

NUNAVUT IMPACT REVIEW BOARD

WHALE TAIL PIT EXPANSION PROJECT PROPOSAL

NIRB FILE NUMBER 16MN056

HEARING

VOLUME 1

Baker Lake, Nunavut

August 26, 2019

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

3

4 August 26, 2019 Morning Session

5

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. Puqiqnak 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. Settingington	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	A. Aupaluktuq	Lands Administrative
18		Coordinator
19		
20	BAKER LAKE HUNTERS AND TRAPPERS ORGANIZATION	
21	R. Aksawnee	Chairman
22	Dr. W. Bernauer	Consultant
23		
24	GOVERNMENT OF NUNAVUT	
25	E. Stockley	Legal Counsel
26	S. Pinksen	Deputy Minister

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

1 Assessment Coordinator
2 B. Asher Senior Air Quality Analyst
3
4 FISHERIES AND OCEANS CANADA
5 M. D'Aguiar Senior Biologist
6 M. Janowicz Regional Manager for
7 Regulatory Reviews
8 B. Tracz Biologist
9
10 HEALTH CANADA
11 P. Partridge Regional Environmental
12 Assessment Specialist
13
14
15 NATURAL RESOURCES CANADA
16 P. Unger Senior Environmental
17 Assessment Officer
18 J. Quinn Senior Environmental Advisor
19
20 INTERPRETERS/TRANSLATORS
21 J. Tucktoo Language Translator
22 M. Angoshadluk Language Translator
23
24 C. Longacre, RPR, CSR(A) Official Court Reporter
25 A. Vidal, CSR(A) Official Court Reporter
26 _____

1 (PROCEEDINGS COMMENCED AT 9:00 AM)

2 Opening Remarks

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

18 Opening Prayer

19 THE CHAIR: I have the mayor. (OTHER
20 LANGUAGE SPOKEN)

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

26 THE CHAIR: On behalf of the Nunavut

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

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

24 After the public hearing has concluded, based on
25 all the evidence, information, comments, and concerns
26 provided to the Board throughout the assessment, the

1 Nunavut Impact Review Board will determine whether or
2 not the proposed amendment should be allowed to proceed
3 and, if so, whether any changes or additions to the
4 terms and conditions of the existing Whale Tail Pit
5 project certificate are required.

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

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

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

23 MS. EMRICK: Thank you, Madam Chair. My
24 name is Catherine Emrick, from Calgary, Alberta --
25 (OTHER LANGUAGE SPOKEN)

26 MR. KADLUN: I'm Phillip Kadlun, Nunavut

1 Impact Review Board, Vice Chair, and I'm from
2 Kugluktuk.

3 MR. PUQIQNAK: Uriash Puqiqnak. I'm from
4 Gjoa Haven and also Board member for NIRB.

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

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

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

24 To ensure an accurate record of the public
25 hearing, we'll be keeping a transcript of these
26 proceedings. We have Christy Longacre and Andres

1 Vidal, court reporters from Dicta Court Reporting, here
2 to prepare the transcript. I ask that all parties
3 please state their name every time prior to speaking to
4 assist the court reporters in preparing an accurate
5 transcript.

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

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

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

23 As many of you know, Baker Lake is my home
24 community, and some of you might be wondering whether
25 community members can just provide their comments about
26 the Whale Tail Pit Expansion Project to me directly.

1 This is not the way the Board operates. As you will
2 see over the next four days, the Board welcomes
3 receiving information, questions, and comments from the
4 communities throughout the public hearing and
5 particularly during the community roundtable. But we
6 ask that all parties wishing to get information before
7 the Board do so on the record during these proceedings
8 so that everyone can hear what you have to say and has
9 an opportunity to respond to your questions and
10 information in an open and respectful way. I encourage
11 everyone who wants to present information to the Board
12 but who may be a bit shy about speaking during the
13 public hearing to please talk to any of the board staff
14 or legal counsel about how to get your information on
15 the public hearing record.

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

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

24 The approved Whale Tail Pit Gold Mine includes a
25 single open pit mine and facilities located on the
26 Amaruq property approximately 150 kilometres north of

1 Baker Lake and approximately 50 kilometres northwest of
2 the existing Meadowbank Gold Mine project. It is owned
3 and operated by Agnico Eagle Mines Limited. The Whale
4 Tail Pit project is connected to the Meadowbank Gold
5 Mines by all -- an all-weather access road. Ore from
6 the approved project is to be processed at the
7 Meadowbank mine with operations continuing until 2022
8 and closure and remediation until 2029.

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

23 The expansion proposal would generate an
24 additional 15.2 million tonnes of tailings from the
25 milling process in addition to the 8.3 million tonnes
26 of tailings produced from the approved Whale Tail Pit

1 project for a total of 23.5 million tonnes to be stored
2 within the existing Meadowbank Gold Mine's tailings
3 storage facility.

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

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

21 In November 2018, Agnico Eagle updated their
22 assessment of the potential impacts of the original
23 Whale Tail Pit Gold Mine Project to reflect their
24 proposed changes to the project by submitting an
25 addendum to the final environmental impact statement.
26 After additional information and clarification on the

1 scope of activities included in Agnico Eagle's updated
2 assessment was provided by the proponent, the Nunavut
3 Impact Review Board formally accepted the addendum as
4 complete in January 2019.

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

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

24 For anyone interested in looking at any of the
25 documentation associated with this assessment, please
26 see our staff at the side table. They can provide you

1 with an opportunity to review electronic copies of
2 anything you might need. This documentation is also
3 available from the Board's online public registry, and
4 our staff can direct you to the relevant parts of the
5 website.

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

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

24 Anyone interested in reviewing more detail
25 regarding the specific itinerary of the site visit is
26 welcome to follow up with the Board's executive

1 director. The Board will be attaching a short site
2 visit report to the public hearing report for this file
3 so that everyone can see where the Board went and what
4 the Board saw during the site visit.

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

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

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

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

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

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

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

24 I want to emphasize how important it is that
25 everyone participate fully in this hearing to ensure
26 that the board has a full and fair basis for our

1 decision and recommendations. The board has structured
2 this hearing to support this participation to the
3 greatest extent possible.

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

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

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

26 Lastly, before I turn to roll call, in order to

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

10 It's very difficult to predict the precise time
11 requirements for presentations and questions, and as a
12 result, the schedule remains somewhat flexible.

13 Consequently, the board ask that all participants bear
14 with us as we adjust to reflect the needs of the
15 participants and the board throughout the hearing.

16 It is our intention to have one 15-minute break at
17 the halfway point in the morning and one 15-minute
18 break in the mid-afternoon. I will let everyone know
19 when they're -- when we are coming up to break time.

20 The Nunavut Impact Review Board will be supplying
21 coffee, tea, and snacks for the morning and afternoon
22 breaks, but parties are responsible for their own lunch
23 and dinner arrangements. Please respect the timelines
24 I've set for breaks and return promptly to the meeting.
25 We have a lot to cover, and the board cannot wait for
26 late arrivals.

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

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

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

25 I will begin the roll call with the proponent,
26 Agnico Eagle Mines Limited.

1 Roll Call

2 MR. QUESNEL: Thank you, Madam Chair.

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

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

1 Stevens, aquatic biologist, fish, and fish habitat;
2 Jennifer Range, project management; Andrea Amendola,
3 senior risk assessor and toxicologist. From O'Kane
4 Associates, Mike O'Kane, engineering and project
5 management. From EDI, Michael Settingington,
6 terrestrial. And supporting EDI, Alastair Franke,
7 wildlife ecology and management. And Greg Sharam from
8 ERM on terrestrial. Thank you.

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

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

17 THE CHAIR: Baker Lake Hunters and
18 Trappers Association.

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

26 THE CHAIR: Government of Nunavut.

1 MR. PINKSEN: Good morning. My name is
2 Steve Pinksen. I'm the assistant deputy minister with
3 the Department of Environment, Government of Nunavut.
4 I'm joined by a team consisting of Emily Taylor,
5 project manager socioeconomic monitoring; Emily
6 Stockley, legal counsel; Daniel Haney, project manager
7 impact assessment; Brad Pirie, project manager research
8 and monitoring; Amy Robinson, acting director
9 environmental protection division; and our technical
10 wildlife consultant, Dr. Stephen Atkinson. Thank you.

11 THE CHAIR: CIRNAC.

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

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

17 THE CHAIR: Environment Canada.

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

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

1 project, and environmental emergencies. Thanks.

2 THE CHAIR: Fisheries and Oceans Canada.

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

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

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

24 THE CHAIR: Health Canada.

25 MR. PARTRIDGE: Hello. My name is Paul
26 Partridge. I'm from Health Canada. I'm a regional

1 environmental assessment specialist.

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

12 THE CHAIR: NRCan, Natural Resources
13 Canada.

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

25 THE CHAIR: I will now proceed to request
26 that any parties with motions or any objections in

1 relation to the public hearing identify such motions or
2 objections now.

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

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

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

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

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

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

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

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

26 MS. MEADOWS: Thank you. If I can have the

1 witnesses -- oh, there's more?

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

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

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

17 MR. QUESNEL: Thank you, Madam Chair. For
18 the front table, affirmed.

19 JAMIE QUESNEL, MICHEL GROLEAU, MANON TURMEL, PHILIPPE
20 LAPOINTE, CANDACE RAMCHARAN, Affirmed

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

1 English. I have a copy of those in Inuktitut.

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

10 Am I missing any exhibits for the first part of
11 the presentation?

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

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

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

21 EXHIBIT 3 - Hard Copy Resumé Andrea Amendola
22 (English)

23 EXHIBIT 4 - Hard Copy Curriculum Vitae Corey
24 De La Mare (English)

25 EXHIBIT 5 - Hard Copy Resumé John Faithful
26 (English)

1 EXHIBIT 6 - Hard Copy Curriculum Vitae
2 Alastair Franke (English)
3 EXHIBIT 7 - Hard Copy Resumé Cameron
4 McNaughton (English)
5 EXHIBIT 8 - Hard Copy Curriculum Vitae Mike
6 O'Kane (English)
7 EXHIBIT 9 - Hard Copy Curriculum Vitae Mike
8 Settrington (English)
9 EXHIBIT 10 - Hard Copy Curriculum Vitae
10 Gregory Sharam (English)
11 EXHIBIT 11 - Hard Copy Curriculum Vitae
12 Cameron Stevens (English)
13 EXHIBIT 12 - Electronic Exhibit Only (Video
14 Clip) Simulation of Existing Whale Tail Mine
15 and Proposed Expansion and the Site at
16 Closure

17 MS. MEADOWS: Thank you, Madam Chair.
18 Teresa Meadows, legal counsel for the Nunavut Impact
19 Review Board. And that, Madam Chair, are all of my
20 procedural matters before these witnesses present.
21 Thank you.

22 THE CHAIR: We will now proceed to Agenda
23 Item 4. Today Agnico Eagle will deliver several
24 presentations providing an overview of the components
25 and activities associated with the Whale Tail Pit
26 Expansion Proposal with summaries of their assessment

1 of potential ecosystemic and socioeconomic impacts. We
2 will begin their overview presentation, followed by the
3 subsequent presentations, making time for questions
4 after each grouping.

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

9 Agnico Eagle.

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

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

22 This week, we had our official Whale Tail opening
23 ceremony at the mine and a celebration here in the
24 community of Baker Lake. That was a very proud day for
25 Agnico, and we were told it was a proud day for the
26 community of Baker Lake and Nunavut as well. The

1 collaboration between everyone involved has resulted in
2 a very strong project that is a safe operation vital to
3 the community, and it protects the environment as well.

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

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

22 Overall, we thank the parties -- all the
23 intervenors for the comments and recommendations that
24 they have submitted. In preparation for the hearing,
25 we reviewed and addressed the recommendations parties
26 have submitted in our final written submissions to the

1 Nunavut Impact Review Board on August 9th, 2019.
2 Through that submission, we indicated those
3 recommendations. Where we were in agreement with the
4 parties, we provided them a detailed response to
5 comments where we believed that such a response would
6 be helpful and also flagged those recommendations where
7 further discussion is required or where we did not have
8 agreement at that point in time. All of these were
9 filed with the board as part of our submission.

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

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

22 MR. GROLEAU: Thank you, Madam Chair.
23 Michel Groleau for Agnico Eagle.

24 As Jamie mentioned, this presentation will discuss
25 of the Whale Tail Expansion Project overview and
26 response to final written submission. First, I will

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

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

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

1 road from 9.5 metre to 15 metre width.

2 Similar to the approved project, the ore that will
3 be mined at the Whale Tail project will be hauled and
4 stockpile at Meadowbank for milling.

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

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

25 Here on that slide, we can see these
26 infrastructure in red that are associated with the open

1 pit mining from the Whale Tail Pit and IVR pit. And
2 the infrastructure in purple are the one associated
3 with the underground mine.

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

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

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

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

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

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

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

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

25 For the aquatics local and regional studies area,
26 they are the same except for the Lake D1 and D5 located

1 in this -- this area.

2 This slide is summarizing the production
3 highlights for the Whale Tail project. Production
4 throughput at the Meadowbank remains the same, and the
5 traffic profile on the Whale Tail haul road will remain
6 the same as assessed for the approved project.

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

1 2043.

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

14 We will present a short video showing the project
15 infrastructure.

16 (VIDEO PLAYED)

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

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

1 This next part of the video presenting the Whale
2 Tail Pit operation for the approved project. So here
3 at the bottom we can see the Whale Tail dike, right
4 here, the attenuation pond -- the Whale Tail
5 attenuation pond, and the Whale Tail WRSF at the
6 surface.

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

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

26 So speaking of the underground, we can see here

1 the ore deposit and the ramp accessing the Whale Tail
2 ore body and the IVR ore body on the right. So this is
3 giving us an understanding of the geology of the
4 project and the potential of the project.

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

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

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

25 This slide presents the sensitive season for
26 caribou interacting with the Meadowbank and the Whale

1 Tail Pit sites. Sensitive seasons are period of time
2 during the year when increased monitoring and
3 mitigation be implemented to ensure caribou protection.
4 Specific group size terrestrial were developed per
5 collar data and observation for the main periods when
6 caribou are observe near or on-site of the all-weather
7 access road and the Whale Tail haul road.

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

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

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

1 specific action such as suspending nonessential vehicle
2 within 500-metre radius from the group of caribou, and
3 the road is closed to nonessential vehicle.

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

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

21 Agnico Eagle evaluated several options to identify
22 different adaptive management strategies for the
23 expansion project. The objective of these adaptive
24 management strategies is to develop alternative or
25 contingencies for the project in order to have an
26 action plan defined which allow the project to be

1 protective of the environment in such circumstance.

2 This approach is based on continuous monitoring,
3 evaluation, modelling, and planning with a feedback
4 loop for continuous improvement.

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

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

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

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

26 Also, a number of those item was defer to the

1 water licence amendment process, which have been
2 initiated in May 2019 with the Nunavut Water Board.

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

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

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

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

26 And we'll complete the presentation by going

1 through an overview of our final written submission.
2 This slide is presenting again a breakdown of the final
3 written submission from each intervenor. You can see
4 the 77 final written submission. And here, again, the
5 breakdown by key disciplines.

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

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

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

1 On the freshwater, we'll go through that more in
2 detail, but we're presenting a proposed terms and
3 condition related to the alternative discharge in
4 Lake D1 and D5. So this terms and condition have been
5 reviewed with Environment Canada, and we're looking
6 forward to have comments from other intervenor during
7 the week.

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

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

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

24 So this is the end of the presentation. For
25 conclusion, I would like to say that the Project
26 Certificate 004 and 008 already have stringent

1 applicable terms and condition, and from Agnico point
2 of view, only minimal updates are required in order to
3 proceed with the expansion project. Matna.

4 THE CHAIR: Thank you for that
5 presentation.

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

8 (ADJOURNMENT)

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

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

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

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

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

25 Our commitment is to work in partnership with
26 Indigenous people to establish a mutually beneficial

1 cooperative and productive relationship. Our approach
2 is characterized by effective two-way communication,
3 consultation, and partnering. Our responsible mining
4 management system is an integrated framework for the
5 management of health and safety, environment, and
6 social performance. The system is how we implement
7 Agnico Eagle's sustainable development policy, and it
8 takes a plan, do, check, act, and management approach.

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

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

24 We check to make sure that our engagement
25 practices are working by evaluating and reporting on
26 implementation and considering results of our feedback

1 mechanisms such as Tusaajugut, which is our community
2 complaints process, or feedback received through our
3 Inuit Impact and Benefit Agreement committees with the
4 Kivalliq Inuit Association.

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

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

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

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

1 Since 2016, there have been over 60 project
2 consultations and engagements for the Meadowbank
3 complex. Between 2016 and 2018, there are over
4 20 Whale Tail-approved project, consultations, and
5 engagements. And since 2018, there were eight Whale
6 Tail Expansion Project consultations and engagements.

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

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

25 THE CHAIR: Thank you for that
26 presentation. You can continue with the alternatives

1 assessment and cumulative effects. Agnico Eagle, you
2 can continue.

3 MR. GROLEAU: Thank you, Madam Chair.

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

5 THE CHAIR: Legal counsel.

6 MS. MEADOWS: Thank you, Madam Chair.

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

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

17 EXHIBIT 13 - Hard Copy PowerPoint
18 presentation, Whale Tail Pit Expansion
19 Project, NIRB Public Hearing - August 26-29,
20 2019, Public Participation (English)

21 EXHIBIT 14 - Hard Copy PowerPoint
22 presentation, Whale Tail Pit Expansion
23 Project, NIRB Public Hearing - August 26-29,
24 2019, Public Participation (Inuktitut)

25 EXHIBIT 15 - Hard Copy PowerPoint
26 presentation, Whale Tail Pit Expansion

1 Project, NIRB Public Hearing - August 26-29,
2 2019, Alternative Assessment and Cumulative
3 Effects (English)
4 EXHIBIT 16 - Hard Copy PowerPoint
5 presentation, Whale Tail Pit Expansion
6 Project, NIRB Public Hearing - August 26-29,
7 2019, Alternative Assessment and Cumulative
8 Effects (Inuktitut)

9 THE CHAIR: Thank you, legal counsel.
10 Agnico Eagle, you can continue.
11 Presentation by Agnico Eagle Mines Limited (Alternative
12 Assessment and Cumulative Effects)

13 MR. LAPOINTE: Thank you, Madam Chair.

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

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

24 The next few slides are to show the board what
25 existing approved infrastructure will be used as part
26 of the expansion project. Here you see our Baker Lake

1 facilities, the fuel storage facility, and dock on the
2 left-hand side, and on the right, the all-weather
3 private road.

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

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

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

24 So in the alternatives and cumulative effects
25 assessment, we focus on areas where the expansion
26 project caused changes to the approved project. Again,

1 those areas are shown on this diagram in red for
2 infrastructures related to the open pit. And in
3 purple, for those associated with the underground mine.

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

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

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

26 This one shows the aquatics local and regional

1 study areas. Again, I'll consider it in the cumulative
2 effects assessment. This study area and local studies
3 area are the same except for D1 and D5 lakes.

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

11 THE CHAIR: Thank you for that
12 presentation.

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

18 MR. MANZO: Thank you, Madam Chair.

19 Luis Manzo, Kivalliq Inuit Association.

20 No questions at this time.

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

23 MR. AKSAWNEE: Thank you, Madam Chair.

24 Richard Aksawnee, Baker Lake Hunters and Trappers.

25 We have no questions at this time.

26 THE CHAIR: Government of Nunavut.

1 MR. PINKSEN: Thank you.

2 Steven Pinksen, Government of Nunavut.

3 We have no questions at this time.

4 THE CHAIR: CIRNAC.

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

7 No questions.

8 THE CHAIR: Environment Canada.

9 MS. PINTO: Thank you, Madam Chair.

10 Melissa Pinto, Environment and Climate Change Canada.

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

12 THE CHAIR: Fisheries and Oceans Canada.

13 MR. D'AGUIAR: Thank you, Madam Chair. Mark

14 D'Aguiar with Fisheries and Oceans.

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

16 THE CHAIR: Health Canada.

17 MR. PARTRIDGE: Thank you, Madam Chair. Paul

18 Partridge from Health Canada.

19 We have no questions at this time.

20 THE CHAIR: NRCan.

21 MR. UNGER: Peter Unger, Natural Resources

22 Canada. Thank you, Madam Chair.

23 No questions.

24 THE CHAIR: Environment Canada.

25 MR. BARRY: Thank you, Madam Chair. Ryan

26 Barry, Nunavut Impact Review Board staff.

1 We have no questions on these presentations.

2 THE CHAIR: NIRB Board.

3 Nunavut Impact Review Board Questions Agnico Eagle

4 Mines Limited

5 MR. KADLUN: (Other Language Spoken), Madam

6 Chair. Phillip Kadlun, Nunavut Impact Review Board.

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

18 (OTHER LANGUAGE SPOKEN), Madam Chair.

19 THE CHAIR: Agnico Eagle.

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

21 Quesnel, Agnico Eagle.

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

1 the approval for the additional width.

2 Noise management related to the traffic, it all
3 remains within the -- the original 'F' -- final
4 environment impact statement for the approved project,
5 so the traffic profile would remain the same. It's
6 primarily for the safety of the vehicles for the long
7 haul.

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

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

18 That's all for now.

19 THE CHAIR: Uriash.

20 MR. PUQIQNAK: Thank you, Madam Chair.

21 Uriash Puqiqnak, NIRB Board member.

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

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

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

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

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

1 place where you have to deter birds from landing there?

2 THE CHAIR: Agnico Eagle.

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

4 Quesnel, Agnico Eagle.

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

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

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

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

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

1 Quesnel at Agnico Eagle.

2 We have the cannons. It just makes a bang at a
3 different frequency. The decibels, we would have to
4 get back to you with that number. We don't have that
5 readily available, but we can provide it this
6 afternoon. Thank you.

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

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

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

17 THE CHAIR: Thank you.

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

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

25 For the approved Whale Tail Pit -- and we had that
26 with the 3D model for that public hearing, and we had a

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

11 THE CHAIR: Thank you.

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

15 Legal counsel.

16 MS. MEADOWS: Thank you, Madam Chair.

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

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

22 EXHIBIT 17 - Hard Copy PowerPoint
23 presentation, Whale Tail Pit Expansion
24 Project, NIRB Public Hearing - August 26-29,
25 2019, Atmospheric Environment (English)
26 EXHIBIT 18 - Hard Copy PowerPoint

1 presentation, Whale Tail Pit Expansion
2 Project, NIRB Public Hearing - August 26-29,
3 2019, Atmospheric Environment (Inuktitut)

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

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

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

16 MR. MCNAUGHTON: Thank you, Madam Chair.
17 Cameron McNaughton with Golder Associates.
18 C-A-M-E-R-O-N, M-C, capital 'N', A-U-G-H-T-O-N.

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

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

25 Do the witnesses wish to be sworn or affirmed?

26 MR. MCNAUGHTON: Thank you, Madam Chair.

1 Affirmed.

2 MS. AMENDOLA: Thank you, Madam Chair.

3 Andrea Amendola, Golder Associates.

4 Affirm.

5 ANDREA AMENDOLA, CAMERON MCNAUGHTON, Affirmed

6 MS. MEADOWS: Teresa Meadows, legal counsel

7 for Nunavut Impact Review Board. Madam Chair, those

8 are my procedural matters.

9 THE CHAIR: Agnico Eagle, you can continue

10 with your presentation.

11 Presentation by Agnico Eagle Mines Limited (Atmospheric

12 Environment)

13 MS. TURMEL: Thank you, Madam Chair. Manon

14 Turmel, Agnico Eagle Mines.

15 Good morning. This presentation will discuss the

16 atmospheric environment valued component. As with

17 other topics, the final environmental impact statement

18 addendum concludes that the expansion project will not

19 have any significant residual effects on air quality.

20 First, I will present the topic overview. Second, I

21 will provide a summary, a final written submission

22 status.

23 This figure presents the air quality study area

24 for the expansion project. A 60 by 60 kilometre around

25 the Whale Tail Expansion Project. The purple line

26 represents the project boundary. The purple dots are

1 model grid receptors, and yellow stars indicate
2 selected discreet receptors. I'm referring to
3 receptors all through this presentation.

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

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

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

25 Changes in sources of air emissions from the
26 approved to the expansion project are the following:

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

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

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

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

1 Dust disposition rates are predicted to be below
2 the Alberta guideline for residential and recreational
3 areas within 300 to 500 metre downwind of haul road.
4 Alberta guideline was used in absence of a Nunavut
5 guideline here.

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

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

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

24 We will continue to follow this monitoring plan as
25 part of the expansion project. Future monitoring and
26 data analysis will inform adaptive management

1 strategies related to air quality, including NO2 and
2 dust.

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

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

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

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

1 on the previous slide as well.

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

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

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

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

1 this direction.

2 This figure presents the noise and vibration
3 regional study area, the red-dashed line, and local
4 study area, the red solid line, for the expansion
5 project which is consistent with the approved project.

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

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

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

1 On this component, we received 12 information
2 requests, 7 technical comments, and 9 final written
3 submissions. Additionally, we made six commitments
4 during the technical meeting. As a note, of the nine
5 final written submissions received, only two needed our
6 response.

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

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

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

25 We considered that we have addressed and fully
26 responded to all technical comments and that there are

1 no additional terms and conditions on this topic that
2 should be added to the project certificate. As the
3 existing conditions, Conditions 1 and 2 of Project
4 Certificate Number 8, are predictive of air quality,
5 and the expansion project is not predicted to have more
6 impacts on air quality than the approved project as
7 approved by the Nunavut Impact Review Board a year and
8 a half ago.

9 THE CHAIR: Thank you for that
10 presentation.

11 Moving on to questions on the presentation for
12 atmospheric environment, questions from KIA and NTI.

13 MR. MANZO: Luis Manzo, Kivalliq Inuit
14 Association.

15 No questions at this time. Thank you.

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

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

21 THE CHAIR: Government of Nunavut.

22 MR. PINKSEN: Thank you, Madam Chair.
23 Steven Pinksen, Government of Nunavut.

24 We have no questions.

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.

4 THE CHAIR: Environment Canada.
5 Environment and Climate Change Canada Questions Agnico
6 Eagle Mines Limited

7 MR. ASHER: Brian Asher, Environment
8 Climate Change of Canada. I do have a couple of
9 questions.

10 In Environment and Climate Change Canada's
11 submission, we noted some concerns related to accuracy
12 of passive and of two samplers. So referencing that,
13 our submission, my question for AEM is: To what extent
14 has Agnico Eagle considered the accuracy problems with
15 passive NO2 samplers, and -- and are -- is Agnico Eagle
16 aware of any field studies that validate their accuracy
17 at temperatures that are typical of Baker Lake winters
18 where temperatures are -- average temperatures are
19 35 degrees celsius below? Thank you. That's one
20 question, and I have another question after that, but
21 I'll let the proponent respond. Thank you.

22 THE CHAIR: Agnico Eagle.

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

25 To answer Environment Canada and Climate
26 Change's [sic] question, dealing with the passive

1 samplers, they're -- they're an approved application
2 to -- to monitor the associated activities.

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

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

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

25 THE CHAIR: Environment Canada. Do you
26 have any further questions?

1 MR. ASHER: Brian Asher, Environment and
2 Climate Change Canada.

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

12 MR. BERGNER: Madam Chair --

13 MR. ASHER: -- providing such.

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

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

19 MR. ASHER: Brian Asher, Environment and
20 Climate Change Canada.

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

1 indication in the air quality management plan of how
2 the NO2 concentrations from the passive samplers would
3 be used. Thank you.

4 THE CHAIR: Legal counsel.

5 MS. MEADOWS: Thank you, Madam Chair.

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

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

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

1 Thank you, Madam Chair.

2 THE CHAIR: Agnico Eagle.

3 MR. BERGNER: No furth -- Keith Bergner,
4 legal counsel with Agnico Eagle.

5 No further comments. The question as it was
6 ultimately posed was perfectly acceptable.

7 THE CHAIR: Environment and Climate Change
8 Canada, did you get a response?

9 MR. ASHER: Brian Asher, Environment and
10 Climate Change Canada.

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

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

21 THE CHAIR: Agnico Eagle.

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

1

2 PROCEEDINGS ADJOURNED UNTIL 1:15 PM

3

4 (PROCEEDINGS COMMENCED AT 1:16 PM)

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

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

11 Agnico Eagle, do you have a response ready?

12 MS. TURMEL: Manon Turmel, Agnico Eagle.

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

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

19 MR. ASHER: Brian Asher, Environment and
20 Climate Change Canada.

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

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

1 My colleague, Manon Turmel, was mentioning we
2 would just add a threshold to the -- the table that was
3 referenced, and that would be a trigger for adaptive
4 management.

5 THE CHAIR: Canada (OTHER LANGUAGE
6 SPOKEN). Any more questions?

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

8 THE CHAIR: DFO Canada, questions?

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

12 THE CHAIR: Health Canada, questions?

13 MR. PARTRIDGE: Paul Partridge. No questions
14 at this time. Thank you.

15 THE CHAIR: Natural Resources Canada.

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

18 THE CHAIR: Environment -- or NIRB.
19 Questions?

20 Nunavut Impact Review Board Staff Questions Agnico
21 Eagle Mines Limited

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

24 Just a couple of quick questions. I'm wondering
25 if -- for the benefit of the Board, if Agnico Eagle can
26 elaborate on the reasons for their reluctance to adopt

1 in full the recommendations of Environment and Climate
2 Change Canada for updates to your air sampling program,
3 specifically any information that you can provide,
4 maybe elaborating a bit, on any barriers you see either
5 financial or technical feasibility for the active
6 monitoring methods that are being recommended.

7 THE CHAIR: Agnico Eagle.

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

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

24 So our results are very low, which my colleague,
25 Manon, presented. The exposure's not there, which
26 doesn't create a pathway and a receptor. So we feel

1 the risk is very low for this type of request.

2 THE CHAIR: NIRB staff.

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

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

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

20 THE CHAIR: Agnico Eagle.

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

23 Yes, we can provide a list. Thank you.

24 Nunavut Impact Review Board Questions Agnico Eagle
25 Mining Limited

26 THE CHAIR: Phillip. NIRB Board of

1 director, Phillip.

2 MR. KADLUN: Thank you. Phillip Kadlun,
3 NIRB Board member.

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

1 THE CHAIR: Environment and Climate Change
2 Canada, we'll mark that as a question for when you do
3 your presentation.

4 And, Agnico Eagle, you can provide your response
5 to Phillip's question.

6 MR. MCNAUGHTON: Madam Chair, Cameron
7 McNaughton with Golder Associates.

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

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

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

1 recreational areas. And we have compared the results
2 of the model to the residential and recreational uses
3 standard, which is the strictest of those dust fall
4 standards here in Canada.

5 THE CHAIR: Guy?

6 MR. ALIKUT: Thank you. Guy Alikut from
7 NIRB Board.

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

1 finish up here. And I'll wait for your answer. Thank
2 you.

3 THE CHAIR: Agnico Eagle.

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

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

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

24 Thank you.

25 THE CHAIR: Catherine.

26 MS. EMRICK: Thank you, Madam Chair.

1 I just have a follow-up question from the question
2 posed by NIRB staff. I'm wondering if we could also
3 have a list of projects in the north that are using
4 continuous monitoring, if there are any that are doing
5 that.

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

13 THE CHAIR: Agnico Eagle.

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

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

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

23 MR. MCNAUGHTON: Thank you, Madam Chair.

24 Currently, there are several locations in the
25 north where continuous one-hour monitoring is
26 undertaken, and those are undertaken by the Government

1 of the Northwest Territories and Nunavut in
2 collaboration with Environment and Climate Change
3 Canada.

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

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

21 MR. MCNAUGHTON: We -- Madam Chair, Cam
22 McNaughton, Golder Associates.

23 We used the monitoring data collected at Norman
24 Wells and Yellowknife and in Iqaluit, and we computed
25 the statistics associated with the 30-day average
26 concentrations observed at those locations using the

1 one-hour NO2 data and compared those to the 30-day
2 observations at the Meadowbank project, which we have
3 many years of data; and, essentially, we found that the
4 30-day average values measured at Meadowbank were
5 either not statistically different or slightly below
6 the concentrations measured on 30-day average periods
7 at those towns here in the north.

8 MS. EMRICK: Thank you.

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

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

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

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

24 My response would be related to the cannons to
25 deter birds related to the tailings storage facility.
26 So with those cannons, the noise decibels would be in

1 the range of 110 to 120, and that's adjustable. And
2 that would be comparable -- it would be lower than a
3 shotgun and higher than a snowmobile at -- I think it's
4 at 50 metres. So that's just to give you a range of
5 the noise from the cannons to deter birds.

6 And my colleague Chris Kennedy will respond on the
7 next deferred question.

8 MR. KENNEDY: Thank you, Madam Chair. Chris
9 Kennedy, Agnico Eagle.

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

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

16 Legal counsel.

17 MS. MEADOWS: Thank you, Madam Chair.

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

20 MR. KENNEDY: Sure. Chris Kennedy,

21 C-H-R-I-S K-E-N-N-E-D-Y.

22 MS. MEADOWS: And does the witness wish to
23 be sworn or affirmed?

24 MR. KENNEDY: Affirm.

25 CHRIS KENNEDY, Affirmed

26 MS. MEADOWS: Thank you, Madam Chair. Those

1 are my procedural matters.

2 THE CHAIR: Please continue.

3 Response to Deferred Questions by Agnico Eagle Mines
4 Limited

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

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

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

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

1 If we think about the town of Baker Lake, so just
2 the buildings not going up -- away from the -- from the
3 town, it's approximately 2 kilometres squared, or you
4 could fit four of these Whale Tail open pits in the
5 size of Baker Lake. So it's about half a kilometre
6 squared, so one fourth of the town of Baker Lake. The
7 Whale Tail waste rock storage facility here is about
8 1 kilometre squared or about half the size of the town
9 of Baker Lake.

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

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

23 THE CHAIR: Thank you for those responses.

24 We can move on to the presentation on the
25 terrestrial environment.

26 Legal counsel.

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

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

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

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

24 In addition to the model, which we forgot to
25 mention, we do have the posters on the back wall which
26 highlight some of our activities and some of the

1 components of the assessments that we completed. Thank
2 you.

3 MS. MEADOWS: Thank you, Madam Chair.
4 Teresa Meadows, legal counsel for the Nunavut Impact
5 Review Board.

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

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

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

13 MR. DE LA MARE: Affirmed, please.

14 COREY DE LA MARE, Affirmed

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

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

22 EXHIBIT 19 - Hard Copy PowerPoint
23 Presentation Whale Tail Pit Expansion Project
24 NIRB Public Hearing - August 26-29, 2019,
25 Terrestrial Environment (English)
26 EXHIBIT 20 - Hard Copy PowerPoint

1 Presentation Whale Tail Pit Expansion Project
2 NIRB Public Hearing - August 26-29, 2019,
3 Terrestrial Environment (Inuktitut)

4 THE CHAIR: Agnico Eagle, you -- you may
5 proceed.

6 Presentation by Agnico Eagle Mines Limited (Terrestrial
7 Environment)

8 MS. TURMEL: Thank you, Madam Chair. Manon
9 Turmel, Agnico Eagle.

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

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

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

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

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

22 The Government of Nunavut currently manages the
23 caribou collaring program for Nunavut, which is
24 currently ongoing today. We also had a new source of
25 information for this assessment, which the Nunavut
26 Impact Review Board directed us to form under Project

1 Certificate 8, the terrestrial advisory group, which is
2 made up of the Hunters and Trappers Organization, the
3 Kivalliq Inuit Association, the Government of Nunavut,
4 Environment and Climate Change Canada, and Agnico
5 Eagle. I will describe more about this group later in
6 the presentation.

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

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

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

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

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

24 For instance, Elders were concerned about
25 vegetation and wildlife habitat, which was addressed
26 using traditional knowledge to avoid important wildlife

1 sites such as dens, nests, and rare ecosystems. Elders
2 wanted to ensure that caribou can cross the haul road
3 safely, which was addressed using traditional knowledge
4 to minimize the structure of the road and locate
5 crossing points for caribou.

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

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

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

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

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

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

21 In accordance with the Nunavut Impact Review Board
22 Project Certificate Number 8 and, more specifically,
23 Term and Condition 27, a terrestrial advisory group was
24 established for the Meadowbank and Whale Tail project.
25 It provides technical oversight on the project
26 mitigation, monitoring, and adaptive management

1 measures related to the protection of wildlife. The
2 following parties are actively part of the terrestrial
3 advisory group: the Baker Lake Hunter and Trapper
4 Organization, the Government of Nunavut, the Kivalliq
5 Inuit Association, Nunavut Tunngavik Incorporated, and
6 Environment and Climate Change Canada.

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

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

1 a specific topic. The next meeting is planned for
2 October of this year. Thus, we have a substantial
3 track record of engaging with regulators to adaptively
4 manage the terrestrial ecosystem management plan in
5 response to monitoring needs, field realities, and to
6 address concerns over potential impact to wildlife.

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

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

16 THE CHAIR: You can continue.

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

24 Further to this, a comprehensive data analysis
25 report will be prepared at three -year intervals. This
26 is in addition to the annual wildlife report that we

1 prepared. This comprehensive report would consider
2 questions such as zone of influence, deflection of
3 caribou by the road, the efficacy of mitigation, or
4 other such questions depending on the availability of
5 data.

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

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

1 involved in decision-making and wildlife monitoring.

2 During the 2019 caribou spring migration, we
3 implemented Version 6 of the terrestrial ecosystem
4 management plan. This plan revised with terrestrial
5 advisory group's feedback contains reduced group size
6 thresholds and tiered caribou protection measures that
7 are more conservative than previous versions. And,
8 finally, we've just recently provided Version 7 as part
9 of the Nunavut Impact Review Board process.

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

12 THE CHAIR: Legal counsel.

13 MS. MEADOWS: Thank you, Madam Chair.

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

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

18 Thank you, Madam Chair.

19 EXHIBIT 21 - Electronic Exhibit Only Video

20 Clip Visual Representation of Caribou

21 Migration in the Spring of 2019

22 THE CHAIR: Agnico Eagle, you can
23 continue.

24 MS. TURMEL: Thank you, Madam Chair.

25 (VIDEO PLAYED)

26 MS. TURMEL: All right. Before it starts

1 too quickly -- we can see the colour's a little bit --
2 yeah. So in orange is the Wager Bay herd. We have
3 pictograms showing where the caribou is on a specific
4 day. The date is specified here. It's going to go one
5 per day. Like, this snapshot will be one per day. And
6 in green are individuals from the Lorillard herd. We
7 also identified a buffer around the road, so the one
8 here to the outside -- like -- is 50 kilometre, and the
9 one closer to the road is 4 kilometre.

10 (VIDEO PLAYED)

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

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

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

24 We are confident that recent updates to the
25 terrestrial ecosystem management plan are adequate and
26 protective caribou protection measures. Further

1 analysis of the 2019 spring migration data will be
2 completed as part of the annual report and discussed at
3 further terrestrial advisory group meetings.

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

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

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

24 This slide presents the sensitive seasons for
25 caribou interacting with the Meadowbank and Whale Tail
26 Pit site. Sensitive seasons are periods of time during

1 the year when increased monitoring and mitigation have
2 to be implemented to ensure caribou protection.

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

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

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

23 Through discussions with the Government of Nunavut
24 and the Kivalliq Inuit Association, a desired minimum
25 protection level of 75 percent of all caribou observed
26 was used as the foundation for the group size

1 threshold. We will collect additional data to continue
2 to refine these thresholds and sensitive season timing
3 as the project progresses.

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

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

25 The next one is Level 2. We go to a Level 2 if a
26 caribou group larger than the threshold we just talked

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

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

1 representatives on-site or available to discuss. In
2 addition, height-of-land surveys are conducted twice a
3 day, our road surveys are conducted at least every day
4 and sometimes even more, and satellite collar
5 information are also reviewed every day.

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

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

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

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

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

24 We will monitor shoreline birds, conduct bird
25 surveys prior to and during flooding activities, and
26 deter birds prior to nesting season in areas predicted

1 to be flooded. Just a note, there is no new flooding
2 activities related to the expansion project. It's the
3 same as was planned for the approved project.

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

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

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

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

1 be as part of the terrestrial advisory group process or
2 annual report review process.

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

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

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

25 Additionally, we will develop a study design to
26 examine the permeability of the haul road to caribou

1 movement.

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

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

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

26 In response to Government of Nunavut Final Written

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

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

23 THE CHAIR: Moving on to questions on the
24 terrestrial environment.

25 Questions from Kivalliq Inuit Association? We'll
26 go first KIA and NTI.

1 Kivalliq Inuit Association Questions Agnico Eagle Mines
2 Limited

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

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

16 THE CHAIR: Agnico Eagle.

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

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

1 monitoring, and through road monitoring. And then in
2 addition to that, we have caribou collar data from the
3 Government of Nunavut.

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

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

1 THE CHAIR: Kivalliq Inuit Association.

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

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

15 THE CHAIR: Agnico Eagle.

16 MR. QUESNEL: Thank you, Madam Chair. Jamie
17 Quesnel, Agnico Eagle.

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

1 details on the -- on the convoys.

2 And, also, just as a little bit more clarity,
3 we -- we -- the convoys would include fuel for the
4 operation, also dealing with moving people from
5 Meadowbank to the Whale Tail operation and other
6 essential items related to waste management, material
7 coming back from Whale Tail to -- to the Meadowbank
8 operation.

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

15 THE CHAIR: Kivalliq Inuit Association.

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

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

1 THE CHAIR: Agnico Eagle.

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

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

8 THE CHAIR: Any more questions from
9 Kivalliq Inuit Association?

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

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

22 THE CHAIR: Agnico Eagle.

23 MS. TURMEL: Manon Turmel, Agnico Eagle.

24 So basically how we went to, let's say, a Level 2
25 base -- is based on monitoring. So let's say for 2019,
26 prior to road closures or heightened monitoring, we did

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

14 THE CHAIR: Kivalliq Inuit Association.

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

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

1 that height-of-land surveys have actually triggered
2 changes in Level 1, 2, 3 mitigation in 2019? Thank
3 you.

4 THE CHAIR: Agnico Eagle.

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

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

16 THE CHAIR: Kivalliq Inuit Association.

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

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

22 Baker Lake Hunters and Trappers Organization Questions
23 Agnico Eagle Mines Limited

24 MR. AKSAWNEE: Thank you, Madam Chair.
25 Richard Aksawnee, Baker Lake HTO.

26 My question is in regards to Slide 13 as we heard

1 in the presentation, since March of 2018, that there
2 has been three migrations by the Amaruq camp or by the
3 haul road. We just seen satellite collared data from
4 the spring of 2019. My question is: Do you guys have
5 information on the previous two migrations?

6 THE CHAIR: Agnico Eagle.

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

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

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

15 MR. AKSAWNEE: Richard Aksawnee. Thank you,
16 Madam Chair.

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

1 Seeing that the collared data is a very important
2 tool for monitoring, on Slide 19, under commitments for
3 the expansion project, is Agnico Eagle willing to
4 commit to -- I know this is a GN mandate, but is Agnico
5 Eagle willing to provide additional collared --
6 collars for collar data collecting, like, for the life
7 of the mine?

8 Thank you, Madam Chair.

9 THE CHAIR: Agnico Eagle.

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

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

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

1 you.

2 THE CHAIR: Baker Lake Hunters and
3 Trappers Organization.

4 MR. AKSAWNEE: Thank you, Madam Chair.

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

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

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

26 So with that being said, is that -- I want to see

1 additional funding or more involvement with collared
2 data. With our HTO monitor, we were lucky that he was
3 at -- up at the mine site to tell us that there was a
4 group of about 300 caribou right by the mine site,
5 right by the road, and nothing -- the traffic was still
6 going. But after about a day later, that's when the
7 road did get closed down. So -- and that's what I just
8 wanted to refer to.

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

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

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

18 Thank you.

19 THE CHAIR: Agnico Eagle.

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

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

1 option.

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

23 THE CHAIR: Baker Lake Hunters and
24 Trappers Organization.

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

1 Trappers Organization.

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

15 THE CHAIR: Agnico Eagle.

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

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

23 So a few examples where the HTO have -- have
24 contributed to the monitoring and to the TEMP, one has
25 been primarily around staffing and -- and monitoring.
26 So we've -- through some discussions through the TAG,

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

15 THE CHAIR: Just a reminder. Please
16 refrain from using acronyms.

17 MR. DE LA MARE: Apologies.

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

20 MR. BERNAUER: Thank you, Madam Chair.

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

26 THE CHAIR: Agnico Eagle.

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

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

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

16 MR. BERNAUER: Thank you, Madam Chair. No
17 further questions from me. Thank you.

18 THE CHAIR: Government of Nunavut.
19 Government of Nunavut Questions Agnico Eagle Mines
20 Limited

21 MR. PINKSEN: Thank you, Steve Pinksen,
22 Government of Nunavut.

23 We have a few questions. So the first is on haul
24 road construction. And during the technical review
25 phase, Agnico made a two-part commitment on the haul
26 road. One was to do an analysis of available

1 information and determine the sections that are most
2 likely to be used by migrating caribou. And I
3 understand that work is -- is done; it may be being
4 revised, but I think it's done.

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

12 THE CHAIR: Agnico Eagle.

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

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

26 The next step is to have a feedback from the --

1 the associated parties that have received that
2 document, and then we can look at discussions related
3 to where this conceptual four-to-one slope
4 cross-section can be utilized along the road.

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

17 THE CHAIR: Government of Nunavut.

18 MR. PINKSEN: Thank you, Madam Chair.

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

25 THE CHAIR: Agnico Eagle.

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

1 Quesnel, Agnico Eagle.

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

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

14 THE CHAIR: Nunavut Government [sic].

15 MR. PINKSEN: Thank you, Madam Chair.

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

1 you.

2 THE CHAIR: Agnico Eagle.

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

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

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

20 THE CHAIR: Government of Nunavut.

21 MR. PINKSEN: Thank you, Madam Chair.

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

25 Our next item is regarding caribou monitoring. In
26 our final submission, the GN expressed concern that

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

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

15 THE CHAIR: Agnico Eagle.

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

18 (ADJOURNMENT)

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

22 Agnico Eagle.

23 Response to Deferred Questions by Agnico Eagle Mines
24 Limited

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

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

10 THE CHAIR: Government of Nunavut.

11 MR. PINKSEN: Thank you, Madam Chair.

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

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

1 THE CHAIR: Agnico Eagle.

2 MS. TURMEL: Manon Turmel, Agnico Eagle.

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

12 THE CHAIR: Government of Nunavut.

13 MR. PINKSEN: Thank you, Madam Chair.

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

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

24 THE CHAIR: Agnico Eagle.

25 Agnico Eagle, are you prepared to respond?

26 MR. DE LA MARE: I am, Madam Chair. Thank you

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

11 THE CHAIR: Government of Nunavut.

12 MR. PINKSEN: Thank you, Madam Chair. Steve
13 Pinksen, Government of Nunavut.

14 No further questions.

15 THE CHAIR: CIRNAC.

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

19 THE CHAIR: Environment Canada.

20 MS. PINTO: Melissa Pinto, Environment and
21 Climate Change Canada.

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

23 THE CHAIR: Fisheries and Oceans Canada.

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

26 We have no questions. Thank you.

1 THE CHAIR: Health Canada.

2 MR. PARTRIDGE: Thank you, Madam Chair. It's
3 Paul Partridge from Health Canada. We have no
4 questions.

5 THE CHAIR: NRCan.

6 MR. UNGER: Peter Unger, Natural Resources
7 Canada. Thank you, Madam Chair.

8 No questions.

9 THE CHAIR: NIRB staff.

10 Nunavut Impact Review Board Staff Questions Agnico
11 Eagle Mines Limited

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

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

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

1 herds, effectively?

2 THE CHAIR: Agnico Eagle.

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

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

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

19 THE CHAIR: NIRB staff.

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

22 Thank you for that response. The next point --
23 you did touch on this and explained it in your
24 presentation, but I'm hoping maybe you can elaborate or
25 be more specific. This is regarding what constitutes
26 essential traffic during road closures. In other

1 words, what vehicles specifically may be permitted to
2 continue using the road during a road closure, and does
3 that change at all seasonally, for example, in the fall
4 when you may be bringing supplies from a sealift or --
5 or anything of that nature?

6 THE CHAIR: Agnico Eagle.

7 MS. TURMEL: Manon Turmel, Agnico Eagle.

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

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

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

21 THE CHAIR: NIRB staff.

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

24 And thank you, again, for -- for that
25 clarification. In terms of caribou interaction with
26 the project, can you, again, expand upon what you

1 referenced as or considered to be small or minimal
2 interactions, and are these primarily behavioural
3 changes or something else?

4 THE CHAIR: Agnico Eagle.

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

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

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

1 So that generally describes the main behaviours
2 when we see them adjacent to the roads. Sometimes you
3 hear the term "milling around". That sort of means
4 just occupying the space on either side of the road,
5 but -- but we do characterize some of that behaviour
6 too.

7 THE CHAIR: NIRB staff.

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

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

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

21 THE CHAIR: Agnico Eagle.

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

24 Historically, the -- the closures were -- were
25 less than what they are with the approved project.
26 With all the changes within the -- the terrestrial

1 ecological management program, the recent closures that
2 we have seen in the twenty -- primarily, the 2018 and
3 2019 spring migration is a concern for the operation
4 and -- and the company.

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

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

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

1 closure, and it could be an impact on that project
2 moving forward, and we're analyzing that right now just
3 based on -- we're at 40 days.

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

9 THE CHAIR: NIRB staff.

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

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

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

23 THE CHAIR: Agnico Eagle.

24 MS. TURMEL: Manon Turmel, Agnico Eagle.

25 So, typically, the road closures were during --
26 and the migrations were during the sensitive seasons.

1 So what we're seeing this year is a little different.

2 So, usually, it was really close to the sensitive
3 seasons. Yeah.

4 Nunavut Impact Review Board Questions Agnico Eagle
5 Mines Limited

6 THE CHAIR: NIRB staff. NIRB Board
7 members, Guy.

8 MR. ALIKUT: Thank you. Board of director,
9 Guy Alikut.

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

18 THE CHAIR: Agnico Eagle.

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

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

1 But the initial indication was from local Elders
2 and community members in terms of timing of -- of
3 caribou occurrence in the area. Thank you.

4 THE CHAIR: Guy?

5 MR. ALIKUT: Guy Alikut, NIRB Board.

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

14 THE CHAIR: Agnico Eagle.

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

21 THE CHAIR: Uriash.

22 MR. PUQIQNAK: Thank you, Madam Chair.

23 Uriash Puqiqnak, board member for NIRB.

24 I have two questions. Yesterday when we were at
25 Meadowbank, the roads, some who are -- some of the road
26 who is low so that the caribou can cross. Like, the

1 road is pretty long. How do you know how wide it is,
2 two, three miles? Is it two, three miles? Like, the
3 ones that are lowered so that caribou can pass through
4 there, how wide -- how far are they, the -- the -- the
5 road that is being lowered so that the caribou can pass
6 through that road? How far apart?

7 MS. TURMEL: Manon Turmel, Agnico Eagle.

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

21 THE CHAIR: Uriash.

22 MR. PUQIQNAK: Uriash Puqiqnak, NIRB Board
23 director.

24 Like, in your report, when you talk about where
25 you heard -- like, you said you used IQ, and you work
26 with the Inuit, and through that, the caribou migration

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

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

17 And over there, Inuit name -- land, the rivers, a
18 hundred thousand mile is the river, and it has a name.
19 Aqqusiniqtuuq, the name of that river area, because
20 that was the trail for the caribou. I'm wondering if
21 the caribou trail -- you can see them on the main land
22 'cause we -- we used to see them. 3 00 kilometres,
23 you're going to be building a road. I'm wondering if
24 you're going to be overlapping the -- the trail for the
25 caribou. You can tell right away. Have you done
26 survey, yourselves, the road that will be used? Like,

1 make that sure you go outside so that you won't go
2 through the caribou trail.

3 Thank you, Mr. Chair.

4 THE CHAIR: Agnico Eagle.

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

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

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

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

26 Because based on the project proposal, the

1 addendum, it includes the all-weather access road, and
2 what we looked at earlier was focused on the haul road.
3 So if you can clarify when you're making -- based on
4 your predictions on impacts to caribou, what time frame
5 are you talking about? Are you talking about long-term
6 impacts, including both Meadowbank and Amaruq, or are
7 you talking about the more short-term impacts when you
8 encounter caribou?

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

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

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

25 In terms of the -- how we assess the potential
26 effects, we have an impact classification system. So

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

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

13 Thank you.

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

17 Legal counsel.

18 MS. MEADOWS: Thank you, Madam Chair.

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

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

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

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

1 MR. FAITHFUL: Thank you, Madam Chair. John
2 Faithful, Golder Associates.

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

4 MR. O'KANE: Thank you, Madam Chair.
5 Michael O'Kane.

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

7 MS. MEADOWS: Thank you, Madam Chair.
8 Teresa Meadows, legal counsel for the Nunavut Impact
9 Review Board.

10 Do the witnesses wish to be sworn or affirmed?

11 MR. FAITHFUL: Thank you, Madam Chair. John
12 Faithful, Golder Associates.

13 To be affirmed. Thank you.

14 MR. O'KANE: Mike O'Kane, O'Kane
15 Consultants.

16 Swear.

17 MICHAEL O'KANE, Sworn

18 JOHN FAITHFUL, Affirmed

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

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

1 EXHIBIT 22 - Hard Copy PowerPoint
2 presentation, Whale Tail Pit Expansion
3 Project, NIRB Public Hearing - August 26-29,
4 2019, Freshwater Environment and Waste
5 Management (English)

6 EXHIBIT 23 - Hard Copy PowerPoint
7 presentation, Whale Tail Pit Expansion
8 Project, NIRB Public Hearing - August 26-29,
9 2019, Freshwater Environment and Waste
10 Management (Inuktitut)

11 THE CHAIR: Thank you.

12 Agnico Eagle, you may proceed with your
13 presentation.

14 Presentation by Agnico Eagle Mines Limited (Freshwater
15 Environment and Wastewater Management)

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

18 This presentation will discuss the freshwater
19 environment, evaluate component, and waste management.

20 First, I will present the topic of review.

21 Second, I will provide the summary of the final written
22 submission status.

23 Topic of review. The Whale Tail Expansion Project
24 water management infrastructure are planned to be
25 placed in the same freshwater regional and locals to
26 the area as the approved project. Additionally, we

1 have included Lake D1 and D5 in the freshwater
2 regional, instill those to the area as part of the
3 final environmental impact statement.

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

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

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

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

26 The infrastructure in purple are the

1 infrastructure related to the underground mine. Waste
2 rock from the underground mine will be temporarily
3 stored in the underground -- at the surface in the
4 underground waste rock storage facility and used during
5 operation as backfill material for the underground rock
6 fill activity.

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

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

26 This slide is presenting the three effluent

1 discharge location during operation. So as I was
2 saying, there is two discharge for treated water. One
3 in the Mammoth Lake and another one in the Whale Tail
4 south basin. The updated water balance show
5 requirement for a third discharge location and the
6 Whale Tail south basin at this location.

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

16 These two slides show the water quality prediction
17 for arsenic and phosphorous for the Whale Tail
18 expansion project. These are the two -- phosphorous
19 and arsenic are the two parameters that screen out for
20 assessment in the final environmental impact statement.
21 The graph on the left show the predictions submitted as
22 part of the final environmental impact statement in
23 November 2018 for the project, and the graph on the
24 right show the prediction submitted as part of the
25 water licence amendment application completed in May
26 2019.

1 The water licence model show a 30 percent
2 reduction of the arsenic concentration compared to the
3 final environmental impact statement model. This
4 reduction was expected as a result of refining model
5 based on monitoring data, field observations, and
6 review of conceptual model. This process is typical in
7 industry practices.

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

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

26 The slide present water quality forecast for total

1 phosphorous during operation closure and post-closure
2 phases for the two models introduced in the previous
3 slide. The concentration trends of phosphorous of each
4 project phase follow the same pattern than [sic] the
5 one observed for arsenic on the previous slide.

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

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

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

24 As discussed previously, Agnico Eagle evaluated
25 several option to identify different adaptive
26 management strategies for the expansion project,

1 especially for the water management component.
2 The object -- the objective of those adaptive
3 management strategies is to develop alternative or
4 contingencies for the project in order to have an
5 action plan defined, which allows the project to be
6 protective of the environment and of the aquatic life
7 in those specific case.

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

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

24 Following discussion with Crown-Indigenous
25 Relations and Northern Affairs Canada, Fisheries and
26 Oceans Canada, Environment and Climate Change Canada,

1 and the Kivalliq Inuit Association, a proposed terms
2 and condition has been developed to complete an effect
3 assessment of these -- of these two potential discharge
4 location prior to initiating any work related to the
5 requirement to use this adaptive management strategy.

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

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

1 Agnico will also provide an updated target -- an
2 updated monitoring plan to be implemented during the
3 construction of the -- of the thermal cap, and the data
4 collected during the operation phase of the project
5 will be used to validate the model prediction and
6 assist the performance of this infrastructure.

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

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

15 MR. GROLEAU: Sorry.

16 THE CHAIR: You can continue.

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

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

1 Since December 2018, Agnico Eagle worked in
2 collaboration with the different interveners to refine
3 the final environmental impact statement conclusions.
4 Various topics were discussed related to freshwater
5 component and the waste management such as the waste
6 rock thermal cover and potential contamination; the
7 Whale Tail haul road water crossing and fish passage,
8 the fish status of water bodies in water courses
9 impacted by the expansion project; the impact of the
10 change in the water level on the downstream environment
11 due to the flooding of the pit; the alternative
12 effluent discharge location in Lake D1 and D5; and
13 review of the assumption of the water balance, water
14 quality prediction, climate change model; the review of
15 the mercury concentration; assessment in fish due to
16 the flooding of the Whale Tail south basin; the impact
17 on phosphorous loading in the receiver and the river
18 baseline data around the project area.

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

25 I'll do an overview of the final written
26 submission status. We received 59 information requests

1 related to freshwater component, 21 technical comments,
2 and 23 final written submission. Additionally, Agnico
3 Eagle made 16 commitments during the technical meeting,
4 and as note [sic], of the 23 final written submission,
5 only one needed a response from Agnico Eagle.

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

11 Madam Chair, would you like I read the terms and
12 conditions completely?

13 THE CHAIR: No.

14 MR. GROLEAU: Thank you.

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

25 To inform water rock storage facility for the
26 closure design. We got conversation with

1 Crown-Indigenous and Northern Affairs Canada on
2 August 23rd, and we resolved these terms and
3 conditions. Agnico Eagle agreed to provide
4 information. Uncertainty related to the waste rock
5 cover will be reduced during the different project
6 phase. An extensive monitoring program is currently
7 under development which will be included as part of the
8 final design of the waste rock thermal cover for the
9 expansion project and be issued 60 day prior to the
10 construction of this infrastructure as per water
11 licence condition.

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

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

1 Agnico Eagle consider this final written submission
2 resolved.

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

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

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

11 I have no questions at this time.

12 THE CHAIR: Baker Lake HTO.

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

16 THE CHAIR: Nunavut Government.

17 MR. PINKSEN: Thank you, Madam Chair. Steve
18 Pinksen, Government of Nunavut.

19 We have no questions.

20 THE CHAIR: CIRNAC.

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

24 No questions at this time.

25 THE CHAIR: Environment Canada.

26 MS. PINTO: Melissa Pinto, Environment and

1 Climate Change Canada.

2 We have no questions at this time.

3 THE CHAIR: DFO Canada.

4 MR. D'AGUIAR: Mark D'Aguiar with Fisheries
5 and Oceans Canada.

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

9 THE CHAIR: Health Canada.

10 MR. PARTRIDGE: Thank you, Madam Chair. Paul
11 Partridge for Health Canada.

12 We have no questions at this time.

13 THE CHAIR: NRCan.

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

16 We have no questions.

17 THE CHAIR: NIRB staff.

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

20 We also have no questions.

21 THE CHAIR: NIRB Board of directors.

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

24 _____

25 PROCEEDINGS ADJOURNED UNTIL 6:30 PM

26 _____

1 (PROCEEDINGS COMMENCED AT 6:31 PM)

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

9 Legal counsel.

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

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

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

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

23 Do the witnesses wish to be sworn or affirmed?

24 MS. SQUIRES: Thank you, Madam Chair
25 affirmed, please.

26 MR. SHARAM: And affirmed.

1 COURTNEY SQUIRES, GREG SHARAM, Affirmed

2 MS. MEADOWS: Thank you, Madam Chair.

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

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

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

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

19 THE CHAIR: Thank you.

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

23 MS. TURMEL: Thank you, Madam Chair. Manon
24 Turmel, Agnico Eagle.

25 So we will go over the marine valued component.
26 First, I will present a topic overview; and, second, I

1 will provide a summary of final written submission
2 status.

3 This figure presents, in red, the marine shipping
4 route; in green, the local study area; and, in purple,
5 the regional study area for the expansion project. So
6 from here to the Baker Lake and also to Churchill.

7 The shipping route along with the regional study
8 area and the local study area are consistent with those
9 of the approved project. The shipping corridor will be
10 comprised of the following segments all within
11 established shipping lanes: the first segment from
12 Bécancour, Quebec, along the coast of Labrador to
13 Hudson Strait. We don't see it on this figure.
14 Second, Eastern Hudson Strait to the mouth of
15 Chesterfield Inlet, so this section here. Four,
16 through Chesterfield Narrows to the Hamlet of Baker
17 Lake, this portion. And, five, the mouth of
18 Chesterfield Inlet to the Port of Churchill. Note that
19 the last segment here was assessed, but we have not
20 been using it in past years or not -- will not likely
21 be used in the short term as well.

22 This figure also shows two shipping routes north
23 and south of Coats Island within the vicinity of Coral
24 Harbour, so right here north and then south. As per
25 concerns shared by the community of Coral Harbour
26 during community consultation and engagement events and

1 to protect the important traditional hunting grounds
2 around Walrus Island, Agnico Eagle and our shipping
3 company committed to use primarily this -- the route
4 south of Coats Island. The northern route remains the
5 safest and could be used in certain circumstances. For
6 example, weather conditions are not favourable, or any
7 conditions for which a ship's captain feel it is safer.
8 A total of three to eight vessel will deliver annually
9 dry goods, and two to three tankers will deliver
10 annually diesel fuel.

11 Traditional knowledge related to marine wildlife
12 in the project area was incorporated into baseline
13 reporting, including information on marine wildlife
14 abundance, distribution, migration patterns, breeding
15 areas, critical habitat features. Here, for example,
16 walrus haul-out locations, harvesting patterns, and the
17 effects of climate change on marine wildlife
18 populations and on harvesting activities. Overall, the
19 baseline traditional knowledge report was used, as well
20 as a 2019 Coral Harbour Arctic Corridor and Northern
21 Voices report. Minutes from community consultation and
22 engagement events held in previous years were also
23 used. Finally, eight other meetings and studies
24 conducted by parties other than Agnico for traditional
25 knowledge were referenced in our assessment.

26 For the expansion project, no new primary pathways

1 were identified as the shipping route, shipping
2 volumes, volume of fuel, lightering activities,
3 anchorage locations will remain consistent with those
4 identified for the approved project.

5 A shipping management plan, including a marine
6 mammal and seabird observer program, were designed to
7 avoid ship strikes with birds and marine mammals was
8 developed to comply with Project Certificate Number 8,
9 Condition 37, and we will continue to implement this
10 plan as part of the expansion project.

11 As mentioned previously, we made a commitment to
12 primarily use the route south of Coats Island to
13 address Coral Harbour community's concerns, as per our
14 approved project shipping management plan. We will
15 continue to comply with this commitment.

16 We also intend to continue to meet annually with
17 the community of Chesterfield Inlet as we've done in
18 previous years and also in accordance with Project
19 Certificate Number 04, Term and Condition 39. In
20 addition, if required, we also intend to continue to
21 meet and engage with Coral Harbour to address any
22 additional concerns. We will continue to comply with
23 Project Certificate Number 04, Term and Condition 36,
24 and hire local area monitors for barges travelling
25 between Baker Lake and Helicopter Island so when the
26 mother ships transfer the cargo onto the barge and does

1 the back-and-forth between Baker Lake and Helicopter
2 Island.

3 Finally, we will continue to work with the
4 Department of Fisheries and Oceans and communities to
5 update the shipping management plan as per Project
6 Certificate Number 8, Term and Condition 40. We've
7 already agreed with the Department of Fisheries --
8 Fisheries and Oceans to meet after the public hearing
9 to discuss improvements to the marine mammal and
10 seabird observer program. Communities will also be
11 part of this discussion.

12 The shipping route was selected to avoid key
13 marine habitat areas for migratory birds, migratory
14 bird sanctuaries, and known important bird areas.
15 Also, core summer concentration area for beluga whale
16 and narwhal are outside the shipping route, the local
17 study area, and the regional study area. Additionally,
18 to date, there has been no vessel strikes between a
19 mammal, a bird, and our shipping contractors. Our
20 shipping contractor will adhere to strict federal
21 ballast water and onboard waste management regulations
22 and guidelines. Finally, we schedule our vessels
23 during the open-water season to avoid having to
24 navigate through ice.

25 As with the approved project, our conclusion in
26 the addendum is that the expansion project will not

1 cause any significant adverse effects to the marine
2 environment.

3 As part of the Nunavut Impact Review Board
4 process, we received one information request related to
5 marine, three technical comments, and one final written
6 submission, and this was from the Department of
7 Fisheries and Oceans Final Written Submission 3.4. And
8 we have responded that we are committed to comply with
9 Condition 40 of our existing project certificate and
10 revise our shipping management plan in consultation
11 with the Department of Fisheries and Oceans and
12 communities 90 days prior to the commencement of
13 shipping activities related to the expansion project.

14 And as mentioned previously, we've already agreed
15 with the Department of Fisheries and Oceans to meet
16 after the public hearing and also involve communities
17 in that process and that discussion.

18 So we consider that all technical comments are
19 resolved and that there are no additional term and
20 conditions required for the project certificate.

21 (OTHER LANGUAGE SPOKEN)

22 THE CHAIR: Thank you.

23 Moving on to questions on the marine environment.

24 KIA and Nunavut Tunngavik Incorporated.

25 MR. MANZO: Thank you, Madam Chair. Luis
26 Manzo, Kivalliq Inuit Association. No questions at

1 this time. Thank you.

2 THE CHAIR: Baker Lake HTO.

3 Baker Lake Hunters and Trappers Organization Questions

4 Agnico Eagle Mines Limited

5 MR. AKSAWNEE: Richard Aksawnee, Baker Lake

6 HTO.

7 I just have one minor question. Maybe it can be
8 answered by one of these other agencies, but I want to
9 direct my question to Agnico Eagle in regards to marine
10 environment. We also use the lake -- or the channels
11 going down towards Chesterfield. My -- my -- my short
12 question is: Has there been any reported minor spills
13 or anything by Helicopter Island, like, from the mother
14 ship to a tanker that's being shipped up from
15 Helicopter Island to Baker Lake? Thank you.

16 THE CHAIR: Agnico Eagle.

17 MS. TURMEL: Manon Turmel, Agnico Eagle.

18 No, there has been no cases of spills during a
19 transfer of fuel or along the Chesterfield Narrow. If
20 there was one, it would have had to be reported as
21 well, but I can confirm that no spill has occurred in
22 the past.

23 THE CHAIR: (OTHER LANGUAGE SPOKEN)

24 MR. AKSAWNEE: (OTHER LANGUAGE SPOKEN)

25 Who would be reporting this incident? Like, if
26 there was a spill at Helicopter Island, would that go

1 to a government agency, and would the Baker Lake
2 Hunters and Trappers Organization be notified as well?
3 Thank you.

4 THE CHAIR: Agnico Eagle.

5 MS. TURMEL: Manon Turmel, Agnico Eagle.

6 So they would have to report it to Transport
7 Canada. The shipping company themselves would have to
8 report it to Transport Canada, yeah.

9 THE CHAIR: Baker Lake HTO.

10 MR. AKSAWNEE: I have no further questions.

11 THE CHAIR: Nunavut Government.

12 MR. PINKSEN: Thank you, Madam Chair. Steve
13 Pinksen, Government of Nunavut. We have no questions
14 on this topic.

15 THE CHAIR: CIRNAC.

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

19 THE CHAIR: Environment Canada.

20 MS. PINTO: Thank you, Madam Chair.
21 Melissa Pinto, Environment and Climate Change Canada.
22 We have no questions.

23 THE CHAIR: DFO Canada.

24 Fisheries and Oceans Canada Questions Agnico Eagle
25 Mines Limited

26 MR. D'AGUIAR: Thank you, Madam Chair. Mark

1 D'Aguiar with Fisheries and Oceans. We do have a few
2 questions. Go ahead, Boyan.

3 MR. TRACZ: Thank you, Madam Chair,
4 members of the Board. Boyan Tracz, Department of
5 Fisheries and Oceans.

6 First, a -- more of a -- a comment on some of the
7 language in one of the slides and then a fairly simple
8 follow-up question acknowledging what you've presented
9 already.

10 On Slide Number 5, you talk about the shipping
11 management plan and the marine mammal and seabird
12 observer program designed to avoid ship strikes, and we
13 just submit that it's not just ship strikes. If you
14 read the objective in Term and Condition 40, to ensure
15 that the projects avoids vessel collisions -- that's
16 the ship strikes -- with and/or disturbance of marine
17 mammals and seabird colonies.

18 And then if you go to the 2018 marine mammal
19 observer report, in the executive summary, the purpose
20 of the MMSO, marine mammal and seabird observer
21 program, is to mitigate interactions between marine
22 mammals and seabirds and project vessels and to collect
23 information on marine wildlife presence along the
24 shipping route.

25 And the reason why I mention this clarification is
26 this is where our -- our questions during the technical

1 session and then also our final submission in terms of
2 the community reports that are on the -- on the record
3 indicating that community members were concerned about
4 mammals not being present, not being seen, and our
5 questions leading to, Well, that could mean that the
6 mammals aren't there or that marine mammal observation
7 isn't working as well as it could. And that's what's
8 led to this interaction in terms of follow-up on how to
9 improve things. So we acknowledge that Agnico Eagle
10 has reached out. We acknowledge that we can have
11 meetings afterwards. And I'll -- I can stop right
12 there and -- and allow for a commentary, and then I can
13 follow up with the -- a question. So with your ...

14 THE CHAIR: Agnico Eagle.

15 MS. TURMEL: Manon Turmel, Agnico Eagle.

16 So, yes, we do acknowledge your comment, and we'll
17 be more than happy to meet.

18 THE CHAIR: Fisheries and Oceans Canada.

19 MR. TRACZ: Thank you, Madam Chair. So
20 now looking at Slide 6, there's the mention of the
21 annual consultation meeting with Chesterfield Inlet and
22 that Coral Harbour was also consulted. I'm wondering
23 if you can clarify when these annual consultation
24 meetings typically happen, first part.

25 Second part would be: Have DFO staff, under, you
26 know, the DFO umbrella -- have any DFO staff been

1 invited to the meetings? And then where I'm going with
2 this -- are those meetings, if they're already set --
3 is that an opportunity for all of us to get together at
4 one spot and to discuss the marine mammal and seabird
5 observer program?

6 THE CHAIR: Agnico Eagle.

7 MS. TURMEL: Manon Turmel, Agnico Eagle.

8 So, no, DFO has not participated at this time in
9 those meetings in Chesterfield Inlet. They typically
10 occur just prior to the shipping season so we can
11 advise the community of Chesterfield Inlet of our plan
12 for the year, hire some local monitors as well. And we
13 would be more than happy to invite the -- the
14 Department of Fisheries and Oceans to -- to join us
15 during that meeting.

16 THE CHAIR: Fisheries and Oceans Canada.

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

19 I just have a follow-up question to the comment to
20 DFO FWS3.4 that's on Slide 10 noting the intent is to
21 work with DFO and communities to update the shipping
22 management plan. I guess my question is with respect
23 to the 90 days prior. My question is related to:
24 Should there be some changes required in the
25 methodology of the monitoring program -- may or may not
26 require when you source your ships or -- or -- or

1 shipping groups or something, depends on platforms;
2 there's all kinds of things that could be done with a
3 shipping plan that could change -- would 90 days be
4 enough time to be able to make those changes and
5 implement for the season? That's basically the
6 question.

7 THE CHAIR: Agnico Eagle.

8 MS. TURMEL: Manon Turmel, Agnico Eagle.

9 So we anticipate that 90 days will be -- will be
10 enough, so -- prior to the shipping season, yeah.

11 THE CHAIR: Fisheries and Oceans Canada.

12 MR. D'AGUIAR: Thank you, Madam Chair. Mark
13 D'Aguiar with Fisheries and Oceans. Thanks for that
14 response, and we have no further questions.

15 THE CHAIR: Health Canada.

16 MR. PARTRIDGE: Thank you, Madam Chair. Paul
17 Partridge from Health Canada. No questions at this
18 time.

19 THE CHAIR: NRCan.

20 MR. UNGER: Peter Unger, Natural Resources
21 Canada. Thank you, Madam Chair. 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 Staff do just have one several-part question. So
2 just bear with me, and I'll try to read it out.
3 Recognizing that Agnico Eagle now has more than ten
4 years of experience with shipping fuel and supplies to
5 Baker Lake, can you comment on whether any concerns
6 regarding these annual resupply activities continue to
7 be raised by community members during your public
8 engagement?

9 Now, we're specifically wondering whether any such
10 concerns were raised by community members through the
11 engagement activities carried out for this proposal
12 specifically. And, more broadly, we're wondering
13 whether you feel your growing experience with shipping
14 and the refinements you've made to your plans through
15 the years have been successful in increasing public
16 confidence for the safety of these activities.

17 THE CHAIR: Agnico Eagle.

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

20 We find over the last ten years, as any company or
21 organization, we're always learning. But we feel with
22 our community meetings we have these discussions
23 regarding our -- our shipping practices, and we feel
24 that's a -- a venue that we can discuss these concerns
25 and look for solutions. An example here, just with the
26 Department of Fisheries and Oceans, to go to the

1 community with us and also our shipping company to have
2 those discussions, so we feel that venue allows people
3 to discuss the concerns. So I think that's being --
4 the maturity of that program is evident to us over the
5 last while. I think that's -- provides, hopefully,
6 some confidence with the communities, that we're going
7 to be visiting them on an annual basis to talk about
8 these things. So we don't have to visit this possibly
9 at every application regarding our shipping related to
10 the Meadowbank complex.

11 Also, just with Coats Island, when we meet with
12 the communities, that's a common subject that we have
13 to discuss with them, and I think with our practices
14 and the -- and the program to go to the other side of
15 the island has established that confidence based on
16 that. And with this application, we're not aware of
17 any comments from the communities related to this
18 application besides our meetings prior to the shipping
19 for the Meadowbank complex. Hopefully we unpacked it
20 correctly and -- and responded appropriately for your
21 question.

22 THE CHAIR: NIRB staff.

23 MR. BARRY: Thank you, Madam Chair. Ryan
24 Barry, Nunavut Impact Review Board staff. And thank
25 you for that response, Jamie.

26 I think maybe I'll just -- the last part of the

1 question -- I realize that's the problem with these
2 multi-part questions. They can get lost in the
3 details. I'm wondering specifically, again, do you
4 feel -- with ten years of experience, have public
5 concerns eased? Has public experience with your
6 shipping activities increased overall confidence that
7 they can be done safely, or is it possible that more is
8 required to be done to achieve that increased public
9 confidence?

10 THE CHAIR: Agnico Eagle.

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

13 I think the -- the confidence of the community
14 is -- is being -- is increasing over time. They know
15 we're coming back. We have that commitment. It may
16 have slid in the past, but recently we -- we -- we're
17 visiting the communities on an annual basis to have
18 those discussions. So I think the confidence is -- is
19 being established -- re-established with the
20 communities and increasing.

21 Based on what more can be done, I think possibly a
22 little bit more refinement on -- on the monitoring
23 program related to not just the Department of Fisheries
24 and Oceans, but Environment Canada and Climate Change
25 [sic]. We had a brief discussion at a technical
26 meeting based on support from those agencies to ensure

1 the people that are employed for -- for this -- for the
2 monitoring understand the -- the gaps or improvements
3 or -- or how to establish consistency in those programs
4 and also maybe some certification or a -- a curriculum
5 that people can follow and the company -- the shipping
6 companies can establish more certainty in the programs
7 and -- and look at opportunities to improve the
8 monitoring piece.

9 I think that's where more can be done, possibly
10 with the Department of Fisheries and Oceans,
11 Environment Canada and Climate Change with the shipping
12 companies to ensure they have consistency, they
13 understand the training, there's certification at that
14 level.

15 As we retain these companies to provide a key
16 service for the operation, I think that's the important
17 piece, and I feel that's where the improvement should
18 be focused on, to ensure the monitoring is -- is -- is
19 working well, has proper protocols, and the reporting
20 is -- is effective and that information's passed on to
21 the community. So I think that's one area that can be
22 improved.

23 THE CHAIR: NIRB staff.

24 MR. BARRY: Thank you, Madam Chair. Ryan
25 Barry, Nunavut Impact Review Board staff. Thank you
26 again for that response. That addresses our question.

1 I think, Madam Chair, I would just highlight this
2 as an example of an area where the Board, in conducting
3 a reconsideration assessment, must really consider the
4 effectiveness of current mitigation, whether current
5 mitigation and monitoring -- whether they go far enough
6 based on current experience. And that's really the
7 point I was driving at, recognizing the Board will be
8 hearing directly from community members during the
9 community roundtable and has in the past certainly
10 heard about concerns related to the marine environment
11 and shipping. So thank you again for that response.
12 No more questions, Madam Chair.

13 Nunavut Impact Review Board Questions Agnico Eagle
14 Mines Limited

15 THE CHAIR: NIRB Board?

16 Uriash.

17 MR. PUQIQNAK: Thank you, Madam Chair. I am
18 Uriash Puqiqnak, NIRB Board member.

19 During part of your presentation, I heard the
20 ships that are going to be bringing supplies and
21 bringing in fuel a few times -- two to three times and
22 also other ships that may arrive to ship annual
23 supplies to the mine site, we all know -- as we all
24 know, sometimes there's rough waters on -- on some
25 parts of the year, especially during the summer, and
26 there's wake effects also to be considered. I would

1 like to understand a little bit more -- I want to get
2 more clarification on the transportation route. You
3 had said that there is going -- part of your
4 transportation route is going to go close to Coral
5 Harbour. My question is -- my question to you is
6 that -- is -- is the transportation corridor -- has it
7 been planned by Transport Canada? How -- how have you
8 made this transportation corridor?

9 THE CHAIR: Agnico Eagle.

10 THE TRANSLATOR: Who set up the corridor? Is
11 it Transport Canada or Agnico Eagle?

12 MS. TURMEL: Manon Turmel, Agnico Eagle.

13 So we -- we hire the shipping company to deliver
14 the goods, but they work with Transport Canada to
15 decide where they go and which shipping lanes they
16 take.

17 MR. PUQIQNAK: Thank you. Uriash Puqiqnak,
18 NIRB Board member.

19 I ask this question in particular. In the
20 Kitikmeot region, I don't know how many ships have run
21 aground. One was carrying passengers that were
22 tourists close to our community of Gjoa Haven and also
23 a fuel supply ship or a barge run aground 50 miles away
24 from our community. It run aground. So they had to
25 bring in another barge and transport -- or move the
26 fuel to the other barge and pump it into the other

1 barge. So I just wanted to ensure that there's a
2 proper shipping route for -- especially for the fuel
3 tanker and -- fuel tankers. Thank you.

4 THE CHAIR: Agnico Eagle.

5 MS. TURMEL: Manon Turmel, Agnico Eagle.

6 So that's why the shipping companies use
7 designated shipping lanes, to make sure that their
8 routes are safe. There hasn't been any incident of
9 ships resupplying our site to date.

10 And, lastly, the shipping companies are very aware
11 of the roughness of the sea and weather and conditions,
12 so they are trained and certified and follow strict
13 regulations as well when they come to resupply our
14 site.

15 THE CHAIR: Guy.

16 MR. ALIKUT: Thank you, Madam Chair. Guy
17 Alikut, NIRB Board member.

18 You've been up here for ten years. Thank you for
19 the clarification. So there -- the -- you have plans
20 in place to have an -- a Whale Tail Pit Expansion
21 Project, and you've said that you are pretty well
22 worked in what you plan to do in -- when you make this
23 expansion project. And thank you very much for
24 clarifying that portion for us. Thank you.

25 THE CHAIR: Agnico Eagle.

26 MS. TURMEL: Manon Turmel, Agnico Eagle.

1 Thank you for your comment. Yeah.

2 THE CHAIR: Just to clarify, are you
3 proposing to continue what you have been doing for the
4 last ten years to your proposed project in terms of
5 marine shipping -- marine activities?

6 MS. TURMEL: Manon Turmel, Agnico Eagle.

7 Sorry. Yes, that's what -- we're planning to
8 continue what we've been doing for the past ten years,
9 do that for -- for the next -- for the expansion
10 project as well. That make sense?

11 THE CHAIR: Okay. Thank you.

12 Moving on to the next item on the agenda,
13 presentation on socioeconomics from Agnico Eagle.

14 Legal counsel.

15 MS. MEADOWS: Thank you, Madam Chair.

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

18 I don't believe -- are there any additional
19 witnesses? No?

20 Madam Chair, I have two additional exhibits to
21 mark, being the presentation materials for
22 socioeconomic section in English and Inuktitut, and
23 those are my procedural matters. Thank you, Madam
24 Chair.

25 EXHIBIT 26 - Hard Copy PowerPoint

26 Presentation Whale Tail Pit Expansion Project

1 NIRB Public Hearing August 26-29, 2019
2 Socioeconomics (English)
3 EXHIBIT 27 - Hard Copy PowerPoint
4 Presentation Whale Tail Pit Expansion Project
5 NIRB Public Hearing August 26-29, 2019
6 Socioeconomics (Inuktitut)

7 THE CHAIR: Agnico Eagle, you may proceed.
8 Presentation by Agnico Eagle Mines Limited
9 (Socioeconomics)

10 MS. SQUIRES: Hello, Madam Chair and members
11 of the Board. My name is Courtney Squires, Agnico
12 Eagle, and I will be speaking about the socioeconomic
13 component for the Whale Tail Expansion Project.

14 In this presentation, I will provide an overview
15 of the socioeconomic component of the Whale Tail
16 Expansion Project and then summarize the status of the
17 final written submission for this topic.

18 The approval of the Whale Tail Expansion Project
19 would mean extending local employment by three years.
20 The expansion project would add around 99 more
21 employment opportunities for Nunavummiut. This is in
22 addition to the 100 employment opportunities estimated
23 in the approved project. The expansion project also
24 extends employment for the approximately 315 Inuit
25 employees that currently work at Meadowbank, over half
26 of which are from Baker Lake. It also means the

1 extension of employment for the approximately 145 Inuit
2 contractor employees working at the projects.

3 If the expansion project is approved, it would
4 mean around 659 Inuit Agnico Eagle and contractor
5 employees at the Meadowbank complex. In order to
6 ensure employment benefits will go to Inuit, Agnico
7 Eagle follows a hiring priority for Inuit employees, as
8 per our Inuit Impact Benefit Agreement, which we would
9 continue to apply for the expansion project. This
10 means Inuit from the affected communities and the other
11 Kivalliq communities will continue to have priority
12 over non-Inuit where qualifications are equal.

13 Agnico Eagle believes that a diverse and inclusive
14 workforce enriches our company culture of respect and
15 collaboration and is critical to our future success and
16 growth.

17 As mining is -- is a historically male-dominated
18 industry, ensuring the workplace fosters women
19 participation and success is an ongoing exercise.
20 Women have had success at Agnico Eagle in Nunavut and
21 represented 33 percent of our Inuit workforce in 2018.
22 Agnico Eagle will continue its commitment to diversity
23 and inclusion by ensuring that the work environment is
24 adapted for both men and women, that women are
25 represented in decision-making roles, and that women
26 feel safe and secure in their living environment. We

1 will continue to adhere to strong governance through
2 policies, procedures, and training to secure a safe and
3 equitable workplace where women have the opportunities
4 and tools to succeed.

5 The expansion project will mean that workforce
6 training will continue for Nunavummiut employees and
7 community members, including pre-employment training,
8 specific training, upward mobility programs,
9 apprenticeships, and on-site education with an adult
10 educator.

11 As most of our future workforce is still in
12 school, Agnico Eagle will also continue to implement
13 community-level education programs focused on youth to
14 provide tools and motivation to pursue higher education
15 and a career in the mining industry. We will also
16 continue to provide workshops and assistance for Inuit
17 businesses and entrepreneurs to encourage economic
18 development and diversification.

19 The expansion project will continue to contribute
20 to territorial economic activity with total annual
21 contributions of 100 to 120 million, which is 5 to
22 6 percent of the current territorial gross domestic
23 product. The expansion project will also contribute to
24 local business development and contracting with average
25 annual procurement in the territory expected to be over
26 270 million.

1 Through the Inuit Impact Benefit Agreements,
2 Agnico Eagle has developed a comprehensive
3 understanding of Inuit firms and their capacities, and
4 the procurement and tendering process facilitates Inuit
5 firm participation. Agnico Eagle Nunavut has already
6 been successful in local procurement. In 2018, over
7 50 percent of spend was with Nunavut Tunngavik
8 Incorporated registered businesses.

9 Government tax revenues and royalties paid to the
10 Kivalliq Inuit Association and Nunavut Tunngavik
11 Incorporated would continue as per the negotiated
12 agreements. And, lastly, project-generated revenues
13 paid to the territory in the form of taxes are
14 anticipated to be over 40 million.

15 Through the Inuit Impact Benefit Agreement, Agnico
16 Eagle and the Kivalliq Inuit Association will continue
17 to work closely together to monitor the impacts and
18 benefits discussed previously, including Inuit
19 employment and training at the project in order to
20 maximize opportunities for the greatest number of
21 Inuit. Agnico Eagle and the Kivalliq Inuit Association
22 meet around 40 times per year through the various
23 implementation committees to discuss, monitor, and
24 collaborate on these topics.

25 The other main mechanism for our socioeconomic
26 monitoring and management is through the project

1 socioeconomic monitoring program. The program monitors
2 indicators and metrics that allow us to understand the
3 social impacts of each of Agnico Eagle's projects in
4 Nunavut. We report according to ten socioeconomic
5 impact areas. These are also known as "valued
6 socioeconomic components". These components are
7 employment, income, contracting and business
8 opportunities, education and training, culture and
9 traditional lifestyle, population demographics,
10 individual and community wellness, health and safety,
11 community infrastructure and services, and Nunavut
12 economy.

13 Although some of our valued socioeconomic
14 components are directly related to the findings from
15 the project assessment or our requirements of the
16 project certificates, others are included in order to
17 have a full picture of our socioeconomic impact. By
18 monitoring data in these areas, we're able to identify
19 unanticipated effects associated with the projects and
20 to identify and recommend mitigation or enhancement
21 measures. This is how we apply adaptive management to
22 the socioeconomic component.

23 Socioeconomic monitoring is done collaboratively
24 through a multi-stakeholder committee called the
25 "Kivalliq Socioeconomic Monitoring Committee" which
26 meets at least once per year to discuss the results of

1 the program. Agnico Eagle, the Kivalliq hamlets, the
2 Government of Nunavut, Hunters and Trappers
3 Organizations, Nunavut Tunngavik Incorporated, Kivalliq
4 Inuit Association, and Crown-Indigenous and Northern
5 Affairs Canada are some of the members of these
6 committees.

7 As mentioned in the previous slide, some
8 socioeconomic monitoring and management is done with
9 the Kivalliq Inuit Association through the Inuit Impact
10 and Benefit Agreements. Agnico Eagle also has a
11 memorandum of understanding with the Government of
12 Nunavut to work cooperatively on some socioeconomic
13 areas.

14 As part of the approved project, Agnico Eagle was
15 requested to develop a conceptual socioeconomic closure
16 plan for the Whale Tail project. Agnico Eagle decided
17 to expand the scope of the plan to consider the
18 Meliadine mine and the expansion project. The plan was
19 built in consultation with the Government of Nunavut,
20 the Kivalliq Inuit Association, Crown-Indigenous and
21 Northern Affairs Canada, and also the hamlets of Baker
22 Lake and Rankin Inlet. The conceptual socioeconomic
23 closure plan considered socioeconomic lessons learned
24 from other northern mine closure experiences; Agnico
25 Eagle plans, policies, and programs related to
26 temporary closure situations; and past work as well as

1 current input from Kivalliq communities and governance
2 bodies on socioeconomic objectives and goals. It
3 recommended the approach to do socioeconomic closure
4 planning; identified risks and opportunities for social
5 closure; outlined goals, roles and responsibilities of
6 all the parties in the planning process.

7 So the next phase of socioeconomic closure
8 planning will be to develop an implementation plan
9 through the socioeconomic monitoring working group in
10 order to guide ongoing socioeconomic closure planning
11 and develop strategies that are relevant at the time of
12 closure.

13 For the socioeconomic component, there were
14 11 information requests, 7 technical comments, 7
15 commitments, and 7 final written submissions.

16 The next few slides provide a summary of final
17 written submissions status as of August 9th. In the
18 meantime, we've had ongoing discussions with
19 Crown-Indigenous Relations and Northern Affairs Canada
20 and the Government of Nunavut. So in the interest of
21 time, I will not go through these slides, as they are
22 out-of-date and discussions are still ongoing. But
23 we'll provide you with an update on the status of the
24 socioeconomic commitments later in the hearing.

25 So as I mentioned, discussions on the final
26 written submissions are ongoing. We'll provide you

1 with an update, and we anticipate that all of the
2 comments will be resolved. Matna. Thank you.

3 THE CHAIR: Questions to Agnico Eagle on
4 the presentation of socioeconomic impacts.

5 Kivalliq Inuit Association and NTI.

6 Kivalliq Inuit Association Questions Agnico Eagle Mines
7 Limited

8 MS. GILSON: Thank you, Madam Chair
9 Kimberley Gilson, Kivalliq Inuit Association. A few
10 questions for you, if we could, please.

11 With respect to your comments on employment and
12 training, you indicated an estimated 99 additional
13 Nunavummiut employment opportunities compared to the
14 approved project. Can you break that down for us,
15 please? When you are saying 99 additional Nunavummiut,
16 do you have statistics that will indicate how many of
17 those will be Inuit and how you got to that number of
18 99 additional employees?

19 THE CHAIR: Agnico Eagle.

20 MS. SQUIRES: Courtney Squires, Agnico
21 Eagle.

22 So the FEIS is projecting 99 jobs for Inuit.
23 These jobs are focused on entry-level and semiskilled
24 positions, and they're an estimate based on our current
25 project employment for Agnico Eagle.

26 THE CHAIR: KIA.

1 MS. GILSON: Thank you, Madam Chair.

2 Kimberley Gilson, Kivalliq Inuit Association.

3 I -- I just need to clarify. You say
4 "Nunavummiut" in your presentation, and just now you
5 said "Inuit". And that's the point that I'm trying to
6 clarify, if you could, please.

7 THE CHAIR: Agnico Eagle.

8 MS. SQUIRES: We're projecting the
9 99 additional jobs for the expansion project to be for
10 Inuit.

11 THE CHAIR: KIA.

12 MS. GILSON: Thank you, Madam Chair.

13 Kimberley Gilson, Kivalliq Inuit Association. Thank
14 you for the clarification. That's helpful.

15 You also said in your comments that you anticipate
16 145 Inuit contractor employees as a result of an
17 approved expansion project. Does -- can you perhaps
18 tell us how you got to that number, 145? Are these
19 contracts contracts that are already let [sic] so that
20 you know that there are, in fact, 145? How did you get
21 to 145 unless those contractors are already let? If
22 you could clarify that as well, please.

23 THE CHAIR: Agnico Eagle.

24 MS. SQUIRES: Thank you, Madam Chair.

25 Courtney Squires, Agnico Eagle.

26 The 145 Inuit contractor employees are our current

1 Inuit contractor employees at the project that we're
2 anticipating extending through the expansion project.

3 Thank you.

4 THE CHAIR: KIA.

5 MS. GILSON: Thank you, Madam Chair.

6 Kimberley Gilson, Kivalliq Inuit Association.

7 Your presentation also indicates an average annual
8 procurement in the territory of approximately
9 270 million. First of all, can you confirm when you
10 use that number in relation to the territory that you
11 are, in fact, speaking of all AEM projects? And if
12 that is correct, are you able to indicate what the
13 number is in relation to an approved expansion?

14 THE CHAIR: Agnico Eagle.

15 MS. SQUIRES: Thank you, Madam Chair.

16 Courtney Squires, Agnico Eagle.

17 The \$270 million is projected annual procurement
18 spend for the expansion project. Thank you.

19 THE CHAIR: KIA.

20 MS. GILSON: Thank you, Madam Chair, and
21 thank you AEM that was helpful. Appreciate that.

22 Thank you.

23 THE CHAIR: Baker Lake HTO.

24 Baker Lake Hunters and Trappers Organization Questions
25 Agnico Eagle Mines Limited

26 MR. BERNAUER: Thank you, Madam Chair. This

1 is Warren Bernauer for the Baker Lake HTO.

2 I have one brief question about Slide Number 6.
3 You list the Hunters and Trappers Organization as a
4 member of the socioeconomic monitoring committee. What
5 exactly is the HTO's role in that committee? 'Cause
6 neither of us are actually aware that the HTO is
7 involved in that.

8 THE CHAIR: Agnico Eagle.

9 MS. SQUIRES: Thank you, Madam Chair.

10 Courtney Squires, Agnico Eagle.

11 The Kivalliq socioeconomic monitoring committee is
12 a multi-stakeholder committee meant to monitor
13 socioeconomic components for projects, and this
14 committee is chaired by the Government of Nunavut. So
15 I think that the Government of Nunavut might be able to
16 answer the question with regards to HTO's role on this
17 committee. Thank you.

18 THE CHAIR: Government of Nunavut.

19 MR. PINKSEN: Thank you, Madam Chair. Steve
20 Pinksen, Government of Nunavut. I just need a moment
21 to confer with one of our experts.

22 Thank you, Madam Chair. Steve Pinksen, Government
23 of Nunavut.

24 So the best of our information is that the HTO is
25 invited to be a member of the SEMC and that they may
26 have been sent emails as invitation to meetings, but

1 maybe we'll just discuss it offline and make sure
2 that's the case and make sure that is factual. Thank
3 you.

4 THE CHAIR: Baker Lake Hunters and
5 Trappers Organization.

6 MR. BERNAUER: Thank you, Madam Chair.
7 Warren Bernauer, Baker Lake Hunters and Trappers
8 Organization. I have no further questions.

9 THE CHAIR: Government of Nunavut.

10 MR. PINKSEN: Thank you, Madam Chair. Steve
11 Pinksen, Government of Nunavut. We have no questions
12 on this subject.

13 THE CHAIR: CIRNAC?

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

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 at this time.

21 THE CHAIR: Fisheries and Oceans Canada.

22 MR. D'AGUIAR: Thank you, Madam Chair. Mark
23 D'Aguiar with Fisheries and Oceans Canada. We have no
24 questions on the subject. Thank you.

25 THE CHAIR: Health Canada.

26 MR. PARTRIDGE: Thank you, Madam Chair. Paul

1 Partridge, Health Canada. We have no questions.

2 THE CHAIR: NRCan.

3 MR. UNGER: Peter Unger, Natural Resources
4 Canada. Thank you, Madam Chair. We have no questions.

5 THE CHAIR: NIRB staff.

6 MR. BARRY: Thank you, Madam Chair. Ryan
7 Barry, Nunavut Impact Review Board staff. We have no
8 questions on this presentation.

9 Nunavut Impact Review Board Questions Agnico Eagle
10 Mines Limited

11 THE CHAIR: NIRB Board members?

12 Phillip.

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

15 Just for my clarity, seeing that the project will
16 be extended, for my clarity, I'd like to ask the
17 proponent and/or Kivalliq Inuit Association have there
18 been any changes to the Inuit Benefit Agreement? I
19 don't need to know the details, but just to see -- I
20 just wanted to get a clarification on whether there are
21 changes that reflect the extension of the mine life.

22 (OTHER LANGUAGE SPOKEN), Madam Chair.

23 THE CHAIR: Agnico Eagle.

24 MS. SQUIRES: Thank you, Madam Chair.

25 Courtney Squires, Agnico Eagle.

26 The current Whale Tail IIBA does continue to cover

1 the expansion project; however, there is the
2 opportunity to review the IIBA due to changes in the
3 project. So we're still in discussions with the
4 Kivalliq Inuit Association regarding that process.
5 Thank you.

6 MR. KADLUN: (OTHER LANGUAGE SPOKEN), Madam
7 Chair. Phillip Kadlun, Nunavut Impact Review Board.
8 That's all I have.

9 THE CHAIR: I just have some questions, if
10 Agnico Eagle can elaborate or clarify.

11 After ten years of working in Nunavut with the
12 Meadowbank mine, Meliadine, Amaruq, has Agnico Eagle
13 done anything to alleviate the social pressures of a
14 career in mining for parents or primary caregivers,
15 and, if so, how are the impacts on families
16 considered -- families of employees considered or
17 included in your assessment of the socioeconomic
18 impacts as -- when we had our tour of the mine, it was
19 stated that employees work two weeks in/two weeks out,
20 and that's half the time. And when you're a primary
21 caregiver, female, male, however you identify, if you
22 have children that may -- you might end up having to --
23 you have other responsibilities that you end up leaving
24 behind while you go and work at the mine. So now that
25 you have ten years of experience, can you elaborate on
26 how that's considered in your assessment?

1 MS. SQUIRES: Courtney Squires, Agnico
2 Eagle.

3 During the last ten years, there -- we have tried
4 different programs or different scenarios to try to
5 assist those people who might find the two weeks in/two
6 weeks out difficult in terms of supporting families at
7 home.

8 One of the programs that we had some success with
9 was the coping with fly-in/fly-out program, which
10 brought spouses of employees to the site to experience
11 the site firsthand and understand where their spouses
12 were going, and this is something that we're looking to
13 bring back in the future. We also have spouse visits
14 over Christmas and New Year's.

15 And we're looking really to engage with youth in
16 the communities, so arranging for children of employees
17 to visit the mine site to see their -- their parents at
18 work. So it's something that we -- we acknowledge and
19 are always looking for new opportunities to -- to
20 improve.

21 THE CHAIR: And my last question. You
22 mentioned that your current Inuit workforce makes up
23 33 percent. What limits Agnico Eagle from going beyond
24 that 33 percent? If you've been operating for ten
25 years and you're looking to expand, what -- what are
26 the limitations from going beyond that threshold that

1 you've reached?

2 MS. SQUIRES: Courtney Squires, Agnico
3 Eagle. Thank you, Madam Chair.

4 So regarding the challenges, one of the -- one of
5 the biggest challenges that we have is between the --
6 the skills mismatch between what we require on-site and
7 what is available in the labour force. So among the
8 solutions that we consider -- that we use, education
9 and training are the two ways that we focus on
10 improving our Inuit employment.

11 Just to give a few examples, on average, we spend
12 about \$20,000 per Inuit employee on training and
13 develop initiatives. We have apprenticeship positions
14 available in seven areas at the mine site. We have an
15 adult educator also on-site to help employees who might
16 need extra literacy or numeracy support to get to the
17 next step. So we're really focusing on investing in
18 education and training in order to promote our current
19 Inuit workforce at the mine site.

20 We also know that over 40 percent of the Nunavut
21 population is under 19 years of Aboriginal, so our --
22 our future workforce is still in school. So that's why
23 we're really active in the schools. We want to build
24 confidence and knowledge and -- and understanding of
25 the mining industry so youth are motivated to continue
26 in school and to pursue a career with the mining

1 industry in the future. So these are some of the --
2 the techniques or the strategies that we're using to
3 overcome those challenges.

4 THE CHAIR: Guy.

5 MR. ALIKUT: Thank you, Madam Chair. Guy
6 Alikut, NIRB Board member.

7 The people that you have trained -- while we were
8 up there -- I wonder if there could be more funding
9 available to train more people. Is that going to be
10 available to younger people? When the time comes to
11 train these people -- these younger people, are there
12 training in place to teach financial management?

13 Because we can see that maybe some youth may not be
14 able to manage their money properly and misuse it.

15 Thank you.

16 THE CHAIR: Agnico Eagle.

17 MS. SQUIRES: Thank you, Madam Chair.

18 Courtney Squires, Agnico Eagle.

19 So through our Inuit Impact Benefit Agreement, we
20 have pre-employment training called the "labour pool
21 process". It's a five-day in-community training and --
22 followed by a five-day training at the mine site, and
23 financial literacy is a component of this training. So
24 prior to an employee coming to the mine site, they are
25 provided with some of these skills, as you mentioned,
26 to prepare themselves for -- for employment.

1 And we're also continuing to work with the
2 Government of Nunavut, who I understand also provides
3 these -- these trainings and these support systems in
4 the communities as well. Thanks.

5 THE CHAIR: Thank you for that
6 presentation. It's now 7:50. Let's take a ten-minute
7 break until 8:00 and reconvene moving on to human
8 health.

9 (ADJOURNMENT)

10 THE CHAIR: Continuing with Agenda Item
11 Number 4, Agnico Eagle's presentations. Moving on to
12 human health.

13 Legal counsel.

14 MS. MEADOWS: Thank you, Madam Chair. Are
15 there any additional witnesses to be sworn in? No.

16 So, Madam Chair, I have two more exhibits to mark
17 in this public hearing, being the human health and
18 ecological risk assessment presentation in English and
19 Inuktitut, and those are my procedural matters, Madam
20 Chair.

21 EXHIBIT 28 - Hard Copy PowerPoint
22 presentation, Whale Tail Pit Expansion
23 Project, NIRB Public Hearing - August 26-29,
24 2019, Human Health and Ecological Risk
25 Assessment (English)

26 EXHIBIT 29 - Hard Copy PowerPoint

1 presentation, Whale Tail Pit Expansion
2 Project, NIRB Public Hearing - August 26-29,
3 2019, Human Health and Ecological Risk
4 Assessment (Inuktitut)

5 THE CHAIR: Agnico Eagle, you may proceed.
6 Presentation by Agnico Eagle Mines Limited (Human
7 Health and Ecological Risk Assessment)

8 MR. GROLEAU: Thank you, Madam Chair.
9 Michel Groleau, Agnico Eagle.

10 So this presentation will discuss of the human
11 health and ecological risk assessment.

12 We'll go through the usual topic. So topic of
13 review first, and then, second, we'll go to a summary
14 of the final written submission status. The human
15 health and ecological risk assessment is a tool used to
16 estimate the level of risk of potential adverse effect
17 on human health and ecological receptors resulting from
18 exposure to environmental impacts.

19 The human health and ecological risk assessment
20 process, our framework, it has four step: Problem
21 formulation, exposure assessment, toxicity assessment,
22 and risk characterization. In each of these steps,
23 information about the chemicals, exposure pathways, and
24 receptors, human and ecological, are gathered. Most
25 human health and ecological risk assessment start out
26 using information from the scientific literature that

1 is intended to be very general and applied to all types
2 of project.

3 This information tends to be very conservative,
4 which mean it tends to overestimate the risk. In order
5 to be protective of all type situations -- because
6 there is uncertainty. But where project specific and
7 site specific information is available, it is
8 incorporated into the risk assessment to reduce that
9 level of uncertainty.

10 For the Whale Tail Expansion Project, we begin
11 with the human health and ecological risk assessment
12 that was part of the approved project. Using that
13 assessment as a starting point, we used the incremental
14 predictions for the expansion project. We then pull in
15 more specific information with input from consultation
16 and traditional knowledge and also feedback from
17 regulators and interveners.

18 Looking at all the same chemical exposure pathway
19 and receptor combinations, as for the approved project,
20 our conclusion indicates that there's no predictive
21 residual effects for human health, wildlife, or aquatic
22 life for the expansion project.

23 This map on the screen present the receptor
24 location. 16 of them were defined to consultation,
25 traditional knowledge, and archeological assessment of
26 the project site. All of the same receptor location

1 that were assessed in the approved project, and no new
2 receptor were identified for the expansion project. As
3 example, we're having the eighth grave site location.
4 There's four of which that are within the disturbance
5 area and four that are outside of it.

6 Also, we're having the fishing area on Pipedream
7 Lake southeast of the Whale Tail project, which is near
8 the haul road of Meadowbank. More recent consultation
9 indicates that there's little to no use of these
10 receptors location, areas close to the project site.
11 These are location that were used many years ago, and
12 it's expected that people are most likely to use the
13 area intermittently and transiently in recent years and
14 in the near future.

15 Recent consultation indicate that hunting,
16 tracking, casting, and fishing does not seem to be
17 occurring at these receptor locations anymore until
18 people still travelling just south of the project site
19 on their way through Back River. Whale Tail is the
20 area most commonly mentioned during consultation, which
21 is located about 10 kilometre north of the community of
22 Baker Lake, as travel so far north, as the Whale Tail
23 project is difficult due to the distance from the
24 community.

25 The human health and ecological risk assessment
26 used the same chemical exposure pathway and receptor

1 assumptions as the one from the approved project.
2 Because of the expanded project, there was some change
3 to concentrations such as air quality and air -- and
4 water quality. But considering these new
5 concentration, the human health and ecological
6 assessment had the same conclusion as the approved
7 project of negligible risk.

8 Three conditions must be met for there be a
9 potential risk. The chemical; the source; the exposure
10 pathway; and receptor. Chemical must be present at the
11 concentration that could be harmful. A receptor must
12 be present at the same time and location that the
13 chemical is harmful. There must be an exposure pathway
14 from the receptor to the chemical. These three
15 condition must happen at the same time and same
16 location.

17 For a remote site, as the Whale Tail project, it
18 is less likely that this combination will be complete
19 because of the nature of the remote sites. As in the
20 consultation and based on traditional knowledge,
21 receptors are generally not present in this area and
22 only travel through the areas south of the site
23 occasionally. Therefore, receptors are unlikely to be
24 present, and without the receptor, a risk is not
25 possible.

26 Through collaboration with intervener, community

1 consultation, and other parties, more support was
2 provided for some of the assumption which reduced the
3 uncertainty of the overall human health and ecological
4 risk assessment. This process is also called
5 sensitivity analysis. This approach is a good practice
6 in risk assessment to make sure we have a better
7 understanding of the nature of the risk.

8 Through this collaboration, it's also mean that
9 the human health and ecological risk assessment was
10 reviewed many times by many different experts with
11 different areas of expertise to make sure that the
12 human health and ecological risk assessment was done
13 properly based on good science and traditional
14 knowledge.

15 Following the technical meetings in June, we met
16 with Health Canada experts and have addressed their
17 specific comments related to additional support for
18 exposure calculation, additional support for chemical
19 groups that were not included in the human health and
20 ecological risk assessment, and updated toxicity
21 information for manganese. These collaboration
22 provided further support to the conclusion of
23 negligible risk in the assessment.

24 Collaboration with interveners throughout the
25 process and each time the uncertainties were reduced in
26 the assessment and the conclusion of negligible risk

1 was further supported. This process of these meeting
2 and gathering more feedback is in line with the human
3 health and ecological risk assessment process that we
4 described on Slide 4, which showed that more
5 informations is included in the assessment as it become
6 available.

7 So we'll go through the summary of final written
8 submission status. Agnico Eagle received
9 11 information requests, 7 technical comment, 7 final
10 written submission, 40 human health and ecological risk
11 assessment.

12 On top of that, Agnico Eagle made 7 commitments
13 during the technical meeting, and as note, of the
14 7 final written submission received, Agnico Eagle
15 consider that they are all resolved at this time.

16 THE CHAIR: Questions to Agnico Eagle on
17 the human health presentation.

18 KIA.

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

21 I have no comments on the subject.

22 THE CHAIR: Baker Lake HTO.

23 MR. AKSAWNEE: Thank you, Madam Chair.
24 Richard Aksawnee, Baker Lake Hunters and Trappers.

25 And we have no questions.

26 THE CHAIR: Nunavut Government.

1 MR. PINKSEN: Thank you, Madam Chair. Steve
2 Pinksen and the Government of Nunavut.

3 We have no questions on this issue.

4 THE CHAIR: (OTHER LANGUAGE SPOKEN)

5 MR. DEWAR: Matna, Madam Chair. Spencer
6 Dewar, Crown-Indigenous Relations and Northern Affairs
7 Canada.

8 (LOST AUDIO FEED - OTHER LANGUAGE SPOKEN).

9 THE CHAIR: Environment Canada.

10 MS. PINTO: Thank you, Madam Chair.
11 Melissa Pinto, Environment and Climate Change Canada.
12 We have no questions.

13 THE CHAIR: DFO Canada.

14 MR. D'AGUIAR: Thank you, Madam Chair. Mark
15 D'Aguiar with Fisheries and Oceans Canada.

16 We have no questions on this topic. Thank you.

17 THE CHAIR: Health Canada.

18 MR. PARTRIDGE: Thank you, Madam Chair. Paul
19 Partridge from Health Canada.

20 We have no questions on this topic. Thank you.

21 THE CHAIR: NRCan.

22 MR. UNGER: Peter Unger, Natural Resources
23 Canada. Thank you, Madam Chair.

24 We have no questions on this topic.

25 THE CHAIR: Environment Canada. Sorry.

26 NIRB staff.

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

3 We also have no questions on this presentation.

4 THE CHAIR: NIRB Board of directors,
5 Catherine.

6 Nunavut Impact Review Board Questions Agnico Eagle
7 Mines Limited

8 MS. EMRICK: Thank you, Madam Chair. I
9 just -- I would like just some clarification around the
10 discussion about receptors and the fact that -- I think
11 you were saying that because local community members
12 aren't in proximity to what is a remote location, there
13 is less risk or -- or they're not present for the risk,
14 but that seems to me not to apply to employees or apply
15 to consumption of country food that might be
16 contaminated. So how is that taken into account?
17 Thank you.

18 THE CHAIR: Agnico Eagle.

19 MS. AMENDOLA: Thank you, Madam Chair.
20 Andrea Amendola, Golder Associates.

21 So the first part of your question was about
22 employees of the mine. That's outside of the scope of
23 the human health and ecological risk assessment. So
24 what we look at in the risk assessment is members of
25 the public, so those that are outside of the scope of
26 Agnico Eagle's health and safety responsibilities for

1 mine -- mine employees. So that's separate.

2 For consumption of country foods, that was
3 incorporated into the risk assessment, and there were
4 no risks for consumption of country foods, and that
5 includes land, animals, as well as fish.

6 THE CHAIR: Thank you for that
7 presentation. Moving on to the last item of -- on the
8 agenda for today, a presentation from Agnico Eagle on
9 management plans and monitoring programs.

10 Legal counsel.

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

14 Madam Chair, I have two presentation materials to
15 mark as the next two exhibits in this public hearing,
16 and those are my procedural matters.

17 EXHIBIT 30 - Hard Copy PowerPoint
18 presentation, Whale Tail Pit Expansion
19 Project, NIRB Public Hearing - August 26-29,
20 2019, Management Plans (English)

21 EXHIBIT 31 - Hard Copy PowerPoint
22 presentation, Whale Tail Pit Expansion
23 Project, NIRB Public Hearing - August 26-29,
24 2019, Management Plans (English)

25 THE CHAIR: Thank you.

26 Agnico Eagle, you may proceed.

1 Presentation by Agnico Eagle Mines Limited (Management
2 Plans)

3 MR. LAPOINTE: Thank you, Madam Chair.

4 Philippe Lapointe with Agnico Eagle.

5 We'll continue with the presentation about the
6 management plans. First, I'll present the topic
7 overview. Then I'll provide a summary of final written
8 submission status.

9 Three new management plans were created to address
10 the expansion project activities. The first one was a
11 conceptual Whale Tail Pit expansion of setting plan.
12 Second one, the land farm design and management plan,
13 and the third one was incinerator and composter waste
14 management plan. All other plans submitted with the
15 final environment and impact statement addendum were
16 updated to capture the expansion project activities.

17 Agnico Eagle evaluated several option to identify
18 different adaptive management strategies for the
19 expansion project. The objective of these adaptive
20 management strategies is to develop alternatives and
21 contingencies for the project. In order to have action
22 plans defined, which allows to protect the -- which
23 allows the project to protect -- sorry about that -- to
24 be protective of environment in this specific case.
25 This approach is based on continuous monitoring,
26 evaluation, modeling, and planning with a feedback loop

1 for continuous improvement.

2 In summary of final written submission, Agnico
3 Eagle received 12 information requests, 3 technical
4 comments, and 1 final written submission related to the
5 management plan. Additionally, Agnico Eagle made one
6 commitment during the technical meeting. There is one
7 final written submission, and it is considered to be
8 resolved at this time.

9 Agnico Eagle considers that all technical comments
10 are resolved and that there are no additional items --
11 terms and condition for the project certificate.

12 Thank you.

13 THE CHAIR: Questions to Agnico Eagle on
14 management plans and monitoring programs.

15 Kivalliq Inuit Association.

16 MR. MANZO: Luis Manzo, Kivalliq Inuit
17 Association.

18 We don't have questions on this topic at this
19 time. Thank you.

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

22 MR. AKSAWNEE: (OTHER LANGUAGE SPOKEN)

23 THE CHAIR: The Government of Nunavut.

24 MR. PINKSEN: Madam Chair, (LOST AUDIO FEED
25 - OTHER LANGUAGE SPOKEN) on this subject. Steve
26 Pinksen.

1 THE CHAIR: CIRNAC.

2 MR. DEWAR: Thank you, Madam Chair.

3 Spencer Dewar, Crown-Indigenous Relations and Northern
4 Affairs Canada.

5 No questions at this time.

6 THE CHAIR: Environment and Climate Change
7 Canada.

8 MS. PINTO: Thank you, Madam Chair.

9 Melissa Pinto, Environment and Climate Change Canada.

10 We have no questions at this time.

11 THE CHAIR: Fisheries and Oceans 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 very much.

16 THE CHAIR: Health Canada.

17 MR. PARTRIDGE: Thank you, Madam Chair. Paul

18 Partridge with Health Canada.

19 We have no questions on this topic.

20 THE CHAIR: NRCan.

21 MR. UNGER: Peter Unger, Natural Resources

22 Canada. Thank you, Madam Chair.

23 No questions.

24 THE CHAIR: NIRB staff.

25 Nunavut Impact Review Board Staff Questions Agnico

26 Eagle Mines Limited

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

3 We do just have one rather general question. I'm
4 wondering if Agnico Eagle can comment on whether
5 there's any kind of formal mechanism or relationship it
6 might have with other mine operators in Nunavut to
7 allow it to learn from and share successes it -- it has
8 realized with its management plans -- with their
9 management plan, and what I'm looking at is recognizing
10 that many of the regulators in the room, including the
11 impact review board, have responsibilities for
12 assessing, overseeing aspects of other mine operations
13 in Nunavut.

14 Through some of the comments we have already
15 heard, the exchanges we've had here today, we hear
16 about how those practices in other mine operations
17 influence what people are looking for or expect to see
18 in terms of level of information, in terms of
19 practices -- best practices in other mines.

20 So I'm just wondering if Agnico Eagle can comment
21 if at present there is any kind of a formal mechanism
22 for sharing or information exchange between itself and
23 the other Nunavut mine operators.

24 Thank you, Madam Chair.

25 THE CHAIR: Agnico Eagle.

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

1 Quesnel, Agnico Eagle.

2 We don't have a formal process. However, as the
3 management plans are public, we do look at other
4 management plans, but we don't have a formal venue to
5 discuss management plans, if that's what you're asking
6 us.

7 Or maybe for our clarity, are you asking us for
8 improvement on management plans?

9 THE CHAIR: NIRB staff.

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

12 In response to your question, essentially, yes.
13 We're wondering: How do you ensure that your
14 management plans are best in class, that they're the --
15 as good as they can be and they're -- to do that
16 contrasted with other operations recognizing you share
17 many of the same consultants as those other operators,
18 for example, and that the people around the table
19 assessing the adequacy of your plans are often
20 assessing it against what other operators are doing,
21 what is working in other regions.

22 So I'm just -- we're wondering what thought has
23 been given to or what mechanisms might be in place to
24 allow that kind of information exchange to occur
25 specific to your management plans, and I note that this
26 line of questioning, this -- this same topic is

1 something we expect we might bring forward to others
2 around the table during their presentations,
3 particularly, the Kivalliq Inuit Association, for
4 example, to understand what kind of learning and
5 information exchanges occur with other regions in
6 Nunavut specific to the mining sector.

7 THE CHAIR: Agnico Eagle.

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

10 We really focus on our site-specific conditions,
11 and especially with our operating experience, we really
12 try to establish that component of screening our
13 management plan because a lot of our best practices are
14 based on our operational experience -- sometimes tough
15 lessons -- based on operating in the north.

16 Some of the other files may be not as advanced
17 as -- of an operation as Meadowbank. So we really look
18 at our experience to look at the best available
19 controls to be incorporated within our management
20 plans. Sometimes it may be challenging for other
21 companies that are not in that operational window. So
22 I feel we have possibly that advantage maybe to other
23 companies, but we're really focused on the
24 site-specific conditions, surface versus underground,
25 and incorporate that into our management plans.

26 However, I think based on our cursory ad hoc

1 review of other management plans, I think there's an
2 opportunity to improve the management plans so it's
3 easier to incorporate the key components and easier for
4 others to review and assess and possibly inspect the
5 property.

6 So I think there's an opportunity to -- to improve
7 those, especially between the Nunavut Impact Review
8 Board, the Nunavut water board, and understanding some
9 of that overlap. So I think there's an opportunity
10 just based on growth and maturity of systems. There's
11 an opportunity there to improve. So, hopefully, that
12 captured a response that's applicable to your question.

13 THE CHAIR: NIRB staff.

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

16 Thank you. That provides the clarification that
17 we were looking for. We have no further questions.

18 THE CHAIR: NIRB Board.

19 Seeing that there are no more questions for the
20 proponent, that concludes the technical presentations
21 from the proponent and our first day. Thank you for
22 those presentations.

23 That concludes Day 1 of this public hearing.
24 Thank you all for your contributions to a productive
25 day. We will resume the hearing tomorrow morning at
26 9 AM, but before you leave for the night, we will have

1 a quick draw for door prizes for those in attendance.
2 Please get out your tickets, and I hope to see you back
3 here tomorrow.

4 _____
5 PROCEEDINGS ADJOURNED UNTIL 9:00 AM, AUGUST 27, 2019
6 _____

7 CERTIFICATE OF TRANSCRIPT:
8

9 We, Christy Longacre and Andres Vidal, certify
10 that the foregoing pages are a complete and accurate
11 transcript of the proceedings, taken down by us in
12 shorthand and transcribed from our shorthand notes to
13 the best of our skill and ability.

14 Dated at the City of Calgary, Province of Alberta,
15 this 9th day of September 2019.

16
17
18



19 _____
20 C. Longacre, RPR, CSR(A)

21 Official Court Reporter
22

23 _____
24 A. Vidal, CSR(A)

25 Official Court Reporter
26

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