toxicity  
19    information for manganese. These collaboration  
20    provided further support to the conclusion of  
21    negligible risk in the assessment.

22            Collaboration with interveners throughout the  
23    process and each time the uncertainties were reduced in  
24    the assessment and the conclusion of negligible risk  
25    was further supported. This process of these meeting  
26    and gathering more feedback is in line with the human

1 health and ecological risk assessment process that we  
2 described on Slide 4, which showed that more  
3 informations is included in the assessment as it become  
4 available.

5 So we'll go through the summary of final written  
6 submission status. Agnico Eagle received  
7 11 information requests, 7 technical comment, 7 final  
8 written submission, 40 human health and ecological risk  
9 assessment.

10 On top of that, Agnico Eagle made 7 commitments  
11 during the technical meeting, and as note, of the  
12 7 final written submission received, Agnico Eagle  
13 consider that they are all resolved at this time.

14 THE CHAIR: Questions to Agnico Eagle on  
15 the human health presentation.

16 KIA.

17 MR. MANZO: Thank you, Madam Chair. Luis  
18 Manzo, Kivalliq Inuit Associations.

19 I have no comments on the subject.

20 THE CHAIR: Baker Lake HTO.

21 MR. AKSAWNEE: Thank you, Madam Chair.  
22 Richard Aksawnee, Baker Lake Hunters and Trappers.

23 And we have no questions.

24 THE CHAIR: Nunavut Government.

25 MR. PINKSEN: Thank you, Madam Chair. Steve  
26 Pinksen and the Government of Nunavut.

1           We have no questions on this issue.

2   THE CHAIR:                               (OTHER LANGUAGE SPOKEN)

3   MR. DEWAR:                             Matna, Madam Chair.   Spencer  
4   Dewar, Crown-Indigenous Relations and Northern Affairs  
5   Canada.

6           (LOST AUDIO FEED - OTHER LANGUAGE SPOKEN).

7   THE CHAIR:                             Environment Canada.

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

10   We have no questions.

11   THE CHAIR:                             DFO Canada.

12   MR. D'AGUIAR:                         Thank you, Madam Chair.   Mark  
13   D'Aguiar with Fisheries and Oceans Canada.

14   We have no questions on this topic.   Thank you.

15   THE CHAIR:                             Health Canada.

16   MR. PARTRIDGE:                         Thank you, Madam Chair.   Paul  
17   Partridge from Health Canada.

18   We have no questions on this topic.   Thank you.

19   THE CHAIR:                             NRCan.

20   MR. UNGER:                             Peter Unger, Natural Resources  
21   Canada.   Thank you, Madam Chair.

22   We have no questions on this topic.

23   THE CHAIR:                             Environment Canada.   Sorry.

24   NIRB staff.

25   MR. BARRY:                             Thank you, Madam Chair.   Ryan  
26   Barry, Nunavut Impact Review Board staff.

1           We also have no questions on this presentation.

2   THE CHAIR:                   NIRB Board of directors,  
3   Catherine.  
4   Nunavut Impact Review Board Questions Agnico Eagle  
5   Mines Limited

6   MS. EMRICK:                 Thank you, Madam Chair. I  
7   just -- I would like just some clarification around the  
8   discussion about receptors and the fact that -- I think  
9   you were saying that because local community members  
10   aren't in proximity to what is a remote location, there  
11   is less risk or -- or they're not present for the risk,  
12   but that seems to me not to apply to employees or apply  
13   to consumption of country food that might be  
14   contaminated. So how is that taken into account?  
15   Thank you.

16   THE CHAIR:                 Agnico Eagle.

17   MS. AMENDOLA:               Thank you, Madam Chair.  
18   Andrea Amendola, Golder Associates.

19           So the first part of your question was about  
20   employees of the mine. That's outside of the scope of  
21   the human health and ecological risk assessment. So  
22   what we look at in the risk assessment is members of  
23   the public, so those that are outside of the scope of  
24   Agnico Eagle's health and safety responsibilities for  
25   mine -- mine employees. So that's separate.

26           For consumption of country foods, that was



1 incorporated into the risk assessment, and there were  
2 no risks for consumption of country foods, and that  
3 includes land, animals, as well as fish.

4 THE CHAIR: Thank you for that  
5 presentation. Moving on to the last item of -- on the  
6 agenda for today, a presentation from Agnico Eagle on  
7 management plans and monitoring programs.

8 Legal counsel.

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

12 Madam Chair, I have two presentation materials to  
13 mark as the next two exhibits in this public hearing,  
14 and those are my procedural matters.

15 EXHIBIT 30 - Hard Copy PowerPoint  
16 presentation, Whale Tail Pit Expansion  
17 Project, NIRB Public Hearing - August 26-29,  
18 2019, Management Plans (English)

19 EXHIBIT 31 - Hard Copy PowerPoint  
20 presentation, Whale Tail Pit Expansion  
21 Project, NIRB Public Hearing - August 26-29,  
22 2019, Management Plans (English)

23 THE CHAIR: Thank you.

24 Agnico Eagle, you may proceed.

25 Presentation by Agnico Eagle Mines Limited (Management  
26 Plans)

1 MR. LAPOINTE: Thank you, Madam Chair.

2 Philippe Lapointe with Agnico Eagle.

3 We'll continue with the presentation about the  
4 management plans. First, I'll present the topic  
5 overview. Then I'll provide a summary of final written  
6 submission status.

7 Three new management plans were created to address  
8 the expansion project activities. The first one was a  
9 conceptual Whale Tail Pit expansion of setting plan.  
10 Second one, the land farm design and management plan,  
11 and the third one was incinerator and composter waste  
12 management plan. All other plans submitted with the  
13 final environment and impact statement addendum were  
14 updated to capture the expansion project activities.

15 Agnico Eagle evaluated several option to identify  
16 different adaptive management strategies for the  
17 expansion project. The objective of these adaptive  
18 management strategies is to develop alternatives and  
19 contingencies for the project. In order to have action  
20 plans defined, which allows to protect the -- which  
21 allows the project to protect -- sorry about that -- to  
22 be productive of environment in this specific case.  
23 This approach is based on continuous monitoring,  
24 evaluation, modeling, and planning with a feedback loop  
25 for continuous improvement.

26 In summary of final written submission, Agnico

1 Eagle received 12 information requests, 3 technical  
2 comments, and 1 final written submission related to the  
3 management plan. Additionally, Agnico Eagle made one  
4 commitment during the technical meeting. There is one  
5 final written submission, and it is considered to be  
6 resolved at this time.

7 Agnico Eagle considers that all technical comments  
8 are resolved and that there are no additional items --  
9 terms and condition for the project certificate.

10 Thank you.

11 THE CHAIR: Questions to Agnico Eagle on  
12 management plans and monitoring programs.

13 Kivalliq Inuit Association.

14 MR. MANZO: Luis Manzo, Kivalliq Inuit  
15 Association.

16 We don't have questions on this topic at this  
17 time. Thank you.

18 THE CHAIR: Baker Lake Hunters and  
19 Trappers Organization.

20 MR. AKSAWNEE: (OTHER LANGUAGE SPOKEN)

21 THE CHAIR: The Government of Nunavut.

22 MR. PINKSEN: Madam Chair, (LOST AUDIO FEED  
23 - OTHER LANGUAGE SPOKEN) on this subject. Steve  
24 Pinksen.

25 THE CHAIR: CIRNAC.

26 MR. DEWAR: Thank you, Madam Chair.

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

3 No questions at this time.

4 THE CHAIR: Environment and Climate Change  
5 Canada.

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

8 We have no questions at this time.

9 THE CHAIR: Fisheries and Oceans Canada.

10 MR. D'AGUIAR: Thank you, Madam Chair. Mark  
11 D'Aguiar with Fisheries and Oceans Canada.

12 We have no questions on this topic. Thank you  
13 very much.

14 THE CHAIR: Health Canada.

15 MR. PARTRIDGE: Thank you, Madam Chair. Paul  
16 Partridge with Health Canada.

17 We have no questions on this topic.

18 THE CHAIR: NRCan.

19 MR. UNGER: Peter Unger, Natural Resources  
20 Canada. Thank you, Madam Chair.

21 No questions.

22 THE CHAIR: NIRB staff.  
23 Nunavut Impact Review Board Staff Questions Agnico  
24 Eagle Mines Limited

25 MR. BARRY: Thank you, Madam Chair. Ryan  
26 Barry, Nunavut Impact Review Board staff.

1           We do just have one rather general question. I'm  
2   wondering if Agnico Eagle can comment on whether  
3   there's any kind of formal mechanism or relationship it  
4   might have with other mine operators in Nunavut to  
5   allow it to learn from and share successes it -- it has  
6   realized with its management plans -- with their  
7   management plan, and what I'm looking at is recognizing  
8   that many of the regulators in the room, including the  
9   impact review board, have responsibilities for  
10   assessing, overseeing aspects of other mine operations  
11   in Nunavut.

12           Through some of the comments we have already  
13   heard, the exchanges we've had here today, we hear  
14   about how those practices in other mine operations  
15   influence what people are looking for or expect to see  
16   in terms of level of information, in terms of  
17   practices -- best practices in other mines.

18           So I'm just wondering if Agnico Eagle can comment  
19   if at present there is any kind of a formal mechanism  
20   for sharing or information exchange between itself and  
21   the other Nunavut mine operators.

22           Thank you, Madam Chair.

23   THE CHAIR:                   Agnico Eagle.

24   MR. QUESNEL:                Thank you, Madam Chair. Jamie  
25   Quesnel, Agnico Eagle.

26           We don't have a formal process. However, as the

1 management plans are public, we do look at other  
2 management plans, but we don't have a formal venue to  
3 discuss management plans, if that's what you're asking  
4 us.

5 Or maybe for our clarity, are you asking us for  
6 improvement on management plans?

7 THE CHAIR: NIRB staff.

8 MR. BARRY: Thank you, Madam Chair. Ryan  
9 Barry, Nunavut Impact Review Board staff.

10 In response to your question, essentially, yes.  
11 We're wondering: How do you ensure that your  
12 management plans are best in class, that they're the --  
13 as good as they can be and they're -- to do that  
14 contrasted with other operations recognizing you share  
15 many of the same consultants as those other operators,  
16 for example, and that the people around the table  
17 assessing the adequacy of your plans are often  
18 assessing it against what other operators are doing,  
19 what is working in other regions.

20 So I'm just -- we're wondering what thought has  
21 been given to or what mechanisms might be in place to  
22 allow that kind of information exchange to occur  
23 specific to your management plans, and I note that this  
24 line of questioning, this -- this same topic is  
25 something we expect we might bring forward to others  
26 around the table during their presentations,

1 particularly, the Kivalliq Inuit Association, for  
2 example, to understand what kind of learning and  
3 information exchanges occur with other regions in  
4 Nunavut specific to the mining sector.

5 THE CHAIR: Agnico Eagle.

6 MR. QUESNEL: Thank you, Madam Chair. Jamie  
7 Quesnel.

8 We really focus on our site-specific conditions,  
9 and especially with our operating experience, we really  
10 try to establish that component of screening our  
11 management plan because a lot of our best practices are  
12 based on our operational experience -- sometimes tough  
13 lessons -- based on operating in the north.

14 Some of the other files may be not as advanced  
15 as -- of an operation as Meadowbank. So we really look  
16 at our experience to look at the best available  
17 controls to be incorporated within our management  
18 plans. Sometimes it may be challenging for other  
19 companies that are not in that operational window. So  
20 I feel we have possibly that advantage maybe to other  
21 companies, but we're really focused on the  
22 site-specific conditions, surface versus underground,  
23 and incorporate that into our management plans.

24 However, I think based on our cursory ad hoc  
25 review of other management plans, I think there's an  
26 opportunity to improve the management plans so it's

1 easier to incorporate the key components and easier for  
2 others to review and assess and possibly inspect the  
3 property.

4 So I think there's an opportunity to -- to improve  
5 those, especially between the Nunavut Impact Review  
6 Board, the Nunavut water board, and understanding some  
7 of that overlap. So I think there's an opportunity  
8 just based on growth and maturity of systems. There's  
9 an opportunity there to improve. So, hopefully, that  
10 captured a response that's applicable to your question.

11 THE CHAIR: NIRB staff.

12 MR. BARRY: Thank you, Madam Chair. Ryan  
13 Barry, Nunavut Impact Review Board staff.

14 Thank you. That provides the clarification that  
15 we were looking for. We have no further questions.

16 THE CHAIR: NIRB Board.

17 Seeing that there are no more questions for the  
18 proponent, that concludes the technical presentations  
19 from the proponent and our first day. Thank you for  
20 those presentations.

21 That concludes Day 1 of this public hearing.  
22 Thank you all for your contributions to a productive  
23 day. We will resume the hearing tomorrow morning at  
24 9 AM, but before you leave for the night, we will have  
25 a quick draw for door prizes for those in attendance.  
26 Please get out your tickets, and I hope to see you back



1 here tomorrow.

2

3 PROCEEDINGS ADJOURNED UNTIL 9:00 AM, AUGUST 27, 2019

4

5 CERTIFICATE OF TRANSCRIPT:

6

7 We, Christy Longacre and Andres Vidal, certify  
8 that the foregoing pages are a complete and accurate  
9 transcript of the proceedings, taken down by us in  
10 shorthand and transcribed from our shorthand notes to  
11 the best of our skill and ability.

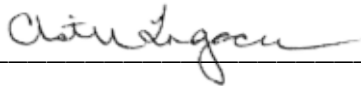
12 Dated at the City of Calgary, Province of Alberta,  
13 this 9th day of September 2019.

14

15

16

17





18 C. Longacre, RPR, CSR(A)

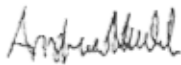
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