

NUNAVUT IMPACT REVIEW BOARD

WHALE TAIL PIT EXPANSION PROJECT PROPOSAL

NIRB FILE NUMBER 16MN056

HEARING

VOLUME 2

Baker Lake, Nunavut

August 27, 2019

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

3

4 August 27, 2019 Morning Session

5

6 NUNAVUT IMPACT REVIEW BOARD

7 K. Kaluraq Chair of Hearing

8 P. Kadlun Vice-Chair

9 G. Alikut Panel Member

10 C. Emrick Panel Member

11 U. Puqignak Panel 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. Setteringington	Senior Terrestrial Biologist
8		(EDI)
9	A. Franke	Principal Investigator (Arctic
10		Raptors Project)
11	G. Sharam	Technical Director (ERM)
12		
13	KIVALLIQ INUIT ASSOCIATION	
14	K. Gilson	Legal Counsel
15	L. Manzo	Director of Lands
16	K. Poole	Wildlife Biologist
17		
18	BAKER LAKE HUNTERS AND TRAPPERS ORGANIZATION	
19	R. Aksawnee	Chairman
20	Dr. W. Bernauer	Consultant
21		
22	GOVERNMENT OF NUNAVUT	
23	E. Stockley	Legal Counsel
24	S. Pinksen	Deputy Minister
25	E. Taylor	Project Manager Socioeconomic
26		Monitoring

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

1 FISHERIES AND OCEANS CANADA

2 M. D'Aguiar Senior Biologist

3 M. Janowicz Regional Manager for

4 Regulatory Reviews

5 B. Tracz Biologist

6

7 HEALTH CANADA

8 P. Partridge Regional Environmental

9 Assessment Specialist

10

11

12 NATURAL RESOURCES CANADA

13 P. Unger Senior Environmental

14 Assessment Officer

15 J. Quinn Senior Environmental Advisor

16

17 INTERPRETERS/TRANSLATORS

18 J. Tucktoo Language Translator

19 M. Angoshadluk Language Translator

20

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

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

23

24 (PROCEEDINGS COMMENCED AT 9:00 AM)

25 THE CHAIR: Good morning. (OTHER LANGUAGE

26 SPOKEN)

1 Can someone please bring her a mic? If she can
2 come up with the mic.

3 Opening Prayer

4 Opening Remarks

5 THE CHAIR: Thank you, Eva.

6 Perhaps you remember my name is -- I'm the new
7 chair for the Nunavut Impact Review Board. The NIRB
8 Board -- as the NIRB Board, we want to welcome everyone
9 on our second day of the hearing of Agnico Eagle's --
10 NIRB's review of Agnico Eagle's expansion project
11 proposal. 16MN056 is the project proposal file number.

12 I want you to -- let you -- let the audience know
13 that there will be interpretation available. And upon
14 arrival, please write your name at the table by the
15 door. There is -- the channels is 0, floor; 1,
16 English; and 2 is Inuktitut. Before we begin, please
17 be advised to shut off all your cell phones.

18 Welcome to Day 2 of the public hearing. I would
19 like to notify all participants that these proceedings
20 are open to the media should they choose to attend. If
21 there are any members of the media in the room, I would
22 like -- I would ask that they please take a moment to
23 introduce themselves now.

24 We have Jordan Kunni from CBC.

25 The Board welcomes the media providing information
26 about this public hearing to those who cannot be in

1 attendance in person. However, I remind everyone that
2 the Board members and staff cannot and will not take
3 questions or provide comments to the media, the parties
4 or anyone else regarding these proceedings until the
5 Board makes its determination and issues its written
6 report and recommendations publicly.

7 Today, we will continue the technical sessions
8 with the presentations from registered intervenors.
9 Tomorrow we expect to finish up the technical sessions
10 and begin the community roundtable during which
11 community representatives and members of the general
12 public will have the opportunity to ask questions
13 directly to the proponent and intervenors.

14 For all speakers, whenever you are speaking,
15 please speak directly into the microphone and at a
16 reasonable pace and state your name and your community
17 or organization before you provide the comment. Please
18 be respectful of other speakers and do not interrupt.
19 The Board appreciates everyone's commitment to
20 establishing a respectful and productive atmosphere at
21 this hearing.

22 We will begin today by providing an opportunity
23 for those parties needing to provide deferred responses
24 to questions posed yesterday that have yet to be
25 answered.

26 Legal counsel.

1 MS. MEADOWS: Thank you, Madam Chair.

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

4 Madam Chair, we have -- there are some materials
5 that have been attempted to be filed by Agnico Eagle
6 yesterday, circulated last night that -- in answer to
7 the construction and design of the haul road. Those
8 materials have been printed out and have been
9 circulated amongst the parties here. The Board and
10 Agnico Eagle will work together to try and get those
11 posted on the registry as one response to a deferred
12 question.

13 There is one more deferred question that we do
14 have listed, and it was Agnico Eagle -- a question to
15 Agnico Eagle from the Kivalliq Inuit Association, and
16 it was: Provide information on convoys that would have
17 been allowed on the road during the spring migration
18 this year. And I do not know whether or not Agnico
19 Eagle is prepared to answer it, but that is the -- the
20 one deferred question that I still have on the list.

21 THE CHAIR: Agnico Eagle, do you have a
22 response?

23 MS. KOWBEL: Madam Chair, just -- just one
24 moment, please.

25 Thank you, Madam Chair. Yes, we are prepared to
26 answer that deferred question now.

1 Response to Deferred Questions by Agnico Eagle Mines
2 Limited

3 MS. TURMEL: Manon Turmel, Agnico Eagle.

4 So I have the details here on the convoys that
5 occurred in the spring migration of 2019. So there are
6 mainly two types of convoys. The first one is for
7 crew -- moving crew and food, and the second type is --
8 and less frequent, is to move spare parts between the
9 sites, emulsion, to move sewage, so waste management
10 from Amaruq to Meadowbank. So those are the two types
11 of convoys we've had.

12 In terms of frequency, we've had, I would say,
13 convoys for three days in a row, then one day without a
14 convoy, then four days with a convoy, then one day
15 without a convoy. And as we keep progressing with the
16 road shutdowns, the need for convoy increases, but
17 overall, it's less than a convoy per day.

18 And just as -- to complement this, the two sites
19 are not independent. They work together. So even if
20 we stockpile and we plan well, as the closure lasts --
21 extends, there might be an equipment that needs
22 maintenance, need a part, so that's why there's more
23 convoy as the extended road closures.

24 And the last question was on the number of
25 equipment per convoy. So the convoy -- it varies a
26 lot, but it is between three pieces of equipment and 12

1 that we've had. And so all the equipment are together
2 very close with the environment department in front
3 leading the convoy.

4 And the time in the day where the convoy occurs is
5 selected as per caribou distribution. So we try to
6 select the best time in -- in the day. So this
7 addresses -- this was my response to the -- the
8 question from the Kivalliq Inuit Association.

9 THE CHAIR: Legal counsel.

10 MS. MEADOWS: Thank you, Madam Chair.

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

13 Madam Chair, those are the deferred questions that
14 were still outstanding that I had listed, and that
15 closes the deferred questions for today.

16 THE CHAIR: We will now continue to Agenda
17 Item 5, technical presentations from registered
18 intervenors. I will ask that our legal counsel swear
19 or affirm the next group of presenters and mark the
20 exhibits so that we can begin with the presentations.

21 We'll start with the Kivalliq Inuit Association.

22 MS. MEADOWS: Thank you, Madam Chair.

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

25 MR. MANZO: Thank you, Madam Chair. My
26 name is Luis Manzo, L-U-I-S M-A-N-Z-O, director lands,

1 Kivalliq Inuit Association.

2 MR. POOLE: Thank you, Madam Chair. My
3 name is Kim Poole, K-I-M P-O-O-L-E.

4 THE CHAIR: Thank you, Madam Chair.
5 Teresa Meadows, legal counsel for the Nunavut Impact
6 Review Board. Do you wish to be sworn or affirmed?

7 MR. MANZO: Affirm.

8 MR. POOLE: Affirmed.

9 LUIS MANZO, KIM POOLE, Affirmed

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

13 Madam Chair, I have a copy of the PowerPoint
14 presentation that the Kivalliq Inuit Association has
15 filed with the Board that is being presented in this
16 hearing, and I propose to mark that as the next exhibit
17 in the public hearing. And those are all my procedural
18 matters. Thank you, Madam Chair.

19 EXHIBIT 32 - Hard Copy PowerPoint
20 Presentation Whale Tail Expansion Project
21 Proposal KIA-NTI Final Technical Review
22 (English/Inuktitut)

23 EXHIBIT 33 - Hard Copy Executive Summary of
24 Technical Review Comments (English)

25 EXHIBIT 34 - Hard Copy Executive Summary of
26 Technical Review Comments (Inuktitut)

1 THE CHAIR: Thank you.

2 Kivalliq Inuit Association, you may proceed.

3 Presentation by Kivalliq Inuit Association

4 MR. MANZO: Thank you, Madam Chair. Luis
5 Manzo, Kivalliq Inuit Association.

6 The presentation will have the two components, the
7 introduction to KIA role and responsibilities, the
8 issues still outstanding, which is caribou and -- and
9 some water issues. Kim Poole will -- I will pass the
10 microphone to Kim Poole during the -- the caribou
11 presentations just to make sure we -- we address all
12 our issues. So I will proceed.

13 KIA represent -- thank you. KIA represent Inuit,
14 administer and monitor certain provisions of the
15 Nunavut Final Agreement in the Kivalliq region. KIA
16 mission is to represent Inuit in a fair and democratic
17 manner in the development, protection, administration,
18 and advancement of the rights and benefits and to
19 promote the economic, social, political and cultural
20 well-being.

21 The aim of Inuit-owned lands management to
22 administer IOLs so as to promote self-reliance and
23 cultural and social well-being of Inuit now and into
24 the future.

25 Inuit-owned lands must be managed in such a way as
26 to sustain and enhance the values of that -- of those

1 lands.

2 The purpose of the technical review was to ensure
3 that the potential impacts and benefits was
4 comprehensively assessed through scientific,
5 socioeconomic, and impact assessment best practices, to
6 ensure the IQ values and traditional knowledge were
7 incorporated into impact determination, mitigation,
8 project design, and monitoring.

9 Submissions to the Nunavut Impact Review Board. A
10 technical review of the environmental impact statement
11 was submitted to Nunavut Impact Review Board in [sic]
12 May 14, 2019. This review outlined 64 areas that
13 required clarification in the proposed project
14 extension [sic].

15 At the technical hearings in June 11 and 13, 2019,
16 six issues was remaining in which were four -- four
17 issues related to caribou, two issues related to
18 mercury concentrations in fish and the alternative
19 discharge locations, and nine -- nine terrestrial
20 commitments were provided by the end of the technical
21 hearings.

22 I will pass now the microphone to Kim Poole for
23 the caribou slides.

24 MR. POOLE: Kim Poole for the Kivalliq
25 Inuit Association.

26 The expansion project is proposing a haul truck

1 every six to eight minutes on the Whale Tail haul road,
2 and the expansion project is extending this traffic
3 from the current approved four years to eight years.
4 This level of traffic is -- is -- is almost
5 unprecedented in the Canadian Arctic, especially where
6 it intersects caribou migration. The current evidence,
7 notwithstanding the movements detected during the 2019
8 migration, suggests that the project may be causing
9 some delay and deflection of caribou as they try to
10 migrate during spring and fall. Recently, in the last
11 few weeks, there's been a series of informations and
12 reports that have been released, so the evidence that
13 would support how the Kivalliq Inuit Association would
14 be assessing this project is -- is developing quite
15 rapidly.

16 We have reviewed the additional information and
17 commitments provided by Agnico Eagle and the Government
18 of Nunavut about caribou crossing the roads. This
19 additional information has been extremely helpful, but
20 there are still some uncertainties about the impacts of
21 the haul road on caribou.

22 The Kivalliq Inuit Association is concerned that
23 the monitoring may not be adequate to trigger
24 mitigation, although we are confident with -- in
25 discussions with Agnico Eagle that there is -- there
26 are ways that -- that this can be rectified.

1 The physical design of the expanded road will
2 influence caribou response to haul road traffic.
3 Agnico Eagle has provided information on crossing
4 locations and has proposed sections of the road that
5 will be made more caribou-friendly. A draft of this
6 report was available -- has been available for the last
7 two, three weeks, and a revision of this report which
8 is a fulfilment of Commitment 8A and B from the
9 technical hearings was released about half an hour ago,
10 actually. So we have not had the opportunity to review
11 this, but we will, and we're optimistic that it will
12 help clarify some of the uncertainty.

13 Cari -- sorry, the Kivalliq Inuit Association
14 looks forward to seeing an analysis to determine the
15 effects of the physical aspects of the road on caribou
16 movement, and this is Commitment Number 13 from the
17 technical hearings that will be provided to the
18 terrestrial advisory group for their October meeting.

19 As noted, Agnico Eagle and the Government of
20 Nunavut have provided additional information addressing
21 Commitments 8, 12, and 15 from the technical hearings
22 with information on haul road interactions, the
23 behaviour of caribou -- collared caribou as they
24 approach the road, and alternatives for traffic
25 management, including convoys.

26 We have reviewed the alternatives to traffic

1 management document, and we suggest that more details
2 are required. This is in fulfilment of Commitment 12
3 from the technical hearings. AEM has tentatively
4 proposed a pilot study for the fall of this year for
5 haul truck convoys to be used during migration with
6 monitoring using drones and satellite imagery. These
7 monitoring techniques, while innovative, are untested,
8 and the Kivalliq Inuit Association is concerned that
9 this pilot project go ahead. We are recommending
10 postponing the pilot study until a study design is
11 presented and approved by the terrestrial advisory
12 group and that the monitoring is tested and proven to
13 be effective.

14 One of the concerns of the Kivalliq Inuit
15 Association is the additional disturbance to caribou
16 during the upgrading and widening of the Whale Tail
17 haul road. Agnico Eagle has stated that they will
18 comply with the terrestrial ecosystem management plan
19 with regards to monitoring and mitigation of caribou
20 approaching during construction activities related to
21 the haul road.

22 Widening of the haul road must be avoided when
23 caribou are migrating through the area, and we suggest
24 that specific mitigation is required to ensure that
25 road widening construction is halted when the first
26 caribou are approaching to let the lead caribou cross

1 the road.

2 Agnico Eagle has committed to this in -- has
3 committed to address this in Commitment Number 14,
4 which is going to be released to the terrestrial
5 advisory group in the second quarter of 2020.

6 The expansion project will increase the duration
7 of effects on caribou from four to eight years, and it
8 is highly likely that more work and more exploration in
9 the Amaruq area will -- will result in more expansion
10 and -- and an extended life, so our main concern is
11 that we get this road construction and monitoring right
12 now so that it's in place for the future.

13 When the Kivalliq Inuit Association presented
14 their written submissions in July, we did not propose
15 any terms and conditions because we were waiting on
16 three or four reports that were going to be made
17 available from Agnico Eagle and the Government of
18 Nunavut. And the Kivalliq Inuit Association
19 acknowledges the efforts of both Agnico Eagle and
20 Government of Nunavut for -- for providing these four
21 commitments since the technical sessions in June.
22 While the information has been extremely useful and
23 has -- and perhaps we have not fully digested it. We
24 have provided some comments on the remaining issues in
25 reviewing the commitments.

26 The Kivalliq Inuit Association concludes that

1 there is still some uncertainty remaining about the
2 impacts of the expanded road on -- on caribou. These
3 are related especially to the observations of
4 monitoring at the road level, and we also have -- at
5 both -- on both the all-weather access road and the
6 haul road. We strongly suggest that better monitoring
7 of short and medium distances from the project and
8 greater frequencies of surveys are required. And in
9 discussions with Agnico Eagle this morning, we seem to
10 be on the same page in our -- in our discussions, and
11 we would be looking for some sort of a commitment from
12 Agnico to pursue this further.

13 We also suggest that either a commitment or a term
14 and condition is necessary to ensure that there is
15 adequate adaptive management of the expanded haul road.
16 The Kivalliq Inuit Association thinks that there is
17 need for further collaboration among parties to
18 integrate the timing and locations of caribou crossings
19 relative to traffic frequency and road closures and to
20 better integrate these different types of monitoring
21 into mitigation.

22 We suggest that Agnico Eagle should work through
23 the terrestrial advisory group to update the
24 terrestrial ecosystem management plan to integrate this
25 information from all of the recent commitments. The
26 revised terrestrial ecosystem management plan should be

1 submitted then to -- to the Nunavut -- Nunavut Impact
2 Review Board within six months of issuance of a project
3 certificate.

4 Thank you.

5 MR. MANZO: Aquatic and water issues.
6 Aquatic environment, mercury -- mercury concentrations
7 in fish. The proponent has committed to revisit the
8 predictions for mercury concentrations in the project
9 area and update these predictions as needed to account
10 for the additional time that Whale Tail Lake would
11 be -- Whale Tail Lake will be flooded due to the Whale
12 Tail expansion.

13 Agnico Eagle has presented a document in -- in
14 August 20, 2019, as a part of that commitment at the
15 technical hearings. We are in the review of those, and
16 the specifics of that document we can deal during the
17 water licence.

18 Aquatic environment alternative discharge
19 location. The Kivalliq Inuit Association has
20 recommended that the proponent commit to collect at
21 least two years of data both under ice and in
22 open-water season in the water bodies with the
23 discharge -- with the discharge locations. The
24 proponent has committed to sampling the alternative
25 discharge locations following the Kivalliq Inuit
26 Association's recommendations.

1 This issue may be resolved. The samplings was
2 carried on in 2019. Those samples are, today, in lab
3 analysis, and we believe that we can resolve this issue
4 during the water licence.

5 Aquatic environment updated river baseline data.
6 AEM has committed to collecting additional water
7 quality and quantity samples for the stream sites in
8 the project area, Mammoth Lake, Whale Tail, and Nemo
9 Lake. AEM has further committed to provide the
10 Kivalliq Inuit Association with the proposed 2020 field
11 program for aquatic environment data collection for --
12 for the Kivalliq Inuit Association to review and
13 approve on September 2, 2019.

14 The field program has yet to be provided, but this
15 issue we believe is resolved after the 2019 sampling
16 season.

17 Water quality modelling accuracy and sensitivity.
18 The proponent has committed to update the water quality
19 model refining predictions concentrations and
20 phosphorus, arsenics, and other parameters of concerns
21 in the receiving environment. The proponent further
22 committed to update the water quality model to include
23 cryoconcentrations.

24 The refined water quality model has been provided
25 as part of the water licence application and will be
26 review as part of the licence process. However, the

1 water quality model has not yet been updated to include
2 cryoconcentrations. We request AME provide the updated
3 water quality model by August 30 such that it can be
4 reviewed during the water licence technical review
5 period.

6 Socioeconomic impacts. The Kivalliq Inuit
7 Association has reviewed the Government of Nunavut --
8 GN comments and support their concerns regarding the
9 socioeconomic impacts in proposed project.

10 Inuit Impact and Benefit Agreement, IIBA.
11 Kivalliq Inuit Association has an IIBA with the
12 proponent, Agnico Eagle, for the Whale Tail project.
13 The proposed expansion has been found by the Nunavut
14 Impact Review Board to include circumstances relating
15 to the proposed project that are significantly
16 different from those anticipated when the original
17 project certificate was issued. Therefore, a material
18 change will occur and a review of the Inuit Impact and
19 Benefit Agreement, IIBA, will be triggered if the
20 extension application is granted.

21 Matna.

22 THE CHAIR: Moving on to questions to the
23 Kivalliq Inuit Association.

24 Baker Lake Hunters and Trappers Organization.

25 Baker Lake Hunters and Trappers Organization Questions

26 Kivalliq Inuit Association

1 MR. AKSAWNEE: Thank you, Madam Chair.

2 Richard Aksawnee, Baker Lake Hunters and Trappers
3 Organization, and I want to thank KIA for their
4 presentation.

5 I have a question, and I would like to -- I would
6 ask: Is there a reason why CLARC committee was not
7 involved in KIA's assessment of this project? The
8 effects of -- on wildlife most affects hunters of Baker
9 Lake, and through community involvement of our regional
10 organization's assessment, we -- we have would -- like
11 to ensure that we, the community that is most impacted,
12 are appropriately compensated. Thank you, Madam Chair.

13 THE CHAIR: Kivalliq Inuit Association.

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

16 We do include the CLARCs in -- in the project. We
17 do make the presentations. And -- and also we engage a
18 big committee, traditional knowledge and also aquatic
19 knowledge, in a big monitoring program in which these
20 projects are located.

21 And to do with your second portion of the question
22 which is the compensation, I would like to defer that
23 question for -- for later to consult, Madam Chair.

24 Thank you.

25 THE CHAIR: Baker Lake Hunters and
26 Trappers Organization.

1 MR. AKSAWNEE: Thank you, Madam Chair. And
2 thank you, Luis, for that response.

3 Yeah. We've had this Meadowbank mine in operation
4 about ten years now, and we've been negatively impacted
5 on our caribou. We -- as the Baker Lake Hunters and
6 Trappers Organization, we've been seeking support on
7 the regional -- at the regional level. As -- as how
8 you guys know, the Hunters and Trappers Organizations
9 and the whole territories, staffing is a really big
10 issue. So I wanted to raise that concern, that during
11 the permitting stages of the expansion, I -- I just
12 wanted to say that the CLARC committee is more
13 involved. Thank you.

14 THE CHAIR: Kivalliq Inuit Association.

15 MR. MANZO: Thank you, Madam Chair.

16 And, yes, the CLARC will be more involved in the
17 whole entire monitoring program. We're looking for
18 funds because, as you know, also KIA doesn't have the
19 funds. We design in the last 12 years a complete -- a
20 cumulative effect assessment program in which we have a
21 scientific committee and also traditional knowledge
22 committee.

23 And when you talk about IQ and traditional
24 knowledge, it's not just one thing. There's many
25 things in there. We are bound [sic], and we assess.
26 We also table scientific papers. The -- the scientific

1 committee -- or technical committee recommend to the --
2 to the secretariat. And these were the whole -- not
3 just the CLARCs, but the community the CLARCs appoint
4 for traditional knowledge in the specific locations
5 will be involved in that consultation.

6 And if you -- if I can respond to the deferred
7 question. The IIBA encompasses seven communities when
8 we negotiate the IIBA, and I'm very sure you have
9 access to that IIBA. And -- and those have been
10 distributed to the seven communities. It encompasses
11 all the impacts. But if you -- if you have any other
12 concerns that you may want or a benefit that you may
13 have, please write to the executive director of KIA as
14 soon as possible. I will recommend that to the HTO
15 because that review of this project haven't been
16 established yet.

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

19 MR. AKSAWNEE: I have no further questions.
20 Thank you.

21 THE CHAIR: Government of Nunavut.

22 MR. PINKSEN: Thank you, Madam Chair. Steve
23 Pinksen, Government of Nunavut. We have no questions
24 for the Kivalliq Inuit Association.

25 THE CHAIR: CIRNAC.

26 MR. DEWAR: Matna, Madam Chair. Spencer

1 Dewar, Crown-Indigenous Relations and Northern Affairs
2 Canada. No questions.

3 THE CHAIR: Environment Canada.

4 MS. PINTO: Thank you, Madam Chair.

5 Melissa Pinto, Environment and Climate Change Canada.
6 We have no questions at this time.

7 THE CHAIR: Fisheries and Oceans Canada.

8 MR. D'AGUIAR: Thank you, Madam Chair. Mark
9 D'Aguiar with Fisheries and Oceans Canada. Thank you
10 for your presentation. We have no questions.

11 THE CHAIR: Health Canada.

12 MR. PARTRIDGE: Thank you, Madam Chair. Paul
13 Partridge with Health Canada. We have no questions at
14 this time.

15 THE CHAIR: NRCan.

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

18 THE CHAIR: Agnico Eagle.

19 Agnico Eagle Mines Limited Questions Kivalliq Inuit
20 Association

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

23 Just a few clarifications and some comments
24 related to the request for a commitment for additional
25 monitoring related primarily to monitoring from the
26 road as -- as we discussed. We can commit to working

1 with the Kivalliq Inuit Association to improve that
2 aspect of the monitoring along the road.

3 Just dealing with the -- as Kivalliq Inuit
4 Association alluded to, a pilot program for the fall
5 migration related to other technologies such as drone
6 and satellite imagery, I just want to provide a little
7 bit more clarification that the work plan is being
8 finalized, and, as we discussed within the terrestrial
9 advisory group, that work plan will be circulated to
10 the members of the terrestrial advisory group to review
11 it and hopefully approve the -- the work plan.

12 And what we're trying to do is just add a few
13 additional tools in the toolbox to support the caribou
14 collaring program. Albeit, the technologies have to be
15 approved. What we're trying to establish this fall
16 with that pilot program is to have proof of concept
17 with those technologies. Then hopefully take the
18 learnings from that pilot program, incorporate that
19 into the spring migration to support the -- the
20 collaring program, the monitoring in the field with
21 operations. So that's what we're trying to establish,
22 just at a high level. But, like always, we will
23 provide that -- that information to the TAG and work
24 through that.

25 Dealing with the paper -- the revised paper, we
26 tried to get it out last night, just some challenges

1 with internet and timing of that, but it's a revised
2 paper, and we're willing to listen further with any
3 additional changes. And also we would advise that
4 hopefully the members of the TAG would commit to a
5 meeting in the field to review the information that we
6 provided to finalize the -- the options and the -- the
7 type of construction that could occur in the field. So
8 hopefully the members of the TAG could commit to a
9 field visit, and then we can finalize things. Thank
10 you.

11 THE CHAIR: Kivalliq Inuit Organization
12 [sic].

13 MR. POOLE: Kim Poole with the Kivalliq
14 Inuit Association.

15 Yes, we would be pleased to be in the field,
16 depending upon timing, to look over how the road can be
17 modified to make it more caribou-friendly. I'm sure
18 other members of the TAG would be equally appreciative
19 of that.

20 THE CHAIR: Agnico Eagle.

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

23 Thank you for that, and we'll circulate the
24 proposed times, and then we'll take it from there.
25 Thank you.

26 THE CHAIR: Any more questions from Agnico

1 Eagle?

2 NIRB staff.

3 Nunavut Impact Review Board Staff Questions Kivalliq
4 Inuit Association

5 MR. BARRY: Thank you, Madam Chair. Ryan
6 Barry, Nunavut Impact Review Board staff. We do have
7 just a couple of questions for the Kivalliq Inuit
8 Association.

9 The first, Kim, the Kivalliq Inuit Association
10 describe how they work to address the potential adverse
11 socioeconomic impacts of mining on Inuit and maximize
12 benefits such as training employment, and specifically
13 here we're wondering if you can identify or describe
14 any particular successes or significant areas of
15 improvement resulting from your experience to date with
16 negotiating and administering several Inuit Impact and
17 Benefit Agreements with Agnico Eagle.

18 THE CHAIR: Kivalliq Inuit Association.

19 MS. GILSON: Thank you. Good morning,
20 Kimberley Gilson for the Kivalliq Inuit Association.

21 As you know, the arrangements with respect to
22 impacts and benefits are guided by the Inuit impact
23 agreements that are negotiated between the proponent
24 and the Kivalliq Inuit Association. Because there are
25 several projects in the region, Meadowbank, Meliadine,
26 Whale Tail, we have three Inuit Impact Benefit

1 Agreements, and over the course of the years, we have
2 learned that, of course, impacts and benefits are
3 similar from -- for all of the projects.

4 So the first thing that we had realized was that
5 it would be necessary to have them as aligned as
6 possible, so comments with respect to one IIBA are
7 generally applicable to all of the IIBAs.

8 What we did learn was that we needed better
9 monitoring and participation by both Kivalliq Inuit
10 Association and Agnico Eagle Mines, and, therefore, we
11 set up various committees that I believe Ms. Squires
12 referred to yesterday, which are the employment and
13 culture committee and the business opportunities
14 committee, as well as an implementation committee.

15 The first two committees I referred to are more
16 on-the-ground working committees that review all
17 aspects of the implementation of the impact benefit
18 agreement. So we learned that we needed more
19 on-the-ground monitoring through these committees.

20 As well, we have an on-site working committee in
21 each of the -- with respect to each of -- of the
22 projects. And, again, the idea there is to have
23 on-site representation to ensure that Inuit are able to
24 express and convey concerns that they may have and that
25 those concerns are addressed, that they have access to
26 somebody who is designated on behalf of the Kivalliq

1 Inuit Association and that counterpart in Agnico Eagle
2 Mines to move the issue forward. So we've learned a
3 lot of lessons along the way about how to translate a
4 document which is fairly complex into some real
5 benefits.

6 We continue to push AEM -- Agnico Eagle Mines on
7 things like ensuring that the ways in which Inuit are
8 trained are effective, are adaptable to ensuring that
9 the training is -- is suitable, that people are put
10 through a process that allows them to access the jobs.
11 The process for having them going through work
12 readiness continues to evolve as we learn where
13 barriers might be to Inuit employment, either gaining
14 employment or retaining employment.

15 So it's -- it's a big question that you've asked,
16 and I can -- I've just sort of summarized some of the
17 big-picture amendments that we've made to the impact
18 benefit agreements. Of course, there's a lot of work
19 that's done along the way to ensure that we all learn.

20 The implementation committee itself is -- I'll
21 call it an "overarching committee" that tries to
22 identify either issues that don't get resolved because
23 there's a difference of view at the business
24 opportunities committee or the employment and culture
25 committee, as well as tasked with looking at the
26 overall picture so that we can see trends and repeated

1 concerns and address those concerns.

2 And the final comment is that -- that the
3 implementation committee along with all of the other
4 committees and individuals who are working on
5 implementation are currently in a process of -- I'll
6 call it "renewing" the ways in which things are done so
7 that we can further improve to achieve the benefits
8 that we are hoping to get from the impact benefit
9 agreement. Thank you, Madam Chair.

10 THE CHAIR: NIRB staff.

11 MR. BARRY: Thank you, Madam Chair. And
12 thank you very much for that response. That is what we
13 were hoping to get at.

14 A follow-up to that -- and this is, I think, what
15 I alluded to yesterday in terms of understanding the
16 opportunities to learn from mining projects in other
17 regions. Can you comment on whether any coordination
18 occurs between the Kivalliq Inuit Association and the
19 other regional Inuit associations regarding the
20 negotiation and administration of benefit agreements
21 and regulation of mining projects on Inuit-owned lands?
22 And here specifically we're wondering if you can
23 describe any efforts to ensure that there is
24 information exchange and learning which is occurring
25 between the regions regarding both successful or
26 problematic approaches to mining developments on

1 Inuit-owned lands.

2 THE CHAIR: Kivalliq Inuit Association.

3 MS. GILSON: Thank you, Madam Chair.

4 Kimberley Gilson, Kivalliq Inuit Association.

5 There are efforts being made to coordinate
6 information between the Inuit associations. Nunavut
7 Tunngavik Incorporated has coordinated meetings in the
8 past, not very many; I will acknowledge that. That is
9 an ongoing process.

10 We have differences of view between the Inuit
11 associations and the mining companies as to
12 confidentiality. And so we have not a full and open
13 dialogue. However, having said that, the issues
14 pertaining to employment, training, contracting, and
15 those kinds of matters are more easily shared.

16 For the purposes, I think, of your question, we
17 don't necessarily need to share financial information
18 in order to achieve some coordination amongst the
19 regions. So we are making efforts under the impact
20 benefit agreements. The Kivalliq Inuit Association has
21 posted its Inuit Impact Benefit Agreements online. We
22 are hopeful and encouraging other Inuit associations to
23 do the same. There is a difference of approach in --
24 in the other regions, but a lot of similarities. So
25 we're learning. We are working on coordination. The
26 Kivalliq Inuit Association sees that as a beneficial

1 approach. We would like to see more cooperation and
2 coordination, but there are, necessarily, barriers
3 simply because the regions do things differently, and
4 the proponents do things differently. So impact
5 benefit agreements are not, perhaps, as cookie cutter
6 as you might want to see them in order to have a more
7 coordinated or consistent approach. Thank you.

8 THE CHAIR: NIRB staff.

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

11 Thank you very much for those responses, Kim. We
12 have no further questions.

13 Nunavut Impact Review Board Questions Kivalliq Inuit
14 Association

15 THE CHAIR: NIRB Board.

16 Guy.

17 MR. ALIKUT: Thank you, Madam Chair. Guy
18 Alikut, NIRB Board member.

19 Kivalliq Inuit Association, I -- I have a question
20 to them. The Inuit of Kivalliq region -- you are the
21 voice, and you are representing the Inuit. What types
22 of -- in what ways are you communicating and informing
23 the communities? We do have local radio stations in
24 each of the communities. Which form of communication
25 tool are you using? And we hear from individuals who
26 work at the mine site, and that's the only way we kind

1 of hear what's going on at the mine. So what type of
2 tool are you using? What type of communication
3 equipment are you using to inform the communities about
4 the progress of the mine or how you associate with
5 the -- the mining company? We'd like to get an answer.
6 Thank you.

7 THE CHAIR: Kivalliq Inuit Association.

8 MR. MANZO: Thank you, Madam Chair. Luis
9 Manzo, Kivalliq Inuit Association.

10 We have different ways to notify the communities.
11 One of the means is the newsletters of KIA, the
12 website. We also use online applications to notify,
13 but more importantly, every year in the technical
14 component of the aspects of water, fish, terrestrial,
15 we come and do a radio show jointly with the federal
16 government, Nunavut Water Board, and the secretary of
17 our monitoring, NGMP, Nunavut general monitoring
18 program secretariat.

19 That's been very successful in informing basics or
20 the importance of monitoring in -- in -- in fish
21 habitat and water quantity and quality of --
22 quantity -- quality, quantity, and flow of the year.
23 We would take samples -- we take samples twice a year.
24 We cover four watersheds, and we've been doing that --
25 it -- it started 2004, a formal program, but we really
26 started in 2002. So the historical data that we

1 collect in -- in -- in centre Baker Lake is -- is -- we
2 will be in contact with them. We have a committee --
3 traditional knowledge committee that when we have an
4 issue we consult them in terms of how we need to
5 approach that.

6 That same program that we call it -- it's called
7 the "Inuu Tuti program" -- has been the tool or the
8 venue to inform directly not just the community here in
9 open houses, radio shows, but, more importantly, in
10 collecting the data that you require to collect your
11 baseline for inform our decisions. And that's how
12 everything started. And we've been -- we've been doing
13 that since 2004.

14 I would let the legal counsel talk about the
15 communities' meetings that we do in the IIBA component.

16 MS. GILSON: Thank you. Kimberley Gilson,
17 Kivalliq Inuit Association.

18 With respect to the Inuit Impact and Benefit
19 Agreement, there is a lot of reporting that is required
20 by Agnico Eagle, and Kivalliq Inuit Association both
21 monitors and participates in the monitoring and the
22 reporting. And those reporting requirements include
23 reporting to the community and having a relationship
24 that ensures that the community is not only able to
25 hear what is going on from Agnico Eagle, but to
26 participate in the discussions and provide feedback.

1 So we -- we participate with Agnico Eagle Mines in
2 those sessions to ensure that there's a two-way
3 communication.

4 I'll also mention that prior to the negotiation of
5 the Whale Tail Inuit Impact Benefit Agreement, we were
6 here in the community in an open meeting to gain
7 insight and information from community members as to
8 what issues they saw of concern, and we worked with the
9 community to reflect those concerns in the updated
10 Inuit Impact Benefit Agreement that we negotiated.

11 Thank you.

12 THE CHAIR: Seeing that there are no more
13 questions from the Board, let's take a 15-minute break,
14 and then we'll move on to the Baker Lake Hunters and
15 Trappers Organization.

16 (ADJOURNMENT)

17 THE CHAIR: We shall reconvene.

18 Legal counsel.

19 MS. MEADOWS: Thank you, Madam Chair.

20 Teresa Meadows, Nunavut Impact Review Board.

21 If I can have the witnesses state and spell their
22 name for the record, please.

23 MR. AKSAWNEE: Richard Aksawnee,

24 R-I-C-H-A-R-D A-K-S-A-W-N-E-E.

25 MR. BERNAUER: Warren Bernauer. W-A-R-R-E-N

26 B-E-R-N-A-U-E-R.

1 MS. MEADOWS: Thank you, Madam Chair.

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

4 Did the witnesses wish to be sworn or affirmed?

5 MR. AKSAWNEE: Affirmed.

6 MR. BERNAUER: Warren Bernauer.

7 Affirmed.

8 RICHARD AKSAWNEE, WARREN BERNAUER, Affirmed

9 MS. MEADOWS: Teresa Meadows, legal counsel
10 for the Nunavut Impact Review Board. Madam Chair, I have
11 two exhibits to file in association with this
12 presentation, being the presentation materials in
13 English and Inuktitut, and I propose to file those as
14 the two next exhibits in this public hearing, and those
15 are my procedural matters.

16 EXHIBIT 35 - Hard Copy PowerPoint
17 presentation by the Baker Lake Hunters and
18 Trappers Organization (English)

19 EXHIBIT 36 - Hard Copy PowerPoint
20 presentation by the Baker Lake Hunters and
21 Trappers Organization (Inuktitut)

22 THE CHAIR: Thank you. You can begin your
23 presentation.

24 Presentation by the Baker Lake Hunters and Trappers
25 Organization

26 MR. AKSAWNEE: Thank you, Madam Chair.

1 Richard Aksawnee, Baker Lake Hunters and Trappers
2 Organization.

3 Good morning. The Baker Lake Hunters and Trappers
4 Organization is an organization created by the Nunavut
5 Agreement. Under our land claim, the Hunters and
6 Trappers Organization is given the responsibility to
7 manage hunting and represent hunters' rights in our
8 community. We have participated in several Nunavut
9 Impact Review Board reviews and appreciate the
10 opportunity to present to you today.

11 Participation in Whale Tail project or Amaruq
12 project. The Hunters and Trappers Organization has
13 participated in the Amaruq project in several ways. We
14 were an intervener in the original review of the Whale
15 Tail Amaruq project. We are a member of Agnico Eagle's
16 terrestrial advisory group. The Hunters and Trappers
17 Organization employs a wildlife monitor funded by
18 Agnico Eagle to monitor wildlife on the haul road
19 between the Amaruq project and Meadowbank site.

20 We also meet regularly with Agnico Eagle staff to
21 discuss their operations. The Hunters and Trappers
22 Organization has participated in this review of the
23 proposed Whale Tail expansion in several ways.

24 In April, we held a workshop with hunters and
25 Elders who have expertise with that project area.
26 Based on this workshop and other information the board

1 received, the Hunters and Trappers Organization
2 submitted technical comments in May, attended technical
3 meetings in June, and submitted final written comments
4 in July.

5 The Baker Lake Hunters and Trappers Organization
6 supports Agnico Eagle's plans to extend the life of the
7 Whale Tail mine. Most of the people we spoke to,
8 including our hunters and Elders, supported the mine
9 because of employment opportunities. The relationship
10 between Agnico Eagle and the hunters and trappers has
11 also improved significantly over the past few years.
12 Communication between our office is very good, and we
13 appreciate all of the hard work that went into making
14 this happen.

15 That said, we still have several outstanding
16 concerns with the Whale Tail project's impact on
17 caribou. At this point, there are still a lot of
18 unknowns. We cannot say for sure that this project
19 won't have a significant impact on caribou. Right now,
20 there is simply too much uncertainty. Our consultant,
21 Warren Bernauer, is going to discuss some of our
22 outstanding concerns.

23 MR. BERNAUER: Thank you. Warn Bernauer for
24 the Baker Lake Hunters and Trappers Organization.

25 The first outstanding concern is the ongoing
26 effects of the Meadowbank project on caribou. Baker

1 Lake hunters have repeatedly told the Hunters and
2 Trappers Organization that caribou migrations are
3 delayed and diverted because of the mine, access road,
4 and haul road.

5 The Government of Nunavut has also shared a
6 technical report and animations with the terrestrial
7 advisory group that shows that the road is causing
8 migrations to be delayed and diverted. It is our
9 understanding that the Government of Nunavut will be
10 presenting this material later today.

11 In its final written submission, the Hunters and
12 Trappers Organization argue that these documented
13 impacts on caribou mean that we should be implementing
14 stricter caribou protection measures. In Agnico's
15 response, they argued that these changes to caribou
16 migration would not have a significant effect on the
17 caribou population, so further mitigation is
18 unnecessary.

19 I think the response gets to the heart of a major
20 conflict in a lot of these impact assessments. There's
21 a tendency for biologists to focus entirely on
22 population-level dynamics and changes at the population
23 level. However, local hunters are obviously concerned
24 with smaller changes to caribou migrations and
25 distribution because these can affect hunter access to
26 caribou and affect just hunting productivity. As a

1 result, the Hunters and Trappers Organization continues
2 to recommend stricter caribou mitigation measures for
3 the Whale Tail project.

4 The second outstanding concern deals with
5 construction during migratory seasons. Please note
6 there's a typo on our PowerPoint presentation. It
7 should read "fall and spring migrations", not just
8 "fall migrations".

9 So the Hunters and Trappers Organization is
10 concerned that Agnico has not clearly committed to
11 schedule road widening and construction outside of the
12 sensitive migratory seasons. This concern was
13 originally raised by the Kivalliq Inuit Association in
14 its technical comments. In response, Agnico Eagle said
15 it would consider scheduling construction outside of
16 the sensitive migratory seasons and that it would
17 provide more information to us on this matter sometime
18 next year.

19 Now, while it's encouraging that Agnico Eagle is
20 committed into looking into this and doing further
21 studies, the lack of a clear commitment and clear
22 information on this issue is a source of concern
23 because it does continue to create uncertainty.
24 Without clear information about construction timelines,
25 it -- it makes the impacts on caribou more uncertain
26 than they otherwise would be.

1 The third concern is increased traffic during road
2 closures. In a technical brief sent to members of the
3 terrestrial advisory group, Agnico Eagle outlined plans
4 to stockpile or -- and use convoys to ensure that
5 caribou migrations do not interrupt mine operations.
6 The Hunters and Trappers Organization is concerned that
7 some aspects of these plans would substantially weaken
8 the caribou protection measures contained in the
9 terrestrial ecosystem management plan.

10 The biggest source of concern is Agnico's proposed
11 pilot project to haul or end convoys during road
12 closures. Under the current terrestrial ecosystemic
13 management plan, a road closure means only essential
14 vehicles, which it very clearly states means no
15 vehicles related to mining or hauling of ore. So
16 there's some concern that this is opening the door to
17 really weaken the caribou protection measures around
18 this project.

19 So the Hunters and Trappers Organization raised
20 this concern in our written comments. In response,
21 Agnico Eagle suggested that this issue should be
22 discussed during terrestrial advisory group meetings
23 rather than these proceedings here. Ultimately, the
24 fact that Agnico Eagle is proposing to alter these
25 caribou protections adds further uncertainty to the
26 project's impact on caribou, if there's plans to start

1 hauling ore when the road should technically be closed.

2 Our next outstanding concern has to do with
3 wildlife harvesting on the Meadowbank access road. In
4 April, the Baker Lake Hunters and Trappers Organization
5 held a workshop with hunters and Elders that have
6 expertise with the project area. Many of the Elders
7 who attended were concerned that some younger hunters
8 are not following traditional Inuit hunting rules and
9 values. For example, there's a traditional rule that
10 Inuit do not hunt the first group of caribou that
11 migrate through the area. They let the leaders pass to
12 ensure that the migration routes will not be altered.

13 But today, some hunters are ignoring rules like
14 this. The Elders were concerned that this was playing
15 a major role in changing caribou migrations near Baker
16 Lake. Managing hunting is the Hunters and Trappers
17 Organization's responsibility under the Nunavut
18 Agreement. However, we believe that Agnico Eagle bears
19 some responsibility on this matter. If Agnico Eagle
20 had not built a long road, we wouldn't be faced with
21 this problem today. The increased harvester access as
22 a result of this road is ultimately what's creating
23 this problem. At present, the Hunters and Trappers
24 Organization does not have the capacity to manage
25 hunting on the Meadowbank access road.

26 In our written submission, the hunters and

1 trappers indicated that it would like to do more to
2 promote responsible hunting on the Meadowbank access
3 road. The HTO would like to ensure that the lead group
4 of caribou is allowed to pass and that other
5 traditional rules are upheld. However, it would
6 require significant resources to do so, including
7 funding for additional staff, Elders' workshops, and
8 research to make a program like this a success.

9 In response to our comments, Agnico Eagle
10 suggested that this issue should be discussed further
11 in the terrestrial advisory group. While this is
12 helpful and promising, the fact that we have no
13 committed resources to manage harvesting moving forward
14 adds another layer of uncertainty to the impacts that
15 this project might have on caribou.

16 Our next outstanding concern is the Hunters and
17 Trappers Organization's participation in project
18 monitoring. The Baker Lake Hunters and Trappers
19 Organization currently employs a wildlife monitor
20 funded by Agnico Eagle. This monitor monitors the haul
21 road between the Whale Tail, Amaruq, and Meadowbank
22 projects. The Hunters and Trappers Organization would
23 like a second monitor to work on the access road
24 between Meadowbank and Baker Lake. This could allow
25 the hunters and trappers to play a more meaningful role
26 in adaptive management. It would also provide the

1 additional staff needed to manage hunting on the
2 Meadowbank road.

3 Agnico Eagle has indicated that it is willing to
4 discuss the role of the hunters and trappers and
5 project monitoring and that there may be opportunities
6 for further funding. However, no clear commitments for
7 funding have been discussed as of yet. And, again, the
8 fact that the Hunters and Trappers Organization
9 continues to lack the resources to fully participate in
10 monitoring adds another layer of uncertainty for us.

11 Our next issue is the way in which Agnico has
12 deferred so many caribou-related issues to the
13 terrestrial advisory group. Most of the concerns the
14 Hunters and Trappers Organization has raised through
15 this process have been kind of diverted towards the
16 terrestrial advisory group, which is a small advisory
17 group kind of managed and -- by the industry. This is
18 a cause of concern for the hunters and trappers. While
19 we are a member of the terrestrial advisory group, the
20 Hunters and Trappers Organization's ongoing capacity
21 issues make it difficult to participate meaningfully.

22 Now, this problem of capacity is not limited to
23 Baker Lake. This is a Nunavut-wide problem. For
24 example, I was reading the transcripts from the Nunavut
25 Impact Review Board's strategic environmental
26 assessment in the Qikiqtani region. At that meeting,

1 representatives from most of the Hunters and Trappers
2 Organizations identified huge barriers to participating
3 in all technical processes due to a lack of technical
4 staff.

5 In any case, deferring so many issues of
6 mitigation to outside of the NIRB process to the
7 terrestrial advisory group does add further uncertainty
8 to the impact this project will have on caribou. It
9 limits our ability to say with any certainty that the
10 mitigation measures are enough because we can't discuss
11 them all here.

12 Finally, mining in caribou calving grounds is one
13 of the biggest concerns the Baker Lake Hunters and
14 Trappers Organization has had with the mining industry
15 to date. For decades, this organization has been
16 pushing to have calving grounds protected along with
17 several other hunters and trappers organizations, as
18 well as several Dene, Cree, and Metis communities who
19 hunt from a Qamanirjuaq and Beverly caribou herds. The
20 fact that these sensitive areas remain open to mining
21 exploration is a source of concern. And if a mine were
22 to open in the calving grounds, it could create
23 cumulative effects and interact with this project in
24 that way.

25 So if Agnico Eagle publicly committed to staying
26 out of the caribou calving grounds, it could help

1 reduce the uncertainty with regards to the cumulative
2 effects this project could have on caribou.

3 MR. AKSAWNEE: So in conclusion, to be clear,
4 this is not a list of demands. We don't need every
5 last one of these issues checked off right now, but
6 until we see clear commitments on a few of these
7 issues, we can't say with certainty that this project
8 will have no significant impacts on caribou.

9 When the Whale Tail project was first reviewed
10 back in 2017, I told the Nunavut Impact Review Board
11 that the Whale Tail project is a major development with
12 the potential for serious harm to caribou and caribou
13 hunting. The long haul road with heavy traffic could
14 seriously disturb caribou migrations. That doesn't
15 mean we oppose the project. It means we need to get
16 the mitigation measures right.

17 Right now, we still don't know enough to say
18 whether or not Agnico's mitigation measures will be
19 enough to protect our tuktu.

20 Thank you, Madam Chair.

21 THE CHAIR: Thank you. Moving on to
22 questions from (OTHER LANGUAGE SPOKEN).

23 Kivalliq Inuit Association Questions the Baker Lake
24 Hunters and Trappers Organization

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

1 Thank you for that presentation. That was -- that
2 was good. One question: There is fairly substantial
3 evidence that suggests that the potential impacts of a
4 road to delay or deflect caribou varies quite
5 significantly whether that road is hunted or not
6 hunted. Hunted roads seems to have a larger deflection
7 zone, zone of influence, than non-hunted roads.

8 There has been some work done along the Dempster
9 Highway in the Yukon where local hunters are being
10 encouraged to only hunt caribou after they have crossed
11 the road on their direction of travel, and I'm
12 wondering if the Baker Lake Hunters and Trappers
13 Organization would support or would be able to
14 encourage their members to -- to do that kind of
15 hunting so that depending whether we're talking about a
16 spring or a fall migration, that the hunting would only
17 occur on the downstream side of the road after the --
18 after the majority of the caribou have crossed it so
19 that the caribou may not associate the road itself as
20 a -- as a threat and cause greater delay or deflection
21 of caribou. So I just put that out there as something
22 to consider, if -- if that could occur. Thank you.

23 THE CHAIR: (OTHER LANGUAGE SPOKEN)

24 MR. BERNAUER: Thank you, Madam Chair.

25 Warren Bernauer for the Baker Lake Hunters and Trappers
26 Organization.

1 Thank you very much for that suggestion, Kim.
2 That's exactly the type of thing that the HTO wants to
3 look into doing. We just currently lack the capacity
4 to really meaningfully encourage the people to do that.
5 And I would add that the mitigation measure that you
6 just suggested is actually -- it sounds very consistent
7 with traditional Inuit methods of managing water
8 crossings. We have held several workshops with Elders
9 here, and the Harvaqtormiut Elders have told us that
10 when they would hunt at water crossings, they wouldn't
11 hunt them before they crossed the water. You'd hunted
12 them afterwards. If you hunt them before they cross,
13 it diverts the migration route. So that could
14 potentially be an interesting way to start to seriously
15 implement some of these IQ principals in the modern
16 day, but we would obviously have to discuss that
17 further with Elders to see if that makes sense to them.

18 THE CHAIR: (OTHER LANGUAGE SPOKEN)

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

21 No further questions.

22 THE CHAIR: Nunavut government.

23 MR. PINKSEN: Madam Chair, Steve Pinksen for
24 the Government of Nunavut.

25 We have no questions for the Hunters and Trappers
26 Organization. Thank you.

1 THE CHAIR: CIRNAC.

2 MR. DEWAR: Thank you, Madam Chair.

3 Spencer Dewar, Crown-Indigenous Relations and Northern
4 Affairs Canada.

5 No comments.

6 THE CHAIR: Environment Canada.

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

9 We have no questions.

10 THE CHAIR: DFO Canada.

11 MR. D'AGUIAR: Thank you, Madam Chair. Thank
12 you for the presentation. We have no questions.

13 Mark D'Aguiar with Fisheries and Oceans.

14 THE CHAIR: Health Canada.

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

17 We have no questions at this time. Thanks.

18 THE CHAIR: NRCan.

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

21 We have no questions.

22 THE CHAIR: Agnico Eagle.

23 Comments by Agnico Eagle Mines Limited

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

26 I'm just going to add a little bit of -- make a

1 few comments and add some clarification on the comments
2 we just received from -- heard from the Baker Lake
3 Hunter and Trapper Organization, but, also, we will
4 talk with Warren and Richard about a few of the items
5 that were mentioned.

6 Just with the -- with the road with the hunting,
7 as probably some of us can recall, the original
8 all-weather access road in the original application was
9 a private road. However, based on input from the
10 community and others, we had a reconsideration hearing
11 with the Nunavut Impact Review Board to open up the
12 road for Inuit traditional activities up to -- from
13 Baker Lake up to Kilometre 86. So I just wanted to
14 provide a little bit more colour and some clarity
15 regarding the process of the road to allow Inuit
16 traditional activities to occur on the all-weather
17 access road from Baker Lake up to Kilometre 86.

18 Also, just dealing with the -- some of the
19 comments regarding the terrestrial advisory group, it's
20 been a process that we have been working on with
21 multiple stakeholders, including the Hunters and
22 Trappers Organization. We do have a terms of reference
23 that was circulated to all the members and -- and
24 signed by the Baker Lake Hunter and Trapper
25 Organization on the process, what information should be
26 discussed within that advisory group.

1 It is not an advisory group that is controlled by
2 Agnico Eagle. You referred to "industry", but I think
3 you were just mentioning focusing on Agnico Eagle. So
4 it's not controlled by us. It's based on the -- the
5 agreed to terms of reference.

6 So we do have a process we all agreed to to share
7 information, to look at improvements related to our --
8 our management plans as associated with terrestrial
9 activities but, primarily, caribou. And there's been
10 many examples where this plan, since the terrestrial
11 advisory group has been established with input by many
12 parties -- approximately eight times. So different
13 monitoring programs, looking at the group size
14 threshold, things like that.

15 And it's not just western science and biologists
16 in general. The Hunters and Trappers Organization has
17 a major role to provide the traditional knowledge and
18 IQ and understand -- so we understand the hunting
19 practices better. We can incorporate how they manage
20 caribou, the concerns about caribou, and how we
21 incorporate that into our plans. So I just wanted
22 to -- to mention that.

23 Dealing with the -- with the increased traffic and
24 the pilot project, it is a -- we've been proposed --
25 just proposed a pilot project related to the activity
26 during the migration when the road -- road is closed.

1 It -- we still want to discuss that. We understand the
2 concerns, but it's a process of communication and
3 discussion to have this balanced approached that we're
4 trying to achieve with all parties.

5 And, also, just dealing with general comments
6 regarding calving grounds, our operations are now
7 located in calving grounds. We are providing input and
8 comments to the draft land use plan that's in
9 circulation, so it's a process that we're going
10 through. So we're providing comments with other
11 industry members and also with -- a lot of people in
12 this room are providing comments, so we're working
13 through that process and continue to be a willing
14 participant in providing comments.

15 But, again, we'd like to discuss this further with
16 the Baker Lake Hunters and Trappers Organization on
17 some of the comments about funding, but we feel
18 that's -- that's just not an obligation to Agnico
19 Eagle. The participation funding is very important to
20 ensure we hear from all parties. So I think others
21 might be able to support the Baker Lake hunters and
22 trappers organizations so they can fulfill their
23 obligation, and so we have a better project with their
24 input. Thank you.

25 THE CHAIR: Baker Lake Hunters and
26 Trappers Organization.

1 Comments by the Baker Lake Hunters and Trappers
2 Organization

3 MR. BERNAUER: Thank you, Madam Chair.
4 Warren Bernauer for the Baker Lake Hunters and
5 Trappers.

6 Thank you for your comments, Jamie, and your
7 clarifications. Maybe I'll just clarify some -- a
8 couple of your clarifications, and I think the TAG
9 terms of reference is a really great example. When
10 those were developed, I presume you had your legal
11 counsel look over them, probably several lawyers on
12 your team had a glance at them before you signed.

13 I presume the Government of Nunavut had a lawyer
14 look at them before you signed that document as well.

15 And probably the Kivalliq Inuit Association's
16 lawyer looked at it too.

17 The HTO doesn't have a lawyer. It really --
18 they're at a disadvantage when it comes to
19 participating in these matters. And this isn't about
20 finger pointing at Agnico Eagle. It's just about being
21 realistic about how much say the HTO really has in
22 these committees that they sit on. Thank you.

23 THE CHAIR: Agnico Eagle.

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

26 Thank you for your comment.

1 THE CHAIR: NIRB staff.

2 Nunavut Impact Review Board Staff Questions the Baker
3 Lake Hunters and Trappers Organization

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

6 And I'm still chuckling at the thought of having
7 the advantage of all these lawyers, if it's an
8 advantage at all sometimes. Sorry. I'm still getting
9 it in here.

10 But, first, I would like to recognize the --
11 Agnico Eagle raised this, but the funding support made
12 available by Crown-Indigenous Relations and Northern
13 Affairs Canada through their new participant funding
14 program, and I recognize that that helped support the
15 hunters and trappers intervention in this process.

16 Our board, I know, really appreciates having the
17 opportunity to hear the perspectives of hunters and
18 trappers organizations directly in our assessments as
19 it -- as it lends a lot of information about the local
20 knowledge and experience working with these
21 developments.

22 So my first question is: Following approval of
23 the Meadowbank gold mine and the Whale Tail Pit gold
24 mine, was any additional funding support provided to
25 the Hunters and Trappers Organization by government in
26 acknowledgement of your organization's role in

1 monitoring and management of these approved projects?

2 MR. BERNAUER: Thank you. Oh, sorry.

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

5 MR. BERNAUER: Thank you. Warren Bernauer
6 for the Baker Lake Hunters and Trappers Organization.

7 As far as we know, no.

8 THE CHAIR: NIRB staff.

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

11 Thank you for that response. So my next question,
12 my final question: Can you be more specific? What
13 specifically do you feel is required to ensure that the
14 Hunters and Trappers Organization has sufficient
15 capacity to fulfill all that's being asked of it,
16 specifically, the coordination and management functions
17 that are being requested of it for the approved Whale
18 Tail Pit and Meadowbank projects as well as for this
19 proposed amendment, if you have any thoughts of that
20 that you can share?

21 THE CHAIR: Baker Lake Hunters and
22 Trappers.

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

26 I think at minimum to really meaningfully do

1 what's being expected of it, the Hunters and Trappers
2 Organization would need two additional employees. They
3 would need technical staff to facilitate participation
4 in the terrestrial advisory groups, monitoring, the
5 very likelihood that this will be re-assessed, and
6 we'll be sitting around this table again in four years.
7 Hopefully, the life of the mine will increase.

8 And, also, staff to have a presence on the
9 Meadowbank road and to encourage responsible hunting in
10 accordance with Inuit traditional values and rules, at
11 minimum.

12 THE CHAIR: NIRB Board.

13 Nunavut Impact Review Board Questions the Baker Lake
14 Hunters and Trappers Organization

15 MR. ALIKUT: Thank you, Madam Chair. Guy
16 Alikut, NIRB Board member.

17 My question is with regards to the word "convoy".
18 Half -- when half the herd is -- is -- is off the road,
19 now, will the convoy begin to move towards or away
20 from -- from the mine site? That's my first question.

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

23 MR. BERNAUER: Thank you very much. Warren
24 Bernauer from the Baker Lake Hunters and Trappers
25 Organization.

26 I think Agnico Eagle would probably be in a better

1 position to answer those specifics about how their
2 convoys are operating, if I understood your question
3 correctly. I apologize if I didn't.

4 THE CHAIR: Guy.

5 MR. ALIKUT: Yes. Thank you.

6 After the caribou -- that caribous are passing
7 through, and they're -- what does that mean? Half of
8 the caribou herd has not passed through that trail. Is
9 that what you mean? What's "convoy" mean?

10 THE CHAIR: Agnico Eagle.

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

13 When we use the term "convoy", we have our lead
14 vehicle to advance the other vehicles within the convoy
15 at a reduced speed along the haul road, and the lead
16 vehicle would be observing for caribou, and if caribou
17 are close to the road, on the road, they would stop the
18 convoy and allow the caribou to cross, and then the
19 convoy would continue.

20 This is based on information from collar
21 information but, also, from the monitoring that's
22 happening along the road related to height-to-land
23 surveys and monitoring from -- from certain areas along
24 the road.

25 But the convoy will be made up of -- of some
26 vehicles related to -- as per our -- Manon provided

1 some additional information this morning on the type of
2 vehicles that would be related to some employees in a
3 bus, some food, some essential parts, emulsion, and
4 other items like that.

5 So maybe three or four vehicles; maybe nine
6 vehicles within a convoy. It would be basically bumper
7 to bumper, minimal space between the vehicles. They
8 would have communication within all the vehicles, and
9 the vehicles will slowly travel along the haul road
10 with the lead vehicle monitoring the situation related
11 to caribou and other activities during that time.
12 Hopefully, that provides additional context for -- for
13 a convoy.

14 THE CHAIR: Guy.

15 MR. ALIKUT: Thank you. The HTO, would HTO
16 be over there? If you had more funding, would they --
17 are you saying that -- would HTO be over there?
18 Because you have no such resources and funding that you
19 don't have anyone staying over there; right? Is that
20 what I understood? Thank you.

21 THE CHAIR: Baker Lake HTO.

22 MR. BERNAUER: Warren Bernauer for the Baker
23 Lake Hunters and Trappers Organization.

24 At this time, the Hunters and Trappers
25 Organization does have a monitor between the Meadowbank
26 and Whale Tail sites. So we do have somebody there to

1 monitor their convoys. Our major concern is that we
2 don't have anybody between Baker Lake and Meadowbank,
3 the older road, and that's the road where Inuit hunt,
4 where that needs to be managed.

5 And it remains a regularly used road that produces
6 noise and dust, and according to information that's
7 been shared to the terrestrial advisory group, it
8 appears that that road is still deflecting and delaying
9 caribou migrations. So our big concern is getting
10 somebody on that Meadowbank to Baker Lake road.

11 THE CHAIR: Phillip.

12 MR. KADLUN: Good morning, Madam Chair.

13 Phillip Kadlun.

14 A couple of areas of clarification. Firstly,
15 yesterday, we heard Agnico Eagle failed to -- ceased
16 operation on the road, and my question to the HTO is
17 whether there are ongoing dialogue to address those
18 kinds of issues in terms of how you might better --
19 better monitor the caribou movement on the road on
20 their migration routes.

21 And, secondly, I'm wondering if whether Baker Lake
22 hunters and trappers are -- have worked together with
23 the local wildlife office because they do have
24 responsibility about hunting on the road themselves.
25 I'm wondering whether they can work together, address
26 what the hunters might not know regarding hunting on

1 the roads.

2 (OTHER LANGUAGE SPOKEN), Madam Chair.

3 THE CHAIR: Baker Lake HTO.

4 MR. BERNAUER: Thank you, Madam Chair.

5 Warren Bernauer for the Baker Lake Hunters and Trappers
6 Organization.

7 The Hunters and Trappers Organization certainly
8 hopes that our ongoing dialogue with Agnico Eagle can
9 help address issues with road closures and ensuring
10 that the road is closed in a timely manner so the lead
11 group of caribou doesn't get disturbed.

12 As to your second question -- yeah. Like, the
13 wildlife officers are involved during road closures,
14 and they do help with monitoring, and they maintain a
15 presence there, and they do encourage responsible
16 hunting.

17 That said, I think we need to do more research to
18 look into ways to do this more effectively, and that's
19 one of the things that we just don't have the funding
20 and capacity to do right now. Given the concerns that
21 we've been hearing from Elders at our workshops, more
22 needs to be done to encourage hunters to follow
23 traditional rules and values. Thank you.

24 MR. KADLUN: Madam Chair, Phillip Kadlun,
25 Nunavut Impact Review Board.

26 That's all I have.

1 THE CHAIR: Thank you for your
2 presentation.

3 Moving on to the next presenter on the agenda.
4 We're going to move the Government of Nunavut down, and
5 we'll start with (OTHER LANGUAGE SPOKEN).

6 Legal counsel.

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

10 If I can have the witnesses state and spell their
11 names for the record, please.

12 MR. DEWAR: Matna, Madam Chair. Spencer
13 Dewar, S-P-E-N-C-E-R D-E-W-A-R.

14 MR. NGWA: Thank you, Madam Chair.
15 Felexce Ngwa, F-E-L-E-X-C-E N-G-W-A.

16 MS. MEADOWS: Thank you.

17 Do the witnesses wish to be sworn or affirmed?

18 MR. NGWA: Sworn.

19 MR. DEWAR: Sworn.

20 SPENCER DEWAR, FELEXCE NGWA, Sworn

21 MS. MEADOWS: Thank you.

22 Mr. Dewar, it's my understanding that -- that
23 Crown-Indigenous Relations and Northern Affairs Canada
24 has updated their presentation materials to reflect the
25 most current discussions at this public hearing, and so
26 the presentation materials that were available and were

1 filed with the board previously have been updated.
2 There are some hard copies of the updated presentations
3 at the back. I will be distributing them here, and we
4 will be filing that as an exhibit in the public
5 hearing, but we also do not yet have the updated
6 interpretation or translations for this. And so the
7 translations will be provided to the board as soon as
8 they're available, perhaps during the public hearing,
9 if not, shortly thereafter. Is that correct?

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

12 That's correct. The board does have a copy of
13 the -- the presentation that we are going to deliver.
14 Do you have a hard copy for you to see, though? That's
15 correct?

16 MS. MEADOWS: Yes, Mr. Dewar. They will.
17 As soon as I've marked it as an exhibit, I will be
18 providing it to them. In addition, I also have the
19 previously filed presentation materials that I will be
20 marking as the exhibits, as well as the executive
21 summaries provided with respect to your technical
22 review comments, and I will be marking those as the
23 next exhibits in the public hearing.

24 Thank you, Madam Chair. Those are all my
25 procedural matters.

26 EXHIBIT 37 - Hard Copy PowerPoint

1 presentation of Crown-Indigenous Relations
2 and Northern Affairs Canada's on Agnico Eagle
3 Mine Limited's Whale Tail Pit Expansion
4 Project (English)
5 EXHIBIT 38 - Hard Copy PowerPoint
6 presentation of Crown-Indigenous Relations
7 and Northern Affairs Canada's on Agnico Eagle
8 Mine Limited's Whale Tail Pit Expansion
9 Project (Inuktitut)
10 EXHIBIT 39 - Hard Copy PowerPoint
11 presentation of Crown-Indigenous Relations
12 and Northern Affairs Canada's on Agnico Eagle
13 Mine Limited's Whale Tail Pit Expansion
14 Project (French)
15 EXHIBIT 40 - Hard Copy of Executive Summary
16 of Final Written Submission on Agnico Eagle
17 Mines Limited's Whale Tail Pit Expansion
18 Project (English)
19 EXHIBIT 41 - Hard Copy of Executive Summary
20 of Final Written Submission on Agnico Eagle
21 Mines Limited's Whale Tail Pit Expansion
22 Project (Inuktitut)
23 EXHIBIT 42 - Hard Copy of Executive Summary
24 of Final Written Submission on Agnico Eagle
25 Mines Limited's Whale Tail Pit Expansion
26 Project (French)

1 THE CHAIR: Thank you. You may proceed
2 with your presentation.
3 Presentation by Crown-Indigenous Relations and Northern
4 Affairs Canada

5 MR. DEWAR: Matna, Madam Chair.

6 Good morning. My name is Spencer Dewar. I'm the
7 director of resource management with the Nunavut
8 regional office of Crown-Indigenous Relations and
9 Northern Affairs Canada.

10 It's my pleasure to be with here -- with you here
11 today and present on the behalf of our department.

12 (OTHER LANGUAGE SPOKEN) Chair and all the board
13 members, along with your staff, for giving us this
14 opportunity to present here today. I would also like
15 to thank the fellow interveners, Agnico Eagle, the
16 community of Baker Lake for welcoming us, and our
17 fellow interveners for participating in this review.

18 I'll reintroduce those that are with me today from
19 the Crown-Indigenous and Northern Affairs staff. Sworn
20 in Felexce Ngwa, the manager of impact assessment; in
21 the audience, we have David Abernethy, regional
22 socioeconomic analyst; Saba Qazi, senior environmental
23 assessment specialist; Robert Tookoome, social policy
24 officer; Tony Brown, senior technical advisor with
25 Arcadis; Jennifer Walsh, senior environmental policy
26 analyst; and Simon Gruda-Dolbec, legal counsel with the

1 department of justice.

2 I would like to take a moment to touch on
3 Crown-Indigenous Relations and Northern Affairs
4 Canada's role in the board's review of the proposed
5 Whale Tail expansion project. The minister of
6 Crown-Indigenous Relations and Northern Affairs Canada
7 is a responsible minister in the review of the project,
8 and she, along with other responsible ministers, will
9 be making a decision on the proposed Whale Tail
10 expansion based on a recommendation from the board.

11 As an intervener during the environmental
12 assessment process, Crown-Indigenous Relations and
13 Northern Affairs Canada provides expert advice to the
14 board on environmental and socioeconomic topics that
15 fall within our mandate. If the proposed expansion is
16 authorized to proceed, Crown-Indigenous Relations and
17 Northern Affairs Canada will have to have a regulatory
18 role. We will also monitor the NIRB project
19 certificate and participate in the inspection and
20 enforcement of the water licence.

21 Today, Crown-Indigenous Relations and Northern
22 Affairs Canada has participated in every stage of the
23 review of the proposed Whale Tail expansion, including
24 attendance at the board-led scoping meetings and
25 community information sessions that were held in all
26 seven Kivalliq communities.

1 Today, we will be presenting our final comments
2 and recommendations submitted to the board in July
3 2019. There are a total of 11 concerns of which 6 are
4 completely resolved and require no follow-up. Two are
5 resolved with recommendations for the board's
6 consideration, and three are resolved for the purposes
7 of environmental assessment but will be reviewed in
8 more detail during the regulatory water licencing
9 phase.

10 The first resolved concern relates to the water
11 quality modeling. Specifically, Agnico Eagle did not
12 provide a comparative analysis of the potential water
13 quality impacts of the approved project compared to the
14 proposed expansion. This made it difficult to assess
15 the potential water quality impacts of the proposed
16 expansion. Upon request, Agnico Eagle provided the
17 information. The analysis supports Agnico Eagle's
18 conclusions that the proposed Whale Tail expansion is
19 not expected to result in significant environmental
20 impacts. CIRNAC is satisfied with the response and
21 considers this issue resolved.

22 Our next resolved concern relates to the effluent
23 mixing zone in the receiving water bodies, in
24 particular, Mammoth and Whale Tail Lake. Agnico Eagle
25 concluded the water quality impacts associated with the
26 proposed Whale Tail expansion would be similar to the

1 approved project. However, they did not specify the
2 size of the effluent mixing zone in the receiving water
3 bodies or the severity of the impacts within those
4 areas.

5 Without this information, Crown-Indigenous
6 Relations and Northern Affairs Canada was unable to
7 validate Agnico Eagle's conclusions. To address this
8 concern, Crown-Indigenous Relations and Northern
9 Affairs Canada asked Agnico Eagle to characterize the
10 size of the effluent mixing zone for all receiving
11 water bodies where contamination could exceed water
12 quality objectives as a result of both controlled and
13 uncontrolled discharges.

14 Agnico Eagle was also asked to identify potential
15 environmental impacts. Agnico Eagle has provided the
16 requested modelling revisions which support their
17 conclusions that the proposed expansion will not result
18 in significant and adverse impacts to the receiving
19 water bodies. CIRNAC is satisfied with the response
20 provided by Agnico Eagle and has no further comment.

21 The next resolved concern relates to the human
22 health and ecological risk assessment. The original
23 summary of the assessment indicated that chemical
24 exposures due to the proposed Whale Tail expansion
25 could result in elevated risks to humans and wildlife.
26 Given the incremental risks described in the summary,

1 Crown-Indigenous Relations and Northern Affairs Canada
2 requested and received a full copy of the report from
3 Agnico Eagle.

4 We have reviewed the full report and agree with
5 Agnico Eagle's conclusions that the proposed Whale Tail
6 expansion poses little risk of adverse effects on
7 people and wildlife in the area. Crown-Indigenous
8 Relations and Northern Affairs Canada is satisfied with
9 the responses and considers this issue resolved.

10 The next resolved concern relates to the impacts
11 of new water discharge and intake points. The proposed
12 Whale Tail expansion includes a number of substantive
13 changes to the water management strategy. Although
14 Agnico Eagle provided a general overview of these
15 changes, CIRNAC, Crown-Indigenous Relations and
16 Northern Affairs Canada, requested additional details.

17 In particular, Crown-Indigenous Relations and
18 Northern Affairs Canada asked Agnico Eagle to justify
19 all proposed changes to water intake and discharge
20 locations, including why the requirements have changed
21 since the approved project. We also requested Agnico
22 Eagle identify and describe the environmental impacts
23 associated with these changes.

24 Agnico Eagle addressed these requests through
25 their technical review submissions as well as
26 supplemental modeling associated with commitments made

1 at the technical sessions in Baker Lake in June of
2 2019. Crown-Indigenous Relations and Northern Affairs
3 Canada is satisfied with the responses and considers
4 these issues resolved.

5 The next concern relates to the -- relates to
6 community involvement. Crown-Indigenous Relations and
7 Northern Affairs Canada wanted clarification on how the
8 issues identified through Agnico Eagle's community
9 liaison system are monitored and reported.
10 Crown-Indigenous Relations and Northern Affairs Canada
11 and Agnico Eagle have discussed this concern and agree
12 that community involvement measures are adequately
13 captured in Agnico Eagle's socioeconomic management
14 plan for the Whale Tail Pit expansion project, which
15 was submitted with the addendum, as well as Agnico
16 Eagle's June 2019 Kivalliq project socioeconomic
17 monitoring program that was prepared pursuant to
18 condition -- Project Certificate Condition Number 46
19 for the existing Whale Tail site. Crown-Indigenous
20 Relations and Northern Affairs Canada is satisfied with
21 the approach taken by Agnico Eagle to encourage
22 community participation and considers this issue to be
23 resolved.

24 The next resolved concern relates to the
25 submission of a socioeconomic monitoring program. At
26 the time, it was unclear to Crown-Indigenous Relations

1 And Northern Affairs Canada if Agnico Eagle submitted a
2 socioeconomic monitoring program pursuant to Term and
3 Condition Number 46. Agnico Eagle confirmed the
4 socioeconomic program was submitted in June of 2019.
5 Crown-Indigenous Relations and Northern Affairs Canada
6 is satisfied with the response and considers this issue
7 resolved.

8 The next two concerns are considered resolved with
9 recommendations for the board's consideration. The
10 concern relates to the contamination of waste rock
11 cover with elevated acid rock drainage and metal
12 leeching potential. Agnico Eagle's water quality
13 predictions assume that waste rock covers for the mine
14 infrastructure will be exclusively of non-potential,
15 acid-generating material.

16 Crown-Indigenous Relations and Northern Affairs
17 Canada is concerned that this would be difficult to
18 achieve and recommended that Agnico Eagle assess the
19 water quality impacts associated with 1 percent
20 contamination with metal leeching material.

21 Agnico Eagle provided the requested assessment,
22 concluded that the 1 percent contamination would result
23 in minor increases of arsenic concentrations that would
24 remain below water quality objectives. While
25 Crown-Indigenous Relations and Northern Affairs Canada
26 acknowledges that the water quality predictions are not

1 expected to exceed water quality objectives, the water
2 quality predictions were limited to 30 years and did
3 not extend far enough into the future to determine
4 long-term water quality impacts.

5 The margin of error and conservatism associated
6 with the assessment was also uncertain. As this is
7 Crown-Indigenous Relations' and Northern Affairs
8 Canada's primary concern regarding the proposed Whale
9 Tail expansion, we are seeking assurances that efforts
10 are made to reduce this uncertainty surrounding the
11 waste rock storage facility design.

12 Therefore, in the interim reclamation and closure
13 plan, we are recommending that Agnico Eagle provide an
14 outline explaining the work and/or research that has
15 been done to minimize this uncertainty regarding the
16 long-term, post-closure water quality impacts due to
17 the waste rock storage facility.

18 In addition, if the project is to advance,
19 Crown-Indigenous Relations and Northern Affairs Canada
20 is open to discuss and collaborate with Agnico Eagle
21 and other interested parties, such as the Kivalliq
22 Inuit Association, to identify research opportunities
23 that could reduce the above-mentioned risk and
24 uncertainty.

25 The next concern relates to the inclusion of
26 socioeconomic considerations in Agnico Eagle's project

1 closure plan. It is important for stakeholders,
2 especially the community of Baker Lake, to prepare for
3 changes in employment, contracting, and business
4 opportunity before Meadowbank and the Whale Tail
5 project -- projects eventually close.

6 Crown-Indigenous Relations and Northern Affairs
7 Canada and Agnico Eagle have discussed the need for
8 continued socioeconomic closure planning, and we're
9 very close to an agreement. You almost had the
10 pleasure of me reading a term and condition. However,
11 we'll have to pause that, but we do commit to putting
12 it on the record what the proposed term and condition
13 would be before the record closes.

14 The final three concerns are generally considered
15 resolved by Crown-Indigenous Relations and Northern
16 Affairs Canada at the environmental assessment stage
17 but will require follow-up during the regulatory phase,
18 particularly, the water licencing process.

19 The next concern in this category relates to
20 groundwater characterization. Crown-Indigenous
21 Relations and Northern Affairs Canada concluded that
22 there are gaps in knowledge about the groundwater
23 regime of both the proposed Whale Tail expansion and
24 the approved project.

25 Crown-Indigenous Relations and Northern Affairs
26 Canada was concerned that these knowledge gaps could

1 potentially lead to significant changes to the
2 predicted environmental impacts at the proposed
3 expansion site. Further discussions with Agnico Eagle
4 during the technical sessions in Baker Lake in June
5 2019, Crown-Indigenous Relations and Northern Affairs
6 Canada determined there's currently sufficient evidence
7 to support Agnico Eagle's conclusions, that the
8 groundwater pathway is unlikely to represent a
9 significant source of contaminant loadings under most
10 scenarios.

11 On this basis, Crown-Indigenous Relations and
12 Northern Affairs Canada concluded that further analysis
13 was no longer required for the purpose of environmental
14 assessment process.

15 However, additional effort will be required during
16 the water licencing process to validate environmental
17 quality predictions through all phases of the proposed
18 expansion. These mechanisms should include but are not
19 limited to water quality monitoring and management
20 plans.

21 The second concern relates to the margin of error
22 associated with water quality predictions. The water
23 quality monitoring was highly conservative, and as a
24 result, some of the predicted contaminant
25 concentrations into receiving water bodies exceeded
26 quality objectives.

1 In June 2019, Agnico Eagle provided
2 Crown-Indigenous Relations and Northern Affairs Canada
3 with advised -- with revised water quality predictions
4 that were prepared for the water licencing process.
5 The reduced conservatism used by Agnico Eagle in these
6 revisions was acceptable and resulted in significant
7 reduction in the predicted contaminated concentrations.

8 Crown-Indigenous Relations and Northern Affairs
9 Canada has concluded that further actions to address
10 these concerns are not needed at the environmental
11 assessment stage.

12 The last concern relates to revised management
13 plans. Crown-Indigenous Relations and Northern Affairs
14 Canada conducted detailed reviews of Agnico Eagle's
15 management plans for the approved project and
16 recommended changes to address potential environmental
17 impacts. We asked Agnico Eagle to provide a table
18 summary of if and how our comments were incorporated
19 into the revised submissions for the proposed Whale
20 Tail expansion.

21 Agnico Eagle requested that further evaluation of
22 the revised management plans be deferred into the water
23 licencing process and that the management plan
24 submitted to the board in December of 2018 should be
25 considered sufficient for the environmental assessment
26 process.

1 Crown-Indigenous Relations and Northern Affairs
2 Canada accepts Agnico Eagle's proposal and considers
3 this issue resolved for the purposes of the
4 environmental assessment process. However, we will
5 pursue the issues further during the water licencing
6 process.

7 To conclude, Crown-Indigenous Relations and
8 Northern Affairs Canada conducted a review of the
9 environmental impact statement addendum that fall
10 within our mandate and found the analysis and
11 presentation of the material to be adequate.

12 In our final written submission, we identified
13 11 concerns pertaining to the assessment of the
14 biophysical and socioeconomic aspects of the proposed
15 Whale Tail expansion.

16 Agnico Eagle's responses and commitments have
17 addressed our concerns for the environmental assessment
18 process. However, there is follow-up on certain
19 concerns that will be done during the regulatory phase
20 and the water licencing process. If expansion is -- if
21 the expansion is approved, Crown-Indigenous Relations
22 and Northern Affairs Canada will continue to review and
23 provide input on updated plans throughout the
24 regulatory process to help minimize potential impacts
25 on the people and the environment.

26 In closing, Crown-Indigenous Relations and

1 Northern Affairs Canada appreciates the opportunity to
2 participate in this review, and we are looking forward
3 to working with all parties involved throughout any
4 remaining review. Thank you. (OTHER LANGUAGE SPOKEN)

5 THE CHAIR: Questions to CIRNAC.

6 MR. MANZO: Luis Manzo, Kivalliq Inuit
7 Association. Thank you, Madam Chair.

8 No questions at this time.

9 THE CHAIR: Baker Lake Hunters and
10 Trappers Organization.

11 MR. BERNAUER: Warren Bernauer for the Baker
12 Lake Hunters and Trappers Organization.

13 No questions at this time. Thank you.

14 THE CHAIR: Government of Nunavut.

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

17 We have no questions.

18 THE CHAIR: Environment Canada.

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

21 We have no questions.

22 THE CHAIR: Fisheries and Oceans Canada.

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

25 We have no questions, and thank you for the
26 presentation.

1 THE CHAIR: Health Canada.

2 MR. PARTRIDGE: Thank you, Madam Chair. Paul
3 Partridge for Health Canada.

4 We have no questions. Thank you.

5 THE CHAIR: NRCan.

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

8 No questions.

9 THE CHAIR: Agnico Eagle.
10 Comments by Agnico Eagle Mines Limited

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

13 Just -- just one point of clarification. Final
14 Comment Number 6 on the old slide deck was Slide
15 Number 18. I just missed the slide number on the
16 revised deck.

17 Just a comment regarding the water quality
18 monitoring and management plans. With the approved
19 Whale Tail project, we do have approved management
20 plans, approximately 21 plans with the Nunavut water
21 board, and we do have approved water quality monitoring
22 and a management plan that we are using right now with
23 the approval -- with the approved Whale Tail project.
24 So I just wanted to provide that clarification. Thank
25 you.

26 THE CHAIR: CIRNAC.

1 MR. DEWAR: Matna, Chair. Spencer Dewar,
2 Crown-Indigenous Relations and Northern Affairs Canada.

3 We -- we agree with that statement.

4 THE CHAIR: NIRB staff.

5 Nunavut Impact Review Board Staff Questions

6 Crown-Indigenous Relations and Northern Affairs Canada

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

9 We do have a couple of quick questions. The
10 first -- I think this was on your slide, but it would
11 be helpful if you clarified. Can you confirm that
12 Crown-Indigenous Relations and Northern Affairs Canada
13 also has a role in enforcing the application of the
14 terms and conditions of Nunavut Impact Review Board,
15 Project Certificate Number 008, for the approved Whale
16 Tail Pit project?

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

19 Yes. We do have inspection and -- and enforcement
20 responsibilities under the Nunavut Planning Project
21 Assessment Act, and that includes the project
22 certificates issued by the Nunavut Impact Review Board.

23 THE CHAIR: NIRB staff.

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

26 Thank you, Spencer, for that. We recognize that

1 your minister, as you mentioned, is a responsible
2 minister for this proposal. In approving major
3 development projects to proceed with terms and
4 conditions that include monitoring and management
5 responsibilities for local hunters and trappers
6 organizations, what mechanism does Crown-Indigenous
7 Relations and Northern Affairs Canada use for, then,
8 ensuring that these hunters and trappers organizations
9 are provided with adequate funding to fulfill their
10 assigned duties?

11 THE CHAIR: CIRNAC.

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

15 Thank you for the question, Ryan. I would -- I
16 would have to take that question under deferment to
17 provide specifics. I do know that, you know, other
18 sections of our minister's responsibility do provide
19 funding for various organizations, whether it be
20 institutions of public government, money for the
21 Nunavut wildlife management board, which I do
22 understand does go to hunters and trappers
23 organizations. So to provide specifics, I would need
24 to consult with members of our department. So I'll --
25 I'll -- I'll defer that and provide you some specifics.

26 THE CHAIR: NIRB staff.

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

3 Thank you, Spencer. We'll -- we'll note that.
4 And, perhaps, when you bring back your deferred
5 response, if you could also look at any concrete
6 examples where this has occurred where a project has
7 been assessed and approved with conditions that assign
8 responsibilities for hunters and trappers
9 organizations, that that, then, was considered in
10 increases in funding for hunters and trappers
11 organizations with those responsibilities.

12 Example that springs to mind, for our assessments
13 relates to the Meliadine gold mine, for example. There
14 might be something to look at there.

15 So, Madam Chair, my -- my final question is on
16 the -- another topic.

17 Can you clarify whether your department's
18 consideration of the assessment provided by Agnico
19 Eagle related to the potential impacts of acid rock
20 drainage and metal leeching, considered the potential
21 for impacts to plants and wildlife and associated
22 potential uptake of contaminants through harvesting of
23 these species?

24 THE CHAIR: CIRNAC.

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

1 Canada.

2 Our assessment is -- particularly focuses on the
3 aquatic as a pathway. We -- we -- we don't focus on
4 the terrestrial or the floor of fauna of the acid rock
5 drainage.

6 THE CHAIR: NIRB staff.

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

9 Thank you. We have no further questions.

10 THE CHAIR: NIRB Board. Uriash.
11 Nunavut Impact Review Board Questions Agnico Eagle
12 Mines Limited

13 MR. PUQIQNAK: Thank you, Madam Chair. I am
14 Uriash Puqignak, NIRB Board staff. I'm a NIRB Board
15 member.

16 I had a question with water quality predictions
17 and that you had concerns with that -- that there may
18 be contaminants. That was a question that was brought
19 up, and I had already heard the answer. It would be
20 very dangerous should -- if there were to be
21 contaminants in the water, and the predictions -- and
22 that there may be contaminants going into the receiving
23 waters outside the entire -- there -- we saw many lakes
24 there. There were lakes that were close to and further
25 away from the -- the mine site. So have you had any --
26 do you have any idea how far the -- the plumes would go

1 from the NO2 and even how far contaminants would go
2 from the mine site? Do you -- do you have -- does
3 anyone know the predictions that were -- that were
4 made? Do you know how far these contaminants would go
5 into the environment into the receiving environment?

6 THE CHAIR: Thank you. CIRNAC.

7 MR. DEWAR: Matna, Madam Chair. Spencer
8 Dewar, Crown-Indigenous Relations and Northern Affairs
9 Canada.

10 That question may be better answered by Agnico
11 Eagle themselves as they have done the analysis, and we
12 have provided input on our, you know -- our expert
13 review of what they have put forward. So we could
14 defer it to Agnico Eagle to provide a response, if
15 that's acceptable.

16 THE CHAIR: Agnico Eagle.

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

19 We just need a couple minutes to just gather some
20 information.

21 THE CHAIR: Okay. It's almost 12:00, so
22 we'll defer that response. We'll break for lunch 'til
23 1:15, continue with the response from Agnico Eagle, and
24 move on to Environment and Climate Change Canada's
25 presentation.

26 _____

1 PROCEEDINGS ADJOURNED UNTIL 1:15 PM

2

3 (PROCEEDINGS COMMENCED AT 1:16 PM)

4 THE CHAIR: Good afternoon. We'll
5 reconvene. We had the deferred response from Agnico
6 Eagle.

7 Agnico Eagle.

8 Response to Deferred Questions by Agnico Eagle Mines
9 Limited

10 MR. GROLEAU: Thank you, Madam Chair.

11 Michel Groleau, Agnico Eagle.

12 So to answer your question for the water quality
13 and the mine contact water, is treated before it is
14 discharged to Mammoth or Whale Tail Lake. The treated
15 effluent is expected to meet guidelines and
16 site-specific water quality objective for protection of
17 aquatic life, as well as human and wildlife health
18 within an hundred [sic] metre of the discharge. So
19 this is approximately two times the length of the room
20 here. And this distance have been approved as part of
21 our approved project. So we already need to comply
22 with that distance. And no change is expected with the
23 expansion project.

24 Our assessment is in agreement with
25 Crown-Indigenous and Relation Northern Affair Canada
26 [sic] responses to the Final Comment Number 2, that

1 predicted effluent discharge will be sufficiently mixed
2 in the receiver lake and will not result in ecological
3 impacts.

4 Related to NO2 and dust, the mine infrastructure
5 are few kilometres wide. The property boundaries is
6 about 5 to 10 kilometres from the mine infrastructure.
7 So NO2 and dust generated at the mine is transported to
8 the property boundary, but concentration at that
9 location are already below the Nunavut Ambient Air
10 Quality Standard, which are protective of human health
11 and the environment.

12 The emission are carried by the wind for days and
13 week, but we couldn't distinguish from background
14 outside the 60 by 60 kilometres grid that we presented
15 below -- before. It take less than an hour to travel
16 to the edge of that grid.

17 Thank you for your question.

18 THE CHAIR: Okay. Moving on to the next
19 item on the agenda, a presentation from (OTHER LANGUAGE
20 SPOKEN) .

21 Legal counsel.

22 MS. MEADOWS: Thank you, Madam Chair. If I
23 can have the witnesses for Environment and Climate
24 Change Canada state and spell their name for the
25 record, please.

26 MS. PINTO: Melissa, M-E-L-I-S-S-A, Pinto,

1 P-I-N-T-O.

2 MR. ASHER: Brian Asher, B-R-I-A-N

3 A-S-H-E-R.

4 MS. MEADOWS: Thank you, Madam Chair.

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

7 Do the witnesses wish to be sworn or affirmed?

8 MS. PINTO: Affirmed, please.

9 MR. ASHER: Affirmed, please.

10 MELISSA PINTO, BRIAN ASHER, Affirmed

11 MS. MEADOWS: Thank you, Madam Chair.

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

14 Madam Chair, I have exhibits -- three exhibits to
15 file in this -- in advance of this presentation, being
16 the presentation of Environment and Climate Change
17 Canada in English and Inuktitut, both on one -- one
18 slide, and the executive summaries in English and
19 Inuktitut and English and French. And the third
20 exhibit is -- or fourth exhibit -- my apologies -- is
21 Environment and Climate Change Canada, it's my
22 understanding, will be providing some suggested text
23 for an air quality term or condition, and they have
24 circulated hard copies of that to other participants at
25 the table today. But I will be marking that as an
26 exhibit in this public hearing. And those are my

1 procedural matters, Madam Chair.

2 EXHIBIT 43(a) - Hard Copy PowerPoint
3 Presentation Environment and Climate Change
4 Canada's Presentation to the Nunavut Impact
5 Review Board Respecting the Whale Tail Pit
6 Expansion Project (English/Inuktitut)

7 EXHIBIT 43(b) - Hard Copy PowerPoint
8 Presentation Environment and Climate Change
9 Canada's Presentation to the Nunavut Impact
10 Review Board Respecting the Whale Tail Pit
11 Expansion Project (English/French)

12 EXHIBIT 44 - Hard Copy Executive Summary
13 Technical Review Comments of Environment and
14 Climate Change Canada (English/Inuktitut)

15 EXHIBIT 45 - Hard Copy Executive Summary
16 Technical Review Comments of Environment and
17 Climate Change Canada (English/French).

18 EXHIBIT 46 - Hard Copy Environment and
19 Climate Change Canada Suggested Text for Air
20 Quality Term and Condition (English)

21 THE CHAIR: Thank you.

22 You can proceed with your presentation.

23 Presentation by Environment and Climate Change Canada

24 MS. PINTO: Thank you.

25 Good afternoon, Madam Chair, Board members,

26 Elders, community members, board staff, and parties

1 that have joined us here today. My name is Melissa
2 Pinto, and I'm a senior environmental assessment
3 coordinator with Environment and Climate Change Canada.
4 With me today I have Brian Asher, our senior air
5 quality analyst.

6 In this presentation, we will summarize the
7 department's final written submission along with any
8 relevant discussions with the proponent since the
9 submission was submitted to the Nunavut Impact Review
10 Board on July 26th noting whether issues have been
11 resolved.

12 To start off, I will go through Environment and
13 Climate Change Canada's mandate and then briefly touch
14 upon the relevant acts and legislation. For each
15 topic, atmospheric, terrestrial, and aquatic
16 environments, we will have a slide on the status of
17 each of the department's concerns from the technical
18 review submission with outstanding concerns and
19 associated recommendations outlined in Environment and
20 Climate Change Canada's final written submission to
21 follow.

22 Under the Department of the Environment Act, the
23 powers, duties, and functions of the Minister of
24 Environment and Climate Change Canada extend to matters
25 such as the preservation and enhancement of the quality
26 of the natural environment, including water, air, and

1 soil quality, and the coordination of the relevant
2 policies and programs of the Government of Canada;
3 renewable resources, including migratory birds and
4 other nondomestic flora and fauna; meteorology; and the
5 enforcement of rules and regulations.

6 Environment and Climate Change Canada's mandate is
7 governed by the Department of the Environment Act, the
8 Canadian Environmental Protection Act, the pollution
9 prevention provisions of the Fisheries Act, the
10 Migratory Birds Convention Act, and the Species at Risk
11 Act.

12 For atmospheric environment, Environment and
13 Climate Change Canada currently has two unresolved
14 issues from the technical review, which have now been
15 combined into a single issue within the department's
16 final written submission. I will highlight a couple
17 commitments made by the proponent after the technical
18 meeting which address the department's concerns with
19 respect to dust fall sampling technique and road dust
20 mitigation and adaptive management.

21 For Technical Comment 3, dust fall sampling
22 technique, the proponent committed to dust fall
23 sampling at a sampling height of 2 metres.

24 For Technical Comment 5, road dust mitigation and
25 adaptive management, the proponent committed to revise
26 the air quality and dust fall monitoring plan and

1 include a summary of community concerns related to haul
2 road dust that will be included in the annual report,
3 report and evaluate community concerns surrounding the
4 haul road dust and the effectiveness of mitigation
5 strategies on an annual basis, and if these concerns
6 warrant additional measures, the proponent will
7 consider enhanced monitoring of haul road dust.

8 Both of these commitments will be implemented
9 after project certificate issuance should the project
10 be approved.

11 Technical Comment 1 and 2, Canadian Ambient Air
12 Quality Standards and sampling for nitrogen dioxide,
13 are currently unresolved. Environment and Climate
14 Change Canada affirms its position that the proposed
15 expansion project's predicted and monitored ambient
16 pollutant concentrations should be compared to the
17 Canadian Ambient Air Quality Standards.

18 The standards for nitrogen dioxide were introduced
19 in December 2017 after Environment and Climate Change
20 Canada's review of the approved Whale Tail project.
21 These standards are based on the most recent scientific
22 information on the effects of nitrogen dioxide on human
23 health and the environment. These standards are not
24 intended to be used as an enforceable standard at the
25 project perimeter. The department relies on the
26 comparison with the Canadian Ambient Air Quality

1 Standards in determining the nature and severity of the
2 project's impact on air quality levels and the
3 resulting monitoring and mitigation measures that may
4 be required to maintain good air quality levels.

5 The proponent has cited the proposed expansion
6 project's relative remoteness and distance from large
7 communities as a reason to not apply the Canadian
8 Ambient Air Quality Standards. These standards are
9 based on the principles of keeping clean areas clean
10 and continuous improvement and were developed in
11 consideration of both human health and the environment.
12 The lack of a nearby human population within the
13 estimated impact area of a project is not a reason to
14 discount use of these standards during environmental
15 assessment.

16 The proposed expansion project will result in
17 substantially increased diesel emissions, primarily due
18 to increases in power generation or hauling activity
19 and blasting, resulting in an 81 percent increase over
20 the approved project's emissions. Due to concerns
21 related to nitrogen dioxide pollution, a robust and
22 effective air quality management program which
23 incorporates continuous nitrogen dioxide monitoring
24 should be implemented.

25 A single passive nitrogen dioxide sampler as
26 proposed by the proponent would be inadequate for

1 informing mitigation and adaptive management decisions.

2 THE TRANSLATOR: She's going too fast.

3 MS. PINTO: These samplers have potential
4 problems with accuracy, particularly in cold climates.
5 This issue has not been addressed by the proponent. In
6 addition, data generated by the 30-day samplers cannot
7 be compared directly to the one-hour Canadian Ambient
8 Air Quality Standards or the one-hour Nunavut
9 standards.

10 Earlier in the hearing, the proponent was asked by
11 the Nunavut Impact Review Board about the feasibility
12 of conducting a study to compare continuous versus
13 passive monitoring techniques. In their response, the
14 proponent reiterated their statistical analysis of
15 other monitoring sites data, which they presented at
16 the technical meeting. To be clear, this was not a
17 study that compared passive versus continuous
18 monitoring co-located in the field. Instead, they
19 relied upon a conversion factor from the Ontario
20 modelling guideline.

21 Environment and Climate Change Canada disagrees
22 with the application of this factor for multiple
23 reasons which are outlined in our final submission. It
24 is the department's view that the proponent has not
25 provided adequate justification for not employing
26 continuous nitrogen dioxide monitoring.

1 The proponent has cited the technical difficulty
2 in establishing continuous nitrogen dioxide monitoring
3 at the mine site; however, this monitoring technology
4 has been demonstrated to be feasible at numerous other
5 sites, including remote research stations and other
6 mine sites in Nunavut.

7 Terms and conditions requiring continuous nitrogen
8 dioxide monitoring have been considered and accepted by
9 the Board for both the TMAC Hope Bay and Baffinland
10 Mary River mines.

11 Environment and Climate Change Canada recommends
12 that the proponent implement continuous monitoring of
13 nitrogen dioxide downwind of mining activities. This
14 monitoring should be incorporated into an adaptive
15 management strategy which identifies thresholds for
16 monitored ambient nitrogen dioxide concentrations and
17 associated mitigation measures to reduce nitrogen
18 dioxide emissions if necessary. These components of
19 the strategy should be outlined in the mine's air
20 quality and dust fall monitoring plan and reported
21 annually.

22 Environment and Climate Change Canada proposes the
23 following term and condition to address this issue.
24 The proponent shall update the air quality management
25 plan to include continuous nitrogen dioxide monitoring
26 for the purposes of comparing the monitoring results

1 with the levels predicted in the impact assessment and
2 relevant guidelines. The proponent shall also update
3 the air quality management plan to include an adaptive
4 management strategy which identifies thresholds for
5 monitored ambient nitrogen dioxide that will trigger
6 appropriate mitigation measures.

7 For terrestrial environment, all of the
8 outstanding issues from the technical meeting have been
9 resolved. Technical Comment 10 will be addressed in
10 the next slide, as it was included as an unresolved
11 issue at the time the department's final submission was
12 submitted to the Nunavut Impact Review Board.

13 For Technical Comment 11, displacement of
14 migratory birds, the proponent has revised the bird
15 displacement estimates for the expansion project.
16 Revised estimates increase the range in absolute value
17 of bird displacement but not magnitude, as magnitude is
18 based on the amount of habitat altered, which remains
19 unchanged. Environment and Climate Change Canada is of
20 the opinion that the revised displacement estimates are
21 more accurate and therefore reduce uncertainty related
22 to the impact assessment; therefore, the department
23 considers this issue resolved.

24 Technical Comment 10, exposure to contaminants has
25 been resolved.

26 Environment and Climate Change Canada provided

1 advice to the proponent to refine some of the
2 assumptions of the ecological risk assessment including
3 residency times and site-specific bird weights.

4 The proponent agreed to revise the ecological risk
5 assessment and considered ingestion of water, sediment,
6 and invertebrates at the tailings storage facility as a
7 pathway of contamination for all wildlife receptors, as
8 well as assess semipalmated sand piper contamination
9 risks for all pathways of contamination.

10 The proponent provided the updated risk assessment
11 to the department on August 6th. Environment and
12 Climate Change Canada is satisfied with the updated
13 analysis and notes that the results of the revised
14 ecological risk assessment may lead to a revision to
15 current mitigation practices and on-site monitoring.

16 For aquatic environment, Environment and Climate
17 Change Canada had two unresolved issues carried over
18 from the technical review and two issues that will be
19 carried to the regulatory or water licence phase. I
20 will highlight the discussions that occurred to resolve
21 these issues.

22 For Technical Comment 15, Schedule 2 listing and
23 water body use by fish, the mining and processing
24 division of Environment and Climate Change Canada met
25 with the proponent on June 27th to discuss the
26 Schedule 2 amendment for Lake A53 and the possibility

1 for other water bodies. The department confirmed that
2 Lake A53 will need to be listed on Schedule 2 of the
3 metal and diamond mining effluent regulations.

4 There are other water bodies affected by the
5 proposed expansion project which may also need to be
6 added to Schedule 2 if they are determined to be fish
7 frequented. Additional information submitted by the
8 proponent is currently being assessed to make that
9 determination. For purposes of the environmental
10 assessment, the department considers this concern
11 resolved.

12 For Technical Comment 17, water quality
13 predictions, the proponent provided a technical
14 memorandum outlining high-level analyses performed on
15 representative data sets from both Meadowbank and
16 Meliadine mines and rationalizing the use of
17 10 milligrams per litre of total suspended solids for
18 runoff from the waste rock storage facilities as an
19 assumption in the Whale Tail site and downstream water
20 quality model. The department accepts this assumption.

21 For Technical Comment 18, water quality prediction
22 scenarios, the proponent provided clarification
23 regarding water quality prediction scenarios. Any
24 further discussion on this topic will be deferred to
25 the water licencing process.

26 Technical Comment 16, alternative effluent

1 discharge locations, is currently resolved. In the
2 final written submission, Environment and Climate
3 Change Canada noted that the use of a previously
4 unaffected watershed as an additional discharge
5 location is not a preferred option for managing levels
6 of effluent-associated parameters. Any available
7 mitigation measures should be implemented in order to
8 limit aquatic effects of the project to Mammoth Lake
9 and Whale Tail Lake south basin, including source
10 control and treatment optimization.

11 The potential effects to Lakes D1 and D5 were not
12 evaluated for water quality, but some changes to water
13 quality in these lakes would be anticipated. As the
14 potential effects to Lakes D1 and D5 and the downstream
15 environment were not evaluated for aquatic effects,
16 including water quality, the potential magnitude of
17 change, spatial extent, and duration of any aquatic
18 effects are unknown.

19 There is a need for a clearly defined process to
20 quantify and evaluate potential aquatic effects to
21 Lakes D1 and D5 and the downstream environment, which
22 should be done well in advance of deciding whether to
23 use these proposed alternative discharge locations.

24 Environment and Climate Change Canada recommended
25 that the proponent prioritize source control and
26 treatment optimization for managing effluent quality

1 and quantity over the use of alternative effluent
2 discharge locations and describe how this will be
3 accomplished.

4 Environment and Climate Change Canada also
5 recommended that the Nunavut Impact Review Board
6 develop conditions to address the effects assessment
7 gap described, including terms that require the
8 proponent to provide a full evaluation of the potential
9 aquatic effects, including water quality to Lakes D1
10 and D5 and downstream that may result from the
11 discharge of treated effluent to alternative discharge
12 locations. This evaluation should be provided well in
13 advance of deciding whether to use these proposed
14 alternative discharge locations. Develop alternative
15 effluent management plans to be used in place of the
16 alternative effluent discharge locations in the event
17 that the predicted aquatic effects to Lakes D1 and D5
18 and downstream are not acceptable.

19 Environment and Climate Change Canada and the
20 proponent came to an agreement on the proposed wording
21 for the term and condition related to this issue and
22 agrees with the wording proposed by the proponent in
23 their response to final written submissions with an
24 addition to the first sentence which reads as follows:
25 (as read)

26 ... if the contingency to discharge treated

1 effluent to one or both of D1 and D5 lakes is
2 required based on the thresholds established
3 as per the Whale Tail Expansion Project water
4 management decision tree.

5 Technical Comment 19, model inputs in water balance in
6 climate change, has been resolved. In the final
7 written submission, the department noted that the
8 proponent should consider a range of projections from
9 different climate models for a range of plausible
10 emission scenarios and recommended that the proponent
11 clarify how the proposed waste rock storage facility
12 cover systems would perform long term under the full
13 range of plausible emission scenarios, including
14 representative Concentration Pathway 8.5 considering
15 the potential effects of climate change on temperature.

16 Environment and Climate Change Canada reviewed the
17 information provided by the proponent in their response
18 to final written submissions and is satisfied with the
19 climate change analysis conducted.

20 Thank you to the Nunavut Impact Review Board for
21 allowing us to present today. We welcome any
22 questions.

23 THE CHAIR: Questions to Environment
24 Canada, Kivalliq Inuit Association?

25 MR. MANZO: Thank you, Madam Chair. Luis
26 Manzo, Kivalliq Inuit Association. No questions.

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

3 MR. AKSAWNEE: Richard Aksawnee, Baker Lake
4 Hunters and Trappers Organization. We have no
5 questions.

6 THE CHAIR: Government of Nunavut.

7 MR. PINKSEN: Thank you, Madam Chair.
8 Steven Pinksen, Government of Nunavut. We have no
9 questions.

10 THE CHAIR: CIRNAC.

11 MR. DEWAR: Thank you, Madam Chair.
12 Spencer Dewar, Crown-Indigenous Relations and Northern
13 Affairs Canada. No questions.

14 THE CHAIR: Fisheries and Oceans Canada.

15 MR. D'AGUIAR: Thank you, Madam Chair. Mark
16 D'Aguiar with Fisheries and Oceans Canada. Thank you
17 for your presentation. We have no questions.

18 THE CHAIR: Health Canada.

19 MR. PARTRIDGE: Thank you, Madam Chair. Paul
20 Partridge from Health Canada. We have no questions.

21 THE CHAIR: NRCan.

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

24 THE CHAIR: Agnico Eagle Limited [sic].

25 Agnico Eagle Mines Limited Questions Environment and
26 Climate Change Canada

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

3 Just have a -- I think one question and a few
4 clarifications. So the -- the first question we have:
5 Do you agree with the model results indicating that the
6 expansion project remains compliant with the applicable
7 Nunavut Ambient Air Quality Standards at the project
8 boundary?

9 THE CHAIR: Environment Canada.

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

12 We do agree with the model results. We don't have
13 any outstanding issues with the model results. Thank
14 you.

15 THE CHAIR: Agnico Eagle.

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

18 Just a follow-up with that. We just ask: Do you
19 agree with the model results that are compliant to the
20 applicable Nunavut Ambient Air Quality Standards at the
21 project boundary? Thank you.

22 THE CHAIR: Environment Canada.

23 MR. ASHER: Brian Asher, Environment and
24 Climate Change Canada.

25 I think it's worth clarifying that our role as --
26 as Environment and Climate Change Canada is not to

1 assess compliance with air quality standards. We leave
2 that to other parties in terms of assessing compliant
3 [sic] with standards. Our input relating to the
4 Canadian Ambient Air Quality Standards has been clear
5 that we do not expect that the Canadian Ambient Air
6 Quality Standards -- sometimes called "CAAQS" -- are
7 not to be used as enforceable standards at the project
8 perimeter. Thank you.

9 THE CHAIR: Agnico Eagle.

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

12 As we presented with the results, just for
13 clarity, the results are below the Nunavut Ambient Air
14 Quality Standards at the project boundary. I just
15 wanted to clarify that.

16 Just with the continuous monitors, it also ties
17 into the -- the question related to the human health
18 ecological risk assessment. We did consider the
19 Canadian Ambient Air Quality Standards at Environment
20 Canada and Climate Change's [sic] request during the
21 assessment, but based on our risk assessment which we
22 presented earlier -- yesterday, the outcomes -- based
23 on those outcomes being very low, we did not carry that
24 forward. So it was considered, but as the results were
25 low, it was not carried forward.

26 Now, just tied into the monitoring piece, just for

1 clarification, like, we evaluated -- we looked at some
2 of the continuous monitors that are operating. And as
3 we mentioned some of the challenges yesterday to --
4 first of all, we don't agree that we should install one
5 based on our results with the -- we feel, more of an
6 applicable standard, being the Nunavut Ambient Air
7 Quality Standard. We evaluated the operational
8 effectiveness of these units in the north, as we do
9 have challenges with power and other -- other things
10 that we mentioned yesterday.

11 But just as an example, there is one in Iqaluit,
12 so it has a larger population. It's -- it has schools
13 and hospitals, things like that, where there's one unit
14 running. But over a three-year period, the -- the data
15 that's produced from this unit is in the range of 33 to
16 44 percent. So it's not at 100 percent over three
17 years. It's providing the one-hour data in a range of
18 33 to 44 percent of the time. So I'm not too sure
19 about the effectiveness of the -- of the units, first
20 of all, and also the applicability of the Canadian
21 Air -- Air -- Ambient Air Quality Standard related to
22 our project where we are complying with the Nunavut
23 Ambient Air Quality Standard as we have demonstrated in
24 our models.

25 And, finally, at break or after today's session,
26 if anyone's interested about -- or interested about the

1 type of monitors, we do have -- we call them "pucks"
2 and the dust fall monitor canisters. They're at the
3 table at the back of the room by the 3D model, and
4 we'll have someone there to explain those two units.
5 Thank you.

6 THE CHAIR: Environment Canada and Climate
7 Change.

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

10 We have no further questions or response to Agnico
11 Eagle at this time. We will confer the questions by
12 other parties. Thank you.

13 THE CHAIR: Agnico Eagle, any more
14 questions?

15 NIRB staff.

16 Nunavut Impact Review Board Staff Questions Environment
17 and Climate Change Canada

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

20 Thank you again for your -- your presentation. I
21 do want to get into this issue a little bit more --
22 everyone's favourite -- of passive versus continuous
23 monitoring. You referenced -- and I appreciate you
24 referenced to the approved Mary River iron mine and the
25 Doris North mine as well as having continuous
26 monitoring programs. For the benefit of the Board, can

1 you maybe elaborate on what Environment and Climate
2 Change Canada would see as the advantage of -- of those
3 type of continuous systems versus the passive system
4 that we've been describing, just for context?

5 THE CHAIR: Environment Canada and Climate
6 Change.

7 MR. ASHER: Thank you, Madam Chair.
8 Thanks for the question.

9 There are -- we outlined a lot of these
10 differences between continuous and passive in our
11 written submissions, so -- but I can explain, and I
12 think it would be helpful to everybody.

13 There are a couple main weaknesses related to the
14 passive samplers. The main -- one of the main problems
15 in terms of their limitations on the applicability of
16 monitoring air or their -- their limitations in
17 monitoring air is that the -- as Jamie mentioned, they
18 are pucks. There's no active mechanism in terms of
19 pulling air into the puck. It's a puck that has a
20 sample medium inside of it. And that sample medium
21 absorbs NO₂. And -- and the way that they're used is
22 you -- you put them out and you leave them for 30 days
23 and then you collect them and you send them to a lab.
24 And the lab knows that there's a -- a rate of how much
25 you sample -- how much air or how -- the -- the --
26 the -- the lab knows the relationship between the

1 concentration on the puck and the concentration in the
2 air.

3 A big problem with that is that what you get is a
4 single data point which is effectively the average NO2
5 concentration over a 30-day period. The standards that
6 we're very much interested in, both for the Government
7 of Nunavut and the Canadian Ambient Air Quality
8 Standards, that is the -- there's the Nunavut Ambient
9 Air Quality Standards and the Canadian Ambient Air
10 Quality Standards. They have one-hour values, one-hour
11 metrics. So that, effectively, is: What is the
12 concentration of nitrogen dioxide averaged over a
13 one-hour period?

14 Near pollution sources, especially near mines,
15 concentrations of NO2 vary significantly, and -- and
16 you have circumstances where there are periods of time
17 where concentrations are very high, and then they'll
18 drop off. And that varies due to multiple factors,
19 time of day, sunlight, but, very importantly, the
20 amount -- the emissions.

21 The -- what you get if you're sampling over
22 30 days is effectively you're missing all of those
23 peaks, and those peaks are important in terms of their
24 impact -- health impact. So that's -- effectively,
25 you're just missing the high concentrations, and that's
26 a problem with the passives.

1 A second problem with the passives is that they
2 have not been adequately assessed for the field
3 conditions in which they are used. Those field
4 conditions around here in the winter, as you know, can
5 get average temperatures of about 35 degrees Celsius
6 below zero. And, of course, temperatures can drop
7 below that.

8 I looked into the specific passive sampler that
9 the proponent has been employing, and, unfortunately,
10 the sampler itself -- and the sample medium is a
11 proprietary medium, so we don't know what's in it. But
12 that's okay, as long as there is adequate data that
13 validates that these samplers are useful at minus 35 or
14 below. There isn't adequate field validation for these
15 samplers.

16 I realize I have not said my name at the top of
17 this, so I'll say now it's Brian Asher, Environment and
18 Climate Change Canada. Thank you.

19 THE CHAIR: NIRB staff.

20 MR. BARRY: Thank you, Madam Chair. Ryan
21 Barry, Nunavut Impact Review Board staff. And thank
22 you, Brian, for that response.

23 Maybe just -- I realize we're going to hear from
24 Health Canada next as well, and you referenced -- I
25 think this is in your -- in your response, Brian, but
26 can you speak to what -- what are the environmental

1 consequences of concern regarding nitrous dioxide,
2 this -- these emissions that we're talking about?
3 Again, very broadly, we've heard a lot of
4 back-and-forth about why it's important to monitor and
5 what the best monitoring method is, but could you
6 explain in a high level why it's important to monitor
7 nitrous dioxide?

8 THE CHAIR: Environment and Climate
9 Change.

10 MR. ASHER: Thank you. Brian Asher,
11 Environment and Climate Change Canada.

12 There are a number of consequences related to
13 nitrogen dioxide pollution. I won't go into the
14 details on the health aspects because I'll leave that
15 to my colleague at Health Canada. But suffice to say,
16 there are health impacts related to exposure to
17 nitrogen -- nitrogen dioxide. There are also
18 environmental impacts. NO₂ -- this has been assessed
19 by the proponent in terms of acid deposition. We're
20 not immediately concerned with the potential for acid
21 deposition, but excessive NO₂ pollution can contribute
22 also to acid deposition concerns.

23 NO₂, like any pollutant, has the potential to
24 affect people, as well as wildlife. And so there --
25 our overall -- overarching idea is that the proponent
26 assessed specific receptors around the mine site, and

1 they've identified that they don't expect that the
2 receptors -- people -- are going to be close enough to
3 the mine site to adequately be affected or to be
4 affected adversely.

5 Our position is that the mine site -- prior to the
6 introduction of the mine site, the air was clean.
7 There was no major sources of NO2. Now, with the
8 introduction of the mine, there are very substantial
9 emissions of NO2. And the principles that Environment
10 and Climate Change Canada operates in terms of the --
11 how we -- we wish for air quality and air resources to
12 be managed is the -- as Melissa had mentioned, keeping
13 clean areas clean and continuous improvement. So we
14 have an area of land where people should have a right
15 to be, and maybe they're not there right now, but that
16 air is now -- has diminished air quality. And in our
17 view, it's a reasonable outcome to have NO2
18 monitoring -- effective NO2 monitoring to have an idea
19 of how much pollution you're really generating from
20 this mine. Thank you.

21 THE CHAIR: NIRB staff.

22 MR. BARRY: Thank you, Madam Chair. I
23 think the proponent, Agnico Eagle, is hoping to
24 interject as well if you would like to give them the
25 floor.

26 THE CHAIR: Agnico Eagle.

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

3 I just wanted to -- just picked up on a few things
4 that was mentioned by Environment Canada about the
5 applicability of the Canadian Ambient Air Quality
6 Standard.

7 Based on our review of the standard and our --
8 also our review of other public documents for other
9 environmental assessments that has occurred in Canada,
10 the Canadian Ambient Air Quality Standard is not
11 applicable to individual facilities. It's regionally
12 based. Now, it deals with air sheds and air zones, and
13 the air shed for this area is northern Canada, and the
14 air zone is the territory -- is -- is Nunavut. Other
15 locations in the country -- let's say British Columbia,
16 for example -- it may be broken down into little
17 slivers, different air zones. So I just wanted to
18 provide that clarity.

19 And also dealing with the other operators -- let's
20 say Doris -- I -- our understanding is to be
21 implemented. It's not operational. So I just wanted
22 to provide that additional clarity related to
23 Environment Canada and Climate Change response to Ryan.
24 Thank you.

25 THE CHAIR: NIRB staff.

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

1 Barry, Nunavut Impact Review Board staff.

2 Thank you for the clarification and the further
3 explanations. We have no further questions.

4 Madam Chair, I apologize. Legal counsel has
5 pointed out one matter we do wish to raise just before
6 we end this topic.

7 THE CHAIR: Legal counsel.

8 MS. MEADOWS: Thank you, Madam Chair.

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

11 Madam Chair, we just noted that the presentation
12 that was actually spoken to differs slightly from the
13 one that has been marked as the exhibit. I see that
14 there were a couple of updated slides. So just for the
15 record, I wanted to make it clear that the version that
16 has been marked as the exhibit differs slightly in
17 terms of the unresolved and resolved issues, and it
18 contains a summary slide in the exhibit that was not
19 included in the -- in the one that was presented. So
20 if someone is following along in the transcript, they
21 may be a bit confused by the exhibit -- the differences
22 between the exhibit and the -- the presentation that
23 was presented.

24 What we will do is we will put the updated
25 presentation as well marked as the subsequent exhibit
26 to this so that someone would be able to follow along

1 with the updated electronic version of the exhibit as
2 we saw it presented. So thank you, Madam Chair.

3 EXHIBIT 47 - Updated Electronic Copy of
4 Exhibit Number 43 PowerPoint Presentation
5 Environment and Climate Change Canada's
6 Presentation to the Nunavut Impact Review
7 Board Respecting the Whale Tail Pit Expansion
8 Project (English/Inuktitut)
9 Nunavut Impact Review Board Questions Environment and
10 Climate Change Canada

11 THE CHAIR: Thank you.

12 Questions to -- Guy, from the Board.

13 MR. ALIKUT: Thank you. Board member for
14 NIRB.

15 I have a question to Environment Canada. When you
16 said there could be -- we could be facing danger and
17 there's no time that we -- we won't know until -- I
18 would like to get a clarification on is it not so big
19 that we cannot -- you cannot be more concerned? We
20 know that there can be -- we could face -- like,
21 because these are not running all the time. How is it
22 that -- what -- you didn't know -- how are we going to
23 know with Nunavut? Like, is it going to be just going
24 ahead? Or I'd like to get a clarification on that.
25 How safe and how unsafe are we? Maybe it's not so
26 unsafe. Maybe -- we -- are you saying that Agnico can

1 go ahead and do whatever they want because they --
2 we -- it feels like we are not [sic] in danger on this
3 issue. Thank you.

4 THE CHAIR: Environment Canada.

5 MR. ASHER: Brian Asher, Environment and
6 Climate Change Canada. Thank you, Madam Chair, and
7 thank you for the question.

8 I want to clarify -- maybe ask you a follow-up
9 just to find out precisely what you're asking. Are you
10 wondering what would be the implications if we do not
11 do the continuous monitoring for NO2?

12 MR. ALIKUT: Thank you. Guy Alikut.

13 Yes, that is a question I'm raising. And you
14 mentioned earlier there might be some danger that --
15 because we might not know because you only do some -- a
16 few assessments or -- that's how I understand it.
17 Thank you, Ms. -- Ms. Chair -- Madam Chair.

18 THE CHAIR: Environment Canada.

19 MR. ASHER: Brian Asher, Environment and
20 Climate Change Canada. Thank you, Madam Chair. Thank
21 you for the clarification.

22 Regarding the impact of NO2, it is understood that
23 NO2 -- and I won't go into too much detail because this
24 is my colleague Paul's territory, but it's -- it's
25 understood that NO2 is a non-threshold contaminant,
26 meaning that there is no established safe level of NO2.

1 Any reduction that can be made for NO2 in terms of
2 exposure, if you can reduce it, you'll have a health
3 benefit.

4 We do have an idea of what the potential NO2
5 concentrations are going to be based on the proponent's
6 modelling. So it's not a total guess. We -- we have a
7 sense of what the concentrations will be. In
8 Environment and Climate Change Canada's view, it is
9 good practice to confirm those model predictions with
10 real measurements, and in our opinion, those real
11 measurements would be in the form of continuous NO2
12 monitoring because there has not been adequate
13 justification or there hasn't been adequate evidence to
14 show that the passive monitoring will be adequate in
15 terms of informing adaptive management and informing
16 the -- also it won't be able to be used effectively to
17 confirm the predictions that were made in the
18 modelling. So that's generally why we're asking for
19 the continuous monitoring. Thank you.

20 THE CHAIR: Phillip.

21 MR. KADLUN: Thank you. Phillip Kadlun.

22 The question I have is use of explosives, whether
23 it's an open pit and/or -- or underground. Have you
24 done any studies what kind of effect it would have on
25 the environment, meaning on the land and on the --
26 nearby lakes and -- and on human health? The reason I

1 use -- ask you about the underground part is because
2 there will be continuous air exchange in that they may
3 be blasting underground in that -- whatever -- whatever
4 is in the explosion will come out into the air from --
5 from the -- from the tunnel. And I'm wondering whether
6 there -- there are any studies done in terms of
7 cumulative effects around the vicinity of the mine, be
8 it on the open pit or on the -- on underground.

9 (OTHER LANGUAGE SPOKEN), Madam Chair.

10 THE CHAIR: So I'll flag those two
11 questions for Health Canada. If you can comment on
12 Guy's question and Phillip's question after your
13 presentation on the human health -- human health
14 impacts.

15 Environment and Climate Change Canada.

16 MR. ASHER: Brian Asher, Environment and
17 Climate Change Canada. Thank you, Madam Chair. Thank
18 you for the question.

19 The proponent did include blasting in their air
20 quality model as an input into the model. So in our
21 view, the -- the blasting was taken into account in
22 terms of impacts to air.

23 For clarity, blasting is a contributor to nitrogen
24 dioxide, but in our view, it has been adequately
25 included in the air quality model. Thank you.

26 THE CHAIR: Thank you. Moving on to the

1 next item on the agenda, presentation from Health
2 Canada.

3 Legal counsel.

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

7 If I can have the witness state and spell his name
8 for the record, please.

9 MR. PARTRIDGE: Paul Partridge, P-A-U-L
10 P-A-R-T-R-I-D-G-E.

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

14 Do you wish to be sworn or affirmed?

15 MR. PARTRIDGE: Affirmed.

16 PAUL PARTRIDGE, Affirmed

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

19 I have six additional exhibits to file in
20 association with this presentation, being the
21 presentation materials from Health Canada in English,
22 Inuktitut, and French, and also the summary of their
23 technical review comments as well in English,
24 Inuktitut, and French. And I propose to file those as
25 the next six exhibits in this public hearing, and those
26 are my procedural matters, Madam Chair.

1 EXHIBIT 48 - Hard Copy PowerPoint
2 Presentation Health Canada Presentation to
3 the NIRB for the Whale Tail Pit Expansion
4 Project (English)

5 EXHIBIT 49 - Hard Copy PowerPoint
6 Presentation Health Canada Presentation to
7 the NIRB for the Whale Tail Pit Expansion
8 Project (Inuktitut)

9 EXHIBIT 50 - Hard Copy PowerPoint
10 Presentation Health Canada Presentation to
11 the NIRB for the Whale Tail Pit Expansion
12 Project (French)

13 EXHIBIT 51 - Hard Copy Executive Summary of
14 Technical Review Comments Health Canada
15 (English)

16 EXHIBIT 52 - Hard Copy Executive Summary of
17 Technical Review Comments Health Canada
18 (Inuktitut)

19 EXHIBIT 53 - Hard Copy Executive Summary of
20 Technical Review Comments Health Canada
21 (French)

22 THE CHAIR: You may proceed with your
23 presentation.

24 Presentation by Health Canada

25 MR. PARTRIDGE: Health Canada, Paul Partridge.
26 Good afternoon, Madam Chair, members of the Board,

1 Elders, community members of Baker Lake and -- in the
2 audience, and all other hearing participants.

3 Thank you for the opportunity to present Health
4 Canada's view on the environmental assessment review of
5 the proposed Whale Tail Pit project or "WTPE". My name
6 is Paul Partridge. I am a regional environmental
7 assessment specialist for Health Canada. I will be
8 presenting information on the nature of Health Canada's
9 review and areas of expertise for this project.

10 To begin, here is an out -- here is the outline of
11 Health Canada's presentation today. I will be speaking
12 about the nature of Health Canada's review and areas of
13 knowledge, expertise, and limitations and Health
14 Canada's recommendations with regard to the WTPE
15 project. Specifically, these recommendations focus on
16 air quality health effects and contamination of
17 traditional foods.

18 Health Canada is responsible for helping Canadians
19 maintain and improve their health. One way this is
20 done is through participating in federal review
21 processes of major development and infrastructure
22 projects. Health Canada provides expertise and
23 knowledge of project propose -- sorry, proposed
24 projects' impacts to human health and makes
25 recommendations to reduce the risk from these projects.

26 In general, Health Canada provides comments on the

1 accuracy, scientific validity, and completeness of
2 conclusions concerning human health effects, the
3 suitability of actions that may be taken to help
4 mitigate the health impacts of the project, the
5 appropriateness of proposed follow-up action or
6 programs to help reduce risks to human health.

7 When reviewing environmental assessments, Health
8 Canada does not audit the proponent's models and
9 assumes that the modelling yields correct results. And
10 I'd like to emphasize that Health Canada does not make
11 any decisions or issue any licences, permits, or
12 authorizations in relation to the projects in the
13 environmental assessment context. Lastly, in the
14 environmental assessment context, Health Canada does
15 not offer comments on occupational health or on
16 socioeconomic impacts.

17 Throughout the environmental assessment of this
18 project, Health Canada reviewed all human health
19 relevant aspects of the addendum to the final
20 environmental impact statement or "FEIS", the
21 proponent's response to information requests and
22 technical comments. The items that we reviewed include
23 air quality, for which we considered potential
24 contaminants in ambient air from predicted
25 project-related impacts; traditional foods, for which
26 we considered potential contaminants in traditional

1 foods from predicted project-related impacts; noise,
2 for which we consider the effects of noise from
3 predicted project-related impacts; water quality, for
4 which we consider potential contamination of
5 recreational and drinking water quality from
6 project-related impacts. However, this presentation
7 and our written submission focuses only on air quality
8 and traditional foods, as Health Canada has noted that
9 outstanding concerns remain in these two specific
10 areas. Health Canada considered comments from the
11 Kivalliq Inuit Association, the Baker Lake Hunters and
12 Trappers Organization, the Government of Nunavut, the
13 communities and others to inform the department's
14 review -- I apologize for not advancing the slides --
15 to inform the department's review provided in our
16 written submission NIRB Document Number 326119 and
17 summarized in the slides that follow.

18 Everyone is exposed to air pollution. Air
19 pollution, even at low levels, has an impact on human
20 health. Science has clearly showed that air pollution
21 can lead to disease, lung and heart issues, and even
22 premature death. Health Canada reviewed the documents
23 provided by the proponent as well as comments by other
24 groups to examine risk of human health -- or to human
25 health from exposure to air pollutants using various
26 tools, guidelines, and standards.

1 Health Canada compares current air quality before
2 the project exists to predicted future air quality
3 conditions with the project and examines how
4 individuals or populations may be affected.

5 The Canadian Ambient Air Quality Standards or
6 "CAAQS" are health and environment based environmental
7 quality guidelines established under the Canadian
8 Environmental Protection Act of 1999, also known as
9 "CEPA". The CAAQS are a benchmark which the Government
10 of Canada and provincial and territorial governments
11 can use to inform risk management decisions, as well as
12 report on progress to reduce health in environmental
13 health effects or environmental effects of air
14 pollution. In 2020 and 2025, the new CAAQS for
15 short-term and long-term exposure to NO₂ will come into
16 effect. These were published in the Canadian Gazette
17 on December 9th, 2017.

18 Nitrogen dioxide or "NO₂" is a gas that is mainly
19 released from combustion sources such as diesel
20 engines. Health Canada considers NO₂ to be a
21 non-threshold, meaning that health effects may occur at
22 any level of exposure. Both short-term and long-term
23 exposure to NO₂ has been associated with respiratory
24 effects, including reduced lung function and the
25 development of asthma and allergic responses. Everyone
26 is at risk; however those with pre-existing respiratory

1 conditions such as children with asthma are more
2 sensitive to the effects of NO2 and other air
3 pollutants.

4 NO2 concentrations are expected to increase with
5 the proposed Whale Tail Pit expansion, and predicted
6 concentrations are likely to exceed the one-hour CAAQS
7 for NO2. In order to collect suitable NO2 measurements
8 including measurements for a one-hour average time that
9 can be evaluated against the CAAQS, continuous monitors
10 should be used, and Health Canada encourages the use of
11 continuous monitoring of air contaminants when
12 exceedances or near exceedances of the CAAQS are
13 predicted.

14 Health Canada has an issue with the proponent's
15 current approach of passive sampling for NO2. Health
16 Canada encourages the use of continuous monitoring for
17 air contaminants when exceedances or near exceedances
18 of the CAAQS are likely, as passive NO2 sampling only
19 allows for measurement of 24-hour or annual average
20 concentrations. Continuous measurement allows for
21 one-hour averaging to be evaluated against the CAAQS.

22 Polyaromatic [sic] hydrocarbons, "PAHs", and
23 petroleum hydrocarbons, "PHCs", were not considered in
24 the health risk assessment. The PAHs are fuel-like
25 substances naturally found in the environment, but they
26 are also released during combustion emissions such as

1 from engines, diesel generators, power generation, and
2 even campfires or barbecues. Many PAHs are
3 carcinogenic, meaning that, over time, human exposure
4 to PAHs can lead to cancer. People are typically
5 exposed to PAHs by breathing them in or by eating them
6 when they're on food such as foods charred over a
7 barbecue. PAHs and PHCs were not included as a
8 potential contaminant by the proponent for this
9 project.

10 Health Canada received information from the
11 proponent on August 23rd which further explains the
12 exclusion of PAHs and PHCs as a chemical of potential
13 concern in their health risk assessment. The Board's
14 consideration of Health Canada's recommendation 3.1-2
15 is no longer suggested.

16 Most effects from iron inhalation are hard to
17 separate from exposure to other chemicals, making it
18 difficult to isolate iron as a cause of adverse health
19 effects such as cancer. However, Ontario Ministry of
20 the Environment, Conservation and Parks has a
21 health-based standard of 4 micrograms per metre cubed.
22 Effects of iron inhalation on humans is currently
23 unknown. Health Canada is supportive of a
24 precautionary approach where individuals may be at
25 increased risk of iron inhalation. Health Canada is
26 satisfied with the proponent's August 9th response and

1 its consideration of health risks from iron and air.
2 The Board's consideration of Health Canada's
3 recommendation 3.1-2 is no longer suggested.

4 Traditional foods, also known as "country foods",
5 are considered to be food sourced outside of the
6 commercial food chain. This includes any food that is
7 trapped, fished, hunted, harvested, or grown for
8 subsistence or medicinal purposes.

9 Arsenic may increase in areas that are impacted by
10 the project such as in the environment surface water,
11 as well as in fish. However, there is uncertainty
12 about the potential for increased risk to human health
13 from arsenic in areas impacted by the project. Health
14 Canada suggests arsenic -- an arsenic monitoring
15 program should be implemented, and predicted arsenic
16 concentrations in fish are lower than the typical
17 arsenic concentrations available on the Canadian
18 market; however, the project may be a possible source
19 of inorganic arsenic, which is the toxic form of
20 arsenic and has the potential to increase levels in the
21 environment and in fish. If inorganic arsenic
22 concentrations in fish exceed those predicted by the
23 proponent -- that is, assuming 10 percent total arsenic
24 concentration is inorganic -- the potential impact to
25 human health may need to be reassessed.

26 Health Canada received information from the

1 proponent in their final written response August 9th,
2 as well as some additional information on August 23rd
3 which clarified how the project is currently monitoring
4 arsenic in the environment. Health Canada recommends
5 that the existing arsenic monitoring and surface water
6 and soil be used to ensure the predictions of arsenic
7 in the environment and in fish tissue are not
8 underestimated. If concentrations are higher than
9 predicted, then further analysis and mitigation may be
10 required. If fish in the area is frequently caught and
11 eaten or if fishing is expected to increase as a result
12 of the project, Health Canada also recommends
13 monitoring for inorganic arsenic in fish tissue to
14 confirm predictions because the nature of the project
15 may cause increases of inorganic arsenic.

16 Thank you. This concludes our presentation.

17 THE CHAIR: Questions to Health Canada
18 from KIA?

19 MR. MANZO: Luis Manzo, Kivalliq Inuit
20 Association. Thank you, Madam Chair. No questions.

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. No
25 Questions.

26 THE CHAIR: Government of Nunavut.

1 MR. PINKSEN: Thank you, Madam Chair. Steve
2 Pinksen, Government of Nunavut. We have no questions.

3 THE CHAIR: CIRNAC.

4 MR. DEWAR: Thank you, Madam Chair.
5 Spencer Dewar, Crown-Indigenous Relations and Northern
6 Affairs Canada. No questions.

7 THE CHAIR: Environment Canada.

8 MS. PINTO: Thank you, Madam Chair.
9 Melissa Pinto, Environment and Climate Change Canada.
10 We have no questions 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. Thank you
14 for your presentation. We have no questions.

15 THE CHAIR: NRCan.

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

18 THE CHAIR: Agnico Eagle.

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

21 We just need a couple of minutes to finalize a few
22 questions. I'm wondering if we could just have two to
23 three minutes?

24 THE CHAIR: Let's take a 15-minute break.

25 MR. QUESNEL: Okay. Thank you.

26 (ADJOURNMENT)

1 THE CHAIR: Let's continue. Questions for
2 Health Canada from Agnico Eagle.

3 Agnico Eagle Mines Limited Questions Health Canada

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

6 Just for some -- some clarification on, I think,
7 it's slide -- is it 11 -- on Slide 11 regarding the
8 petroleum hydrocarbons and -- all hydrocarbons, as we
9 provided additional information related to that, it is
10 our understanding that item is resolved. Is that
11 correct?

12 THE CHAIR: Health Canada.

13 MR. PARTRIDGE: Paul Partridge, Health Canada.

14 That is correct. Health Canada considers that to
15 be resolved.

16 THE CHAIR: Agnico Eagle.

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

19 Slide -- on Slide 15, I just wanted some
20 clarification just based on our discussion and the
21 information that was provided to Health Canada
22 regarding the environmental effects monitoring program
23 that we have established at the Whale Tail project
24 which would continue if we do receive approval for the
25 expansion project. But based on our discussion and the
26 review of that program and dealing with the fish

1 studies that would be completed as part of that
2 program, do you consider this item related to arsenic
3 result?

4 THE CHAIR: Health Canada.

5 MR. PARTRIDGE: Paul Partridge, Health Canada.

6 Yes. Based on our conversations and the
7 identification of fish tissue monitoring as part of the
8 aquatic effects monitoring plan looking at arsenic, as
9 long as that's occurring to confirm the results of --
10 of the model, then that -- that would be acceptable to
11 us, for sure. Thank you.

12 THE CHAIR: Agnico Eagle.

13 MS. KOWBEL: Just one moment, Madam Chair.

14 Thank you.

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

17 So just based on Health Canada's presentation -- a
18 question for Paul, just dealing with the issue of NO₂,
19 is this something that you would consider not a big
20 concern for hunters in the area? Would that be a
21 correct assumption?

22 THE CHAIR: Health Canada.

23 MR. PARTRIDGE: Paul Partridge from Health
24 Canada.

25 The information available related to NO₂ indicates
26 that there -- there are some potential health effects

1 that occur with various levels of exposure related to
2 things like a little shortness of breath or -- or
3 possibly asthma at certain levels.

4 With regards to this specific project and the
5 levels that have been projected, we were interested in
6 taking a look at monitoring to confirm levels for
7 things like one-hour exposure to ensure that any of
8 those risks are considered in any management decisions
9 for the project and that the -- the population as a
10 whole is -- is -- is in a better state.

11 The guidelines for the -- the CAAQS are set up as
12 a -- as a population-based guideline to try and improve
13 quality of -- of -- of things and reduce adverse
14 effects or potential adverse health risks. So I think
15 that -- that -- it -- if we can look at something like
16 that, then we would be able to -- yeah.

17 THE CHAIR: Agnico Eagle.

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

20 As the Whale Tail Pit project was approved
21 approximately 17 months ago and approved by Health
22 Canada and based on the comments made from Health
23 Canada today, in Agnico Eagle's assessment, are you
24 comfortable traditional foods can be consumed and
25 enjoyed in the project area?

26 MR. PARTRIDGE: Paul Partridge from Health

1 Canada.

2 Yes. Based on the results of the assessment that
3 have been put forward, there's no unacceptable risks
4 that were identified from -- from the -- the health
5 risk assessments that were put forward.

6 THE CHAIR: Agnico Eagle.

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

9 My final question and as an overall comment on
10 this presentation. Other than the sampling
11 methodology, we have -- we have found a path forward in
12 all the other issues. Would that be correct?

13 THE CHAIR: I listen for the
14 interpretation, so just please wait until I say your
15 name before you speak.

16 Health Canada.

17 MR. PARTRIDGE: Paul Partridge, Health Canada.

18 Yes. With the exception of the NO2 monitoring
19 methodology, I think we've resolved all of the --
20 the -- the issues or -- or outstanding issues Health
21 Canada had.

22 THE CHAIR: Agnico Eagle.

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

25 Those are all our questions. Thank you.

26 THE CHAIR: NIRB staff.

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

3 Actually, that last exchange answered the
4 questions from the board staff, so we have no
5 questions, and I appreciate the attendance and
6 participation of Health Canada.

7 THE CHAIR: NIRB Board. Uriash.
8 Nunavut Impact Review Board Questions Health Canada

9 MR. PUQIQNAK: Thank you, Madam Chair.
10 Uriash Puqignak, NIRB Board member.

11 I wonder if you could give me some clarification
12 with regards to country food and -- and to fish.
13 There -- you had spoken about a threshold of
14 10 percent. Assuming 10 percent of the total arsenic
15 concentration is inorganic, there is a lab that you
16 send the -- can -- what is the total? How are you
17 assuming that 10 percent is the total arsenic
18 concentration? Is that a threshold? Can you elaborate
19 on that a little bit more so that we can get some more
20 clarification? Page 14.

21 THE CHAIR: Health Canada.

22 MR. PARTRIDGE: Thank you very much for your
23 question. Paul Partridge, Health Canada.

24 10 percent of total arsenic, being arsenic, is a
25 fairly standard -- sorry. 10 percent inorganic
26 arsenic, as part of total arsenic, is -- is a standard

1 that's used and applied. It generally represents
2 natural composition of inorganic arsenic in a sample of
3 arsenic.

4 THE CHAIR: Uriash.

5 MR. PUQIQNAK: Thank you. Uriash, NIRB Board
6 member.

7 This is a total 10 percent. We can continue to
8 eat country food, fish anything that's -- we can hunt
9 and trap. Health Canada, has there been studies done
10 on country food, traditional foods, that are considered
11 to be food? Has -- has there been any studies done as
12 to how much concentration of different chemicals there
13 are in the country food that's harvested out there and
14 for medicinal purposes?

15 THE CHAIR: Health Canada.

16 MR. PARTRIDGE: Health Canada, Paul Partridge
17 speaking.

18 I will defer to AEM to speak to the extent of
19 their risk assessment. I will mention that they did
20 consider wildlife, as well as specifically aquatic
21 fish, that would be impacted by the project site, but
22 if that's acceptable, then I think they're in a better
23 position to speak to the risk assessment.

24 THE CHAIR: Agnico Eagle.

25 MS. AMENDOLA: Thank you, Madam Chair.
26 Andrea Amendola, Golder Associates.

1 To answer the question about country foods and if
2 they're safe to eat and if there have been studies on
3 country foods, there have been many studies of country
4 foods in terms of both consumption, as well as uptake
5 of contaminants into country foods, so into the food
6 that people will eat.

7 That kind of information was included in the risk
8 assessment. So when we looked at the changes in
9 concentrations in the environment, we use that
10 information to help us understand what people would be
11 exposed to, and -- and looking in the risk assessment,
12 that told us that -- that country foods continued to be
13 safe to eat. Thank you.

14 THE CHAIR: Before Environment and Climate
15 Change Canada was doing their presentation, there were
16 some questions from board members.

17 Health Canada, do you have a response to Phillip's
18 question?

19 Response to Deferred Questions by Health Canada

20 MR. PARTRIDGE: Thank you, Madam Chair. Paul
21 Partridge, Health Canada.

22 I'm going to have to apologize. I -- I want to
23 make sure I'm correct here, and I have mis -- misput
24 the question for the wrong individual, I do apologize,
25 Phillip. If I -- if -- could I perhaps have the
26 question repeated?

1 THE CHAIR: Phillip.

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

4 My question was the use of explosives, whether
5 it's in the open pit or underground. I was wondering
6 if there were any assessments or studies that might
7 indicate whether the use of explosives can be -- how
8 you might say, that's a health hazard to the humans.

9 (OTHER LANGUAGE SPOKEN), Madam Chair.

10 THE CHAIR: Health Canada.

11 MR. PARTRIDGE: Thank you very much for that
12 clarification. Health Canada, Paul Partridge speaking.

13 With regards to -- to the explosives and the
14 assessment of potential health risk associated with the
15 blasting material coming out, I'll emphasize what my
16 colleague from Environment Canada had mentioned, that
17 the -- the modeling that was done for air quality
18 included blasting, and that information was fed into
19 the health risk assessment in order to take a look at
20 potential health risks associated with exposure to
21 chemicals in the air, and the assessment indicated that
22 there were no risks that -- that would be of -- of
23 significant concern.

24 THE CHAIR: Phillip.

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

1 Not only on the humans but, also, on wildlife as
2 well, and I would like -- and, also, I would like to
3 get an answer from -- from the proponent, whether there
4 are studies related to use of explosives in terms of
5 what it might cost on the environment, meaning on the
6 land and nearby lakes as well around the -- the -- the
7 mine site. (OTHER LANGUAGE SPOKEN), Madam Chair.

8 THE CHAIR: Health Canada.

9 MR. PARTRIDGE: Paul Partridge, Health Canada.

10 I'm probably not the best person to speak to
11 the -- the impacts on -- on wildlife from blasting and
12 blasting studies. I -- if it's all right, I wouldn't
13 mind deferring that possibly to the proponent to speak
14 to that aspect.

15 THE CHAIR: Agnico Eagle.

16 MS. AMENDOLA: Thank you, Madam Chair.

17 Andrea Amendola, Golder Associates.

18 Just to expand a bit on the NO2 from blasting,
19 we -- we did in the final environmental impact
20 assessment use a very conservative approach where we
21 looked at the blasts happening every hour. This is not
22 realistic in terms of how the mine will operate. So
23 the approach that we took was very conservative, and
24 the -- the information that we used to interpret those
25 predictions consider effects to vegetation from
26 blasting. So that's included in all of the information

1 that was reviewed. Thank you.

2 THE CHAIR: Catherine.

3 Nunavut Impact Review Board Questions Health Canada

4 MS. EMRICK: Thank you, Madam Chair.

5 Catherine Emrick, NIRB Board member.

6 I understand from the exchange that there's been
7 agreement on proceeding with the inorganic arsenic
8 monitoring in fish. I'm just wondering if you could
9 clarify for me -- and I appreciate your patience on
10 this -- what has changed from Slide 15? If you could
11 just go over with me what is being implemented. Thank
12 you.

13 THE CHAIR: Health Canada.

14 MR. PARTRIDGE: Thank you for the question.

15 Paul Partridge, Health Canada.

16 So a number of things have changed -- I shouldn't
17 say "changed", but the proponent was able to, in their
18 final response from August 9th, provide a list of
19 monitoring plans that indicated that monitoring was
20 occurring in sediment and in water for arsenic
21 specifically. It wasn't highlighted as part of the
22 HHRA, but being able to draw that connection was
23 important for us, and that was the first portion of our
24 question or request related to making sure that we had
25 a method of being able to appropriately monitor the
26 concentrations in environmental media.

1 And the second portion relates to confirming the
2 predictions for the uptake of arsenic from the water
3 and the environment into the fish based on the results
4 that were put forward by the company. To be very
5 clear, health -- the company uses a bioconcentration
6 factor that predicts no risk with the consumption of
7 fish at the site. The prediction that comes out is
8 actually better than the -- the Canadian market values,
9 and so we wanted to confirm that the levels that are
10 being predicted are the actual levels that are being
11 observed.

12 And -- and what's been clarified during
13 discussions is that there is actual monitoring of fish
14 tissue for inorganic arsenic as part of the -- the --
15 the monitoring program. I believe it's on a one and
16 every three years, and that should be sufficient, I
17 think, to confirm that the model's predictions are
18 accurate. And if not, then there would be an
19 opportunity to examine how that might change things.

20 THE CHAIR: Catherine.

21 MS. EMRICK: Yes. Thank you, Madam Chair.

22 Thank you.

23 THE CHAIR: We also had a deferred
24 question from Guy.

25 Guy.

26 MR. ALIKUT: Yes. Thank you, Madam Chair.

1 Guy Alikut, NIRB Board member.

2 I had a question with regards to Environment
3 Canada, and I was deferred to ask this question to
4 Health Canada. Sometimes there are low concentrations
5 of some of the things that are being monitored or
6 tested. How -- why is there some uncertainty to
7 increased risk to human health? You were speaking to
8 puck. You had said that it was almost -- almost hard
9 to predict and hard to monitor.

10 THE CHAIR: Health Canada.

11 Response to Deferred Questions by Health Canada

12 MR. PARTRIDGE: Thank you. Thank you, Guy.

13 Paul Partridge, Health Canada.

14 With regards to the predictions, I think Brian
15 said it best, but I -- I will talk about the idea that
16 we have both the Nunavut Ambient Air Standards, as well
17 as the Canadian Ambient Air Standards make use of a
18 one-hour average in -- in considering concentrations
19 of -- of NO2 in the environment.

20 And the use of continuous monitoring would provide
21 that information for one-hour averaging, whereas the
22 passive monitoring would only provide 24-hour, 30-day
23 averages from my understanding, but I'll defer to
24 Environment Canada to -- to speak more to the -- the
25 monitoring aspects or technology, if that's all right.

26 THE CHAIR: Guy.

1 MR. ALIKUT: Thank you.

2 Yes. It's more clear. The equipment -- that
3 equipment that's being used and the instruments that
4 are being used, sometimes the instruments are -- are --
5 may be -- may not be -- maybe they're inaccurate at
6 times.

7 My second question is to -- to -- well, CIRNAC is
8 reporting directly to -- to you, to the mining company.
9 Who can make it more information? We are not -- I had
10 asked KIA: Who do they report to, and what types of
11 reporting -- or how do you disseminate information? We
12 need to know if there are maybe potential risks at
13 times. We need to know who is going to disseminate
14 information should there be a risk or a potential risk.

15 THE CHAIR: Health Canada.

16 MR. PARTRIDGE: Thank you, again, for that
17 question. Paul Partridge from Health Canada.

18 With regards to information sharing, I -- I can't
19 speak to all the aspects of the companies approached to
20 engage in communities through various community
21 organizations, but there is reporting that occurs, as
22 part of project certificates, to take a look at things
23 like the monitoring, and Health Canada does participate
24 in those reviews to take a look and provide whatever
25 expertise or support it can in the review of that
26 material to ensure that the best possible decisions

1 can -- can benefit from the information available.

2 Nunavut Impact Review Board Questions Health Canada

3 THE CHAIR: Going back to the presentation

4 that you gave when you talked about frequency in

5 harvesting and the risk to exposure to contaminants.

6 Can you clarify when you say frequently caught and

7 eaten? What specific values are you referring to as

8 "frequent"? Like, every day, your primary diet, once a

9 month? Can you clarify what you mean when you say

10 "frequently"?

11 Health Canada.

12 MR. PARTRIDGE: Paul Partridge from Health

13 Canada.

14 I don't have a specific term for "frequently". I

15 think there's some room for some interpretation on

16 that. I do know that there was some consideration of

17 how frequently individuals who may be in the vicinity

18 of the project area may be harvesting, and that was

19 used for the basis of the health risk assessment

20 which -- which didn't identify any risks with the --

21 the level of consumption in that assessment.

22 THE CHAIR: Thank you for your

23 presentation.

24 Moving on to the -- Agnico Eagle.

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

26 Quesnel, Agnico Eagle.

1 We can provide, if you wish, a little bit more
2 information based on your question. And, also, to add
3 a few items related to the board member regarding
4 the -- the monitoring and sharing information. So I'll
5 just respond quickly. Based on all our monitoring
6 information, it's provided in the annual report every
7 March, and we have all our information related to the
8 past years monitoring and all the results. So that's
9 one way we -- we share the information, and that
10 information's available in our communities. It's
11 available online. It's available on the Nunavut Impact
12 Review Board public registry, and I'll just have my
13 colleague, Andrea, talk about the duration.

14 MS. AMENDOLA: Thanks, Jamie.

15 Andrea Amendola, Golder Associates.

16 So with respect to the duration of country food
17 consumption, so what we were looking at in the risk
18 assessment was based upon traditional knowledge and
19 consultation, information for the area. What we --
20 what we knew about the area and what we understood from
21 those consultations was that people are generally not
22 using the area very often for hunting, trapping,
23 catching, or fishing activities these days.

24 With that in mind, we still looked at potential
25 exposure for visitors of the area for brief periods of
26 time, and for that, I mean two weeks per year over the

1 course of a lifetime of exposure to country foods and
2 fish in the area. So -- oh, sorry. A correction.
3 "Lifetime", I should correct that to say 60 years,
4 which is the life of the project.

5 THE CHAIR: So to clarify, your -- the
6 model that you predicted where there's no impacts to
7 health from consumption of country food in the --
8 within the project area is based on 60 years eating
9 food from that area, 14 days over 60 years? Can you
10 clarify?

11 MS. AMENDOLA: Thank you, Madam Chair.

12 Assuming that every year for 60 years a person can
13 be eating fish or country foods for 14 days, so 14 days
14 every year, every 365 days for 60 years.

15 THE CHAIR: Thank you for that
16 clarification.

17 Moving on to the next item on the agenda, a
18 presentation from Fisheries and Oceans Canada.

19 Legal counsel.

20 MS. MEADOWS: Thank you, Madam Chair.

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

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

25 MR. JANOWICZ: Thank you.

26 Marek Janowicz, M-A-R-E-K J-A-N-O-W-I-C-Z.

1 MR. D'AGUIAR: Mark D'Aguiar, M-A-R-K 'D',
2 apostrophe, A-G-U-I-A-R.

3 MR. TRACZ: Boyan Tracz, B-O-Y-A-N
4 T-R-A-C-Z.

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

8 Do the witnesses wish to be sworn or affirmed?

9 MR. JANOWICZ: Marek Janowicz, affirmed.

10 MR. D'AGUIAR: Mark D'Aguiar, affirmed.

11 MR. TRACZ: Boyan Tracz, affirmed.

12 MAREK JANOWICZ, MARK D'AGUIAR, BOYAN TRACZ, Affirmed

13 MS. MEADOWS: Thank you.

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

16 Madam Chair, I have hard copies of the
17 presentation materials that will be presented by
18 Fisheries and Oceans Canada here today, and I propose
19 to mark those as the next exhibits in this public
20 hearing, and those are my procedural matters.

21 EXHIBIT 54 - Hard Copy PowerPoint
22 presentation of Fisheries and Oceans Canada
23 on Agnico Eagle Mines Limited's Whale Tail
24 Pit Expansion Project (English)

25 EXHIBIT 55 - Hard Copy PowerPoint
26 presentation of Fisheries and Oceans Canada

1 on Agnico Eagle Mines Limited's Whale Tail
2 Pit Expansion Project (Inuktitut)
3 EXHIBIT 56 - Hard Copy PowerPoint
4 Presentation of Fisheries and Oceans Canada
5 on Agnico Eagle Mines Limited's Whale Tail
6 Pit Expansion Project (French)

7 THE CHAIR: Thank you. You may proceed
8 with your presentation.

9 Presentation by Fisheries and Oceans Canada

10 MR. JANOWICZ: Thank you, Madam Chair. Marek
11 Janowicz, Fisheries and Oceans Canada.

12 Good afternoon, Madam Chair, members of the -- and
13 staff of the board, the community of Baker Lake, the
14 proponent, and other community members joining us here
15 this week.

16 My name is Mark Janowicz, and I am the original
17 manager, regulatory review, fish and fish habitat
18 protection program, central and arctic region,
19 Fisheries and Oceans Canada.

20 With me is Mark D'Aguiar, senior biologist with my
21 program, and Bogdan -- Boyan Tracz, a biologist also
22 with the program.

23 I would like to thank the Nunavut Impact Review
24 Board for providing Fisheries and Oceans Canada with
25 the opportunity to present our final written submission
26 comments and recommendations in respects to Agnico

1 Eagle Mines Limited Whale Tail Pit expansion project
2 proposal, a proposed amendment to already approved
3 Whale Tail Pit project.

4 We hope that our comments will be helpful to the
5 Board by providing expert advice on the potential
6 impact to fish and fish habitat and marine mammals.

7 In terms of our presentation today, first, I will
8 provide brief overview of our mandate, applicable
9 legislation, and policies.

10 Second, I will provide an overview of our final
11 written submission and recommendations that we provided
12 to the Nunavut Impact Review Board with regards to
13 Agnico Eagle Mines Limited Whale Tail Pit expansion
14 project proposal.

15 And, third, I will present our conclusion.

16 Finally, I will take time to answer any questions
17 or comments related to our presentations.

18 For the remainder of the presentation, I will also
19 refer to Fisheries and Oceans Canada as "DFO".

20 The mandate of the -- of Fisheries and Oceans
21 Canada, fish and fish habitat protection program, is to
22 maintain the sustainability and ongoing productivity of
23 commercial, recreational, and Aboriginal fisheries.

24 DFO noticed that this project proposal was
25 reviewed under this mandate. However, DFO notes that
26 the recently passed Bill C-68, a federal act, has

1 resulted in changes to the Fisheries Act, and these --
2 these changes will be discussed in the upcoming slides,
3 and the changes will occur once the bill comes into
4 force tomorrow, actually, August 28 of 2018 -- '19.
5 I'm sorry.

6 Fish and fish habitat protection program is
7 responsible for ensuring that projects in or near water
8 are undertaken following the requirements of Fisheries
9 Act and the Species At Risk Act. Fish and fish habitat
10 protection program provides, also, guidance to
11 proponents on how to avoid, mitigate, or offset impacts
12 to fish and fish habitats. The program is also the
13 main program of Fisheries and Oceans Canada involved in
14 the environmental assessment process.

15 DFO notes that the wording on the slide represents
16 the current Fisheries Act provision for which this
17 project was reviewed, but, of course, as of August 28,
18 2019, those provisions will be updated to reflect the
19 new modernized Fisheries Act.

20 Our regulatory role is defined by the Fisheries
21 Act, particularly, Section 35, which prohibits serious
22 harm to fish that are part of a commercial,
23 recreational, or Aboriginal fishery or to fish that
24 support such fishery. Serious harm is identified in
25 the Fisheries Act as the death of fish, permanent
26 alteration of habitat, or destruction of fish habitat.

1 The Act allows for the Minister of Fisheries and Oceans
2 to issue a Fisheries Act authorization in order for the
3 project to proceed.

4 As I mentioned in the previous slides, I will
5 discuss some of the recent relevant changes to the
6 Fisheries Act and legislation. Bill C-68 on -- on
7 February 6th, 2018, the Government of Canada introduced
8 in parliament Bill C-68, titled: (as read)

9 An Act to Amend Fisheries Act and Other Acts
10 in Consequence.

11 As of June 21st, 2019, the new modernized Fisheries Act
12 received royal assent and became law with fish and fish
13 habitat protection provisions of the new Fisheries Act
14 coming into force tomorrow, August 28, 2019.

15 I need to note that this coming-into-force date
16 was announced after the final written submission to the
17 board, and after our presentation, we were provided,
18 and as such, it was not reflected in our submission.
19 Our program continues to prepare for the implementation
20 of those provisions.

21 The fish and fish habitat protection program, in
22 effect up until tomorrow, was guided by two policies:
23 The fisheries protection policy statement and the
24 fisheries productivity investment policy, a proponent
25 guide to the offsetting. As of August 28, 2019, the
26 fish and fish habitat provision of the Fisheries Act

1 associated regulations, and guides will change.

2 DFO has considered the Fisheries Act in its review
3 to determine what aspect of the project could impact
4 fish and fish habitat. Our written submission and
5 recommendation to the board focused on following four
6 areas: Fish passage, fish bearing status of
7 watercourses and waterbodies, downstream environment,
8 and marine mammals observations.

9 In this presentation, DFO will bring to the Board
10 attention only to the key points recognizing that our
11 written submission provided complete details.

12 Our first technical comment was related to fish
13 passage. DFO notes that fish need access to habitat
14 and the ability to move among habitat types in order to
15 complete one or more of their life cycles -- life
16 processes. Sorry. As such, it's important that all
17 crossings allow for fish passage for all flow scenarios
18 and all life stages. For fish species, that required
19 passage to complete their life history processes.

20 DFO notes that Agnico Eagle Mines flow/velocity
21 calculations that were used to inform culvert sizing
22 were based on limited historical rainfall data from
23 years 2016 to 2018. Rather than field base stream flow
24 data, DFO noted that field base flow measurements
25 during peak flow events, such as during the freshet,
26 should be used to make final decisions on appropriate

1 culvert sizing.

2 Therefore, DFO recommended that the proponent
3 provide site-specific detail to design plans for all
4 water crossings and provide site-specific flow
5 information based on field observations and provide
6 calculations which clearly indicated a percent of fish
7 expected to pass unimpeded at each water crossing.

8 DFO also recommended that Agnico Eagle Mines
9 provide additional rationale for use of
10 15-centimetre-size fish and additional clarification on
11 how use of 15-centimetre fish accounts for all the fish
12 for which passage might be a challenge. And another
13 recommendation, that Agnico Eagle Mines ensure fish
14 passage requirements are met.

15 In their responses to DFO final written
16 submission, Agnico Eagle Mines has agreed to those
17 recommendations and committed to provide the
18 information to DFO as part of the regulatory review
19 phase, should the project be approved to proceed by the
20 Board. DFO is satisfied with this response. DFO will
21 work with Agnico Eagle Mines during the regulatory
22 phase to ensure fish passage requirements are met.

23 DFO's next technical comments relates to the fish
24 bearing status of watercourses and waterbodies. We
25 noted uncertainty with the fish bearing status of
26 several waterbodies and watercourses resulting from

1 unclear or inconsistent information among the various
2 documents provided for the expansion project.

3 We note that it is important to understand and
4 accurately determine which waterbodies and watercourses
5 contain fish and fish habitat that have the potential
6 to be adversely affected by the proposed expansion
7 project.

8 DFO notes that Agnico Eagle Mines provided updated
9 results from the 2019 field sampling, field season,
10 during our July 3rd, 2019, meeting. Lakes A50, A51,
11 A52, which were previously considered by Agnico Eagle
12 Mine to not have fish based on 2014 to 2018 field
13 surveys, were found to contain small-bodied fish,
14 nine-spine Stickleback based on the 2019 survey.

15 We need to reiterate the assertion that annual
16 variability in hydrological conditions, for example,
17 flow, may change a condition such that waterbodies and
18 watercourses currently viewed as not being fish
19 bearings may actually be better fishes under certain
20 conditions, such as high-flow, high-precipitation
21 years.

22 So DFO recommended to the proponent to update the
23 consolidated table of all waterbodies and waterways
24 impacted by project activities with regards to fish and
25 fish habitat status and areas considered in calculation
26 of habitat losses.

1 In their final written statement response, Agnico
2 Eagle Mines provided an updated consolidated table.
3 Agnico Eagle Mines stated the least of waterbodies and
4 watercourses and their fish bearing status will be
5 finalized through discussion with DFO during the water
6 licence amendment process of the project as part of the
7 Fisheries Act authorization application stage. Data
8 collected during summer 2019 will also be included in
9 the final offsetting plan.

10 DFO is satisfied with this -- with this response.
11 Also, DFO will work with Agnico Eagle Mines during the
12 regulatory phase, should the project be approved, to
13 ensure fish and fish habitat impacted by expansion
14 project activities are adequately accounted for and
15 offset or compensate.

16 Fisheries and Oceans Canada's next technical
17 comment related -- is related to the downstream
18 environment. Agnico Eagle Mine has indicated that a
19 decrease in water level was expected to occur in
20 waterbodies downstream of Mammoth Lake, lake --
21 particularly, Lake A16. DFO requested clarification
22 respecting the quantification of water level changes
23 expected rather than the qualitative assessment.

24 DFO notes that it is important to understand and
25 quantify impact to fish and fish habitat resulting from
26 potential flooding of downstream environments as a

1 result of Whale Tail Expansion Project.

2 DFO recommended to the proponent that they provide
3 detailed quantitative information on the changes to
4 water levels and surface area to downstream waterbodies
5 and waterways, as requested in DFO Technical
6 Comment 347.

7 DFO also recommended that the proponent provide an
8 update per -- that provide an updated quantitative
9 assessment of impact to all waterbodies associated with
10 the discharge scenario to D1 and D5, should the
11 scenario be considered.

12 DFO notes and reiterates the importance of
13 quantification of impacts. Agnico Eagle Mines in
14 response to the above, committed to provide the
15 requested additional information to DFO during the
16 water licence amendment process of the project and as
17 part of the Fisheries Act authorization application,
18 should the project be approved by the board. DFO is
19 satisfied with the response.

20 DFO final technical comment relate to the marine
21 mammal observation program. In our final written
22 submission, DFO noted Nunavut Impact Review Board
23 reporting of community constants regarding potential
24 impact of shipping on marine mammals and the change in
25 distribution.

26 DFO further noted that lack of 2018 marine mammal

1 observations may indicate that mammal distribution have
2 changed or that the lack of siting was a function of
3 ineffective marine mammal monitoring. DFO submits that
4 appropriate, adequate, and effective marine mammal
5 monitoring programs are essential to properly assess
6 the potential negative impacts on marine mammals from
7 Agnico Eagle Mines' required shipping activities.

8 DFO recommended to proponent that Agnico Eagle
9 Mines work with DFO and interested parties to improve
10 the marine mammals and seabird observer program,
11 including their implementation, training, and potential
12 improvement that can be made to increase effectiveness.

13 In Agnico Eagle Mine's response to our final
14 written submission, Agnico Eagle Mine's committed to
15 comply with Condition 40 of Nunavut Impact Review Board
16 Project Certificate Number 008 and revise its shipping
17 management plan in consultation with DFO and
18 communities and to revise its plans 90 days prior to
19 shipping activities.

20 Agnico Eagle Mines expressed also that they look
21 forward to continue working with DFO and other
22 interested parties to improve the marine mammal
23 management and monitoring plan.

24 DFO is satisfied with this response and would like
25 to acknowledge that Agnico Eagle Mine has already
26 initiated conversation with DFO with respect to

1 training materials and guidelines for marine mammal
2 observation that could compliment their existing marine
3 mammals and seabird observation program.

4 DFO acknowledges Agnico Eagle Mine commitment
5 yesterday to be invited to annual consultation meetings
6 in communities of -- for example, Chesterfield Inlet as
7 this will aide discussion how to improve the marine
8 mammal and seabird observation program. DFO will work
9 with Agnico Eagle Mines during the regulatory phase,
10 should the project be approved to proceed, to ensure
11 marine mammals' monitoring is adequate.

12 In conclusion, Fisheries and Oceans Canada will
13 continue to work with the proponent and stakeholders,
14 including potentially affected communities, to ensure
15 that all constants related to fish passage, fish
16 habitat status, offsetting and marine mammals are
17 addressed, and all negative impacts are accounted for
18 and offset, and appropriate site-specific mitigation
19 measures, follow-up, and monitoring programs are
20 implemented.

21 Thank you very much. We are ready to answer
22 questions.

23 THE CHAIR: Questions to DFO.

24 Kivalliq Inuit Association.

25 MR. MANZO: Luis Manzo, Kivalliq Inuit
26 Association. Thank you, Madam Chair.

1 No questions.

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

4 MR. AKSAWNEE: Thank you, Madam Chair.
5 Richard Aksawnee, Baker Lake Hunters and Trappers.

6 No questions.

7 THE CHAIR: Government of Nunavut.

8 MR. PINKSEN: Thank you, Madam Chair. Steve
9 Pinksen, Government of Nunavut.

10 We have no questions.

11 THE CHAIR: CIRNAC.

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

15 No questions.

16 THE CHAIR: Environment Canada.

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

19 We have no questions.

20 THE CHAIR: Health Canada.

21 MR. PARTRIDGE: Thank you, Madam Chair. Paul
22 Partridge from Health Canada.

23 We have no questions at this time.

24 THE CHAIR: NRCan.

25 MR. QUINN: Thank you, Madam Chair. Jason
26 Quinn, NRCan.

1 No questions.

2 THE CHAIR: Agnico Eagle Mines Limited.

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

4 Quesnel, Agnico Eagle.

5 No questions.

6 THE CHAIR: NIRB Board staff.

7 Nunavut Impact Review Board Staff Questions Fisheries

8 and Oceans Canada

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

10 Barry, Nunavut Impact Review Board staff.

11 We do just have a couple of quick questions. The
12 first one: We're wondering if Fisheries and Oceans
13 Canada can clarify whether there are any potential
14 implications for the marine shipping associated with
15 this proposal which are resulting from your Minister's
16 recently announced designation of an area of interest
17 in the waters surrounding in South Hampton Island.

18 Now, we recognize this was just announced
19 yesterday, so this is putting you on the spot a bit.
20 You may need to defer, and we also understand that this
21 is just the first step in the development of a
22 marine-protected area.

23 However, as the whole of the Chesterfield narrows
24 and much of proponent's current shipping route has been
25 included, we are curious of any possible implications
26 that you can identify.

1 MR. JANOWICZ: Thank you, Madam Chair. Marek
2 Janowicz, Fisheries and Oceans Canada.

3 We're going to have to defer that. To be honest,
4 we didn't even hear about that. Thank you.

5 THE CHAIR: NIRB Board staff.

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

8 And thank you. I can certainly appreciate that.

9 The -- the next question we have is really just a
10 more general question. Again, recognizing that both
11 your department and fish -- or Canadian Coast Guard
12 have been developing a new arctic region, which is
13 intended to improve your respective delivery of
14 services throughout the Canadian arctic. We're
15 wondering if you can comment on whether this has any
16 implications for your department's availability to
17 participate in the oversight and regulation of this
18 proposed project, if it could change in any way from
19 what you currently have been able to do for the
20 approved project.

21 THE CHAIR: Fisheries and Oceans Canada.

22 MR. JANOWICZ: Thank you, Madam Chair. Marek
23 Janowicz, Fisheries and Oceans Canada.

24 The creation of arctic region, the intention was
25 to improve the delivery of the programs and almost the
26 point of customizing delivery of the program

1 recognizing that north is a little bit different place
2 than the south, and although I don't have any specifics
3 about that, I can only comment on the intention of this
4 initiative, and that's pretty much it. Thank you.

5 THE CHAIR: NIRB Board staff.

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

8 And thank you again for that response. I -- I
9 think we -- we raise this recognizing also that we'll
10 be going into a community roundtable over the next two
11 days, and, typically, as some of you have participated
12 in -- in these events in the past, community members
13 are often very adept and upfront about bringing forward
14 concerns in areas that they feel can be improved that
15 are relevant for the delivery of services by various
16 government departments.

17 And so I think I'll just leave with the comment
18 that we would hope to see that any of those comments
19 that are brought forward could be brought back by
20 yourselves into your departments -- for your
21 department's consideration.

22 Thank you, Madam Chair. No further questions.

23 THE CHAIR: Fisheries and Oceans Canada.

24 MR. JANOWICZ: Thank you, Madam Chair. Marek
25 Janowicz, Fisheries and Oceans Canada.

26 Definitely we're going to be listening to all

1 comments and ideas tomorrow, and I promise that all
2 those comments and ideas is going to find -- find its
3 way to the group of people that are working on
4 organizing the arctic region. Thank you.

5 THE CHAIR: Guy.

6 Nunavut Impact Review Board Questions Fisheries and
7 Oceans Canada

8 MR. ALIKUT: Thank you, Madam Chair. Guy
9 Alikut, NIRB Board member.

10 The monitors that are going to be aboard the
11 shipping vessels, where will they be from? Who are
12 they going to report to if -- should they see mammals
13 while they're aboard these vessels?

14 THE CHAIR: DFO.

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

17 With respect to the marine mammal observers, I
18 will defer to Agnico Eagle to currently talk about what
19 their current plan is for reporting noting that our
20 intent is to work with Agnico Eagle and other parties,
21 should this project be approved to -- with an intent to
22 update and standardize more of the protocols for the
23 marine mammal observer program.

24 THE CHAIR: Agnico Eagle.

25 MS. TURMEL: Manon Turmel, Agnico Eagle.

26 So there are two types of monitors. The ones that

1 are monitoring on a Chesterfield narrows are from both
2 Baker Lake and Chesterfield Inlet, and the marine
3 mammals that are on board the ships from the Hudson
4 strait to Helicopter Island are hired by the shipping
5 company. So it is with them to identify the best
6 person to complete the monitoring.

7 THE CHAIR: Guy.

8 MR. ALIKUT: Thank you. Guy Alikut, NIRB
9 Board member.

10 Were -- are these people going to be -- where's
11 the point of hire, and who is going to be the monitors?
12 Do we know exactly which community are you hiring from?

13 MR. ALIKUT: Agnico Eagle.

14 MS. TURMEL: Manon Turmel, Agnico Eagle.

15 So for the monitors, in the Chesterfield narrow on
16 board the barges, we hire through our community liaison
17 officers, or when we visit Chesterfield Inlet during
18 our annual visit, we always ask around for interested
19 people and ask for the monitoring in Hudson Bay. As I
20 mentioned, it's with the shipping company to decide who
21 will take part in the monitoring.

22 THE CHAIR: Guy.

23 MR. ALIKUT: Thank you. Guy, NIRB Board
24 member.

25 So you -- so a monitor would be hired. Would
26 they -- will there be -- will the person that's hired

1 as a monitor get on in Montreal, or will they get on in
2 which of the communities? Where will the starting
3 point be when they begin to monitor? Where do they
4 start from?

5 THE CHAIR: Agnico Eagle.

6 MS. TURMEL: Manon Turmel, Agnico Eagle.

7 So for the monitors for the Chesterfield narrows,
8 they board the ship in Baker Lake, board the barges, do
9 the back and forth between Helicopter Island. Just
10 to -- as a clarity, the mother ship leaves Quebec, goes
11 all the way to the Chesterfield narrows, and at the
12 point where it gets too narrow, supply are transferred
13 into a barge, and the barge go back and forth between
14 Baker Lake and that area.

15 So the monitor on those barges are boarding in
16 Baker Lake and going back and forth until the mother
17 ship is empty. So for this type of monitoring, they
18 are boarding in Baker Lake, but for the monitoring in
19 the Hudson Bay, which is a separate process, they would
20 board -- they are boarding in Becancour or the Montreal
21 area on the ship, do all the travelling and coming back
22 to Montreal. So approximately 14 days; 21 days of
23 travelling.

24 THE CHAIR: Guy.

25 MR. ALIKUT: Guy Alikut.

26 I finally understood what is said. It's only

1 between Baker -- I'm not actually -- I wasn't just
2 asking Baker. I was asking you about Hudson Bay, where
3 they were coming from. I -- thank you for your answer.

4 THE CHAIR: Moving on to (LOST AUDIO
5 FEED - OTHER LANGUAGE SPOKEN) presentation from (OTHER
6 LANGUAGE SPOKEN).

7 Legal counsel.

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

11 If I can have the witnesses state and spell their
12 names for the record, please.

13 MR. UNGER: Peter Unger, P-E-T-E-R
14 U-N-G-E-R.

15 MR. QUINN: Jason Quinn, Natural
16 Resources.

17 J-A-S-O-N Q-U-I-N-N.

18 MS. MEADOWS: Thank you.

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

21 Do you wish to be sworn or affirmed?

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

24 Affirmed, please.

25 MR. QUINN: Jason Quinn, Natural Resources
26 Canada.

1 Sworn, please.

2 PETER UNGER, Affirmed

3 JASON QUINN, Sworn

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

6 Madam Chair, I have the presentation materials in
7 English and Inuktitut for Natural Resources Canada as
8 well as their executive summaries of their technical
9 review comments that I will be filing as the next
10 exhibits in this public hearing.

11 And those are my procedural matters, Madam Chair.

12 EXHIBIT 57 - Hard Copy PowerPoint

13 presentation of Natural Resources Canada on
14 Agnico Eagle Mines Limited's Whale Tail Pit
15 Expansion Project (English)

16 EXHIBIT 58 - Hard Copy PowerPoint

17 presentation of Natural Resources Canada on
18 Agnico Eagle Mines Limited's Whale Tail Pit
19 Expansion Project (Inuktitut)

20 EXHIBIT 59 - Executive Summary of Technical
21 Review Comments, Natural Resources Canada
22 (English)

23 EXHIBIT 60 - Executive Summary of Technical
24 Review Comments, Natural Resources Canada
25 (Inuktitut)

26 EXHIBIT 61 - Executive Summary of Technical

1 Review Comments, Natural Resources Canada

2 (French)

3 THE CHAIR: Thank you. You may proceed
4 with your presentation.

5 Presentation by Natural Resources Canada

6 MR. UNGER: Thank you, Madam Chair.

7 Good afternoon. My name is Peter Unger, and I am
8 a senior environmental assessment officer with Natural
9 Resources Canada, also known as "NRCan".

10 Natural Resources Canada has a mandate to enhance
11 the responsible development and use of natural
12 resources providing a source of jobs, prosperity, and
13 opportunity while preserving the environment and
14 respecting Indigenous peoples.

15 In laboratories and offices from coast to coast to
16 coast, NRCan leads science and technology in the fields
17 of earth sciences, energy, forests, and minerals and
18 metals.

19 Specific to this project, NRCan's role has been to
20 provide expert advice in the fields of permafrost and
21 terrain stability and hydrogeology or groundwater as it
22 relates to the Whale Tail Expansion Project. This
23 advice has been provided by experts from the Geological
24 Survey of Canada.

25 I'm going to start with permafrost and terrain
26 stability. Information on terrain and permafrost

1 conditions is essential to adequately design project
2 components to ensure that they perform as intended.
3 NRCan raised four issues on the subject of permafrost,
4 and I'm going to go through these individually.

5 So as I said, information on terrain and
6 permafrost conditions is essential to adequately design
7 project components. In particular, knowledge of ground
8 ice conditions where thawing could have impacts on
9 water management, such as dams or dikes.

10 NRCan asked about field investigations conducted
11 to provide detailed information on permafrost
12 conditions, such as ground ice content. NRCan also
13 asked for information on plans to address uncertainties
14 with respect to layer thickness and ground ice
15 conditions.

16 The proponent responded the field investigation
17 programs were carried out to characterize permafrost
18 conditions at the project site. These site
19 investigations included establishing the temperature
20 profile of the ground by installing thermistors,
21 collecting soil samples for visual identification of
22 the ice lenses, and classification of the frozen soils,
23 and laboratory testing to determine the moisture
24 content of the soils.

25 Agnico Eagle further referred NRCan to Appendix A,
26 which contains a summary of permafrost conditions based

1 on the available thermistor data -- sorry that was
2 quick -- thermal modeling results of predicted thermal
3 conditions under the Whale Tail and IVR pit lakes
4 post-closure, and a characterization of the active
5 layer thickness, which is assessed through thermal
6 modeling. NRCan is satisfied with this response and
7 has no further questions on this point.

8 So much like permafrost, baseline soil
9 characteristics are also important for the stability
10 and performance of mine infrastructure. Existing
11 information on soil types, characteristics, and
12 distribution in the region are limited, and, therefore,
13 Agnico Eagle mapped an additional 195 hectares to
14 incorporate the road corridors to Lake D1 and D5.

15 NRCan asked for information regarding this
16 detailed soil mapping. The proponent clarified where
17 this information is and provided additional figures
18 depicting additional terrain mapping covering the
19 corridors to Lakes D1 and D5. NRCan is satisfied with
20 this response.

21 So permafrost can provide an impermeable barrier
22 to groundwater flow. However, unfrozen zones, also
23 known as taliks as shown in the diagram, can exist
24 beneath large waterbodies that do not freeze to the bed
25 in winter. If lakes are larger than a critical size,
26 an open talik will exist, providing a hydraulic

1 connection between the surface and the groundwater.

2 The proponent has indicated that after 11 years of
3 closure, the base of the Whale Tail Pit lake is
4 predicted to be hydraulically connected to the deeper
5 groundwater flow system, and after 50 years, the full
6 put -- full pit footprint is predicted to have
7 completely melted. There is expected to be thawing
8 under the IVR pit as well. NRCan wanted to know if
9 analysis of thawing under the IVR pit accounted for the
10 thawing of the Whale Tail Pit beside it.

11 NRCan also wanted more information on thermal
12 analysis predicting thawing between the two pits.
13 Agnico Eagle replied that, yes, analyses did account
14 for the thawing of the Whale Tail Pit and lateral
15 effects from this, and NRCan is satisfied with this
16 response.

17 The last issue related to permafrost was the waste
18 rock storage facilities at the Whale Tail Pit. The
19 proponent has indicated that they will take advantage
20 of the cold conditions and have adopted freeze control
21 and climate control strategies for the waste rock
22 storage facilities. There are no thermistors currently
23 in the footprints of the Whale Tail and IVR waste rock
24 storage facility footprints, but they will be installed
25 progressively in the thermal cap during construction to
26 assess the effectiveness of the cover in isolating

1 potentially acid-generating rock.

2 Agnico Eagle had indicated that they may consider
3 supplemental thermal modeling to evaluate the long-term
4 performance of this cover. NRCan wanted to know what
5 specific conditions or circumstances would require this
6 supplemental modeling, and if any adjustments were
7 required as a result of this modeling, if these
8 adjustments would be applied to all of the waste rock
9 storage facilities or just to one specific waste rock
10 storage facility.

11 Agnico Eagle responded that thermal modeling data
12 will be collected regularly and reported on annually
13 and that modeling will be adjusted based on these
14 annual updates. They also responded that covers will
15 be evaluated on a facility-by-facility basis because
16 not all waste rock storage facilities are the same and
17 each have site-specific considerations. NRCan is
18 satisfied with this response.

19 Moving on to hydrogeology or groundwater.
20 Groundwater models help predict how mine infrastructure
21 could change groundwater movement, and NRCan asked
22 questions relating to four issues related to
23 groundwater.

24 First, NRCan asked why refinement of model input
25 parameters would not affect conclusions. Agnico Eagle
26 responded that because of the conservative nature of

1 the model, there is a high level of confidence that
2 potential effects to groundwater have not been
3 underestimated. This is mostly because groundwater
4 discharged to lakes is negligible compared to the
5 annual surface water exchange.

6 NRCan accepts this response and has no further
7 comments on this topic. Secondly, NRCan noted that
8 there was some uncertainty regarding the distribution
9 of hydraulic conductivities. For those of you who are
10 not hydrogeologists, like me, hydraulic conductivities
11 are how easily water can move through different
12 materials.

13 NRCan asked Agnico Eagle to show the effect of
14 varying hydraulic conductivities on modeling results.
15 Agnico Eagle provided a figure that indicated that the
16 hydraulic conductivities assigned in the EA scenario
17 are conservatively high, and that below the permafrost,
18 the hydraulic conductivities were below the ability of
19 their testing equipment to detect. NRCan accepts this
20 conclusion and has no further comments on this topic.

21 A complete conceptual model helps to understand
22 groundwater dynamics and their relation to permafrost
23 and surface water. NRCan was unable to locate a figure
24 showing a conceptual model that includes the IVR pit,
25 and, therefore, NRCan requested a complete conceptual
26 model of the Whale Tail pits and the IVR pits at their

1 maximum depths.

2 The proponent responded by providing three figures
3 outlining the conceptual models, including the IVR and
4 Whale Tail pits at the end of mining, at closure, and a
5 thousand years after closure, respectively. I have
6 only put two of these up. The arrows indicate the
7 inferred groundwater flows, and the light beige is the
8 bedrock, and the darker beige is the permafrost. NRCan
9 considers this to satisfy the information requests and
10 has no further comments on this topic.

11 So when designing a hydrogeological model, you
12 have to set boundary conditions. These represent the
13 relationship between your model and the external system
14 and can induce the flows of water coming and going out
15 of your model.

16 NRCan asked for recharge and discharge rates for
17 the water bodies in the project area based on the
18 boundary conditions set in the model. Agnico Eagle
19 provided this figure that I have up here, as well as a
20 table, including the recharge and discharge rates.
21 NRCan is satisfied with this response and has no
22 further comments on this topic nor for this assessment
23 process.

24 Thank you very much for your time. I very much
25 appreciate it.

26 THE CHAIR: Questions to NRCan from

1 Kivalliq Inuit Association?

2 MR. MANZO: Thank you, Madam Chair. Luis
3 Manzo, Kivalliq Inuit Association. No questions for
4 this topic.

5 THE CHAIR: Baker Lake Hunters and
6 Trappers Organization.

7 MR. AKSAWNEE: (OTHER LANGUAGE SPOKEN). We
8 have no questions. Thank you, Madam Chair.

9 THE CHAIR: Government of Nunavut.

10 MR. PINKSEN: Thank you, Madam Chair. Steve
11 Pinksen, Government of Nunavut. We have no questions.

12 THE CHAIR: CIRNAC.

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

16 THE CHAIR: Environment Canada and Climate
17 Change.

18 MS. PINTO: Thank you, Madam Chair.
19 Melissa Pinto, Environment and Climate Change Canada.
20 We have no questions.

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, and thank you for the presentation.

25 THE CHAIR: Health Canada.

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

1 Partridge, Health Canada. We have no questions.

2 THE CHAIR: Agnico Eagle.

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

4 Quesnel, Agnico Eagle. No questions.

5 THE CHAIR: NIRB Board staff.

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

7 Barry, Nunavut Impact Review Board staff.

8 You will be a little disappointed that I also have
9 no questions. I would like to, however, compliment
10 Natural Resources Canada in particular for bringing
11 some illustrations (LOST AUDIO FEED - OTHER LANGUAGE
12 SPOKEN) I know it's something that often does help with
13 (LOST AUDIO FEED - OTHER LANGUAGE SPOKEN) for us
14 non-hydrogeologists and (LOST AUDIO FEED - OTHER
15 LANGUAGE SPOKEN) very much appreciate it. Thank you.
16 Nunavut Impact Review Board Questions Natural Resources
17 Canada

18 THE CHAIR: NIRB Board members.

19 Guy.

20 MR. ALIKUT: Guy Alikut, NIRB Board member.

21 It's not a question, per se. Our Elders -- the Elders
22 that are from here, they are well-versed in knowing the
23 traditional place names, and we have to -- I think all
24 Inuit organizations should recognize that they know the
25 traditional place names for every area that's in the --
26 in this region. Thank you.

1 THE CHAIR: In your presentation -- I
2 think you were on Slide 6 -- you said "195 hectares".
3 Can you explain what -- what 195 hectares looks like?

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

6 So in this specific situation, they've mapped the
7 entire road corridor all the way until Lakes D1 and D5.
8 I'm going to be 100 percent honest with you, and I'm a
9 little bit spatially challenged, so I have a difficult
10 time comparing that to this. I am going to see if my
11 colleague Jason Quinn has a better grasp of spatial
12 comparisons and see if he can answer this.

13 MR. QUINN: I can't speak to -- it's Jason
14 Quinn, NRCan -- can't speak to 195 hectares outside of
15 the fact that -- sorry for speaking quickly -- outside
16 of the fact that 1 hectare is 100 metres by 100 metres,
17 and then you can scale it.

18 THE CHAIR: Thank you. Thank you for that
19 explanation.

20 It's almost 5:00. That concludes Day 2 of this
21 public hearing. Thank you all for your contributions
22 to a productive day. We will resume the hearing
23 tomorrow morning at 9 AM, but before we leave for the
24 night, we have a quick draw for door prizes. For those
25 in attendance, please get out your tickets, and I hope
26 to see you back here tomorrow. Tomorrow morning we'll

1 start with the presentation from the Government of
2 Nunavut and move on to the community roundtable.

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4 PROCEEDINGS ADJOURNED UNTIL 9:00 AM, AUGUST 28, 2019

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1 CERTIFICATE OF TRANSCRIPT:
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3 We, Christy Longacre and Andres Vidal, certify
4 that the foregoing pages are a complete and accurate
5 transcript of the proceedings, taken down by us in
6 shorthand and transcribed from our shorthand notes to
7 the best of our skill and ability.

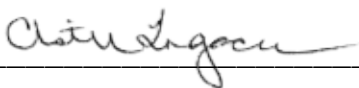
8 Dated at the City of Calgary, Province of Alberta,
9 this 9th day of September 2019.

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14 C. Longacre, RPR, CSR(A)

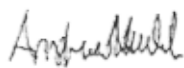
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