

NUNAVUT IMPACT REVIEW BOARD

AGNICO EAGLE LIMITED MINE
LIMITED SALINE EFFLUENT DISCHARGE TO MARINE ENVIRONMENT
PROJECT PROPOSAL
NIRB FILE NUMBER 11MN034

HEARING

VOLUME 1

Rankin Inlet, Nunavut

June 14, 2021

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June 14-17 (English/Inuktitut)

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Dicta Court Reporting Inc.
403-531-0590

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1 Proceedings taken at Singiitug Complex Recreation Hall,
 2 Rankin Inlet, Nunavut

3

4 NUNAVUT IMPACT REVIEW BOARD

5 K. Kaluraq Chair of Hearing

6 P. Kadlun Panel Member

7 A. Maghagak Panel Member

8

9 NUNAVUT IMPACT REVIEW BOARD STAFF (IQALUIT)

10 T. Meadows Legal Counsel

11 K. Costello Executive Director

12 T. Arko Director, Technical Services.

13 K. Gillard Manager, Project Monitoring

14 E. Koide Technical Advisor 1

15 E. Adjun Outreach Coordinator

16 L. Atatahak Administration Support

17

18 PROPONENT

19

20 AGNICO EAGLE MINES LIMITED REGISTERED SPEAKERS

21 C. Kowbel Legal Counsel

22 J. Quesnel Director, Permitting and

23 Regulatory Affairs

24 M. Groleau Superintendent - Permitting

25 and Regulatory Affairs

26 C. Prather Permitting - Water Quality

1	S. Leclair	Lead - Community/Consultation
2	R. Allard	General Supervisor Environment
3	L. Syvret	Senior Advisor
4	P. Kusugak	Director - Nunavut Affairs
5	J. Range	Golder Project Manager
6	C. De La Mare	Golder Terrestrial
7	D. Kritterdlik	Wildlife and IQ Coordinator
8	K. Tutanuak	Community Liaison in Rankin
9		Inlet
10	M. Bradley	Superintendent -
11		Community/Consultation/
12		Communication
13	G.A. Côté	General Supervisor -
14		Community/Consultation
15	C. Charest	Communications General
16		Supervisor
17	A. Veillette	Senior Coordinator Community
18		Relations
19	K. Mayrand	Director Shared Services
20		Nunavut
21	P. Lapointe	Technical Advisor
22	M. Long	Construction Superintendent
23	C. Chok	Kirk & Company - Communication
24	A. Amendola	Golder - Risk Assessment
25	A. Hospital	Tetra Tech - Manager Air
26		Coastal and Lake Engineering

1	P. Lavoie	Director, Nunavut Service Group
2		
3	INTERVENORS	
4		
5	NUNAVUT TUNNGAVIK INCORPORATED (REGISTERED SPEAKERS)	
6	A. Yuan	Legal Counsel
7	N. Gonzalez	Legal Counsel
8	B. Dean	Assistant Director W&E (Rankin)
9	R. Mercer	Resource Management Coordinator
10	J. Eetoolook	Vice President
11	K. Kabloona	Chief Executive Officer
12	D. Kunuk	Chief Operating Officer
13	P. Irngaut	Director, W&E (Iqaluit)
14	D. Lee	Biologist W&E (Montreal)
15	P. Lavallée	Consultant
16		
17	KIVALLIQ INUIT ASSOCIATION (REGISTERED SPEAKERS)	
18	J. King	Legal Counsel
19	L. Manzo	Environmental and Engineering
20	D. Kuksuk	Vice President, Portfolio Lands
21	H. Niakrok Sr.	Chief Operating Officer
22	B. Osmond	Lands Administrator
23	M. Serra	GIS Coordinator
24	A. Sexton	Geotechnical
25	K. Poole	Terrestrial Environment (Caribou)
26	R. Nesbitt	Aquatic Environment

1	GOVERNMENT OF NUNAVUT (REGISTERED SPEAKERS)	
2	E. Stockley	Legal Counsel
3	G. Karlik	Assistant Deputy Minister
4		Department EDT
5	S. Atkinson	Caribou and Wildlife Consultant
6	D. Wilson	Environment Human Health
7		Consultant
8	H. Gretka	Environment Human Health
9		Consultant
10	C. Ott	Environment Human Health
11		Consultant
12	A. Simonfalvy	Avatilirinirq Coordinator
13	M. LeBlanc-Havard	Environmental Protection Director
14	N. O'Grady	Manager, Mines & Minerals
15	A. Robinson	Manager, Land Use & Environmental
16		Assessment
17	B. Pirie	Project Manager, Research &
18		Monitoring
19	K. Sameer	Project Manager, Impact Assessment,
20		Department of Environment
21		
22	CROWN-INDIGENOUS RELATIONS AND NORTHERN AFFAIRS CANADA	
23	(REGISTERED SPEAKERS)	
24	S. Dewar	Director, Resource Management
25	S. Gruda-Dolbec	Legal Counsel, Department of
26		Justice

1	F. Ngwa	Manager, Impact Assessment
2	A. Roy	Senior Environmental
3		Assessment Specialist
4	D. Abernethy	Regional Socioeconomic Analyst
5	A. Vigna	Environmental Policy Analyst
6	K. Pawley	Manager, Environmental Assessment
7	J. Walsh	Senior Environmental
8		Assessment Analyst
9	G. Wiatzka	Technical Expert - Arcadis Canada
10	T. Brown	Technical Expert - Arcadis Canada
11		
12	ENVIRONMENT AND CLIMATE CHANGE CANADA (REGISTERED	
13	SPEAKERS)	
14	V. Shore	Senior Environmental Assessment
15		Officer
16	A. Wilson	Water Quality Expert
17		
18	DEPARTMENT OF FISHERIES AND OCEANS (REGISTERED	
19	SPEAKERS)	
20	E. Ratajczyk	Biologist, Fish and Fish
21		Habitat Protection Program
22	J. Audet-Lecouffe	Biologist
23		
24	HEALTH CANADA (REGISTERED SPEAKERS)	
25	J. Kaushansky	Environmental Assessment
26		Specialist

1	P. Partridge	Regional Manager, Environmental
2		Health Program
3	W. Wilson	Environmental Assessment
4		Coordinator
5	C. Levicki	Environmental Assessment
6		Technical Expert
7	E. Kalcsics	Environmental Engagement
8		Specialist
9	T.T. Nguyen	Indigenous Engagement
10		Specialist
11		
12	TRANSPORT CANADA (REGISTERED SPEAKERS)	
13	S. Kidd	Regional Environmental Advisor
14	A. Downing	Regional Senior Environmental
15		Supervisor
16	K. Xian Au Yong	Officer, Indigenous Relations
17	A. Champagne Gudmundson	Regional Manager, Environmental
18		Programs, Prairie and Northern
19		Region
20	D. Hawkes	Regional Manager, Navigation
21		Protection Program
22	K. Klarenbach	Regional Manager, Indigenous
23		Relations Unit
24		
25	NATURAL RESOURCES CANADA (REGISTERED SPEAKERS)	
26	P. Unger	Senior Environmental

1		Assessment Officer
2	M. Genest	Environmental Assessment
3		Officer
4		
5	KIVALLIQ WILDLIFE BOARD (REGISTERED SPEAKERS)	
6	C. Tartak	Research Coordinator
7	E. Greene	Research Consultant
8		
9	ARVIAT HUNTERS AND TRAPPERS ORGANIZATION AND HAMLET OF	
10	ARVIAT (REGISTERED SPEAKERS)	
11	T. Ubluriak	Board Member
12	A. Illungiyok	Arviat HTO
13	P. Alareak	Elder Representative
14	L. Amarudjuak	KivIA Woman
15	S. Nipisar	KivIA Youth
16		
17	ISSATIK HUNTERS AND TRAPPERS ORGANIZATION AND HAMLET OF	
18	WHALE COVE (REGISTERED SPEAKERS)	
19	R. Kolit	HTO
20	G. Maktar	Chair, Issatik HTO
21	A. Noolook	Issatik HTO
22	P. Kabloona	KivIA Elder
23	L.A. Saumik	KivIA Youth
24		
25		
26		

1 AQIGIQ HUNTERS AND TRAPPERS ORGANIZATION AND HAMLET OF
 2 CHESTERFIELD INLET (REGISTERED SPEAKERS)

3 H. Aggark Chairperson, Aqigiq HTO
 4 J. Aggark Hamlet of Chesterfield Inlet
 5 L. Mimialik KivIA Elder
 6 J. Amarok KivIA Youth

7

8 BAKER LAKE HUNTERS AND TRAPPERS ORGANIZATION AND HAMLET
 9 OF BAKER LAKE (REGISTERED SPEAKERS)

10 H. Putumiraqtuq Vice Chairperson, Baker Lake
 11 HTO

12 R. Aksawnee Hamlet of Baker Lake
 13 J. Joedee KivIA Elder
 14 V. Joedee KivIA Woman
 15 J. Mannik KivIA Youth

16

17 KANGIQLINIQ HUNTERS AND TRAPPERS ORGANIZATION AND
 18 HAMLET OF RANKIN INLET (REGISTERED SPEAKERS)

19 A. Aokaut Kangiqliniq HTO
 20 T. Comer Kangiqliniq HTO
 21 L. Brown KivIA Elder
 22 G. Anawak KivIA Woman
 23 A. Irwin KivIA Youth

24

25

26

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

3 G. Bussidor Sayisi Dene First Nation
 4 Representative

5 B. Denechezhe Northlands Denesuline First
 6 Nation Representative

7 K. Olson Legal Counsel

8 L. Wakelyn Wildlife Biologist

9 S. Kearney Wildlife Biologist

10

11 INTERPRETERS/TRANSLATORS

12 M.R. Angoshadluk Language Translator

13 B. Dean Language Translator

14 D. Adams Language Translator

15

16 COURT REPORTERS

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

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

19 CRR

20

21

22

23

24

25

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1 Opening Remarks

2 THE CHAIR: Good morning.

3 My name is Kaviq Kaluraq. I'm the Chairperson for
4 the Nunavut Impact Review Board. On behalf of the
5 Board, I would like to welcome you to the start of the
6 NIRB public hearing associated with the assessment of
7 Agnico Eagle Limited Mine Limited saline effluent
8 discharge to marine environment project proposal. It's
9 a modification of the testing, Meliadine Gold Mine
10 project.

11 For those of you attending in Rankin Inlet,
12 welcome to Rankin Inlet. And for those of you
13 participating over the audio-video feeds, thank you.

14 Please turn off your cell phones or put them on
15 silent before we begin.

16 Before we begin, we are starting the meeting with
17 an opening prayer. Thomas Ubluriak will open the
18 prayer -- open the meeting with the opening prayer.
19 Thank you.

20 MR. UBLURIAK: Can you hear me?

21 Opening Prayer

22 THE CHAIR: Thank you for opening the
23 prayer -- with a prayer.

24 Due to the public health directives associated
25 with the COVID-19 pandemic, the Nunavut Impact Review
26 Board has modified options for access to the

1 proceedings as well as implemented additional
2 procedures for those attending in person to keep us all
3 safe and in compliance with local public health
4 requirements.

5 Although things may look a little different, I can
6 assure you that the Board's objectives in conducting
7 these meetings remains the same as for all of the
8 Board's proceedings for the Meliadine Gold Mine
9 project.

10 As many of you know, in response to an outbreak of
11 COVID-19 in Iqaluit identified in mid-April, including
12 the identification of two cases in Rankin Inlet in
13 April, this public hearing had to be rescheduled from
14 the original dates in May to today.

15 The Board is thankful that the situation in
16 Rankin Inlet has been resolved, and we want to thank
17 everyone for showing flexibility, kindness, and
18 patience as we all know -- as we all work together in
19 these exceptional circumstances to make this public
20 hearing a success.

21 The Nunavut Impact Review Board has worked with
22 the chief public health office and Hamlet of
23 Rankin Inlet to ensure that everyone can participate in
24 this hearing while remaining safe and healthy.

25 While I am sure we are all looking forward to a
26 full return to our normal hearings, the pandemic is

1 still with us and to ensure everyone's safe
2 participation, the Board continues to require everyone
3 here today to follow the Board's safety protocols for
4 public meetings.

5 To ensure that we can have as many people from the
6 communities attend these meetings in person, the
7 Nunavut Impact Review Board has been granted an
8 exemption from the chief public health office to allow
9 the Board to have more people gather indoors than the
10 limit that is generally in place.

11 This exemption requires the Board to follow our
12 strict safety protocols, and the details of the
13 protocols and exemption order are posted at the front
14 of the room. Throughout our meetings, the Board will
15 be providing reminders regarding the requirements such
16 as ensuring that at all times when we are indoors that
17 we -- that you are wearing a mask, that we social
18 distance as much as possible, and that you sanitize
19 your hands when entering or exiting the indoor space.

20 I will now turn the microphone over to Candice
21 Corston regarding the health and safety protocols for
22 these meetings to make sure we all comply with the
23 current public health measures and keep everyone safe
24 and healthy.

25 Candice.

26 MS. CORSTON: Good morning. My name is

1 Candice Corston. I'm the manager of the public health
2 unit here in Rankin called "The Wellness Centre", and I
3 was asked to come and just remind people that when
4 you're here, just to wash your hands as often as you
5 can and to keep your distances, like your 6 feet
6 between people, and also wear a mask at all times.

7 I think it also -- it also is important if you
8 have any friends or relatives that are in your
9 community that have to go under isolation, to honour
10 that isolation protocol. We're in a whole different
11 world right now with the pandemic, and I think if
12 everybody complies, get your vaccine, get your two
13 doses, wear your mask, social distance, and keep your
14 hands sanitized as much as you can, then perhaps maybe
15 this different world will change into the world we used
16 to know.

17 Anyways, I'd like to thank you for the opportunity
18 to just give you this friendly reminder, and welcome to
19 Rankin Inlet. Thank you.

20 THE CHAIR: Thank you, Candice, and thank
21 you in advance to all participants for complying with
22 all of these measures.

23 Right now we'll be hearing from Rankin Inlet
24 mayor, Harry Towtongie, who will be doing the welcoming
25 remark. Is he here? Oh, he's not here.

26 Before I get too far into the details about this

1 hearing, I want to address some of the housekeeping
2 details so that you know how to participate.

3 Whether you are participating in person or are
4 linked to us through an audiovisual feed -- for
5 everyone participating by the audiovisual feed, be
6 assured that we are linked to you, and anyone who is
7 not able to join us in person will be able to ask
8 questions and provide responses to the same degree as
9 if we were all in the same room.

10 As we may be switching back and forth between the
11 in-person video and audio links during the hearing, we
12 ask everyone to be patient in waiting for your turn to
13 speak.

14 Agnico Eagle and formal intervenors have provided
15 the Board with a list of key speakers who will be my
16 primary contact. When a question is directed to the
17 proponent or intervenors, I will direct the question to
18 your key speaker, who can then turn over the microphone
19 to the member of their team who will answer.

20 If you are participating by Zoom, when your name
21 is called, please click on the "raise your hand" button
22 at the bottom of the screen, and this will help the
23 techs identify you more quickly so that they can unmute
24 your line and turn on your camera.

25 If you're on the teleconference line, there may be
26 some delay as the tech switches to you and unmutes your

1 line.

2 When we go to you on the phone, it may also be
3 necessary for you to press "Star 6" to unmute your line
4 on your own phone as well.

5 Simultaneous interpretation of the proceedings is
6 being provided throughout the meetings from the
7 interpreters here in Rankin Inlet. In the Zoom feed,
8 you can choose the language feed you want to hear, but
9 when you go to speak, you may have to turn off the
10 interpretation feed to avoid feedback.

11 For those of you on the teleconference lines,
12 specific call-in information is provided for separate
13 English and Inuktitut lines.

14 For the people here in Rankin Inlet, receivers are
15 available at the sign-in table at each in-person
16 location, and receivers are set to these channels.
17 Just so you're aware, we'll have -- Channel 0 is for
18 the floor; 1, English; and 2 -- Channel 2 is Inuktitut.

19 If you're having trouble hearing the proceedings,
20 please let one of the NIRB staff know, and they'll
21 assist you. Issues with the online feed can be
22 communicated by emailing Emily Koide at ekoide@nirb.ca.

23 Just a quick reminder to everyone participating in
24 this hearing, no matter how you are participating, no
25 one is permitted to record or rebroadcast the images,
26 video, or audio of these proceedings in any form

1 without the express written consent of the Nunavut
2 Impact Review Board.

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

6 I also want to ensure everyone coming to the hall
7 that although there are limits on the number of people
8 we can have in attendance at one time under the current
9 public health orders, spaces have been reserved in
10 Rankin Inlet for members of the public to participate,
11 and Agnico Eagle is also assisting us by broadcasting
12 the proceedings live on the radio. You can tune in on
13 FM Channel 89.5 to hear the live feed of the floor
14 microphone. The Nunavut Impact Review Board encourages
15 members of the public in Rankin Inlet to attend in
16 person, by listening on the radio, or by signing on to
17 the audio or video link.

18 If during the proceedings we reach the maximum
19 capacity of 75 people in the hall, we will not be able
20 to admit any additional people, and we may ask -- we
21 may have to ask you to come back later or join by audio
22 or video link.

23 We ask members of the public to be respectful of
24 the interests of everyone participating and note that
25 babies and small children are included in the person
26 count, so please be aware that -- when you are making

1 plans to attend.

2 We also have comment forms at the front desk so
3 you can write down your comments or your questions to
4 be read into the public hearing record, if you can't
5 stay.

6 Now that you know how to participate in our
7 proceedings, I'll give some background about the
8 purpose and process of the -- this hearing.

9 As I stated earlier already, I am Kaviq Kaluraq.
10 I'm the Chairperson of the Nunavut Impact Review Board.
11 I'm from Baker Lake. I have served continuously with
12 the Board since my first term in 2011.

13 On April 26th, 2021, the Nunavut Impact Review
14 Board determined that due to the travel and other
15 restrictions, it was necessary for the full board to
16 delegate the completion of this public hearing and
17 decision-making for the file to a three-member panel of
18 the Board.

19 As permitted under the Nunavut Agreement, the
20 Panel is chaired by me, and I am joined by my fellow
21 Board members Phillip Omingmakyok Kadlun and Allen
22 Maghagak. I'll now ask my fellow board members to
23 introduce themselves.

24 Phillip?

25 MR. KADLUN: Good morning, Madam Chair.
26 I'm Phillip Kadlun, and I'm from Kugluktuk, Nunavut

1 Impact Review Board member.

2 THE CHAIR: Allen?

3 MR. MAGHAGAK: Allen Maghagak (INUKTITUT
4 SPOKEN - NO ENGLISH TRANSLATION) formerly from
5 Cambridge Bay, now living in Ottawa. Board member for
6 NIRB.

7 THE CHAIR: During the Board's assessment
8 of the saline effluent discharge to the marine
9 environment proposal, several NIRB staff and the
10 Board's legal counsel have provided administrative and
11 technical support to the Board.

12 Today the Panel is supported by the following
13 people: When I say your name, I ask that you wave so
14 that people can see you.

15 Our staff, Karen Costello is our executive
16 director. Tara Arko is the director as well.
17 Kelli Gillard is the -- our staff. Emily Koide and
18 our Lena Atatahak also work in the office, and Ellie
19 Adjun, our outreach coordinator. We also have our
20 lawyer, Teresa Meadows. She will be attending through
21 Zoom, and our interpreters, Mary Rose Angoshadluk,
22 Bernadette Dean, simultaneous interpreters.

23 And joining us with our sound system, video link
24 interpretation, sound recording, we have
25 representatives from Duoson, Olivier Sirois and Corey
26 Burroughs.

1 To ensure an accurate record of the public
2 hearing, we will be keeping a transcript of these
3 proceedings. We have Sandra Burns and Andres Vidal,
4 court reporters from Dicta Court Reporting here to
5 prepare the transcript. To assist our court reporters,
6 I ask that all parties please state their name before
7 they speak every time.

8 Now that you know the Panel, I want to give some
9 details about the purpose, structure, and agenda for
10 this public hearing.

11 The Panel is holding this public hearing to hear
12 evidence, ask questions, and listen to comments and
13 concerns of intervenors, community representatives, and
14 members of the public in order to assess the potential
15 ecosystemic and socioeconomic effects of Agnico Eagle
16 Mines Limited saline effluent discharge to the marine
17 environment project proposal.

18 This project proposal is a modification of
19 Agnico Eagle's existing Meliadine Gold Mine project.
20 Agnico Eagle's assessment of the potential effects of
21 the project proposal has been filed with the Board in
22 the form of an addendum to the final environmental
23 impact statement and builds on the Board's previous
24 assessment of the Meliadine Gold Mine project.

25 The addendum and supporting documentation provided
26 by Agnico Eagle have been reviewed and commented on by

1 the formal intervenors currently around the table, who
2 will be asking questions and making presentations about
3 their interventions during the technical part of this
4 hearing over the next two days.

5 When the technical sessions conclude, the Board
6 will start the community roundtable part of this
7 hearing.

8 During the community roundtable, community
9 representatives here in Rankin Inlet will move to
10 occupy the seats around the table, and the general
11 public will have the opportunity to express their
12 views, share their knowledge, and ask questions of
13 Agnico Eagle and the intervenors regarding this change
14 to the Meliadine Gold Mine project.

15 At the close of the community roundtable session
16 on Thursday, a single spokesperson chosen by each
17 community will give short closing remarks to the Panel
18 summarizing if their community's concerns have been
19 addressed and if the community supports the proposal
20 going ahead or not.

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

1 After the public hearing has concluded and the
2 public hearing record is closed, based on all the
3 evidence, information, comments, and concerns provided
4 to the Board throughout the assessment, the Panel will
5 determine whether or not the proposed amendment should
6 be allowed to proceed to the permitting stage.

7 If the Panel decides that the changes proposed by
8 Agnico Eagle can go ahead, the Panel will also make a
9 recommendation in respect of the changes or additions
10 to the terms and conditions of the existing Meliadine
11 project certificate that are required to limit the
12 potential for impacts.

13 Within 45 days from the close of the public
14 hearing record, the Panel will provide its final report
15 and recommendations to the Minister of Northern Affairs
16 and other responsible government ministers for their
17 consideration.

18 The responsible ministers will then have the
19 option of accepting, varying, or rejecting the Board's
20 report and associated recommendations as set out under
21 the Nunavut Agreement, and the Nunavut Planning and
22 Project Assessment Act.

23 In terms of the agenda for the next four days,
24 hard copies of the agenda are available from the
25 check-in desk. The technical sessions of the public
26 hearing will commence today and will be completed

1 tomorrow with the community roundtable starting late in
2 the afternoon tomorrow and proceeding all day and
3 evening Wednesday and part of Thursday.

4 We will close the public hearing on Thursday with
5 closing remarks by the communities, intervenors,
6 Agnico Eagle and the Board.

7 All times in the agenda are Central Time. Unless
8 I advise otherwise, we will start each day at 9 AM and
9 break at 5:00 PM for dinner. Evening sessions are
10 planned for both Monday and Wednesday to allow for
11 people who work during the day to attend in person.

12 The evening sessions will start at 6:30 PM and
13 finish at 9 PM. Although the time for breaks
14 throughout the day are flexible, generally we will have
15 one 15-minute break in the morning, and one 15 -- one
16 in the afternoon. I'll let everyone know when we're
17 coming up to break time. We generally break for lunch
18 at 12 PM, reconvening at 1:15 PM.

19 Coffee and tea services will not be provided in
20 the hall during public meetings as a precautionary
21 measure reflecting public health concerns on COVID.
22 Bottled water will be offered.

23 So now I'd like to just -- just to give you a
24 short description about the changes to the Meliadine
25 Gold Mine project proposed by Agnico Eagle in the
26 saline effluent discharge to the marine environment

1 project proposal and the completed steps in the NIRB's
2 assessment of the proposal that bring us to this public
3 hearing.

4 We will be hearing directly from Agnico Eagle with
5 a more detailed project description following this
6 introduction, so I'll keep my remarks brief.

7 The Meliadine Gold Mine project is owned and
8 operated by Agnico Eagle Mines Limited and is located
9 approximately 25 kilometers north of Rankin Inlet. The
10 project, as approved by the Board to proceed in
11 February 2015, encompasses open-pit and underground
12 mining of five gold deposits focused on the Tiriganiaq
13 deposit connected by an all-season access road and
14 bypass road to facilities at Itivia Harbour.

15 The underground mine extends below the permafrost
16 and experiences an inflow of groundwater that contains
17 salt. Through this assessment, this groundwater is
18 called "saline effluent".

19 In 2018, the Board assessed and approved an
20 amendment to Meliadine Gold Mine Project Certificate
21 Number 006 to allow trucking of the saline effluent
22 from the mine site to a facility at Itivia where the
23 saline effluent is stored and then discharged via a
24 pipe into Melvin Bay during open-water season.

25 Since 2018, Agnico Eagle has discovered that there
26 is more groundwater flowing into the underground mine

1 than previously predicted. With its saline effluent
2 discharge to marine environment project proposal,
3 Agnico Eagle is seeking to change the approved method
4 of transporting the saline effluent from the trucking
5 to Itivia to moving the saline effluent through dual
6 waterlines to discharge into Melvin Bay.

7 Agnico Eagle is seeking this change to
8 considerably increase the amount of saline groundwater
9 that can be discharged into Melvin Bay during open
10 water.

11 The proposal includes construction of two 16-inch
12 diameter waterlines within the footprint of the
13 existing all-weather access road and bypass road from
14 the mine site to the Itivia facility, with 80 to
15 90 percent of the waterlines along the road being
16 covered.

17 Agnico Eagle also proposes to build a new
18 discharge pipe and diffuser into Melvin Bay, which
19 would remain in place for the life of the mine and
20 increasing the saline groundwater discharge rate from
21 6,000 to 12,000 cubic metres per day during the
22 open-water season.

23 The proposal also seeks to put up to 8,000 cubic
24 metres per day of surface contact water into the
25 waterlines for a total discharge rate of 20,000 cubic
26 metres per day, consisting of the saline effluent

1 combined with surface contact water.

2 When the proposal was submitted, Agnico Eagle
3 indicated they planned for construction of
4 infrastructure for the proposed activities to begin in
5 early 2021 with the first discharge of saline effluent
6 as early as May 2021. Obviously these timelines have
7 had to be delayed, and Agnico Eagle can give an update
8 regarding their plans when they make their presentation
9 later today.

10 The current saline effluent discharge to marine
11 environment project proposal was referred to the
12 Nunavut Impact Review Board for assessment on
13 March 25, 2020. After the Board received clarification
14 from Agnico Eagle and input from parties on the
15 proposal, in June 2020, the Nunavut Impact Review Board
16 determined that the assessment of the saline effluent
17 discharge to the marine environment project proposal
18 would proceed as a formal reconsideration of the terms
19 and conditions of Project Certificate Number 006 under
20 Section 12.8.2 of the Nunavut Agreement and Section 112
21 of the Nunavut Planning and Project Assessment Act.

22 In August 2020, NIRB accepted Agnico Eagle's
23 assessment of the potential impacts of the project
24 proposal provided in the final impact statement
25 addendum as complete and initiated the technical review
26 process.

1 As part of the technical review process,
2 intervenors and interested parties provided information
3 requests and technical review comments on the proposal,
4 and Agnico Eagle responded by providing additional
5 information, commitments, and responses.

6 The NIRB held community information sessions in
7 the communities identified by the responsible minister
8 as potentially affected by the proposal from Arviat,
9 Baker Lake, Chesterfield Inlet, Rankin Inlet, and
10 Whale Cove in early October 2020.

11 The technical meeting community roundtable and
12 prehearing conference for the file originally planned
13 for the end of November 2020 was delayed when there was
14 a COVID-19 outbreak identified in the Kivalliq in early
15 November.

16 These meetings were eventually completed by
17 February 13, 2021, through a combination of
18 teleconference, videoconference, and in-person meetings
19 here in Rankin Inlet, reflecting accommodations that
20 were required due to weather-related travel
21 cancellations and public health limits on travel and
22 in-person gatherings put in place to prevent the spread
23 of COVID-19.

24 In the Board's prehearing conference report for
25 the file issued on March 11, 2021, the Board identified
26 its direction on holding this public hearing in person

1 and via video and audio conference linkages, and on the
2 same day circulated formal notice of the public
3 hearing, which was originally scheduled to take place
4 the week of May 17 to 21, 2021. Unfortunately, when
5 COVID-19 -- when a COVID-19 outbreak was declared in
6 Iqaluit and cases of COVID-19 were confirmed in
7 Rankin Inlet in April 2021, the public hearing had to
8 be further delayed until public health measures allowed
9 for meetings to occur.

10 Once the cases in Rankin Inlet were resolved on
11 May 4, 2021, the Panel determined that it could proceed
12 with the rescheduled public hearing, and notice of the
13 revised dates for this public hearing was released to
14 the public on May 11th, 2021, which brings us to today.

15 Anyone interested in looking at all the
16 documentation associated with the Board's assessment of
17 the saline effluent discharge to the marine environment
18 project proposal, please see or contact the NIRB staff,
19 and they can provide you with an opportunity to review
20 electronic copies of anything you might need.

21 This documentation is also available from the
22 Board's online public registry, and our staff can
23 direct you to the relevant part of the website.

24 Now I turn to some remaining housekeeping items.
25 I would like to notify all participants that these
26 proceedings are being or may be attended by media

1 representatives. If members of the media are attending
2 in person, we ask that you wear a press badge or
3 similar identification throughout these proceedings so
4 that it is clear to the parties which media outlet
5 you're representing. Any participants who are
6 approached by the media, it remains up to you as to
7 whether you wish to speak with the media.

8 Media participating online should provide notice
9 to Karen Costello, the Board's executive director, and
10 inquiries for information from media representatives
11 should also be sent to her.

12 The Board welcomes the media providing information
13 about these meetings to those who cannot attend;
14 however, I remind everyone that the Board, staff, and
15 Panel cannot take questions or provide interviews to
16 the media or make public comments regarding these
17 meetings while we are underway.

18 In the interest of time, I'm also going to ask the
19 key speakers for each party to introduce your entire
20 team by listing the names of the people who will be
21 participating in the proceedings this week starting
22 with the proponent, Agnico Eagle Mines Limited, Jamie
23 Quesnel.

24 Roll Call

25 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

26 Thank you, Madam Chair.

1 My name is Jamie Quesnel. I'm director of
2 permitting and regulatory affairs. In person we have
3 Michel Groleau, superintendent, permitting and
4 regulatory affairs; Colleen Prather, permitting
5 technical advisor; Suzanne Leclair, senior advisor,
6 stakeholder engagement; Robin Allard, general
7 supervisor, environment; Lonny Syvret, senior advisor,
8 Nunavut; Pujjuut Kusugak, director of Nunavut affairs
9 east; Jennifer Range, project manager, permitting;
10 David Kritterdlik, IQ and wildlife coordinator;
11 Karen Tutanuak, community liaison officer;
12 Christine Kowbel, legal counsel; Corey De La Mare,
13 senior wildlife biologist.

14 Also, we have a few people that are joining us
15 remotely. Melissa Bradley, superintendent, community
16 relations and communications; Gabriel Antoine Côté,
17 general supervisor, community relations; Carl Charest,
18 general supervisor, community relations;
19 Anick Veillette, senior coordinator, community
20 relations; Krystel Mayrand, Agnico Eagle business
21 strategy; Mark Long, construction superintendent;
22 Pascal Lavoie, director, Nunavut service group.

23 Also we have a few consultants joining us
24 remotely, Chris Chok, Kirk & Company, communications;
25 Andrea Amendola, Golder, risk assessment; Aurelien
26 Hospital, Tetra Tech, water management. Thank you.

1 THE CHAIR: Nunavut Tunngavik, (INUKTITUT
2 SPOKEN - NO ENGLISH TRANSLATION) Bert Dean.

3 MR. DEAN: Thank you, Madam Chair.

4 My name is Bert Dean. I'm NTI's -- I work in
5 NTI's wildlife and environment department here in
6 Rankin Inlet. Because I'm here in Rankin, they've
7 asked me to be the go-between or the main speaker. I'm
8 also here with Raymond Mercer, our resource management
9 coordinator here in Rankin.

10 Remotely, we have David Kunuk, our chief operating
11 officer; Paul Irngaut, our director of wildlife and
12 environment, Arthur Yuan, legal; Neida Gonzalez, legal;
13 David Lee, biologist; Philippe Lavallee, consultant;
14 and joining us occasionally, depending on schedule,
15 will be our chief administrative officer,
16 Hannah Uniugsaraq; and, unfortunately, James Eetoolook
17 was not available for these hearings, but he will be
18 updated.

19 Thank you, Madam Chair.

20 THE CHAIR: (INUKTITUT SPOKEN - NO ENGLISH
21 TRANSLATION) Luis Manzo.

22 MR. MANZO: Thank you, Madam Chair. Thank
23 you, members of the Board and parties.

24 I will intro the lands department of Kivalliq
25 Inuit Association. I will be the main speaker in this
26 meeting.

1 With me, I have the vice president, David Kuksuk,
2 in charge of the portfolio lands; the CEO, Harry
3 Niakrok beside me. Remotely we have Kim Poole,
4 biologist for terrestrial wildlife; Richard Nesbitt in
5 charge of water quality and water chemistry; Jennifer
6 King, our legal counsel; Alan Sexton, geology and
7 engineering. Thank you, Madam -- Madam Chair.

8 THE CHAIR: Nunavut Government, Gabriel
9 Karlik.

10 MR. KARLIK: Thank you, Madam Chair.

11 I'm Gabriel Karlik, acting ADM for economic
12 development and transportation. The rest of the team
13 is by teleconference or Zoom. They are
14 Stephen Atkinson, wildlife consultant; David Wilson,
15 environment human health consultant; Heather Gretka,
16 environment human health consultant; Cindy Ott,
17 environment human health consultant; Agnes Simonfalvy,
18 Avatilirinirq coordinator; Michele LeBlanc-Havard,
19 environmental protection director; Natalie O'Grady,
20 manager, minerals and regulations; Amy Robinson,
21 manager, land use and environment assessment; Bradley
22 Pirie, project manager, research and monitoring; Kamil
23 Sameer, project manager impact assessment.

24 (INTERPRETER BELL)

25 THE CHAIR: If you can please slow down
26 for the interpreters.

1 MR. KARLIK: And Amy [sic] Stockley, legal
2 counsel.

3 Thank you, Madam Chair.

4 THE CHAIR: (INUKTITUT SPOKEN - NO
5 TRANSLATION) Spencer Dewar. (INUKTITUT SPOKEN - NO
6 TRANSLATION)

7 MR. DEWAR: Qujannamiik, Madam Chair.

8 I'm Spencer Dewar, Crown-Indigenous Relations and
9 Northern Affairs Canada. Can you hear me?

10 THE CHAIR: Yes. You may proceed.

11 MR. DEWAR: Great. Joining me remotely, I
12 have with me Felexce Ngwa, manager of environment
13 impact assessment; Amal Roy, senior environmental
14 specialist; and David Abernethy, who is the regional
15 socioeconomic analyst.

16 Joining us remotely from the national capital
17 region is Kim Pawley, manager of environment
18 assessment, land-use planning and conservation;
19 Jennifer Walsh, senior environmental policy analyst;
20 Alana Vigna, environmental policy analyst.

21 We're also supported by technical experts
22 Gerd Wiatzka and Tony Brown with Arcadis, and the
23 broader federal family is being supported by
24 Simon Gruda-Dolbec as legal counsel from the Department
25 of Justice.

26 Qujannamiik, Madam Chair.

1 THE CHAIR: (INUKTITUT SPOKEN - NO
2 TRANSLATION) Canada, Victoria Shore.

3 MS. SHORE: Good morning, my name is
4 Victoria Shore. I'm a senior environmental assessment
5 officer with Environment and Climate Change Canada.
6 Also online with me today is my colleague, Anne Wilson,
7 who is our team lead for water quality expert support.

8 Thank you, Madam Chair.

9 THE CHAIR: (INUKTITUT SPOKEN - NO ENGLISH
10 TRANSLATION) Canada, Edyta Ratajczyk.

11 MS. RATAJCZYK: Thank you, Madam Chair.

12 My name is Edyta Ratajczyk, fisheries biologist
13 with Fisheries and Oceans Canada, under the fish and
14 fish habitat program. Accompanying me today is José
15 Audet-Lecouffe, senior biologist, also with Fisheries
16 and Oceans Canada. Thank you.

17 THE CHAIR: Environmental Assessment
18 Canada, Joel Kaushansky.

19 MR. KAUSHANSKY: Good morning. My name is
20 Joel Kaushansky, and I'm an environmental assessment
21 specialist for Health Canada. I will be the main
22 speaker for Health Canada at this hearing. I will be
23 joined by four colleagues: Paul Partridge, regional
24 manager of the environmental health program;
25 Wendy Wilson, environmental assessment coordinator;
26 Christine Levicki, environmental specialist; and Erica

1 Kalcsics, engagement specialist.

2 Thank you, Madam Chair.

3 THE CHAIR: (INUKTITUT SPOKEN - NO
4 TRANSLATION) Scott Kidd.

5 MR. KIDD: Good morning, Madam Chair.

6 There are three representatives from Transport
7 Canada's prairie and northern region actively
8 participating in this hearing. First there is myself,
9 Scott Kidd. I work with Transport Canada as a regional
10 environmental advisor. I will be the main speaker for
11 Transport Canada during this meeting. Joining me are
12 Adam Downing, who is the regional environmental
13 supervisor, and Ke Xian Au Yong, who works in the
14 Transport Canada's major resource developments project
15 and Indigenous consultation group. Again, we are all
16 part of Transport Canada's prairie and northern region,
17 and we are participating in this meeting remotely from
18 Winnipeg and Edmonton.

19 Thank you, Madam Chair.

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

22 MR. GENEST: Hello, Madam Chair. Can you
23 hear me?

24 THE CHAIR: Yes. You may proceed.

25 MR. GENEST: Hi there. Maximilien Genest
26 for Natural Resources Canada in Ottawa. I will be the

1 lead speaker for Natural Resources for this hearing.

2 Also joining me is Peter Unger, team lead at the impact
3 assessment division at Natural Resources Canada.

4 Thank you.

5 THE CHAIR: (INUKTITUT SPOKEN - NO
6 TRANSLATION) Clayton Tartak.

7 Karen Costello?

8 MS. COSTELLO: Thank you, Madam Chair.

9 We've been advised that the Kivalliq Wildlife
10 Board rep, Clayton, is having some connectivity issues,
11 so perhaps we could just circle back to them after
12 we've gone through the rest.

13 Thank you, Madam Chair.

14 THE CHAIR: Arviat (INUKTITUT SPOKEN - NO
15 TRANSLATION) Thomas Ubluriak.

16 MR. UBLURIAK: I am here on behalf of Arviat,
17 and the concerns for environment and the mining
18 activity. All of us as hunters in Arviat, we will
19 bring forward concerns as hunters from Arviat. I
20 heard -- I heard earlier that questions will be
21 answered, and if I have any questions and if -- and who
22 I want to ask questions to. I want to understand who I
23 will be directing my questions to.

24 I am also on a board -- on the marine board, and
25 I'm also on the Inuit language terminology, and I am
26 also on a board concerning the environmental well-being

1 respecting Inuit traditional knowledge. We meet once
2 in a while.

3 I am on a committee, and as the chair regarding
4 the environment -- as a chair of the environmental
5 committee on the Inuit terminology, I am vice chair.
6 I -- there are different committees. For this reason,
7 I am here, but representing the Arviat Hunters and
8 Trappers.

9 The chair and the vice chair of the Arviat Hunters
10 and Trappers Association cannot attend at this time, so
11 I am -- I was designated, and there is a youth here
12 with me.

13 Thank you, Madam Chair.

14 THE CHAIR: From the Issatik Hunters and
15 Trappers Organization, Ryan Kolit. He is not here at
16 the moment.

17 From Aqigiq Hunters and Trappers Association,
18 Harry Aggark.

19 MR. AGGARK: Thank you, Madam Chair.

20 My name is Harry Aggark. I am from Chesterfield
21 Inlet. I am representing the Aqigiq Hunters and
22 Trappers Association, and I am also the secretary
23 treasurer for the Nunavut Wildlife Management Board. I
24 thought I was here as a member, but I did not realize I
25 am here as an intervenor. I don't have much to ask
26 right now, but perhaps tomorrow or the next day I will

1 have questions that I will have and when I get a better
2 understanding of this -- the purpose and process of
3 this meeting.

4 Thank you, Madam Chair.

5 THE CHAIR: From the Baker Lake Hunters
6 and Trappers, Harold Putumiraqtuq.

7 MR. PUTUMIRAQTUQ: Thank you, Madam Chair. I am
8 Harold Putumiraqtuq, the vice -- (NO ENGLISH FEED).

9 THE CHAIR: The Rankin Inlet HTO.
10 It doesn't stick.

11 MR. AOKAUT: My name is Andre Aokaut, and
12 I'm (NO ENGLISH FEED).

13 THE CHAIR: Sayisi Dene First Nation.
14 Geoff Bussidor. Carl?

15 MR. BUSSIDOR: Hello? Can you hear me?

16 THE CHAIR: Yes. You may proceed.

17 MR. BUSSIDOR: Good morning. I'm
18 participating as the main presenter. I'm from Tadoule
19 Lake. My name is Geoff Bussidor, also known as Carl;
20 and joining me remotely is legal counsel, Kelly Olsen;
21 also from Northlands Denesuline First Nation,
22 Benjamin Denechezhe; and Steven Kearney and Leslie
23 Wakelyn are both joining. They're wildlife biologists.
24 Leslie is joining from Yellowknife, and Steve is
25 joining from Winnipeg. Thank you. Masi.

26 THE CHAIR: Northlands Denesuline First

1 Nation, Benji Denechezhe.

2 MR. DENECHZHE: Hi. Good morning. Can you
3 hear me?

4 THE CHAIR: Yes. You may proceed.

5 MR. DENECHZHE: Hi. Good morning.

6 I am taking part, and I'm representing Northlands
7 First Nations from (INDISCERNIBLE). I will be
8 attending this meeting until Thursday, and if I have
9 any questions, I will address them to the proper
10 people, and I hope you have a good day. Thank you.
11 Masi.

12 THE CHAIR: Kivalliq Wildlife Board,
13 Clayton Tartak.

14 MR. TARTAK: Good afternoon, Madam Chair,
15 Clayton Tartak, Kivalliq Wildlife Board.

16 THE CHAIR: I want to remind, we have to
17 continue to wear masks to avoid spreading germs.

18 That brings us to the end of the list for people
19 participating. Before we continue, we're going to take
20 a 15-minute break and reconvene at 10:35.

21 (ADJOURNMENT)

22 THE CHAIR: Welcome back, everyone.

23 Before I turn things over to Agnico Eagle, just
24 some final housekeeping matters for those of you not
25 familiar with the hall here in Rankin Inlet. The
26 washrooms are located outside this room in the lobby

1 area. Exits are located through the main doors to the
2 lobby and on the side of the room at the front desk and
3 back corners.

4 And, lastly, to ensure that everyone has a
5 reasonable opportunity to participate in these
6 meetings, the Board requests that everyone respect the
7 following Board directions: It is our tradition to
8 give respect to our Elders. Therefore, we invite any
9 Elders who are in attendance to let our staff indicate
10 to me that they wish to speak, and once I say your
11 name, you'll be able to speak. We do ask the Elders to
12 wait until I say their name, and our staff can get a
13 microphone in front of them before they speak.

14 It is very difficult to predict the precise time
15 requirements for presentations and questions, and as a
16 result, the schedule remains somewhat flexible.
17 Consequently, the Board asks that all participants bear
18 with us as we adjust to reflect the needs of the
19 participants and the Board throughout these meetings.

20 To make the best use of our time, please respect
21 the timeline set out in the agenda that I've -- and the
22 time I've set for breaks and return promptly to the
23 proceedings. We have a lot to cover during these
24 hearings, and we cannot wait for late arrivals.

25 For all participants, please do not interrupt when
26 a person is speaking. Please do not begin speaking

1 until I say your name as I am often waiting for the
2 interpreters to finish their work before we turn to
3 another speaker.

4 For community representatives, as set out in the
5 agenda for the community roundtable, there will be an
6 orderly opportunity for you to ask questions about the
7 topics included in the various presentations listed on
8 the agenda.

9 For the sake of our interpreters and all other
10 participants, when it is your turn to speak, please use
11 a microphone, state your name and your community or who
12 you represent. Then speak clearly and at a reasonable
13 pace. Also, please do not use abbreviations and
14 acronyms, and be mindful that some terms may require
15 our interpreters to take time to explain in detail. So
16 please be aware of the interpreters, and pause when it
17 appears they need extra time to explain what you're
18 saying, and it is helpful to pause between sentences.

19 For the benefit of all the participants here,
20 please turn your cell phones and electronic devices off
21 or at least to the vibrate or silent setting. The
22 Board asks all participants joining the proceedings to
23 be patient with each other and the Board as the
24 technology we use may result in interruptions and
25 limitations that are outside of the parties' and the
26 Board's control.

1 And, finally, I would like to remind everyone that
2 comments intended to denigrate or belittle the views or
3 comments of other participants or simply intended to
4 disrupt the proceedings are not appropriate and may
5 result in the Board sanctioning such commentators.

6 The Board recognizes that parties may have very
7 different and strong opinions about this assessment,
8 but we appreciate everyone sharing their views in a way
9 that is respectful and productive, and we thank all
10 parties in advance for participating in this hearing in
11 that spirit. The Board appreciates everyone's
12 contribution to a respectful and productive hearing.

13 I will now proceed to deal with any motions or
14 objections filed with the Board in respect of this
15 public hearing. I will now turn the microphone over to
16 the Board's legal counsel, Teresa Meadows, to deal with
17 each of the motions and preliminary matters in turn.

18 Teresa.

19 MS. MEADOWS: Thank you, Madam Chair.

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

22 So, Madam Chair, first of all, I would like to
23 send my regrets that I'm unable to be with you all in
24 Rankin Inlet at this time. Unfortunately, due to some
25 health issues for one of my family members, I have been
26 unable to travel. So I hope to rejoin you all soon,

1 but I send my regrets.

2 Secondly, with respect to procedural matters,
3 Madam Chair, I do not have any motions or objections at
4 this time, and so, Madam Chair, my recommendation is
5 that we move on to the next items in the agenda. Thank
6 you, Madam Chair.

7 THE CHAIR: We will now proceed with the
8 start of the technical session and Agenda Item 5.
9 During this part of the technical session, Agnico Eagle
10 will deliver two presentations, providing an overview
11 of the components and activities associated with the
12 saline effluent discharge to the marine environment
13 proposal with summaries of their assessment of
14 potential ecosystemic and socioeconomic impacts.

15 We will begin with Agnico Eagle's 30-minute
16 presentation addressing the following topics, 5.1,
17 introduction, project overview, response to final
18 written submissions, and public participation and
19 engagement.

20 Before I turn the microphone over to Agnico Eagle,
21 the Board's legal counsel will walk us through the
22 process of swearing in or affirming Agnico Eagle's
23 witnesses who will be presenting and answering
24 questions on this topic and for entering any documents
25 filed as exhibits on the public hearing record.

26 Teresa.

1 Procedural Direction by Nunavut Impact Review Board
2 Legal Counsel

3 MS. MEADOWS: Thank you, Madam Chair.

4 So in the interest of time, because I know that
5 there is a bit of a delay whenever we're switching back
6 and forth, I will do both procedural matters at the
7 same time, and then turn it back over to the hearing
8 room.

9 So first and foremost, Madam Chair, it's my
10 understanding that there are two exhibits that will be
11 filed by Agnico Eagle as the first two exhibits in this
12 public hearing.

13 The first one is in respect of the presentation
14 materials that are about to be presented in a single
15 presentation in English and Inuktitut both.

16 The second exhibit that is proposed to be filed by
17 Agnico Eagle is a table of -- updated table of
18 commitments. Madam Chair, the table of commitments is
19 an update only. It has been provided in electronic
20 format, and the Board will be circulating the
21 electronic format on the public hearing registry today,
22 but in the interim, if there are parties at the hearing
23 venue who may have difficulty accessing their email, if
24 they would like to see Agnico Eagle's legal counsel,
25 Christine Kowbel, she will be able to ensure that an
26 electronic version of the updated commitments list is

1 provided.

2 EXHIBIT 1 - Hard Copy PowerPoint
3 Presentation, Meliadine Project-Overview
4 Saline Effluent Discharge to Marine
5 Environment, Final Hearing June 14-17
6 (English/Inuktitut)
7 EXHIBIT 2 - Electronic Copy, Waterline FEIS
8 Addendum List of Commitments as of June 14,
9 2021, Saline Effluent Discharge to Marine
10 Environment

11 MS. MEADOWS: The second matter, Madam
12 Chair, is with respect to the affirmation of the Agnico
13 Eagle witnesses, and so what I would suggest is that
14 the witnesses listen to these instructions and then
15 follow those instructions in terms of their
16 affirmation.

17 So I will give the wording of the affirmation, and
18 then when we switch back to the hearing venue, if I can
19 have each witness state and spell their name for the
20 record and then say their name and "I so affirm", then
21 that will be the affirmations, and then they can
22 proceed to their -- to the presentation.

23 So the affirmation that we require is: Do you
24 solemnly affirm that the evidence about to be given by
25 you shall be the truth, the whole truth, and nothing
26 but the truth? Thank you, Madam Chair. Those are my

1 procedural matters.

2 JAMIE QUESNEL, MICHEL GROLEAU, COLLEEN PRATHER, SUZANNE
3 LECLAIR, COREY DE LA MARE, Affirmed

4 THE CHAIR: NIRB legal counsel.

5 MS. MEADOWS: Thank you, Madam Chair.

6 I have nothing further. Those are my procedural
7 matters.

8 THE CHAIR: Agnico Eagle, Jamie Quesnel,
9 you may proceed.

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

12 Just before we start with the presentation, I just
13 want to mention that we do have posters at the back of
14 the room, and also we do have a section of the 16-inch
15 pipe plus some esker material that will be used for the
16 cover of the two 16-inch pipes. So the posters in the
17 back room. And over to the left, we have the -- a
18 section of the pipe and also a sample of the quarry
19 material, the esker material.

20 Good morning, Madam Chair. We are very happy to
21 be here this morning on behalf of Agnico Eagle to
22 present our work to you and the Board that our team has
23 put into the waterline application.

24 I want to start by thanking the community, Inuit,
25 and the Board staff, for their efforts in
26 reviewing this application despite the challenges

1 presented by COVID. This application has taken longer
2 than expected, but despite the difficulties and
3 unexpected delays, we have been able to engage with the
4 community and incorporate their feedback into our
5 design and operational planning.

6 We will be highlighting those key changes
7 throughout our presentations today. A couple examples
8 are our design was initially a single 20-inch line, and
9 we made the change to two 16-inch lines. Initially,
10 the waterline was not covered, and based on feedback,
11 we are now covering 80 to 90 percent of the waterline.

12 Also, we will work with the community to define
13 traditional land-use crossings and also developing an
14 enhanced community-based monitoring for shellfish
15 around Itivia Harbour. The engagement of the community
16 with this application has strengthened this project.

17 As we know, this file is a reconsideration of the
18 project certificate for the Meliadine Mine. We feel
19 the project certificate is robust and flexible enough
20 to accommodate the changes that are a part of this
21 application. However, we do recognize and respect that
22 this is a determination the Board will make for itself
23 after these hearings are complete.

24 This application's very limited in scope. The
25 main application is to request that Agnico Eagle be
26 granted permission to transport saline water from the

1 mine site to Itivia Harbour by a waterline that will be
2 placed along the existing all-weather access road to
3 the mine. This will mean that saline water will now be
4 transported from the mine site by the waterline.

5 Most of the waterline will be covered as the
6 community has requested. We also anticipate increased
7 volumes of water will need to be managed, and as you
8 will hear in our presentations, we and the participants
9 in this review are confident all regulatory criteria
10 for discharge will be met.

11 As an alternative, which has been defined in the
12 application and throughout the process, including the
13 information requests and technical comment phases, in
14 future we may also discharge surface contact water
15 through the waterline, but this is not the main focus
16 of this application.

17 As the Board may recall, discharge to Meliadine
18 Lake has been the key design aspect of the Meliadine
19 Mine since it was reviewed and approved in 2015. Our
20 consultations told us that Meliadine Lake is important
21 to the community, and we designed our discharge so that
22 it continues to be safe.

23 At the request of KIA, we have agreed in future
24 that should the waterline be approved, we will minimize
25 discharges to Meliadine Lake. This means that should
26 the waterline be approved, there will be less

1 discharges to Meliadine Lake than there are now.

2 This commitment will balance Agnico Eagle's
3 efforts to respond to requests from KIA with a need to
4 maintain flexibility for our professional engineers to
5 manage our site in a way that is protective of the
6 environment and maintains our infrastructure properly.

7 Inuit also emphasized to us that we need to have a
8 very high level of diligence to prevent spills of
9 saline water from the waterline. We have listened, and
10 we will be presenting details on that today.

11 We are pleased to report that we have achieved a
12 very high degree of consensus on this reconsideration.
13 There are a few outstanding items, but we believe we
14 have presented a reasonable path forward on these.

15 As with any reconsideration, certain items came up
16 during the review that are more related to issues with
17 the ongoing operation than this application. For this
18 public hearing, we want to emphasize that it is
19 important to focus on issues relating to the
20 application given the limited time we have. However, I
21 do note that we have proposed a path forward on some
22 items that came up during the review that we do not
23 believe are related to the application.

24 As one example, we are establishing a terrestrial
25 advisory group similar in nature to the group that we
26 have established at Whale Tail. The terrestrial

1 advisory group will include traditional knowledge and
2 IQ and will be merged with western science.

3 We have been consulting with key parties on the
4 terms of reference for that group, and once all parties
5 have provided feedback, we will issue a further draft
6 for consideration of all parties. Some parties have
7 also requested a memorandum of understanding which we
8 expect will be consistent with the Whale Tail
9 memorandum of understanding and the final terms of
10 reference.

11 Madam Chair, with that, I will start our
12 presentation. Thank you.

13 Presentation by Agnico Eagle Mines Limited, (Meliadine
14 Project - Overview Saline Effluent Discharge to Marine
15 Environment)

16 MR. QUESNEL: The specific topics we'll
17 review in the presentation will include the project
18 design and rationale for this design. We have a short
19 three-dimensional rendering video of the waterline
20 which will show the waterline from the site down the
21 all-weather access road to the bypass road and down to
22 Itivia and also showing the diffuser into Melvin Bay.

23 We'll have a description of the project components
24 for construction operations and also removal
25 reclamation phases. The public participation
26 engagement, we'll have a summary of that and also a

1 response to final written submissions and commitments.

2 I will now turn the presentation over to my
3 colleague Michel Groleau.

4 THE CHAIR: Michel Groleau.

5 MR. GROLEAU: Thank you, Madam Chair.

6 Michel Groleau, Agnico Eagle.

7 I will provide during the next slide an overview
8 of the waterline project.

9 The waterline project consists of a change in the
10 conveyance of studying water from the mine site to
11 Itivia Bay from trucking to waterline. The waterline
12 consists of two 16-inch high density polyethylene
13 pipes, as we can see at the back. The waterline will
14 be adjacent to the existing all-weather access road and
15 covered with esker material on 80 to 90 percent of its
16 length.

17 Capacity of the waterline is 6,000 to 12,000 cubic
18 metre per day, and the alternative, up to 20,000 cubic
19 metre per day. The figures on this slide illustrate as
20 underground mining progress, groundwater, which is old
21 seawater, seeps into the mine's workings. So we can
22 see that on the figure on the left.

23 This water is pumped out of the mine to be stored
24 in ponds and pit at the surface. The water is then
25 pumped for treatment and then discharged to the ocean
26 with the proposed waterline. So we can see those steps

1 with the figure in the middle and then the discharge on
2 the right.

3 Like the current approved method, the discharge
4 will occur during open-water condition to a diffuser
5 located at a depth of 20 metres.

6 When mine development began at Meliadine, we knew
7 there would be inflows of groundwater to the
8 underground's working. This water will need to be
9 captured, stored, treated, and then discharged.

10 Under the approved project, we use 20 to 40 trucks
11 per day to transport the groundwater to the ocean for
12 the discharge. We are predicting that future
13 quantities of groundwater will increase. Based on
14 those predictions, we would need 150 to 300 trucks per
15 day to transport the groundwater to the ocean for
16 discharge.

17 Or we could build a waterline. The benefits of
18 this solution are the reduction of the truck traffic on
19 the road, which means less dust and less noise, and
20 minimize water discharge to Meliadine Lake because
21 surface contact water could be discharged through the
22 waterline instead as presented as part of our
23 alternative.

24 So this next slide, we'll present our
25 three-dimensional rendering. We can start the video,
26 and I will guide you through what we're seeing on the

1 video.

2 So here we're zooming on the Meliadine site so we
3 can see different infrastructure such as our water
4 treatment plant, the underground ramp. So the water is
5 pumped out from the underground's working, and then
6 stored into a saline pond at the surface. From the
7 saline pond at the surface, we're pumping the water to
8 the water treatment plant, and then the water goes
9 through the waterline.

10 When we arrive at the all-weather access road,
11 it's where we can see the cover adjacent to the road.
12 Those green sections on the waterline are showing the
13 sections that are covered, where the waterline would be
14 covered. Two pipes will run in that covered material.

15 And this is looking towards Rankin Inlet. As you
16 see, the cover is built of similar material from the
17 existing road and will have some access for land use or
18 crossing. Some areas can't be covered, especially when
19 we're crossing streams where we have culverts. At
20 those locations, the waterline will be held on the top
21 of the culvert. A culvert might need to be extended.
22 A concrete block used to anchors the -- the waterline.
23 So we're not interfering with the flows of the stream.

24 Same setup at the bridge. Those locations, the
25 waterlines will be anchored to the bridge. So, again,
26 waterline are not interfering with the water flow, and

1 they are outside of the -- of the road. So we'll still
2 have protection between the waterline and the road.

3 Here we can see again the all-weather access road
4 arriving at Itivia Bay where we got our stations. The
5 waterline will go underneath the ground at this
6 location. We'll be drilling through the ground so
7 we're not interfering with surface.

8 And the waterline will punch at the seabed around
9 the depth of 7 metre, and then we'll extend our
10 discharge into the marine environment where a diffuser
11 would be located at a depth of 20 to 24 metres.

12 Around six port will be incorporated in that
13 diffuser, and this will facilitate the water to mix
14 within the current water in the Itivia Bay.

15 So on the next slide, we're seeing the same
16 overview of the project that was shared during the
17 three-dimensional rendering. So we're seeing the mine
18 site at the upright corner. Then it's flowing down to
19 the lower left corner to the Itivia Harbour.
20 Adjustment to this plan have been informed and adjusted
21 based on inputs received through our community
22 consultation.

23 For example, in the area of Apache Pass, the
24 waterline will be rooted on the east side of the rock
25 outcrop. The original plan included an on cover or
26 exposed waterline. Community members were concerned

1 with the ability for caribou to safely cross the
2 waterline. The first design update included adding
3 numerous wildlife crossings.

4 Through further consultation, it was suggested
5 that the waterline should be covered. Based on those
6 feedback, we adjusted the design, and now approximately
7 80 to 90 percent of the waterline will be covered
8 with esker material.

9 Construction schedule was updated as follows:
10 Fusion of the pipe at the mine site will begin in 2021.
11 Construction of the waterline is planned to start in
12 2022, which consists of laying down the pipe adjacent
13 to the road, placing the cover material on the
14 waterline, complete horizontal directional drilling at
15 the Itivia Harbour, and installing the new diffuser in
16 the Itivia Harbour. Finally, we're planning initiating
17 the operation in 2023.

18 These images illustrate the placement of the
19 waterline relative to the road. These images also show
20 two waterlines covered with esker material. So the
21 top-left image shows the general placement and cover
22 design for most of the covered portion of the
23 waterline. The section where the waterline will not be
24 covered include the rock cut or the rocky ground where
25 a cover could damage the waterline, the watercourse
26 crossing. And the bottom image illustrates the general

1 placement for the uncovered portion of the waterline.
2 So we'll try to excavate the ground and bury the pipe
3 at those locations as most as we can.

4 The waterline will run adjacent to the approved
5 all-weather access road. There will be two steps down
6 from the road surface to the tundra or two steps up
7 from the tundra to the road depending from which side
8 of the road the caribou are crossing. The waterline
9 will be covered with esker material, which is a firm
10 substrate to allow caribou and ATVs to easily cross the
11 road and the waterline.

12 Construction will be timed outside of the
13 migration season, and we made a commitment to not leave
14 open trenches during the caribou migration. The
15 waterline will cross watercourses at the same location
16 as the road. As presented during the video, at the
17 culvert, the waterline will be placed above the
18 culvert, and at the bridge, the waterline will run
19 directly under and secure to the bridge. During the
20 construction, maintenance, and reclamation works, heavy
21 machinery, will not be used within the high watermark.

22 This slide presents the horizontal directional
23 drilling at the Itivia Harbour. This method will be
24 used to install the pipe. This is the same method used
25 for the sewage discharge in Rankin Inlet. The benefit
26 of this method includes minimal disturbance to the

1 marine bed in the intertidal zone during the
2 construction and no impact to the pipe from ice erosion
3 during the winter season. Horizontal directional
4 drilling will not produce more noise and dust that is
5 already occurring from the other nearby activities.

6 This slide shows what the new diffuser could look
7 like. It's going to be installed at a depth of
8 approximately 20 metres. This diffuser is different
9 from the one currently used and will be designed to
10 handle higher flows rate. In addition, this in-water
11 pipe and diffuser will not require yearly installation
12 and removal similar to the diffuser we're currently
13 having in place. This new diffuser will be aligned
14 with the regulatory requirements identified with the
15 Fisheries and Oceans and Transport Canada.

16 An assessment of the potential effect to the
17 marine environment was completed. The assessment
18 included the evaluation of variable discharge rate from
19 6, 12, and up to 20 cubic metre per -- a thousand cubic
20 metre per day. From 12 to 20,000, this is the
21 alternative. We assess different scenarios that
22 include a higher discharge of saline water or a higher
23 discharge of surface contact water from those
24 additional 8,000 cubic metre.

25 So this will provide flexibility if higher saline
26 water need to be moved at site and also if higher

1 surface contact water needs to move at site. All those
2 2Ds demonstrate that the dilution can be achieved
3 within the mixing zone and that the discharge will not
4 interact with ice formation as the discharge will occur
5 during open-water conditions.

6 For the closure, infrastructure will be dismantled
7 and removed at the end of the activities. There will
8 be a removal of all physical hazards. The interim
9 closure plan was updated through the Meliadine project
10 water licence amendment with the Nunavut Water Board,
11 and during this process, we included the waterline
12 project to our security cost agreement. That was
13 approved by the Kivalliq Inuit Association and
14 Crown-Indigenous Relation Northern Affair Canada.

15 At this stage, we consider that no change will be
16 required to the recently signed security cost agreement
17 and approve. So at this stage, Madam Chair, I will
18 pass it to my colleague Suzanne Leclair for the next
19 section of the presentation. Thank you.

20 THE CHAIR: Suzanne Leclair.

21 MS. LECLAIR: Good morning to all. Suzanne
22 Leclair, Agnico Eagle.

23 Agnico Eagle's public participation and
24 consultation approach is guided by our commitment to
25 work in partnership with impacted communities, Inuit
26 organizations, regional Inuit groups, Elders, hunters,

1 land users, and other stakeholder. Our consultation
2 and engagement practices align with the guiding
3 principles as set forth by the Nunavut Impact Review
4 Board.

5 In the proponent's roles and responsibilities, the
6 Nunavut Impact Review Board process is designed to be
7 aligned with Inuit Qaujimajatuqangit guiding principle,
8 including fostering good spirit by being open,
9 welcoming, and inclusive.

10 It also includes decision-making through
11 discussion and consensus. Also on a highlight, we've
12 engaged or attempted to engage with the Kivalliq
13 wildlife organization such as Kangiqliniq Hunters and
14 Trappers Organization, Baker Lake Hunters and Trappers
15 Organization, Kivalliq Wildlife Board over 114 times on
16 matters related to the waterline and monitoring
17 activities.

18 The main questions that were gathered and comments
19 that were received during consultations included
20 questions on the construction and design of the
21 waterline, how to involve community members, our
22 consultation process, wildlife concerns, health and
23 safety concerns, and marine sediment and water quality.

24 Since August 2020 of last year, there were an
25 additional ten focus groups with Elders, women's group,
26 cabin owners, and since February of this year, we have

1 had an additional six meeting with hunters organization
2 in Kivalliq.

3 The last 18 months were especially challenging for
4 everyone, but, luckily, we had a strong local
5 Kivallirmuit team. With our local team and our
6 virtually present technical teams, we were able to meet
7 with communities, Elders, and more than 42 different
8 virtual in-person meetings, including also the focus
9 group, radio shows, open house over the course of the
10 last year to discuss the waterline.

11 Agnico Eagle managed to host various consultation
12 and engagement activities during the two rounds of
13 community meetings in March and July of 2020. The
14 water management challenges provided an opportunity to
15 work in collaboration with the Kivalliq Inuit
16 Association, Crown-Indigenous Relations and Northern
17 Affairs Canada, Environment and Climate Change Canada
18 to come up with solutions for water management at
19 Meliadine, which included but not limited to the
20 discharge into the marine environment.

21 And Agnico Eagle shared the results of our water
22 management through many Facebook posts, social media
23 campaigns, and in-person consultation sessions between
24 March and December. Agnico Eagle listened. We heard
25 concerns about protection of marine environment. We
26 heard about protections -- about caribou protection

1 and, most of all, construction and design.

2 In November, we met with Elders by teleconference,
3 and in December, we hosted additional focus groups by
4 teleconference with woman leaders and cabin owners.
5 Women on -- one woman in particular noted on the
6 call -- and I quote -- on the waterline, it was well
7 understood and people had the opportunity to voice
8 their concern, and she appreciate how much information
9 was shared by Agnico Eagle.

10 As previously mentioned, since July 2020, we
11 engaged or attempted to engage an additional 20 times
12 with wildlife organizations, mostly with Kangiqlliniq
13 Hunters and Trappers Organization and Kivalliq Wildlife
14 Board. Thank you, Madam Chair.

15 THE CHAIR: Colleen Prather.

16 MS. PRATHER: Thank you, Madam Chair.
17 Colleen Prather with Agnico Eagle.

18 I would just like to spend a few minutes here to
19 summarize some of the responses and comments received
20 on the application and a summary of the commitments
21 made. Next slide.

22 This slide here shows a summary of the status of
23 the final written submission. Through this process, we
24 have received submissions and comments by 12 interested
25 parties. In total, we received 36 comments, 31 of
26 which are considered resolved and 5 of which are

1 considered outstanding. Next slide.

2 And, finally, throughout this process, we have
3 discussed and described the project. As we've heard
4 this morning, we've made some adjustments to the
5 initial project through consultation and commitments.
6 This slide here just shows a summary of the commitments
7 that have been made. These commitments have been
8 separated by various themes, including caribou, marine
9 environment, traditional land use, and operation of the
10 waterline.

11 So just to highlight a couple of examples, during
12 construction of the waterline, we have committed to
13 have no open trenches during caribou migration. We
14 have committed to include shellfish monitoring in areas
15 where Inuit harvest shellfish, and this will be done
16 through a community-based monitoring program. And,
17 finally, we've committed to testing the waterline prior
18 to each discharge season. Thank you.

19 THE CHAIR: Agnico Eagle, Jamie Quesnel.

20 Is there anyone else presenting from your group,
21 or is that the end of your presentation? That's the
22 end of your presentation?

23 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

24 Thank you, Madam Chair. That's all for the first
25 presentation.

26 THE CHAIR: Now we will turn to questions

1 about this presentation from the formal intervenors.
2 We will have questions from the intervenors, if you
3 have questions regarding the presentation we just heard
4 first.

5 From Nunavut Tunngavik, Bert Dean.

6 Nunavut Tunngavik Incorporated Questions Agnico Eagle
7 Mines Limited

8 MR. DEAN: Thank you, Madam Chair. Bert
9 Dean with Nunavut Tunngavik.

10 I'm just waiting to see if there's a text to see
11 if there's any other questions, but one thing that came
12 up or if you could explain or elaborate a bit more is
13 the treatment process for the saline water before it's
14 discharged, and what is -- how does that happen or what
15 byproduct is there, and how is that dealt with? Thank
16 you.

17 THE CHAIR: Agnico Eagle, Jamie Quesnel.

18 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

19 Thank you, Madam Chair. I'll turn that over to my
20 colleague Michel Groleau.

21 MR. GROLEAU: Thank you, Madam Chair, and
22 thank you for the question.

23 So the treatment process at the -- at the mine
24 site will be the same treatment process that we're
25 currently having for the approved discharge. So this
26 treatment consists of mainly making sure that we're

1 meeting our discharge criteria at the end of the pipe.

2 So we're looking at our main parameters of
3 concern. So there is the total suspended solid. So
4 we're having an active flow system to make sure we're
5 removing suspended solids into the water, and we're
6 looking -- also looking at an ammonia treatment plant.
7 So that's -- remove the ammonia from the underground
8 working where the blasting is occurring.

9 So those systems will produce, as a byproduct, a
10 sludge. This sludge will not contain ammonia as this
11 ammonia evaporates through the treatment process. So
12 it's mainly solids that we will have into the sludge,
13 and the plan is to pumping back the sludge into one of
14 the saline's pump. So we made commitment with
15 Environment Canada to provide detail on the sludge
16 management when we upgrade the treatment plant to
17 manage the higher flows.

18 So this will be provided with the next update of
19 our water management plan if the project is deemed
20 approved. Thank you.

21 THE CHAIR: NTI, Bert Dean.

22 MR. DEAN: Thank you, Madam Chair, and
23 thank you for the response, Michel.

24 The other question that came up in the
25 beginning -- near the beginning of your presentation --
26 I believe it was slide -- or page 4 -- it talked about

1 the water or the saline, like, being old. Sorry. I'll
2 have to ... (as read)

3 Old, trapped salt water is released during
4 underground mining operations.

5 I'm wondering if you could elaborate a bit on that. Is
6 it just old, trapped salt water, or is there anything
7 else that's there? Thank you.

8 THE CHAIR: Agnico Eagle, Jamie Quesnel.
9 Michel Groleau.

10 MR. GROLEAU: Thank you, Madam Chair, and
11 thank you for the question.

12 So to elaborate on what do we mean by old, trapped
13 seawater is during the formation of the -- of the
14 earth, you know, the sea was covering some part of the
15 land. Then glaciation occurred and pushed that water
16 into the ground. So depending of the proximity from
17 the sea, we're observing different concentration in
18 salt into the groundwater.

19 So at Rankin Inlet and at the Meliadine Mine,
20 we're having higher concentration of total dissolved
21 solid into -- into the water compared to -- let's --
22 for example, the Whale Tail project where the salinity
23 will be lower as it's further away from the sea.

24 So we used old, trapped seawater to define the
25 groundwater we were observing at the Meliadine Mine
26 site because it's similar to -- the concentration are

1 similar of the different parameter of the water that
2 what we're observing into the sea. So that example was
3 used to facilitate the understanding of the water we're
4 observing at Meliadine site.

5 So I hope this is answering your question. Thank
6 you.

7 THE CHAIR: NTI, Bert Dean.

8 MR. DEAN: Thank you, Madam Chair, and
9 thank you, Michel, for your response.

10 I'm just, again, checking to see if there's any
11 other questions at this time. I think I'll turn it
12 over to the next intervenors for now. Yeah. I'll
13 leave it at that for now. Thank you, Madam Chair.

14 THE CHAIR: KIA, Luis Manzo. Go ahead.

15 Kivalliq Inuit Association Questions Agnico Eagle Mines
16 Limited

17 MR. MANZO: Thank you, Madam Chair. Luis
18 Manzo, Kivalliq Inuit Association.

19 In the beginning of the presentation, Michel, you
20 mentioned that there will be minimized dust and truck
21 trafficking but also -- you also mentioned that you --
22 the pipeline will be used to divert CP1 water. Can you
23 elaborate a little bit more in which quantity the CP1
24 water will be and when it's going to be blended and
25 mixed in the pipeline, please. Thank you.

26 THE CHAIR: Agnico Eagle, Jamie Quesnel.

1 Michel Groleau.

2 MR. GROLEAU: Thank you, Madam Chair.

3 Michel Groleau for Agnico Eagle. Thank you, Luis, for
4 your question.

5 So the minimizing the discharge to Meliadine Lake
6 have been communicated and voiced by the Kivalliq Inuit
7 Organization, by the public members, and this is why we
8 developed this alternative to the project.

9 This alternative will provide flexibility to
10 divert more saline water or more surface contact water.
11 The primary objective will be to empty the saline water
12 stored at site. So for the first years of operation,
13 this will be the primary focus. Once we're back into
14 the operational normal condition, we'll have the
15 opportunity to trigger this alternative to divert more
16 surface contact water to the Melvin Bay.

17 So right now in the alternative, what we're
18 presenting is an 8,000 cubic metre per day of
19 additional surface contact water that could be
20 discharged to the Melvin Bay. The overall volume that
21 will be transferred from contact -- the Collection
22 Pond 1 to the Melvin Bay will depend on the
23 precipitation we will observe at site.

24 We are having different models that simulate
25 different precipitation events, but those volume of
26 water will be dictated by what we will observe at site.

1 So we believe that this project provides the
2 flexibility to adapt to those different conditions.
3 We'll do our best to minimize our discharge to the
4 Meliadine Lake, and we provided a framework into the
5 adaptive management plan that dictates how we will make
6 decisions on moving water from the Collection Pond 1 to
7 the Melvin Bay or to Meliadine Lake.

8 Again, I will repeat, our intent is to minimize
9 discharge to the Meliadine Lake with the implementation
10 of this alternative. I hope this is answering your
11 question. Thank you.

12 THE CHAIR: KIA, Luis Manzo.

13 MR. MANZO: Thank you, Madam Chair.

14 THE CHAIR: Nunavut Government, Gabriel
15 Karlik.

16 MR. KARLIK: Thank you, Madam Chair.

17 Gabriel Karlik, Government of Nunavut.

18 No questions at this time.

19 THE CHAIR: Spencer from CIRNAC.
20 Crown-Indigenous Relations and Northern Affairs Canada
21 Questions Agnico Eagle Mines Limited

22 MR. DEWAR: Qujannamiik, Madam Chair. Can
23 you hear me?

24 THE CHAIR: If you can please -- you have
25 lots of feedback. There's an echo.

26 MR. DEWAR: Okay. Great. Thank you.

1 Spencer Dewar, director of resource management for
2 Crown-Indigenous Relations and Northern Affairs Canada.

3 I guess since it's taken me so long to get in, I
4 will just ask for a clarification. So for clarity,
5 Agnico Eagle is seeking approval of the 20,000 cubic
6 metres per day, and this extra capacity, as referred to
7 as the "alternative", is to avoid putting additional
8 water into Lake Meliadine? Qujannamiik.

9 THE CHAIR: Agnico Eagle, Jamie Quesnel.

10 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

11 Thank you, Madam Chair.

12 The line has a capacity of 20,000 cubic metres.
13 Right now we're looking at 6 to 12,000 cubic metres of
14 saline water, and we have to -- the primary component
15 of this application is to move saline water.

16 To discharge the inventory we have on-site, we'll
17 have more storage of water just based on the delays of
18 this application that we're all aware of and based on
19 the construction, and the operation of this line is
20 pushed out to 2023, so we'll have additional water and
21 storage.

22 And once we get to normal operating conditions, we
23 have this alternative between now and '23 to move more
24 saline water, and then once we get to normal operating
25 conditions, to divert the surface contact water, as my
26 colleague Michel Groleau was mentioning, up to the

1 8,000 and minimize the discharge to Lake Meliadine.

2 But the thing for us is that we have to get to
3 normal operating conditions. Storage of saline water
4 for long-term -- it's not our long-term strategy. So
5 we have to move, discharge, or store saline water from
6 the site through the waterline to Melvin Bay.
7 Hopefully that clarifies, Spencer.

8 THE CHAIR: (INUKTITUT SPOKEN - NO
9 TRANSLATION) Spencer Dewar.

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

13 Yes. Thank you, Jamie.

14 THE CHAIR: (INUKTITUT SPOKEN - NO
15 TRANSLATION) Victoria Shore.

16 MS. SHORE: Victoria Shore, Environment
17 and Climate Change Canada.

18 We have no questions at this time. Thank you,
19 Madam Chair.

20 THE CHAIR: (INUKTITUT SPOKEN - NO
21 TRANSLATION) Edyta Ratajczyk.

22 MS. RATAJCZYK: Thank you, Madam Chair. Edyta
23 Ratajczyk, Fisheries and Oceans Canada.

24 No questions at this moment. Thank you.

25 THE CHAIR: (INUKTITUT SPOKEN - NO
26 TRANSLATION) Joel Kaushansky.

1 MR. KAUSHANSKY: Thank you, Madam Chair. Joel
2 Kaushansky with Health Canada. We have no questions at
3 this time. Thank you.

4 THE CHAIR: (INUKTITUT SPOKEN - NO
5 TRANSLATION) Scott Kidd.

6 MR. KIDD: Good morning, Madam Chair.
7 Transport Canada has no questions at this time.
8 Thank you.

9 THE CHAIR: (INUKTITUT SPOKEN - NO
10 TRANSLATION) Maximilien Genest.

11 MR. GENEST: Hello, Madam Chair.
12 Maximilien Genest, Natural Resources Canada.
13 We don't have any questions at this time. Thank
14 you.

15 THE CHAIR: (INUKTITUT SPOKEN - NO
16 TRANSLATION) Clayton Tartak.
17 Kivalliq Wildlife Board Questions Agnico Eagle Mines
18 Limited

19 MR. TARTAK: Thank you, Madam Chair.
20 Clayton Tartak, Kivalliq Wildlife Board.

21 THE CHAIR: You may proceed.

22 MR. TARTAK: Can you hear me?

23 THE CHAIR: Yeah. Go ahead.

24 MR. TARTAK: Okay. I have a question about
25 the alternative discharge mechanisms, specifically in
26 the alternative discharge. Does Agnico Eagle have to

1 request to discharge 20,000 cubic metres per day,
2 and -- or will they be notifying the Nunavut Impact
3 Review Board or parties that they will be discharging
4 more than 12,000 cubic metres per day, or should we
5 actually be considering the project proposal as a
6 proposal for 20,000 cubic metres per day?

7 THE CHAIR: Agnico Eagle, Jamie Quesnel.

8 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

9 Thank you, Madam Chair.

10 The way the application is -- has been provided
11 from -- from the start, it's up to 12,000 cubic metres
12 per day of saline water with the alternative to
13 increase saline water and also the alternative to
14 divert surface contact water, the additional 8,000
15 cubic metres, to the waterline.

16 The waterline has the capacity of 20,000 cubic
17 metres, and we have the alternatives built into the
18 application. The application has this alternative
19 which is tied into the site water licence to divert the
20 surface water, and the adaptive management plan is the
21 common thread or the link between the -- this
22 application and our water licence. Hopefully that
23 helps. Thank you.

24 THE CHAIR: KWB, Clayton Tartak.

25 MR. TARTAK: Thank you, Madam Chair.

26 Clayton Tartak, Kivalliq Wildlife Board.

1 So on that note, is there a reason why this was
2 not considered a joint proposal under the new
3 regulations that the Nunavut Impact Review Board and
4 the Nunavut Water Board have agreed to?

5 THE CHAIR: Agnico Eagle, Jamie Quesnel.

6 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

7 Thank you, Madam Chair.

8 I didn't quite hear the question. Could Clayton
9 repeat that?

10 THE CHAIR: Kivalliq Wildlife Board,
11 Clayton Tartak, if you can please repeat your question.

12 MR. TARTAK: Yes. Thank you, Madam Chair.

13 Clayton Tartak, Kivalliq Wildlife Board.

14 I'd just like to understand why Agnico Eagle did
15 not put in the joint proposal under the new regulations
16 that would allow for a joint assessment between the
17 Nunavut Impact Review Board and the Nunavut Water
18 Board, being that there is a link here.

19 THE CHAIR: Agnico Eagle, Jamie Quesnel.

20 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

21 Thank you, Madam Chair.

22 We followed the process. We -- we had an
23 alternative in the water licence to divert surface
24 contact water to the waterline. The waterline's not
25 approved. We followed the determination by Nunavut
26 Impact Review Board regarding this application. So I

1 think we're complying -- everyone's complying with the
2 existing process for this application. Thank you.

3 THE CHAIR: (INUKTITUT SPOKEN - NO
4 TRANSLATION) Clayton Tartak.

5 MR. TARTAK: Thank you, Madam Chair.
6 Clayton Tartak, Kivalliq Wildlife Board.

7 No questions -- no further questions at this time.

8 THE CHAIR: (INUKTITUT SPOKEN - NO
9 TRANSLATION)

10 (PROCEEDINGS ADJOURNED UNTIL 1:15 PM)

11 (PROCEEDINGS RECOMMENCED AT 1:16 PM)

12 THE CHAIR: Welcome back, everyone. We
13 will continue with question and answers from the Arviat
14 HTO. Thomas Ubluriak is here now. We will return --
15 or we will return to him.

16 Issatik Hunters and Trappers, Ningnaktuq
17 [phonetic] is not here.

18 From the Aqigiq Hunters and Trappers, Harry
19 Aggark.

20 Aqigiq Hunters and Trappers Organization Questions
21 Agnico Eagle Mines Limited

22 MR. AGGARK: Thank you, Madam Chair.

23 (INUKTITUT SPOKEN - NO ENGLISH TRANSLATION) five
24 line from the Meliadine Mine to -- to the five location
25 that -- potential five locations, and I see that
26 they're around the community of Rankin Inlet, and I

1 heard in the past that the -- some people of
2 Rankin Inlet are concerned about the waste or salt
3 water being discharged near the community.

4 Although the proponent said that the salt water is
5 cleaned and treated, my question is: When you look at
6 the handout, page 7, has he -- it goes down from
7 Meliadine Mine, and it crosses some bridges. Actually,
8 maybe five bridges to cross, and it goes to Itivia.

9 Since it's already proposed, I'm not here to
10 change any plan, but would it be more sensible to just
11 keep going down toward Thompson Island across the inlet
12 here if the people of Rankin Inlet are still concerned
13 about the salt water being discharged into these
14 proposed five locations? Thank you, Madam Chair.

15 THE CHAIR: Agnico Eagle, Jamie Quesnel.

16 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

17 Thank you, Madam Chair.

18 We looked at different locations, but we went to
19 the approved area of discharge. We have the approval
20 from 2018 to discharge saline water in Itivia, so we
21 looked at the same location for discharge.

22 And with the bridges, as we showed on the
23 three-dimensional rendering, the waterline is strapped
24 to the side of the bridge for those crossings, and also
25 we had to look at the depth of the water to have proper
26 mixing of the volume of water that we were looking at,

1 so that's why that location was selected at the depth
2 of the 20 to 24 metres as the waterline was evaluated
3 at 20,000 cubic metres for the receiving environment.
4 So we had to ensure that we had the depth of the water,
5 the mixing of the water at that location where the
6 proper depth is required for the type of volume, and
7 then the diffuser is designed accordingly. So
8 hopefully that adds a little bit more clarification.

9 Thank you.

10 THE CHAIR: (INUKTITUT SPOKEN - NO ENGLISH
11 TRANSLATION) Harry Aggark.

12 MR. AGGARK: Thank you, Madam Chair.

13 Those are all the questions.

14 THE CHAIR: Arviat (INUKTITUT SPOKEN - NO
15 TRANSLATION). Thomas Ubluriak.

16 Arviat Hunters and Trappers Organization Questions
17 Agnico Eagle Mines Limited

18 MR. UBLURIAK: Thank you. Thank you, Madam
19 Chair.

20 I just -- I'm a little late. What are we -- what
21 is being talked about? Are these questions from
22 hunters and trappers or hunters? I will get
23 clarification first.

24 THE CHAIR: (INUKTITUT SPOKEN - NO
25 TRANSLATION) Thomas Ubluriak.

26 MR. UBLURIAK: Thank you, Madam Chair.

1 I have a question. How is the old water -- old
2 salt water in the -- in the land? Maybe they are
3 perhaps old ice. How will it affect the fish, the
4 seals, or what will the impact be on them, or is this
5 something we should be concerned about?

6 THE CHAIR: Agnico Eagle, Jamie Quesnel.
7 Colleen Prather.

8 MS. PRATHER: Thank you, Madam Chair,
9 Colleen Prather with Agnico Eagle, and thank you for
10 the question.

11 What we've looked at as part of our project
12 evaluation is the quality of the water, the old
13 seawater, the treated saline water that would be
14 discharged to the ocean.

15 We have evaluated how that may change the water
16 quality in Itivia Harbour. What our studies have told
17 us is that outside the initial discharge area, so
18 approximately 100 metres, the water quality will be
19 very similar to background conditions or water quality
20 that we see today, and that water quality that we see
21 today is safe for the aquatic organisms, so for the
22 fish and seals and so on.

23 So what our studies have told us is that the water
24 quality will continue to be safe for the aquatic
25 organisms. I hope that answers your question. Thank
26 you.

1 THE CHAIR: Arviat (INUKTITUT SPOKEN - NO
2 TRANSLATION) Thomas Ubluriak.

3 MR. UBLURIAK: Thank you, Madam Chair.

4 I also have another question. There are
5 creatures -- there are small wildlife in the ocean that
6 are the food for the bigger sea mammals. Will those
7 chiton or small creatures in the water not be affected,
8 and if there is no concern for the smaller creatures in
9 the ocean, I would like to get an answer.

10 MS. PRATHER: Thank you, Madam Chair.

11 Colleen Prather with Agnico Eagle.

12 As I mentioned previously, our studies have told
13 us about what the current water quality is in the ocean
14 and what the future water quality would be in Itivia
15 Harbour. The studies are telling us that the water
16 quality will be safe for all of the sea creatures from
17 the small organisms at the bottom of the food chain, so
18 the plankton, all the way up to the fish and the seals
19 and the whales. Thank you.

20 THE CHAIR: Hunters and trappers, do you
21 have any more questions? No more questions?

22 MR. UBLURIAK: I don't have any more
23 questions, but if I have any more questions, I will ask
24 them. Thank you, Madam Chair.

25 THE CHAIR: From the Baker Lake Hunters
26 and Trappers, Harold Putumiraqtuq.

1 Baker Lake Hunters and Trappers Organization Questions
2 Agnico Eagle Mines Limited

3 MR. PUTUMIRAQTUQ: Thank you, Madam Chair.

4 My question is in Slide 16, you indicated that
5 there are various groups. Have you let the
6 participants know that the -- sorry. Have you let the
7 participants know that through the creation of the
8 working groups, such as the terrestrial advisory group
9 as you've proposed, you take away transparency in how
10 caribou mitigation measures decisions are made? Thank
11 you.

12 THE CHAIR: Agnico Eagle, Jamie Quesnel.

13 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

14 Thank you, Madam Chair.

15 With the terrestrial advisory group, we submitted
16 the terms -- a draft terms of reference to the
17 participants from the technical meeting that want to be
18 involved. So we submitted the draft terms of
19 reference. We haven't received comments from all the
20 parties at this -- at this time, so we're still waiting
21 for comments from the hunters and trappers
22 organizations.

23 We've received comments from the Kivalliq Inuit
24 Association, Government of Nunavut, the Dene. We don't
25 feel -- we're looking for a collaborative approach to
26 make decisions regarding terrestrial activities at the

1 mine site, so that's the spirit and the intent of the
2 terms of reference. And, again, we're waiting for
3 input from the hunters and trappers organizations to
4 include those comments into our draft terms of
5 reference.

6 So we would encourage the hunters and trappers
7 organizations to provide us comments so we can
8 incorporate that and then we can report back on the
9 final draft of the terms of reference to establish the
10 terrestrial advisory group. Thank you.

11 THE CHAIR: (INUKTITUT SPOKEN - NO ENGLISH
12 TRANSLATION) Harold Putumiraqtuq.

13 MR. PUTUMIRAQTUQ: Thank you, Madam Chair.
14 Harold Putumiraqtuq, Baker Lake HTO, vice chair.

15 It's been stated by the Baker Lake HTO that there
16 has been a change in the Qamanirjuaq migration. Since
17 the -- since this road was created, there have been no
18 significant changes in the migration mitigation
19 measures. How -- how can we be assured that IQ is
20 utilized in any decision-making process? Thank you.

21 THE CHAIR: Agnico Eagle, Jamie Quesnel.

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

24 Part of the process for the development of the
25 terms of reference is to ensure that we have IQ
26 integrated with western science. We've hired an IQ

1 coordinator to give us better direction on this -- on
2 this approach. These lessons and understanding are
3 being incorporated into the terms of reference, and
4 also we value the input from all the participants of
5 the terrestrial advisory group to ensure that we
6 incorporate the process moving forward, and this is why
7 we're still waiting for comments to include that with
8 our draft terms of reference for -- for the Meliadine
9 terms of reference.

10 In the next presentation we have, we have a lot of
11 details on the terrestrial caribou activities that may
12 address some of your concerns or comments. So the next
13 presentation will have more detail on caribou.

14 Thank you.

15 THE CHAIR: (INUKTITUT SPOKEN - NO
16 TRANSLATION) Harold Putumiraqtuq.

17 MR. PUTUMIRAQTUQ: Thank you, Madam Chair.
18 Harold Putumiraqtuq, Baker Lake HTO, vice chair.

19 My question is on page 21. In relation to that
20 date -- in relation to that TAG group, who and which
21 communities will be sitting on this TAG group, and how
22 are we supposed to take TAG seriously when impacts on
23 caribou migrations have never been mitigated in the
24 first place? Thank you.

25 THE CHAIR: Agnico Eagle, Jamie Quesnel.

26 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

1 Thank you, Madam Chair.

2 From our meetings that we had from the technical
3 sessions on this file, also the community roundtable
4 session, we received the names of participants that we
5 have right now to be included with the terrestrial
6 advisory group. We do take it seriously. We think
7 it's a venue to collaborate on how to monitor caribou
8 and look at the value of IQ, to look at how we improve
9 our monitoring. So I hope that all participants are
10 taking it seriously to make a difference. So we have
11 this opportunity with the terrestrial advisory group to
12 learn and improve for a long term and to make it
13 sustainable with industry, the community, and the other
14 stakeholders regarding caribou in the north.

15 We want to be in Nunavut for a while, so this is
16 an opportunity to work together, look at opportunities
17 and improve on certain monitoring programs that we
18 have.

19 So I encourage the Baker Lake Hunters and Trappers
20 Organization to provide its comments on the terms of
21 reference so we can look at those and make the document
22 better and to ensure that we have input from all
23 parties. Thank you.

24 THE CHAIR: Harold Putumiraqtuq, Baker
25 Lake HTO.

26 Rankin Inlet HTO, Andre Aokaut.

1 Kangiqliniq Hunters and Trappers Organization Questions
2 Agnico Eagle Mines Limited

3 MR. AOKAUT: Thank you, Madam Chair. Andre
4 Aokaut, Kangiqliniq HTO.

5 I've got a couple of questions. I'll start with:
6 Is there a reason why the idea of a pipeline was not
7 included in the original assessment? Thank you.

8 THE CHAIR: Agnico Eagle, Jamie Quesnel.

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

11 The original assessment included different options
12 to -- to discharge the saline water. A waterline was
13 contemplated in that assessment, and there were other
14 assessments that were completed. However, the federal
15 regulation for the -- at that time was the Metal Mining
16 Effluent Regulation. It only included discharge to
17 freshwater, not to marine environments, so the
18 regulation had to be changed. So that took a period of
19 time.

20 I think it was about 2018 when the federal
21 regulation was changed, and then they included the
22 diamond sector into the Metal Mining Effluent
23 Regulation that included requirements and testing for
24 marine discharge, so like the saline water we have at
25 Meliadine to Melvin Bay.

26 Our other property, Hope Bay, was under the same

1 situation, and they do have an approved marine
2 discharge, so it was contemplated. We were evaluating
3 other options, and at that time we were treating our
4 water to discharge into CP1, and that -- the flows
5 became challenging, so we started storing water.

6 So there was a few factors there, but it was
7 contemplated back in the day, and now here we are
8 looking at the approval to change the conveyance from
9 trucking to a waterline. Hopefully that helps.
10 Thanks.

11 THE CHAIR: Andre Aokaut, Rankin Inlet
12 HTO.

13 MR. AOKAUT: Madam Chair, thank you.

14 And here's another question: Will the residents
15 of Rankin be able to harvest mussels around Itivia and
16 its surrounding area?

17 Thank you.

18 THE CHAIR: Agnico Eagle, Jamie Quesnel.

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

21 As it was discussed in the presentation, our
22 discharge does not change the existing conditions.
23 Also, where we are discharging -- and we have details
24 of this in the next presentation -- there's a lot of
25 barriers for harvesting mussels or shellfish in that
26 location, and based on discussions with the community

1 members, the Kivalliq Wildlife Board, the harvesting is
2 in different locations. I forget the name of the
3 island, but there's an island -- oh, it's in the bay,
4 and also a little bit to the west of where we're
5 discharging along the intertidal zone by the bypass
6 road but towards -- towards the west, so it's in
7 different areas. So I would assume that the harvesting
8 can continue in those areas, but where we're
9 discharging -- there's really no harvesting where we
10 are discharging in our mixing zone.

11 There's other parties here. The Government of
12 Nunavut and Health Canada may have an opinion or an
13 answer on that, but we feel very confident that our
14 water meets the existing conditions, and we're not in
15 an area, where we're discharging, that impacts the
16 harvesting of mussels and shellfish. Hopefully that
17 helps, thanks.

18 THE CHAIR: (INUKTITUT SPOKEN - NO
19 TRANSLATION) Andre Aokaut.

20 MR. AOKAUT: Thank you, Madam Chair. Andre
21 Aokaut.

22 During consultation, were participants such as
23 women's group and Elders' group informed that if there
24 were any failures, there could be a serious
25 environmental impact? Thank you.

26 THE CHAIR: Agnico Eagle, Jamie Quesnel.

1 Suzanne Leclair.

2 MS. LECLAIR: Suzanne Leclair for
3 Agnico Eagle. Thank you for your question.

4 The women's group whom we met -- with whom we met
5 last December did bring the matters of all their
6 concerns, and we have not seen any further questions
7 following the answers we provided to the women's group
8 at that time. I hope that answers your question.

9 THE CHAIR: Rankin HTO, Andre Aokaut.

10 MR. AOKAUT: Thank you, Madam Chair. Andre
11 Aokaut.

12 Was there any feedback on the Elders as well too?
13 Thank you.

14 THE CHAIR: Agnico Eagle, Suzanne Leclair.

15 MS. LECLAIR: Suzanne Leclair for
16 Agnico Eagle.

17 There were feedbacks provided on a number of
18 occasions with the trips and with the information
19 session with our IQ coordinator. That feedback was
20 collected and included into the discussion. Concerns
21 were raised, and we have -- we have provided videos and
22 answers and information to the Elders with respect to
23 our IQ coordinator who has addressed these issues and
24 have not brought any follow-up questions as a result of
25 the answer he provided to the Elders. Thank you.

26 THE CHAIR: Rankin Inlet HTO, Andre

1 Aokaut.

2 MR. AOKAUT: Thank you, Madam Chair.

3 Final question: What will happen to operations at
4 Meliadine if the pipeline is not approved? Thank you.

5 THE CHAIR: Agnico Eagle, Jamie Quesnel.

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

8 We would -- if we did not get this approved, we
9 would not have the flexibility that we need for water
10 management at the site.

11 Right now we're storing water in some pits.
12 They've been approved to be mined as open pits, but
13 we've now developed storage in these pits. Storage
14 would be very -- would be a major issue for the site,
15 and I think it would be putting the operation in a very
16 challenging position to continue based on the storage
17 of saline water.

18 Right now, like you know, we are trucking, but
19 that's not a sustainable conveyance of water. I think
20 we have to look at this as a sustainable option based
21 on a few factors. First of all, to bring the operation
22 into normal operating conditions and also the
23 waterline, like we've spoken before the lunch break, we
24 have the alternative to move surface contact water
25 based on comments that we've been receiving from the
26 community. We always understood the importance of

1 Meliadine Lake, but I think this waterline provides
2 that opportunity for us to get under normal operating
3 conditions so we can be sustainable here at this
4 operation.

5 Secondly, we can meet the objective of the
6 community to minimize our discharge to Meliadine Lake.
7 So I think this option of the waterline based on this
8 application is very sustainable, plus we're reducing
9 the trucking, and, as we presented in our application,
10 reducing greenhouse gas emissions, less diesel, so on
11 and so forth, dust, traffic interaction with our trucks
12 and the ATVs, the recreational users. So there's so
13 many benefits here for this -- this option. So we
14 think this is -- this is the sustainable option for
15 water management at the Meliadine Mine.

16 Thank you.

17 THE CHAIR: Andre Aokaut, HTO
18 Rankin Inlet.

19 MR. AOKAUT: Thank you, Madam Chair.

20 I have no further questions at the moment.

21 THE CHAIR: Sayisi Dene and Northlands
22 Denesuline First Nations, Geoff Bussidor.

23 Sayisi Dene and Northlands Denesuline First Nations
24 Questions Agnico Eagle Mines Limited

25 MR. BUSSIDOR: Good afternoon. Thank you,
26 Madam Chair. Can you hear me?

1 THE CHAIR: Yes. You may proceed.

2 MR. BUSSIDOR: Okay. Thank you.

3 I just have one question for clarification
4 purposes mostly.

5 Regarding the -- the submerged diffuser, how is it
6 intended to be -- you know, the water that's coming out
7 of the diffuser to be tested to make sure that it's
8 basically the same as the seawater before it's
9 discharged? How is that supposed to be monitored so
10 that, you know, the consistency is basically the same
11 to know that? Thank you.

12 THE CHAIR: Agnico Eagle, Colleen Prather.

13 MS. PRATHER: Thank you, Madam Chair.

14 Colleen Prather with Agnico Eagle. Thank you for your
15 question.

16 So we can have a very rigorous sampling and
17 testing process that we follow. It's going to be
18 similar to the program we currently follow in the ocean
19 discharge monitoring plan.

20 We conduct -- we have very specific sampling
21 locations on-site. We test the water after -- before
22 and after treatment, and we confirm that the water
23 quality meets our discharge criteria before it is
24 discharged through the pipe.

25 We continue to do that testing following the
26 monitoring plan throughout the discharge period. We

1 also conduct extensive monitoring in Itivia Harbour
2 during the discharge period as well.

3 Thank you for your question.

4 THE CHAIR: Sayisi Dene and Northlands
5 Denesuline First Nation, Geoff Bussidor.

6 MR. BUSSIDOR: Thank you, Madam Chair.

7 No further questions. Thank you for that answer.

8 THE CHAIR: Are there any questions from
9 the Board's staff?

10 MS. COSTELLO: Thank you, Madam Chair.

11 Karen Costello for the Nunavut Impact Review
12 Board. We have no questions at this time, but we
13 anticipate after the next presentation we will have
14 several.

15 THE CHAIR: Are there any questions for
16 Agnico Eagle from the Panel? Allen?
17 Nunavut Impact Review Board Panel Questions Agnico
18 Eagle Mines Limited

19 MR. MAGHAGAK: Thank you, Madam Chair.

20 I have two questions in regards to the terrestrial
21 that will be -- a couple of questions for clarification
22 from Agnico Eagle in respect to the trucking portion
23 and the all-weather road.

24 The first one I'd like to get clarification, Madam
25 Chair, in regards to increase of use of trucks from 20
26 to 40 trucks a day to 150 to 300 trucks a day not

1 having to travel along the route. I'd like
2 clarification from Agnico Eagle. Will your road that
3 you have built for trucking your saline effluent to
4 the -- to the ocean, will your road that you have built
5 be able to handle that much increase in traffic? I
6 just want to know for -- if you are going to widen that
7 road. I understand right now the roads are built for
8 one truck going one way, and sometimes they have to
9 wait until another truck passes by, so I just want
10 clarification, Madam Chair. Will your road be able to
11 handle that increase in truck traffic?

12 Qujannamiik, Iksivauta.

13 THE CHAIR: Agnico Eagle, Jamie Quesnel.

14 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

15 Thank you, Madam Chair.

16 Yeah. Right now we're approved to truck water to
17 Melvin Bay, and right now we're using about 20 -- 20
18 trucks or so. In our application, we were just showing
19 the number of trucks we would need to move that volume
20 of water.

21 So the upper number for trucks would be what we
22 would need to move the volume of water if we did not
23 have a waterline, and this is where we feel the
24 waterline is a better option for everybody, less
25 interaction of vehicles on the road.

26 And with the amount of traffic -- if we had 300

1 trucks on the road, which we don't think is a good
2 option for us, I think there would be a high level of
3 interaction with other vehicles, light vehicles, the
4 all-terrain vehicles, pickup trucks. So I don't think
5 it's the best option for a long-term process.

6 The road itself we do have areas where vehicles
7 would have to move to the side, but the road
8 foundation, everything else is built for traffic, but
9 it's the interaction of traffic with other vehicles.
10 So that was an example to show if we don't have a
11 waterline, we'd need about 300 trucks to move this
12 volume of water, so our preferred option is the
13 waterline. So hopefully -- hopefully that helps.

14 Thank you.

15 THE CHAIR: NIRB Board, Allen?

16 MR. MAGHAGAK: Qujannamiik, Iksivauta.

17 In respect to -- Madam Chair, in respect to dust
18 control with the increase of truck traffic that you are
19 proposing, how -- how is Agnico Eagle going to make
20 sure that you have dust control when the truck traffic
21 increases -- be controlled? Thank you, Madam Chair.

22 THE CHAIR: Agnico Eagle, Jamie Quesnel.

23 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

24 Thank you, Madam Chair.

25 For this application, we're not proposing to go
26 with trucks. We are proposing to go with a waterline.

1 So I just wanted to provide that clarification.

2 With our dust control, we have dust control
3 measures in place that we use on the road with approved
4 dust suppressants for any vehicle traffic on the road.
5 But on Slide 5 we're just showing, without a waterline,
6 we would have to have a lot of trucks, which is not our
7 preferred option.

8 Our application is to -- in front of the Board
9 right now is to have the waterline approved so we do
10 not have to see a lot of traffic on the road. It's not
11 the preferred option. Our option -- our application is
12 for the waterline. Thank you.

13 THE CHAIR: NIRB Board, Phillip?

14 MR. KADLUN: Qujannamiik, Iksivauta.

15 The question I have is in regards to the
16 waterline. After -- after the closure when everything
17 else is taken out, what will become of that waterline?
18 Will it remain in place, or will it be removed? I
19 raise that question because in our waters in the
20 Arctic, people are noticing there are plastics that are
21 eaten by marine mammals, and that's becoming a concern
22 to, you know, our -- sometimes our daily food such as
23 seals and fish, and, over time, that plastic will break
24 down eventually and impact the marine sea life.

25 For my clarity, I just wanted to know whether that
26 pipeline will be removed. Qujannamiik, Madam Chair.

1 THE CHAIR: Agnico Eagle, Jamie Quesnel.

2 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

3 Thank you, Madam Chair. Thank you for the question.

4 Right now, as part of our interim closure and
5 reclamation plan, the waterline will be removed. So we
6 provided the costs of that activity at the end of the
7 mine life to remove the waterline, so we have the
8 security for that activity to remove the line, and that
9 includes the diffuser in Melvin Bay.

10 We would have to complete some evaluations on that
11 to ensure the removal does not create an impact, but
12 that would -- especially with the diffuser, the pipe at
13 the bottom of Melvin Bay, we would have to evaluate
14 that. But right now, in our interim closure
15 reclamation plan, it's to remove everything, and the
16 costs have been built that way to remove, and part of
17 our security for the closure includes that. So
18 hopefully that helps. Thank you.

19 THE CHAIR: No more questions from the
20 Board? Phillip?

21 MR. KADLUN: Qujannamiik, Madam Chair.
22 That's all I have.

23 THE CHAIR: In your presentation -- in
24 Agnico Eagle's presentation, you indicated a commitment
25 to implement a shellfish monitoring program. What will
26 be monitored as part of this program and will it

1 include quantity or quality of certain elements, and
2 how does Agnico Eagle expect to determine a source for
3 any elements it finds in unusual or high quantities?
4 Are you able to distinguish the point source if what is
5 proposed to be discharged is saline water and there's
6 other sources like sewage? Are you able to distinguish
7 the point source for any kind of contamination as a
8 part of the shellfish monitoring program?

9 And perhaps Environment and Climate Change Canada
10 and Fisheries and Oceans Canada can also provide a
11 response later in their presentations.

12 Agnico Eagle, Jamie Quesnel.

13 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

14 Thank you, Madam Chair.

15 Yes. We have that commitment to conduct a
16 community-based monitoring program, but we don't have
17 the final -- the scope of that monitoring. We still
18 have to talk to a few of the intervenors, the
19 community, and develop that scope, what's important for
20 the community. So it could include some of the items
21 you were mentioning to be included with that monitoring
22 program. So we're at the early stages. We still have
23 to talk it through, but we have a commitment to look at
24 that.

25 But based on the source for the elements, based on
26 saline water and other water signatures, I'll turn that

1 over to Colleen to provide a few deals on that.

2 THE CHAIR: Colleen Prather.

3 MS. PRATHER: Thank you, Madam Chair.

4 Colleen Prather with Agnico Eagle.

5 So as we've discussed in our application, and
6 we'll show in the next presentation, we've looked at
7 the quality of the discharge water, and, as Jamie has
8 mentioned, it's -- you know, primarily we're looking at
9 total dissolved solids. We don't have any
10 bioaccumulative substances in our discharge water, so
11 the primary constituents that we're dealing with are
12 ions, salts that would be discharged.

13 And as we've commented before, so there would be
14 this commitment to do a community-based shellfish
15 monitoring program with input from the community.
16 We've talked about monitoring of shellfish in areas
17 where the community harvest shellfish, and as we'll
18 also talk about in the next part of the presentation,
19 we see that there are physical barriers between where
20 we discharge and where we understand harvesting occurs.

21 And I guess just the last piece of it is another
22 component of our monitoring is to follow the
23 requirements of the metal, diamond, and mining effluent
24 regulations in terms of the effluent, that we -- we
25 monitor that. We monitor that in the receiving
26 environment, and we compare that to what we call a

1 reference area as well. So that helps us to -- to
2 understand the mixings on and the reference area. I
3 hope that answers your question. Thank you.

4 THE CHAIR: Okay. Thank you.

5 And now we'll turn to Agnico Eagle's second
6 presentation addressing the following topics: 5.2
7 socioeconomic environment, human health, cumulative
8 effects and transboundary effects, terrestrial and
9 freshwater environment, marine environment, accidents
10 and malfunctions, mitigations and management plans, and
11 terrestrial wildlife.

12 Before I turn the microphone over to Agnico Eagle,
13 the Board's legal counsel will once again walk us
14 through the process for swearing in and affirming any
15 additional witnesses for Agnico Eagle who will be
16 presenting and answering questions on this topic -- on
17 these topics and for entering any documents filed as
18 exhibits on the public hearing record. Teresa?

19 Procedural Direction by Nunavut Impact Review Board
20 Legal Counsel

21 MS. MEADOWS: Thank you, Madam Chair.

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

24 So, Madam Chair, it's my understanding that there
25 is an additional exhibit to be filed before this
26 presentation, and it consists of the presentation

1 materials by Agnico Eagle in respect of this session,
2 and it is a single exhibit because it consists of the
3 English and Inuktitut versions in one presentation.

4 EXHIBIT 3 - Hard Copy PowerPoint
5 Presentation, Meliadine Project Assessment
6 Saline Effluent Discharge to Marine
7 Environment, Final Hearing June 14-17
8 (English/Inuktitut)

9 MS. MEADOWS: And, Madam Chair, it's my
10 understanding that there is -- there will be no
11 additional witnesses that need to be affirmed at this
12 time.

13 So thank you, Madam Chair. Those are my
14 procedural matters.

15 THE CHAIR: Thank you, Teresa.

16 Agnico Eagle, Jamie Quesnel. You may proceed.

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

19 Just one point of clarification, do you want us
20 just to go through the entire presentation, or do you
21 want us to stop at some part or just go right through?

22 THE CHAIR: You can go through the whole
23 presentation.

24 Presentation by Agnico Eagle Mines Limited (Meliadine
25 Project - Assessment Saline Effluent Discharge to
26 Marine Environment Presentation 2)

1 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

2 Thank you, Madam Chair.

3 So we'll be going through a few topics with this
4 second presentation or final presentation of the day.

5 There's a little bit more detail with these
6 topics. The socioeconomic environment; the human
7 health risk assessment; the cumulative and
8 transboundary effects; terrestrial and freshwater
9 environment, permafrost and things like that; marine
10 environment; accidents and malfunctions; the management
11 and monitoring plans that are associated with this
12 file; the terrestrial wildlife; and then we have a
13 conclusion.

14 So at this time I'll turn this over to Suzanne
15 Leclair to talk about the socioeconomic environment.

16 MS. LECLAIR: Suzanne Leclair for Agnico
17 Eagle.

18 We identified and assessed to determine if the
19 location of the waterlines could impact traditional
20 land use along with the all-weather access road,
21 notably access and berry picking. Our consultation and
22 engagement included two rounds of community meetings in
23 March and again in July.

24 The water management challenges provided an
25 opportunity to work collaboratively with the Kivalliq
26 Inuit Association, Crown-Indigenous Relations and

1 Northern Affairs Canada, Environment and Climate Change
2 Canada to come up with solutions for water management
3 at Meliadine Mine, which included, but not solely
4 limited to, the discharge into the marine environment.

5 Agnico Eagle shared these results of water
6 management through a number of Facebook posts, social
7 media campaigns, and in-person consultation sessions in
8 March and again in December. Again, as I mentioned
9 earlier, we heard.

10 We heard concerns about the protection of marine
11 environment, caribou protections, and most of all
12 discussion over the construction and design.

13 For example, our CLARC meeting on July 31st of
14 last year, an Elder suggested that we should cover the
15 waterlines. Because of the changes to the weather, it
16 will be difficult to know where the caribou will cross
17 in the future.

18 Also, at that same CLARC meeting, it was suggested
19 that we cover the waterline for the safety of
20 snowmobile users. As a result of these type of
21 engagement and consultation, Agnico Eagle committed to
22 cover approximately 80 to 90 percent of the waterline
23 to ensure caribou and traditional land-use users are
24 able to safely cross the waterline by ATV and
25 snowmobile for hunting and recreational purposes. Next
26 slide, please.

1 The area of Melvin Bay as you -- all of you know
2 is used commonly for snowmobile races. Due to the
3 concerns raised about the safety of the sea ice, Agnico
4 Eagle evaluated and committed the only discharge -- to
5 only discharge in Melvin Bay during open-water season.
6 By installing the discharge near the bottom of the
7 ocean and ensuring water in the waterline is treated
8 and meets the regulation before discharging, we address
9 some of the concerns heard by the community on marine
10 effects. Discharging in this specific area of Melvin
11 Bay, our assessment found that there are no effects
12 predicted to marine wildlife, to fish, or fish food.
13 With effective implementation of mitigation, effects on
14 traditional harvesting of these species are expected to
15 be minor.

16 During our consultation and engagement activities,
17 we received questions about employment and have worked
18 closely with the Kivalliq Inuit Association to
19 communicate employment and business opportunities.

20 The target for Inuit employment is 10 to 14
21 workers to be hired from NTI, or Nunavut Tunngavik
22 Incorporated firms, which represents roughly 30 percent
23 of the workforce to work on the waterline construction.

24 As of today, Agnico Eagle enforces strict working
25 protocol to ensure our COVID no-contact protocols
26 exceed those that are currently offered by the chief

1 public health officer.

2 Following the pandemic outbreak last March,
3 March 2020, we protected our Agnico Eagle Kivallirmuit
4 employees by having them return home to their home
5 communities for their safety. We have since continued
6 our employment relationship with our Kivallirmuit
7 colleagues and continue to pay 75 percent of our
8 Kivallirmuit employees' base salary during their
9 absence from the site. When the restrictions will be
10 lifted, our Kivallirmuit employees will be available to
11 be contracted by Nunavut Tunngavik Incorporated firms
12 for the construction of the waterline should the
13 pandemic restrictions limit interaction with
14 southern-based employees continue.

15 That said, the expectation is to return
16 Kivallirmuit employees to the site in accordance --
17 once all the pandemic restrictions are lifted and the
18 protocols are -- are agreed to.

19 We expect a total of 35 additional jobs during
20 construction, which means the construction workforce
21 may be slightly higher than originally predicted in the
22 2018 addendum assessment, as the waterline will require
23 more construction jobs than trucking water, for
24 example, such as machine operators and assistant pipe
25 welders.

26 And now I will ask my colleague Colleen Prather to

1 continue with the next section.

2 THE CHAIR: Colleen Prather.

3 MS. PRATHER: Thank you, Madam Chair.

4 Colleen Prather with Agnico Eagle.

5 This section here will talk about the human health
6 risk assessment that was completed for the project.

7 So a risk assessment was completed to evaluate the
8 effect of the project, the waterline project, on human
9 health.

10 The risk assessment followed the procedures of
11 risk assessment framework endorsed by Health Canada.
12 For there to be a potential risk, three conditions,
13 represented by the circles on Slide 8, must be met. So
14 there must be a change in water quality to a level that
15 could be harmful, a receptor such as shellfish must be
16 present in areas where water has changed from the
17 project, and there must be an exposure pathway such as
18 human consumption of the receptor from areas of changed
19 water.

20 Studies were conducted to evaluate the changes to
21 water quality. We looked at the water that could come
22 out of the pipe. We compared those to various
23 guidelines. The water quality is predicted to be lower
24 than the Federal Metal and Diamond Mining Effluent
25 Regulations and will not cause toxicity. There are no
26 bioaccumulative substances in the discharge, and the

1 predictions for the receiving environment, so the
2 initial mixing zone and further out into Itivia
3 Harbour, are below the guidelines for long-term health
4 of aquatic life.

5 This Slide 9 illustrates Itivia Harbour. As we've
6 talked about, this is the location for the discharge,
7 but, as also mentioned, there are activities outside of
8 the project that also occur in this area.

9 The figure on the left shows Itivia Harbour. The
10 bright blue shows the extent of the water modelling
11 that we did. It also shows the extent of high tide
12 level. There are lines in there to indicate the depth
13 of the water. There's the location of the discharge
14 pipe, and in the orange dashed line, we show the low
15 tide level.

16 We also show two harvesting areas that were
17 identified to us, one to the beach area approximately
18 2 kilometres to the northwest, and Aukpik Island
19 approximately 4 kilometers southeast.

20 The figure on the right just shows a zoomed-in
21 image of the discharge pipe. You can see the discharge
22 in approximately 20 metres of water. You can see the
23 orange line that shows the low tide level, and the
24 bright blue spot shows the area where we predict there
25 to be change in water quality from background. So, as
26 we've said, this change is really limited to within

1 about 100 metres of the discharge.

2 Outside of that discharge zone you can see that
3 the area becomes dark blue, so our studies are
4 suggesting or telling us that water quality will return
5 to background outside that initial mixing zone.

6 So between these two figures, it illustrates that
7 mussel picking areas may occur in the tidal flats, but
8 our discharge is within about 20 metres of water, and
9 that change in water is limited in area.

10 So that's when we say we can see physical barriers
11 between our project and harvesting areas. Last slide,
12 Slide 10.

13 So, to conclude, we determined that, as we
14 mentioned, water quality changes are limited in area.
15 The area immediately in our discharge area is not where
16 traditional harvesting occurs, and in areas where we
17 would expect traditional harvesting to occur, we don't
18 expect there to be a change in water quality from
19 background due to the project. So, as a result, we saw
20 no pathways between the project and the potential for
21 risk to human health.

22 I would like now to hand this off to my colleague
23 Michel Groleau. Thanks.

24 THE CHAIR: Michel Groleau.

25 MR. GROLEAU: Thank you, Madam Chair.

26 Michel Groleau, Agnico Eagle.

1 I will continue the presentation, and provide a
2 summary of the findings of the cumulative and
3 transboundary effect assessment.

4 Cumulative effects or transboundary effects on
5 caribou are not foreseen as a result of the waterline
6 project. Large number of caribou, not the entire herd,
7 interact with the project only during an average of
8 eleven days per year, which represent 3 percent of the
9 year.

10 Based on the IQ collected in 1999, the Qamanirjuaq
11 herd interact with the project on a cycle of 6 to
12 12 years. The last cycle was initiated around 2014
13 following the construction of the all-weather access
14 road.

15 Also, the annual range of the herd is just under
16 15 million hectares and the all-weather access road and
17 Meliadine Mine footprint at just under 2,950 hectares,
18 which represent only 0.02 percent of the range of the
19 herd.

20 Additionally, mitigation of covering the waterline
21 with esker material will facilitate caribou passage
22 over the waterline.

23 Next section of the presentation is related to the
24 terrestrial and freshwater environment.

25 The waterline will be placed on the tundra and
26 will cause some localized effects to the soil and

1 vegetation, and those effects are consistent with the
2 one identified around the all-weather access road.
3 Spills along the all weather access road are predicted
4 to result in low to negligible change to soil quality
5 and vegetation relative to baseline and existing
6 conditions.

7 Robust mitigations were included in the project
8 and will be discussed later in the presentation.

9 Regarding the permafrost, the waterline will be in
10 areas of low to moderate risk of thaw or freezing from
11 the waterline. Effects are expected to be negligible
12 to permafrost from construction and ground disturbance.

13 The construction and operation of the all-weather
14 access road and bypass road and existing waterline and
15 pipes at the mine have not resulted in permafrost
16 degradations.

17 The cover built with esker material that will be
18 placed at the top of the waterline will mitigate
19 potential degradation of the permafrost within the
20 foundation as it's going to act as insulation above the
21 line.

22 Regarding the vegetation, we understand that berry
23 picking continues to be an important fall activity
24 throughout the Meliadine valley. Waterline will be
25 placed on the tundra and will cause some localized
26 effects to vegetation. The line will be tied to bridge

1 so no sedimentation is expected during the construction
2 and operation.

3 Spills along the all-weather access road are
4 predicted to result in low to negligible changes to
5 vegetation relative to baseline and existing
6 conditions. Although we don't think it's likely to
7 happen, if a spill occurs, we will inform the community
8 members and work on the restoration of the land in
9 collaboration with the harvesters.

10 The next slide is on freshwater environment.
11 Agnico Eagle is also committed to minimize the size of
12 the footprint to the extent possible and to ensure
13 proper sediment control as per Department Fishery Ocean
14 Canada measures to protect fish and fish habitat. Over
15 steams with minimal potential to support fish, the
16 waterline will be carefully positioned to allow for
17 unobstructed flows during the spring freshet condition
18 maintaining bank integrity and vegetation.

19 As discussed previously, the project has a scope
20 of changing the conveyance of saline water from the
21 site to the ocean from truck to a waterline at a
22 discharge rate of 6 to 12,000 cubic metre per day.

23 The alternative considered discharge rate up to
24 20,000 cubic metre per day. The additional 8,000 cubic
25 metre per day could be used for different objective,
26 such as diverting more saline water to the ocean or

1 also to minimizing surface contact water discharge to
2 Meliadine Lake and instead divert it through the
3 waterline with discharge to the Itivia Harbour.

4 Studies and assessment were conducted on the base
5 case and the alternative. For all the scenarios
6 evaluated, the discharge is rapidly assimilated. Next
7 slide of the marine environment.

8 The adaptive management plan was prepared to meet
9 commitments made during the review of the waterline
10 project to minimize the discharge in Meliadine Lake.
11 The adaptive management plan provide a framework for
12 discharge of surface contact water through the
13 waterline. This plan was developed in collaboration
14 and with inputs from the intervenor such as the
15 Kivalliq Inuit Association, Crown-Indigenous Northern
16 Affair Canada, and Environment and Climate Change
17 Canada.

18 The adaptive management plan outlines guiding
19 principle for water management. It defines normal
20 condition for fresh -- for water management and defined
21 management activities to be taken if the site is
22 outside of normal operating conditions.

23 Given the current storage quantities of saline
24 water at site, it's expected to take a couple of
25 discharge seasons to bring the site into normal
26 operating conditions for saline water.

1 Once this has been achieved, there will be a good
2 opportunity to divert more surface contact water to
3 Melvin Bay and minimize discharge to Meliadine Lake.

4 Madam Chair, I will pass it to my colleague
5 Colleen Prather for the next section of the
6 presentation. Thank you.

7 THE CHAIR: Colleen Prather.

8 MS. PRATHER: Thank you, Madam Chair.
9 Colleen Prather with Agnico Eagle.

10 We'll now have a few slides to talk about the
11 marine environment.

12 Slide 21, the study area boundaries for the
13 waterline project assessment were developed based on
14 the same criteria as the existing and improved saline
15 discharge by trucking. This slide illustrates what we
16 call the "local study area". You can see the area
17 identified in red. That's roughly the same area that
18 we talked about on Slide 9, where we conducted the
19 water modelling studies.

20 The existing seasonal diffuser is indicated by the
21 red dot, and the proposed permanent diffuser is
22 indicated by the yellow dot. So as -- there was a
23 question earlier today about why we selected this area.
24 So one of the reasons was this particular area is
25 sufficiently deep. It has good tide and wind
26 properties to encourage mixing of the water.

1 The area in purple identifies where water sampling
2 is conducted annually following the ocean discharge
3 monitoring plan. So the one purple area by the yellow
4 dot is the exposure area, and the other purple area is
5 what we call "the reference area".

6 And for this project, seasonal discharge was
7 selected, and that was due to -- is one of the
8 considerations for traditional land use of the area
9 with open-water discharge only. There's no concern
10 about effects on ice.

11 In addition, and something I should have mentioned
12 when we were talking about the human health risk
13 assessment, was that we looked at various model
14 scenarios. We modelled variable quantities of water
15 that could be discharged. We've modelled variable
16 quality of water that could be discharged, and the
17 scenarios included both the project and the
18 alternative.

19 The next slide talks a little bit more about the
20 ocean discharge monitoring plan.

21 This program is focused on water quality
22 monitoring and follows the requirements of the Metal
23 and Diamond Mining Effluent Regulations. At our
24 end-of-pipe stations, we sample there between once per
25 week to four times per year. It depends on what we
26 have to analyze.

1 In the receiving environment, we sample from four
2 times per year to monthly during the discharge, but
3 Agnico Eagle has also made a commitment to add one
4 sampling event after the discharge has stopped for the
5 year, and this is to confirm that the area around the
6 discharge area has been fully flushed.

7 This post-discharge sampling will occur for the
8 first three years of waterline operation. Slide 23.

9 During construction, effects to the marine
10 environment will be limited to the near shore where
11 construction installation occurs. During operations,
12 as discussed on previous slides, effects from the
13 discharge will be limited to 100 metres around the
14 discharge point, and also impacts to harvesting areas
15 are not expected because changes to water quality in
16 shoreline harvesting areas from the project are not
17 expected. So moving to accidents and malfunctions.

18 Through the application review, Agnico Eagle has
19 heard the community members, HTO, and intervenors
20 regarding the potential for accidents or malfunctions.
21 We have to remember that spills are not a certainty but
22 a possibility, but we need to plan and understand where
23 accidents could occur, how we can clean these up, and
24 how we can minimize and avoid them.

25 As part of the information request responses,
26 Agnico Eagle provided an initial list of potential

1 accidents and malfunctions. Given the concerns and
2 questions raised, Agnico Eagle completed a failure
3 modes and effects analysis. This focused specifically
4 on potential accidents and malfunctions and considered
5 design and operation limitations and environmental
6 influences.

7 The conclusions of that study were that a
8 worst-case scenario would have low environmental health
9 and safety impacts.

10 Commitments were made, and the spill contingency
11 plan was updated to incorporate the waterline, so,
12 specifically, measures through design and during
13 construction and operation.

14 Additional concerns were raised by the Kivalliq
15 Wildlife Board, and a spill analysis was completed.
16 The results of that were included in our final written
17 submissions.

18 Those results indicate that a minor leak would
19 have very little, if any, environmental impact. A
20 major leak may have little to higher environmental
21 effect, but this depends upon the location, so is at a
22 topographical high or low along the waterline, because
23 that influences the volume that could be released, also
24 the time of year, and if other mitigations have been
25 applied.

26 And, finally, we did develop a video that

1 simulates a potential spill from the waterline which
2 was shared during some of our consultation meetings.

3 Through mitigation and planning, we can avoid and
4 minimize the potential for accidents. Through this
5 process, we have made modifications to the project
6 design for construction and operations. Many of these
7 we have already discussed, but some include the leak
8 detection system, pressure testing of the line prior to
9 initial operations, testing the line each season,
10 regular inspections, and a mock spill event.

11 Management and monitoring plans. So various
12 management and monitoring plans were updated and
13 included in the application submitted in August of 2020.
14 so some of those included a groundwater management
15 plan, a spill contingency plan, road management,
16 erosion and sediment control.

17 So through this process, Agnico Eagle has also
18 submitted a draft update to the spill contingency plan.
19 This draft update includes the waterline, so there's
20 been additional information about mitigation and
21 management to reflect the waterline project.

22 Also, as my colleague Michel Groleau mentioned
23 about the adaptive management plan, through this
24 process we have developed a draft plan that was focused
25 on water management at the Meliadine Mine, and these
26 plans will be updated again if the waterline is

1 approved and as directed by the Nunavut Impact Review
2 Board. I would now like to pass the presentation off
3 to my colleague Corey De La Mare.

4 THE CHAIR: Corey De La Mare.

5 MR. DE LA MARE: Thank you, Madam Chair.

6 I'm going to present some slides here on the
7 terrestrial wildlife portion of the project.

8 So this is the annual range of the Qamanirjuaq
9 caribou herd, and it should be fairly familiar to
10 Kivalliq Hunters and Trappers, as this is something
11 that is also seen in the Beverly and Qamanirjuaq
12 Caribou Management Board plans.

13 As my colleague Michel mentioned earlier, the size
14 of the Meliadine project, you can see it as that green
15 line in the upper right-hand corner. It's just off
16 of -- it's Rankin there and then the project.

17 The mine itself and the AWAR represents about
18 0.02 percent of this area. In general, the Qamanirjuaq
19 caribou herd winters to the south in southern Nunavut,
20 in northern Manitoba, and northern Saskatchewan, and at
21 the end of winter and in the spring, caribou migrate
22 north up towards the calving range, which is that
23 different-coloured orange area up in the northern part
24 of the range. And we get this information from Inuit
25 Qaujimaqatugangit and from GN collar data that's
26 managed by the GN.

1 In late June to early July after calving, a
2 portion of this herd comes down towards the project
3 site. As part of consultation for the original
4 assessment, Inuit Qaujimajatuqangit confirmed that
5 caribou interact with the project on a cycle of 6 to
6 12 years, so that means that we'll see caribou in the
7 project area for 6 to 12 years, and then they'll move
8 to different areas for the following 6 to 12 years.
9 This has also been confirmed through observations of
10 collaring data that we get from the GN where we've
11 seen, prior to the project, there is little or no
12 caribou collar overlap with the project area.

13 We have seen caribou interacting with the project
14 during this time frame in late June and early July for
15 about a one-to-two-week period, and, in general, the
16 herd overlaps with the project area or a portion of the
17 herd overlaps with the project area for about 11 days
18 per year, which makes up about 3 percent of the year,
19 as my colleague Michel mentioned earlier.

20 As my colleague Suzanne mentioned earlier, last
21 summer we conducted community consultation between
22 January and August 2020 about this project. Comments
23 were made by community members and Elders about caribou
24 crossing the waterline and a desire to have the
25 waterline covered.

26 Agnico Eagle listened to these concerns, and in

1 September of 2020, we committed to covering 80 to
2 90 percent of the waterline with fine grain esker
3 material, the same material that's used for the road,
4 and you can see some examples of this material in the
5 buckets in the back of the room.

6 The waterlines will be located on the east side of
7 the road, and based on general movements of collar data
8 from the herd and what we see on-site, the herd
9 generally moves from east to west, so they'll encounter
10 the waterlines first.

11 Caribou monitoring methods outlined in the
12 terrestrial environment management and monitoring plan
13 will be used to look at monitoring of the waterline in
14 addition to the road. This plan will be further
15 enhanced through participation of multiple parties in
16 the terrestrial advisory group.

17 This is a diagram showing our flow of monitoring
18 and mitigation for caribou on-site. Reports from land
19 users and collar information that we received from the
20 GN tell us when we should start doing height-of-land
21 surveys. Typically what we see are early reports of
22 caribou up approximately 20 to 50 kilometres away from
23 site up towards Peter Lake and Meliadine Lake in the
24 northwest of the site, and that distance is a straight
25 line.

26 At this point, this suggests that herds will be

1 making their way towards the project site, and we
2 initiate height-of-land surveys to try and determine
3 when caribou are getting closer to the site.

4 When we are able to see caribou groups using
5 binoculars, that tells us that they're within
6 10 kilometres, and that would trigger Level 1.

7 From there, we continue to monitor and compare our
8 field observations where these herds may be, and we put
9 those on Google Earth so we can understand where the
10 distribution and movement of caribou are.

11 When they approach 5 kilometres, then that reaches
12 Level 2. However, we often have to skip from Level 2,
13 and we often go from Level 1 to Level 3 because Level 3
14 is when we see groups of 50-plus caribou within
15 5 kilometres, and most of the groups we see are larger
16 than 50 animals.

17 The KivIA is -- or the Kivalliq Inuit Association
18 is involved in the caribou migration through the
19 project area and have staff on-site and are involved in
20 daily monitoring and decision-making. We typically do
21 three surveys per day along the all-weather access road
22 down to Kilometre 10 where there is a high point in the
23 land, and we can see all the way to town.

24 Monitors also use areas of elevation for
25 observations, including the tall fuel tanks, platforms,
26 and this year we'll be using the waste rock storage

1 facility as well.

2 From these points, we can see many kilometres in
3 all directions, and we transfer our observations daily
4 to Google Earth maps to get a visual estimate of group
5 size and group locations and general direction of
6 movement, and I'll show a figure of this later.

7 Standard mitigation typically consists of closing
8 the AWAR; vehicles stopping on the AWAR, if they
9 encounter caribou, and turning off the engine and
10 strobe lights; work stoppages for specific areas,
11 depending on group size and distance; special approvals
12 for light duties or specific jobs or work to be
13 performed -- these are determined on a case-by-case
14 basis in discussions with the KIA; no helicopter
15 flights; buses on the surface are used for transporting
16 underground workers to and from the portal; and convoys
17 to and from the airport on crew-change days led by the
18 KIA and the HTO.

19 This figure shows the all-weather access road in
20 that green line with some other coloured dots on it,
21 and the waterline location is along there. The green
22 portions of the line are areas that will be covered.
23 The smaller sections in red will not be covered.

24 The background showing the yellow colours and the
25 orange to red areas are a combination of data from the
26 Government of Nunavut that shows where high frequencies

1 of collared caribou are. So the brighter red colours
2 are where we see the most frequencies of collared
3 caribou, and this, in general, just shows the movements
4 and distribution of caribou as they come through the
5 site.

6 In addition, as I mentioned earlier, the Elder
7 tour last year where community members and Elders
8 highlighted traditional caribou crossing areas are also
9 shown on this map. That's where you can see the
10 writing in the five orange dots. Those show the
11 traditional crossings.

12 In addition to roadside surveys and height-of-land
13 surveys, we've also started placing cameras alongside
14 the road in locations with caribou trails. The main
15 objective of the camera program is to identify where
16 and when caribou are crossing the road.

17 In 2020, the cameras took both timed and
18 motion-triggered photos and captured over a hundred
19 thousand photos of caribou.

20 Agnico Eagle has discussed and received comments
21 from the KIA on this study design, and we've already
22 updated this camera program, and we'll continue to have
23 discussions on the camera program and its objectives
24 with the TAG.

25 A second objective of the camera program is to
26 examine if caribou prefer to cross over quarry

1 materials on the left or esker materials on the right.
2 Half of the cameras are placed on the road made of
3 quarry material, and half are on the road made of esker
4 material. Road surveys are conducted up and down the
5 road, and we -- as I mentioned earlier, these are three
6 times daily, and we've been completing these since mine
7 construction.

8 During this time, they've identified a few
9 different areas where caribou prefer to cross the
10 roads, as they're highlighted on this -- on this
11 figure. At Kilometre 16, again at Kilometre 24, and
12 Kilometre 25, this is, in general, where we tend to see
13 the most caribou crossing.

14 The road is built into a long esker at these
15 points, so it's highly likely that caribou are
16 travelling along the esker, follow the road for a
17 while, and then continue on down the esker away from
18 site.

19 Behavioural surveys are also conducted -- we
20 initiated these in 2020 -- when caribou groups are
21 observed near the site. We do scan sampling
22 observations. So caribou are watched, and groups of
23 caribou are -- their behaviour is recorded. Some of
24 the behaviour that we record are alert status, so when
25 their head is up; feeding; bedding; walking; running;
26 sometimes we observe calves nursing, among other

1 behaviours.

2 As I mentioned earlier, we do have some
3 height-of-land surveys, and we plot caribou
4 observations in white. These are the white circles on
5 the map of where we see caribou in groups, so we
6 understand where caribou are at at the end of each day,
7 and we discuss these observations with the KivIA
8 on-site and determine where we prioritize monitoring
9 the next day and where we might have to prioritize
10 mitigation the next day.

11 "Terrestrial Advisory Group." Agnico Eagle has
12 committed to the establishment of a Meliadine
13 terrestrial advisory group. We've also heard that IQ
14 or Inuit Qaujimajatuqangit needs to be a key component
15 of this group. We feel that a terrestrial advisory
16 group benefits the monitoring program, particularly for
17 caribou, and includes and listens to the opinions and
18 comments and concerns from all parties.

19 The terms of reference, we have drafted a terms of
20 reference that was circulated to parties in February
21 of 2021. At the time we made this presentation, we had
22 received comments from two parties. We have received
23 comments from three parties to date, and we would like
24 to receive comments from all parties prior to
25 finalizing these and moving forward.

26 I will now hand the presentation over to my

1 colleague Jamie Quesnel. Thank you.

2 THE CHAIR: Jamie Quesnel.

3 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

4 Thank you, Madam Chair.

5 This is our final slide. So, to conclude, our
6 application is for the change of conveyance from trucks
7 to a waterline and also, from our studies, shows it has
8 a minimal effect to the area.

9 Based on the existing plans -- the management
10 plans that we have, there's -- they are still effective
11 for this change, such as the terrestrial environment
12 management and monitoring plan and ocean discharge
13 monitoring plan, for a couple of examples.

14 Again, we're committing to a terrestrial advisory
15 group, and this is to seek advice to understand best
16 practices related to monitoring and mitigation of
17 caribou. From the design to the operation of the
18 waterline, as you heard in the presentation, multiple
19 mitigation measures are in place to prevent potential
20 spills and, as Colleen mentioned, were updated in the
21 spill contingency plan to reflect those changes.

22 Dealing with the receiving environment, based on
23 our water quality predictions, the human health risk
24 assessment that was completed, there is no risk based
25 on the results of the study due to there's no overlap
26 of the project but basically change in water quality in

1 the harvesting areas.

2 Any change occurs in the mixing zone, which is
3 part of the federal regulation. There's a change but
4 no effect. And, again, as discussed a few times during
5 the day, we have this alternative to divert surface
6 contact water to the waterline, and the mechanism and
7 the mechanics of how that occurs is in the adaptive
8 management plan, which certain intervenors have
9 provided input to that plan. And that's the end of our
10 presentation. Thank you.

11 THE CHAIR: Thank you, Agnico Eagle.

12 Now we'll turn to questions about this
13 presentation from the formal intervenors.

14 First, KIA, Luis Manzo.

15 Kivalliq Inuit Association Questions Agnico Eagle Mines
16 Limited

17 MR. MANZO: Thank you, Madam Chair.

18 We do have a few questions, and I will pass the
19 microphone to -- from the Zoom to Richard Nesbitt. Go
20 ahead, Richard.

21 THE CHAIR: Richard Nesbitt.

22 MR. NESBITT: Can you hear me?

23 THE CHAIR: Yes. You may proceed.

24 MR. NESBITT: Fantastic. Thank you.

25 Richard Nesbitt on behalf of the Kivalliq Inuit
26 Association. First of all, thank you, Agnico Eagle,

1 very much for your presentation.

2 My first question is with regards to the length of
3 time it will take to return to normal operating
4 conditions when the waterline becomes available.

5 In your presentation, Agnico Eagle stated that it
6 would take a couple, meaning two, seasons for normal
7 operating conditions to resume once the waterlines have
8 been made available. We presume that this refers to
9 both the stored excess saline groundwater in
10 Tiriganiaq 2 as indicated in the groundwater management
11 plan as well as the ongoing inflows to site.

12 Can you clarify if the statement of the two-year
13 time period is including the 20,000 cubic metres per
14 day alternative?

15 THE CHAIR: Please slow down for the sake
16 of the interpreters and pause between sentences.

17 Agnico Eagle, Jamie Quesnel.

18 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.
19 Thank you, Madam Chair. Thank you, Richard, for the
20 question.

21 Right now, we're estimating a couple of years, but
22 things can change based on when and if we get the
23 approval for the waterline. So we may have a few
24 additional years of storage, a lot of unknowns between
25 now and 2023. There could be precipitation events.
26 There could be the upper bound of our inflows and other

1 components that we always look at and plan. So it's
2 not just one variable or one component.

3 But right now we're looking at the calculation of
4 81 days of the 102-day window based on maintenance of
5 the line and other factors, and it's been calculated at
6 12,000 cubic metres. Thank you.

7 THE CHAIR: Kivalliq Inuit Association,
8 Richard Nesbitt.

9 MR. NESBITT: Thank you very much for that
10 response, Jamie.

11 I appreciate that there are a number of unknowns
12 and variables at play with respect to the timeline.
13 I'm trying to understand -- in KIA's input on the
14 adaptive management plan, we had requested Agnico Eagle
15 commit to suspending discharges to Meliadine Lake
16 unless absolutely necessary. Understanding that Agnico
17 Eagle has a need for operational flexibility, I'm
18 trying to make the numbers work out to understand why
19 the waterlines would not be available as soon as -- for
20 use for CP1 as soon as the waterlines have been
21 constructed.

22 So using, you know, the number that you had said
23 of about 12,000 or so cubic metres per day, and it
24 would take a couple years at that rate, we assume that
25 at the 20,000-cubic-metre-per-day alternative, there is
26 significant capacity available. Looking at Agnico

1 Eagle's groundwater management plan from 2021 submitted
2 in January, the upper bound of inflows was quoted at
3 580 cubic metres per day coming onto the site. Now,
4 these represent what Agnico Eagle has referred to as
5 unmitigated inflows, so we would use these numbers or
6 assume these numbers are an extreme upper bound. This
7 translates to about 200,000 cubic metres per year
8 requiring discharge.

9 Now, also looking at the CP1 volume of 2020 to
10 2021 where discharges were suspended in 2019 and so --
11 and the 2020 discharge season can be seen as an
12 extremely high discharge year, there was about a
13 million cubic metres of water from CP1 discharged to
14 Meliadine Lake.

15 In Agnico Eagle's hydrodynamic modelling presented
16 as part of this application, a volume of 3 million
17 cubic metres discharged to Meliadine -- or to Melvin
18 Bay was used in the evaluation scenario.

19 Assuming this is an extreme upper bound and
20 represents about five months of discharging at
21 20,000 cubic metres per day, I would assume that -- you
22 know, 20 percent downtime, that still leaves four
23 months at 20,000 cubic metres per day or a volume of
24 about 2.4 million cubic metres of water available to be
25 moved from the Meliadine site to the ocean each year.

26 Understanding that the volume of two or three

1 years stored saline groundwater represents about
2 600,000 cubic metres of groundwater that needs to be
3 dewatered from Tiriganiaq 2, and if the year the
4 waterlines become available there are about 1 million
5 cubic metres of water requiring discharge from the
6 site, I'm wondering if Agnico Eagle can clarify if
7 movement of most or all of the CP1 water from CP1 to
8 Melvin Bay along with the stored groundwater would
9 change the dewatering timelines that Agnico Eagle has
10 just discussed. Thank you.

11 THE CHAIR: Agnico Eagle, Jamie Quesnel.

12 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

13 Thank you, Madam Chair.

14 The calculations you have shown could be an event
15 that may happen at the site. The variability in water
16 management always creates the need for flexibility,
17 and, as we stated multiple times, if the waterline gets
18 approved, we would minimize the discharge to
19 Meliadine Lake, and we presented many tables where it
20 shows different scenarios of predictions, and we always
21 calibrate our models based on the existing monitoring,
22 but we cannot -- we can predict what may happen based
23 on a wet year, a dry year, a 1-in-100-year storm event,
24 1-in-20, so on and so forth. But the site has to deal
25 with the reality that happens and have to -- they have
26 to be nimble, they have to be flexible, and they need

1 the adaptive piece to ensure they can move water in a
2 reasonable time.

3 So if the water management situation on-site
4 allows all the water to be moved, we would minimize the
5 discharge at Meliadine Lake. We just need that
6 flexibility.

7 So we can give you five, six, ten different
8 scenarios of calculations, if you want, but this is
9 where we have to plan for many events. The one you
10 provided is one that could happen, but there's
11 multiple, multiple events that the site looks at just
12 based on the existing data and matching to the
13 predictions that our experts look at.

14 And we stated, and the line is built for 20,000
15 cubic metres. We evaluated the receiving environment
16 to handle 20,000 cubic metres of different say -- total
17 dissolved solids, so we evaluated in a range of
18 different volumes of water. So we're looking at --
19 that the line can handle that.

20 So if we move, as per our alternatives that we
21 mentioned earlier today, more saline water, that
22 reduces the inventory, that means we can move more
23 surface contact water.

24 So the flexibility is there. It's just that we
25 have to get to those normal operating conditions where
26 you were involved in that review, and I think you

1 understand that table that we provided, so we have to
2 have no storage of saline water, reduce the volume
3 before freeze-up, and have that flexibility.

4 You know, there may be moments where we have a
5 rain event before freeze-up, and our objective is to
6 ensure those ponds are down to a very low percentage
7 based on the normal operating conditions. So that may
8 mean that we have to move some water in the waterline,
9 that may mean that we have to discharge to
10 Lake Meliadine. So there's a lot of variations that
11 the site has to be working with, and the site needs
12 that flexibility.

13 But, to recap, we always stated we're going to
14 minimize water to Meliadine Lake, and we have to get
15 down to normal operating conditions between now and if
16 the waterline gets approved, whenever that may occur.
17 We still have to -- if we do get the approval, right
18 now it looks like construction in '22, operation in
19 2023, and lots can happen between now and then.

20 Thank you.

21 MR. NESBITT: Thank you, again, for that
22 response, Jamie.

23 I will say that you are absolutely correct that we
24 are -- there are many scenarios that can be presented.
25 The one that I was describing was the -- considered
26 worst-case scenario as presented by Agnico Eagle in

1 their modelling. I'll submit for the Board's
2 consideration in our final submission, which we will
3 reiterate in our presentation, we are seeking to better
4 clarify what the normal operating conditions are and to
5 better define what volume will be moved from CP1 rather
6 than being discharged to Meliadine Lake, moved to
7 Melvin Bay when Agnico Eagle says "minimize". So we
8 are looking for increased certainty on what that
9 "minimize" looks like, and it is encouraging to hear,
10 as Jamie has just reiterated, that both the waterline
11 and the environment can handle up to 20,000 cubic
12 metres per day of combined groundwater and surface
13 water effluent without compromising either the line or
14 Inuit use of the environment or the water quality.

15 And knowing all of that, it appears that the
16 capacity available in the line is still enough to move
17 most, if not all, surface water from CP1 along with the
18 stored inventory of groundwater to Melvin Bay.

19 And for more details on the proposal that KIA is
20 putting forward, I will defer that discussion to our
21 presentation later on today or tomorrow. Thank you
22 very much.

23 THE CHAIR: Just a reminder to all the
24 parties who speak English, you might understand
25 yourself when you're speaking, but there are people who
26 don't speak English who are also participating, so

1 please wait until I flag you, until I say your name to
2 start speaking because I'm usually waiting for the
3 interpreters to finish. So be mindful that people are
4 listening to what you're saying, and it's being
5 interpreted.

6 Right now it's 3:15. Let's take a 15-minute
7 break, and we'll continue with questions to Agnico
8 Eagle.

9 (ADJOURNMENT)

10 THE CHAIR: Welcome back, everyone.

11 Continuing with questions to Agnico Eagle,
12 Kivalliq Inuit Association. Luis Manzo, are there any
13 more questions?

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

16 Yes, Madam Chair. Kim Poole for a question for
17 terrestrial. Thank you.

18 THE CHAIR: Kim Poole.

19 MR. POOLE: Kim Poole on behalf of the
20 Kivalliq Inuit Association. Thank you, Luis, and
21 others.

22 I have two questions for Agnico Eagle. The first
23 relates to the terrestrial advisory group. This is --
24 this group -- establishing this group is quite
25 important to a number of the people involved in this
26 process. Back in the January technical meetings,

1 Agnico Eagle stated that a terrestrial advisory group
2 would be established by May of 2021, and we have yet to
3 see that established so far.

4 Will Agnico Eagle commit to establishing a
5 memorandum of understanding for the terrestrial
6 advisory group similar to what was developed for the
7 Meadowbank Whale Tail project?

8 THE CHAIR: Agnico Eagle, Jamie Quesnel.

9 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.
10 Thank you, Madam Chair. Thank you, Kim, for the
11 question.

12 We basically received three -- we received
13 comments from three participants, and not all the
14 groups requested a memorandum of understanding, but
15 those that have asked, we would work with those parties
16 to develop a memorandum of understanding that would be
17 aligned with the terms of reference.

18 So we can commit to that to the parties that would
19 like one. Thank you.

20 THE CHAIR: Kivalliq Inuit Association,
21 Kim Poole.

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

24 My second question relates to the assessment of
25 potential impacts to caribou and what has happened and
26 an evaluation of those impacts. Agnico Eagle has

1 stressed a number of times that this hearing is
2 about -- or this project is about -- or this -- this
3 portion of the project is about the waterlines, but
4 since they are attached to the all-weather access road
5 for the vast majority of the distance, it's -- most
6 people think of it as an all-weather access
7 road/waterline complex.

8 The assessment done by Golder in January, I
9 believe, of 2021 that looked at the movement of
10 collared caribou through the area, on the -- in the --
11 in the minds of the Government of Nunavut, the Sayisi
12 Northlands Dene, and the Kivalliq Inuit Association,
13 that assessment was deeply flawed, and the conclusions
14 were, therefore, flawed as well.

15 Will Agnico Eagle commit to revising that
16 assessment perhaps in consultation with the parties
17 that I mentioned?

18 THE CHAIR: Agnico Eagle, Jamie Quesnel.
19 Corey De La Mare.

20 MR. DE LA MARE: Thank you, Madam Chair. Corey
21 De La Mare, Golder Associates. Thanks, Kim, for the
22 question. I appreciate it.

23 Just a quick comment on that report. That
24 report -- or actually technically that memorandum was
25 originally designed in response to the Sayisi Dene
26 First Nation and Northlands Denesuline First Nation

1 to simply repeat an exercise that we had repeated -- or
2 that we had provided previously in an IR which was, Can
3 you show us the collar location data as it encounters
4 the AWAR?

5 And so that's what we did. We did that for one
6 year previously, and in that memo, we provided the
7 remainder -- remaining years of collar information that
8 we had. Perhaps we took that a little too far, and we
9 defined some areas of deflection which we could've
10 discussed previously.

11 Regarding the commitment piece, I'll let Jamie
12 respond to that. Thank you.

13 THE CHAIR: Jamie Quesnel.

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

16 With the development of the terrestrial advisory
17 group, I think this is where the report is an example
18 where the parties can work together. You heard from
19 Golder on their interpretation of the report. They may
20 have a different interpretation of others, but I think
21 this is where it's an opportunity where the terrestrial
22 advisory group participants can work together and to
23 look at the report, look at inputs, things that could
24 be adjusted, and also this can be part of an annual
25 report update with the TAG.

26 So I think we can look at this as an example where

1 studies like this can be managed or discussed through
2 the terrestrial advisory group. Hopefully that answers
3 your question. Thank you.

4 THE CHAIR: Kivalliq Inuit Association,
5 Kim Poole.

6 MR. POOLE: Kim Poole for the Kivalliq
7 Inuit Association. Thank you, Corey and Jamie, for
8 your responses.

9 That report that I'm referring to was released
10 literally several days -- two or three days prior to
11 the technical meeting in January as support for the
12 mitigation and monitoring that is being conducted to
13 date at the site and along the all-weather access road
14 related to caribou.

15 It made a number of conclusions related to
16 crossing and noncrossing rates and deflections, again,
17 which I believe has been soundly criticized by a number
18 of parties. I think it would be -- since -- since the
19 terrestrial advisory group, it may take some time for
20 it to be formed waiting for more comments on -- in
21 terms of reference and development of the memorandum of
22 understanding.

23 I think it would be prudent for Agnico Eagle to
24 commit to updating that report based on the comments
25 that were provided as a separate issue outside of the
26 terrestrial advisory group. Otherwise, the timing just

1 may fall off the rails a bit. Thank you.

2 THE CHAIR: Agnico Eagle, Jamie Quesnel.

3 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

4 Thank you, Madam Chair.

5 I think we can commit to something like that, but,
6 again, we feel like the terrestrial management plan
7 that we have and the daily aspect of the -- of the road
8 and the activities at the operation, this commitment
9 should not slow down this process. I think we can look
10 at having that discussion that would be parallel to
11 this application, and I think that would be the best
12 path forward based on our interpretation and the
13 primary component of this application, which is the
14 change of conveyance from trucking to a waterline and
15 where the waterline -- and with the cover material is
16 primary [sic] lower than the road.

17 So we feel that this can be discussed in parallel
18 too to this application, but we can commit to having a
19 discussion with certain parties prior to the final
20 development of the terrestrial advisory group.

21 THE CHAIR: Kivalliq Inuit Association,
22 Kim Poole.

23 MR. POOLE: Kim Poole, Kivalliq Inuit
24 Association.

25 Thank you for your response, Jamie. I have no
26 further questions.

1 THE CHAIR: Kivalliq Inuit Association,
2 Luis Manzo.

3 Any more questions?

4 MR. MANZO: Luis Manzo, Kivalliq Inuit
5 Association.

6 No more questions, Madam Chairman [sic]. Thank
7 you.

8 THE CHAIR: Nunavut Tunngavik, Bert Dean.
9 Nunavut Tunngavik Incorporated Questions Agnico Eagle
10 Mines Limited

11 MR. DEAN: Thank you, Madam Chairman [sic].
12 Bert Dean with NTI.

13 I'll double-check here to make sure nothing else
14 has come up, but I think there's just -- one question,
15 and it's similar to the earlier one KIA has raised with
16 the terrestrial advisory group. I think NTI would like
17 to, again, thank AEM for forwarding the draft terms of
18 reference for review and for including NTI as a member
19 of this terrestrial advisory group as per the
20 discussions of the technical meetings. We haven't
21 responded yet. We've, I guess, been asked by the HTOs
22 and the regional organizations to take a more active
23 role in terms of providing support to them.

24 The Kivalliq region was scheduled to have a
25 caribou workshop prior to the COVID-19 pandemic sort of
26 hitting us and kind of freezing everything, and we

1 thought we might be able to pull that workshop together
2 as things would improve, but, again, we got hit with
3 more cases showing up in the south and up here in
4 Nunavut again.

5 So we -- we are supportive to the communities and
6 their requests to participate in that working group and
7 how we could provide support. So, I mean, some of the
8 questions we would've had, I think, have already been
9 asked, so I'm not going to belabour the point.

10 But hopefully it would include all of the HTOs and
11 the Kivalliq Wildlife Board and NTI. I know there was
12 some correspondence earlier. I wasn't quite sure
13 whether KWB would be in there, and there was a lot of
14 sort of unknowns back then, but, Jamie, you did just
15 mention, you know, commit to having discussion with
16 certain parties. I don't know -- that was sort of --
17 "certain parties", is it with all the HTOs, or could
18 you elaborate a bit more of how you see the TAG coming
19 together? Thank you.

20 THE CHAIR: Agnico Eagle, Jamie Quesnel.

21 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

22 Thank you, Madam Chair.

23 We're open to having the participants that are
24 close to the project related to the terrestrial
25 advisory group and also related to the movement of the
26 herd. Corey showed the range of the herd. We all know

1 that. We know the footprint of our operation, so we're
2 open to those participants.

3 We would -- as was mentioned by the Kivalliq Inuit
4 Association, we were foreseeing that things would be --
5 like, with the draft terms of reference, we'd be
6 further along, but we haven't received those comments;
7 right? So we want to ensure when we review everything
8 it's done one time with all the input so we have all
9 the collaboration, all the -- all the information.

10 So we're open to having that input. Like, we
11 received comments from Environment Canada. They don't
12 want to be involved. So, you know, if the KWB wants to
13 be involved, the Kivalliq Wildlife Board, then I'm not
14 sure how it's going to work with -- with the NTI and,
15 like, how that's going to map out and who's -- how it's
16 integrated and -- 'cause we have to talk about that too
17 because there's a lot of new parties.

18 So we have to understand that, but that's where we
19 need the input on the draft terms of reference, sit
20 down and look at it, and see what opportunities, what
21 optimization we have to do. So we're open to have that
22 discussion, but we just need to have the input so we
23 have a constructive meeting with all the draft inputs
24 regarding the terms of reference.

25 So there's a lot of challenges with us like we
26 know -- to all of us for what we're going through, but

1 if we can provide the -- if everyone can provide their
2 view of the draft terms of reference earlier than
3 later, then we can get going to the next stage and
4 having that open discussion how this all works. So
5 hopefully that answers your question.

6 THE CHAIR: Nunavut Tunngavik
7 Incorporated, Bert Dean.

8 MR. DEAN: Thank you, Madam Chair, and
9 thank you for the response, Jamie. It is helpful.

10 Just for a bit of context or background, with the
11 Beverly Qamanirjuaq Caribou Management Board, it was
12 established, you know, back around 1982, so it was
13 prior to the Nunavut Agreement or NTI even being in
14 existence, but we have had staff attend and observe or
15 try and provide support when needed to the HTOs or to
16 the Kivalliq Wildlife Board.

17 With the Northwest Territories, we're involved
18 with the Kitikmeot Regional Wildlife Board and the KIA,
19 and the Government of Northwest Territories has just
20 set up a Bathurst Caribou Advisory Committee. I think
21 many NWT representatives wanted to have the title as
22 a -- as a board, that reference to a board, 'cause they
23 saw the sort of positive role that the BQCMB or the
24 Beverly Qamanirjuaq Caribou Management Board has had in
25 giving people a voice on caribou issues and working
26 with the different jurisdictions.

1 But it creates confusion when there's all these
2 different committees or boards, and within Nunavut we
3 have the Nunavut Impact Review Board, Nunavut Wildlife
4 Management Board. These are boards with authorities
5 under the legislation and Nunavut Agreement, and it's
6 more as an advisory committee.

7 But, again, because it's inter-jurisdictional, NTI
8 has decided to sign on to that committee and, again,
9 provide support to the Kitikmeot region when they're
10 dealing with another government or territory or things
11 like that. But similar to these terms of reference,
12 we'll always be looking for guidance and direction from
13 our communities and regions and providing support, and
14 I think that's what we heard at the technical meeting,
15 is the communities looking for that support from NTI.

16 So this kind of information we can provide in, you
17 know, detailed comments to the terms of reference, but
18 it's, I think, important to have good communication and
19 a good working relationship between all the parties so
20 that when there are concerns or issues, they're treated
21 seriously and with respect by -- by all those involved.

22 Similarly, capacity has been a big challenge.
23 Just to have staff and resources so that board members
24 or other members can participate in the different
25 meetings, so we'll be trying to provide that or find
26 resources for that when that comes up.

1 So, again, it's how do we provide a forum to
2 provide comments and input to any of the concerns?
3 The -- in one of the presentations, it referred to
4 the -- to the range of the Qamanirjuaq herd and the
5 calving grounds, and lots of things are happening with
6 caribou, especially in recent years, and it's going to
7 be that much more important to get the perspective from
8 the hunters who are actually out there hunting to see
9 if any of their patterns have changed or what they're
10 noticing. So, again, NTI would provide hopefully that
11 support and coordination and making productive -- or
12 providing input into productive meetings.

13 It's more of a comment, I guess, than any type of
14 question, but I just -- there's value in having Inuit
15 at the table and sharing that information, so hopefully
16 when your company is making decisions, they'll have
17 that information from Inuit. Thank you.

18 THE CHAIR: Agnico Eagle, Jamie Quesnel.

19 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

20 Thank you, Madam Chair. Thanks for your comments.

21 There's many touch points for this process, and I
22 think the communication is important, so we understand
23 what you're saying. It's not -- it's not simple. It's
24 complicated, and we see a lot of opportunities here
25 even with us speaking with the Government of Nunavut.
26 Like, once we have a project certificate, we have

1 obligations to -- to monitor. We need data. So we'd
2 like to see a seamless approach as we -- as we operate.
3 So this is one thing that's in parallel with an
4 advisory group, however it ends up.

5 We have to ensure we can get data as per our
6 project certificate in a timely way looking at a time
7 scale or a larger area, and this is important that we
8 don't see other delays to obtain certain permits so the
9 company and also the community and participants of the
10 advisory group can get the data in a timely way to
11 interpret and do additional studies that we agree to
12 within that group.

13 So that's another component that we have to ensure
14 that we can move forward and complete these studies
15 without other delays, and then that's very important
16 because things are -- do move quickly, and we need to
17 understand from an operational perspective that we're
18 focused on the added value of monitoring, or are we
19 just reevaluating or monitoring the same old component
20 and it's not really adding value to the bigger picture
21 of what we're trying to achieve here?

22 And as you can see with the -- Agnico Eagle, we
23 want to be in Nunavut for a long time, so I think we
24 have an opportunity here to work together, to
25 understand each other better, have the traditional
26 knowledge and IQ to be incorporated with western

1 science, to move forward and focus on the right things,
2 and I think this -- this is a good opportunity.

3 So we look forward to have comments from the
4 participants on the draft terms of reference, and then
5 we can talk once we have that and understand how it's
6 all going to work, and we just have to keep on talking
7 it through until the final document makes sense to all
8 parties. So thanks for your comments.

9 THE CHAIR: Nunavut Tunngavik
10 incorporated, Bert Dean.

11 MR. DEAN: Thank you, Madam Chair, and
12 thank you, Jamie, for your comments. Sorry. Bert Dean
13 with Nunavut Tunngavik.

14 Yeah. Thank you, Jamie. It's -- I think it's
15 going to be important to follow up, and I -- we hear
16 you in terms of getting those timely responses.

17 So we'll work with the regions and the communities
18 to try and provide that support to get that discussion
19 happening, and at this time, we don't have any further
20 questions. Thank you.

21 THE CHAIR: (INUKTITUT SPOKEN - NO
22 TRANSLATION) Gabriel Karlik.
23 Government of Nunavut Questions Agnico Eagle Mines
24 Limited

25 MR. KARLIK: Thank you, Madam Chair.
26 Gabriel Karlik, Nunavut -- Government of Nunavut.

1 Just one clarification with Agnico Eagle. The
2 Government of Nunavut understands that Agnico Eagle has
3 committed to filing an updated Golder report within six
4 months of this hearing. So we're just trying to get
5 confirmation and clarity of -- as this was one of the
6 commitments on our final written submission. Thank
7 you.

8 THE CHAIR: Agnico Eagle, Jamie Quesnel.

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

11 I'm sorry for taking a few extra minutes, but in
12 our final written submissions, we said we committed to
13 that six months. So I think it's similar to what
14 Kivalliq Inuit Association was asking us, so the only
15 clarification of six months at the end of the final
16 hearing. We may commit to six months once the -- if
17 the application is approved. No. We can go with six
18 months of the final hearing. That's fine. Sorry. So
19 we're good with that commitment. Thank you.

20 THE CHAIR: Government of Nunavut, Gabriel
21 Karlik.

22 MR. KARLIK: Thank you, Madam Chair.
23 Gabriel Karlik, Government of Nunavut.

24 No other questions at this time.

25 THE CHAIR: The Canadian-Indigenous and
26 Northern Affairs, Spencer Dewar.

1 Felexce Ngwa. Crown-Indigenous Relations and
2 Northern Affairs Canada, Felexce Ngwa.
3 Crown-Indigenous Relations and Northern Affairs Canada
4 Questions Agnico Eagle Mines Limited

5 MR. DEWAR: Hello. Can you hear me?

6 THE CHAIR: Yes. You may proceed, Spencer
7 Dewar.

8 MR. DEWAR: Qujannamiik, Madam Chair.
9 Spencer Dewar, Crown-Indigenous Relations and Northern
10 Affairs Canada. Sorry for the delay. My computer's
11 been crashing.

12 I'm just seeking some final clarification. I do
13 believe it might be in how the term "alternative" is
14 being used. Can Agnico Eagle please clarify the volume
15 of the effluent discharge that they're asking the
16 Nunavut Impact Review Board to consider? Is it up to
17 12,000 cubic metres per day, or is it up to 20,000
18 cubic metres per day? Qujannamiik.

19 THE CHAIR: Agnico Eagle, Jamie Quesnel.

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

22 Yeah. As per our application, for the saline
23 water, it's 12,000 -- up to 12,000 cubic metres per
24 day, and the alternative is up to -- increasing the
25 saline water or diverting the surface contact water for
26 the additional 8,000, and that's all related to an

1 adaptive management plan.

2 So everything's been evaluated. A line can
3 handle 20,000 cubic metres. The receiving environment
4 has been evaluated at 20,000 cubic metres for different
5 salinity concentrations. But the primary component of
6 the application is to move up to 12,000 cubic metres of
7 saline water from the site. We have the adaptability
8 to -- the alternative to increase the saline water, and
9 also the second alternative is to divert the surface
10 contact water as per the adaptive management plan.

11 And to divert the surface contact water, we need
12 the adaptive management plan approved, and then we have
13 the requirement in our water licence to provide an
14 update to the Water Board six months prior to -- before
15 that diversion does occur. So hopefully that clarifies
16 your question. Thank you.

17 THE CHAIR: (INUKTITUT SPOKEN - NO
18 TRANSLATION) Spencer Dewar.

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

22 So is AEM seeking a maximum of 20,000 cubic metres
23 per day, but no more than 12,000 cubic metres will be
24 saline effluent? Is that what we're looking for the
25 Nunavut Impact Review Board to approve? Qujannamiik,
26 Madam Chair.

1 THE CHAIR: Agnico Eagle, Jamie Quesnel.

2 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

3 Thank you, Madam Chair.

4 The total volume of the line has been assessed at
5 20,000 cubic metres. That's -- the receiving
6 environment has been assessed to that level.

7 Right now, to move the inventory of the saline
8 water, it would be at 12,000 cubic metres with the
9 alternative to increase it up to 20. And, again, the
10 other component based on discharging saline water at
11 12,000, we have the adaptability to divert the surface
12 contact water up to the additional 8,000 in the
13 waterline.

14 But right now we need the approval for the saline
15 water to ensure we can build the line on time and to
16 move our saline water. If the adaptive management plan
17 is approved right now, if every -- all the intervenors
18 are happy with the adaptive management plan, then that
19 piece can be approved too, but if there's additional
20 discussions on the adaptive management plan, then we
21 see that as the alternative in the application, and
22 that would be done later.

23 We don't want this application to be delayed. So
24 if there's some other discussions that's occurring
25 about some details in the adaptive management plan, we
26 don't want a delay on this application. We want the

1 approval for the 12,000 on the saline water. Then
2 later on we can update the Nunavut Impact Review Board
3 with an approved adaptive management plan that
4 highlights the -- how the diversion of surface contact
5 water would occur to the waterline and also how we
6 would increase the saline water.

7 So the core primary component of the application
8 is to move that saline water at 12,000. But if all the
9 parties agree by tonight or tomorrow on the adaptive
10 management plan, then we can button it all up, but
11 we're just concerned that there might be some delay on
12 the alternatives related to the adaptive management
13 plan, and we cannot afford any delays.

14 So that's why we're focused on the 12,000, to have
15 that approved, and later on we can send the updated
16 approved adaptive management plan with the alternatives
17 to Nunavut Impact Review Board, and then we can look at
18 diverting the surface contact water, ramping up the
19 saline water. So that's why we're looking at this
20 application in this way. Thank you.

21 THE CHAIR: (INUKTITUT SPOKEN - NO
22 TRANSLATION) Spencer Dewar.

23 MR. DEWAR: Qujannamiik, Madam Chair.
24 Spencer Dewar, Crown-Indigenous Relations and Northern
25 Affairs Canada.

26 Thank you for your response, Jamie. No more

1 questions.

2 THE CHAIR: (INUKTITUT SPOKEN - NO
3 TRANSLATION) Victoria Shore.

4 Environment and Climate Change Canada Questions Agnico
5 Eagle Mines Limited

6 MS. SHORE: Environment and Climate Change
7 Canada, Victoria Shore.

8 I have no questions, but my colleague Anne Wilson
9 does, so I will pass things over to her. Thank you,
10 Madam Chair.

11 THE CHAIR: Anne Wilson.

12 MS. WILSON: Sorry about the technical
13 difficulties. Anne Wilson, ECCC.

14 And I just had a question around the marine
15 monitoring outlined on Slide 22. The
16 effluent characterization is going to be done, and that
17 will follow pretty much the metal mining -- Metal and
18 Diamond Mining Effluent Regulation's regime. That
19 doesn't have a requirement for ongoing sublethal
20 toxicity testing, and I'm just wondering if Agnico
21 Eagle is planning to continue doing that testing at the
22 marine site.

23 THE CHAIR: Agnico Eagle, Jamie Quesnel.

24 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

25 Thank you, Madam Chair.

26 The answer is yes.

1 THE CHAIR: (INUKTITUT SPOKEN - NO
2 TRANSLATION) Anne Wilson.

3 MS. WILSON: Anne Wilson, Environment and
4 Climate Change Canada.

5 Thank you for that. That was an easy one, and
6 that is all my questions. Thanks.

7 THE CHAIR: (INUKTITUT SPOKEN - NO
8 TRANSLATION) Edyta Ratajczyk.

9 MS. RATAJCZYK: Edyta Ratajczyk, Fisheries and
10 Oceans Canada.

11 We have no further comments at this moment. Thank
12 you.

13 THE CHAIR: (INUKTITUT SPOKEN - NO
14 TRANSLATION) Joel Kaushansky.

15 MR. KAUSHANSKY: Hi. Joel Kaushansky. Health
16 Canada. Thank you, Madam Chair.

17 We have no questions or comments at this time.
18 Thank you.

19 THE CHAIR: Transport Canada, Scott Kidd.

20 MR. KIDD: Scott Kidd, Transport Canada.
21 Thank you, Madam Chair.

22 Transport Canada has no questions at this time.
23 Thank you.

24 THE CHAIR: (INUKTITUT SPOKEN - NO
25 TRANSLATION) Maximilien Genest.

26 MR. GENEST: Thank you, Madam Chair.

1 Maximilien Genest, Natural Resources Canada.

2 We don't have any questions at this time. Thank
3 you.

4 THE CHAIR: (INUKTITUT SPOKEN - NO
5 TRANSLATION) Clayton Tartak.

6 MR. TARTAK: Thank you, Madam Chair.
7 Clayton Tartak, Kivalliq Wildlife Board.

8 If it's all right with you, I'd actually ask that
9 the communities be given an opportunity to ask the
10 questions before I do, and I'll have some follow-up
11 questions to their questions.

12 THE CHAIR: Okay. So we'll move to
13 Kivalliq Wildlife Board after the registered HTOs.

14 Thomas Ubluriak from Arviat Hunters and Trappers
15 Organization.

16 Arviat Hunters and Trappers Organization Questions
17 Agnico Eagle Mines Limited

18 MR. UBLURIAK: Thank you.

19 To a comment that was said earlier today, if I can
20 go back, it -- that Agnico Eagle is seeking approval
21 to -- approval for the application. I don't know if
22 that approval will be done today or during this
23 meeting, but to -- earlier, the approval cannot -- or
24 the process cannot wait any longer.

25 If his seeking for approval has been -- if his
26 seeking for approval has been approved. That's what I

1 am asking.

2 THE CHAIR: Agnico Eagle, Jamie Quesnel.

3 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

4 Thank you, Madam Chair.

5 We are seeking approval, but we're going through
6 the process. Today is one -- one part of the process,
7 and then we have a few additional days this week on the
8 community roundtable. So today is the technical. The
9 next couple of days is the community roundtable.

10 So we're anticipating by -- by Thursday -- as per
11 Madam Chair's comments at the start of the day, the
12 file should be closed by Thursday, and then the Nunavut
13 Impact Review Board will go through their review and
14 determine what will be done with this application.

15 So we are seeking approval, but we're just
16 following the normal process. So we'll be together
17 until Thursday to discuss this -- this application.
18 Thank you.

19 THE CHAIR: (INUKTITUT SPOKEN - NO
20 TRANSLATION) Thomas Ubluriak.

21 And now that I have clarification -- and this is
22 only beginning. That was my question, because this is
23 the beginning of a process. Some of us that are Inuit
24 don't really have an understanding, but I understand
25 you are seeking approval, and thank you for clarifying
26 my question. So thank you.

1 THE CHAIR: Do you have any more
2 questions?

3 (NO ENGLISH FEED) intervenor.

4 (INUKTITUT SPOKEN - NO TRANSLATION) Harry Aggark.

5 MR. AGGARK: Thank you, Madam Chair. Harry
6 Aggark, Aqigiq chair.

7 I have no questions at this time. Thank you.

8 THE CHAIR: (INUKTITUT SPOKEN - NO
9 TRANSLATION) Harold Putumiraqtuq.
10 Baker Lake Hunters and Trappers Organization Questions
11 Agnico Eagle Mines Limited

12 MR. PUTUMIRAQTUQ: Thank you, Madam Chair.
13 Harold Putumiraqtuq, Baker Lake HTO vice chair. I have
14 a question for Agnico.

15 Can Agnico Eagle commit to not laying down pipes
16 outside of the site along the all-weather access road
17 prior to migration in 2022? Thank you.

18 THE CHAIR: Agnico Eagle, Jamie Quesnel.

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

21 We can commit for this year. Based on -- this is
22 very preliminary. The waterline is not approved, but
23 if we do receive approval August, September, based
24 on -- to meet the schedule, we would be placing some
25 pipe along the bridges in -- in the February of '22,
26 and then some areas up to -- we would start in June of

1 2022, and finish that towards Itivia where the
2 horizontal drilling would occur.

3 So we would be starting in June '22. It's just
4 that right now there's been many delays, so we would
5 ensure that, as per our commitments, we would not have
6 any open trenches during construction during the
7 migration, and if -- whatever pipe is laid would be
8 covered at that time, so we can commit to that.

9 So we just have to ensure we have things ready for
10 operations in '23, so the schedule, it's pretty tight.
11 It's based on some of the delays that have been
12 occurring and also just based on whenever we receive
13 approval, but this preliminary schedule is based on
14 approval around August of this year. Thank you.

15 THE CHAIR: (INUKTITUT SPOKEN - NO
16 TRANSLATION) Harold Putumiraqtuq.

17 MR. PUTUMIRAQTUQ: Thank you, Madam Chair.
18 Harold Putumiraqtuq, Baker Lake HTO vice chair. A
19 question from Baker Lake TAG.

20 Why not AEM just expand the existing group?
21 The orgs won't have to look for support. Just expand
22 it. Thank you.

23 THE CHAIR: Agnico Eagle, Jamie Quesnel.

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

26 There's some differences on -- on the migration

1 that we see at the Whale Tail Meadowbank complex versus
2 Meliadine. With Meliadine, we do have a transboundary
3 component, so this is why we're looking at two
4 independent advisory groups. There may be
5 opportunities to work together on some things. We
6 don't know, but right now we're looking at two -- two
7 separate groups just based on some of the differences
8 that we see. So that's where we are right now. Thank
9 you.

10 THE CHAIR: (INUKTITUT SPOKEN - NO
11 TRANSLATION) Harold Putumiraqtuq.

12 MR. PUTUMIRAQTUQ: Thank you, Madam Chair.

13 I have no further questions. Thank you.

14 THE CHAIR: (INUKTITUT SPOKEN - NO
15 TRANSLATION) Andre Aokaut.

16 Kangiqliniq Hunters and Trappers Organization Questions
17 Agnico Eagle Mines Limited

18 MR. AOKAUT: Thank you, Madam Chair. Andre
19 Aokaut, Kangiqliniq HTO.

20 Agnico Eagle states that they attempted to hold
21 meetings with hunters organization, but the same things
22 are said at each meetings. Meetings should be public,
23 not to just HTOs. How many meetings were joint
24 meetings for the Water Board process and the marine
25 pipeline discharge?

26 And I'd like to thank NTI for their comments

1 earlier, and to that, Rankin HTO requested that Agnico
2 Eagle include the Baker Lake HTO and the Kivalliq
3 Wildlife Board in the terrestrial advisory group or
4 the -- or the terms and references modified to include
5 the recommended changes. Thank you.

6 THE CHAIR: Agnico Eagle, Jamie Quesnel.

7 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

8 Thank you, Madam Chair. Thank you for the question.

9 I'll just answer the second part first, and I'll
10 pass it over to my colleague, Suzanne Leclair. But the
11 draft terms of reference have been sent to those
12 parties for -- for comment. We haven't received any
13 comments as of now. So those have been sent out.

14 And dealing with the -- the meetings, Suzanne
15 Leclair can comment on that. Thank you.

16 THE CHAIR: Suzanne Leclair.

17 MS. LECLAIR: Suzanne Leclair for Agnico
18 Eagle.

19 We have had -- with respect to meetings with
20 Kangiqliniq Hunters and Trappers Organization in
21 Rankin, we have made 16 requests to have a meeting with
22 KHTO in July which resulted in one scheduled meeting,
23 but regrettably, there was no board quorum at that
24 time. Overall, we've made 114 attempts to
25 engage and -- or attempts to engage with KHTO and KWB
26 for the last year.

1 It has been -- and I appreciate it's been
2 difficult to get the board to attend these meetings.
3 We've had attempts to meet in person and virtually. I
4 think it shows our willingness to meet with KHTO and
5 Kivalliq Wildlife Board more often than not.

6 The other question you asked is why do we not have
7 one large meeting? And his -- we have note -- we have
8 noticed that meetings with a large group can be
9 intimidating for certain women, so we've decided to
10 have more focus group on cabin owners, focus group with
11 women's group, focus group with community members and
12 the hunters.

13 But, ideally, we'd be -- we have been attempting
14 to meet in person with KHTO, and we'll always be ready
15 to meet with KHTO as a result. So the attempt and the
16 willingness to meet has been there. I hope that
17 answers your question.

18 THE CHAIR: (INUKTITUT SPOKEN - NO
19 TRANSLATION) Andre Aokaut.

20 MR. AOKAUT: Thank you, Madam Chair. Andre
21 Aokaut.

22 People of Rankin have noticed changes
23 of Qamanirjuaq migration over the last nine years. How
24 can we be sure that mitigation measures are working
25 when Agnico Eagle continues to say that there is no
26 impact? Thank you.

1 THE CHAIR: Agnico Eagle, Jamie Quesnel.
2 Corey De La Mare.

3 MR. DE LA MARE: Thank you, Madam Chair.

4 As I mentioned earlier, we've seen in the past
5 Inuit Qaujimajatuqangit talk about caribou migrations
6 through the area and changes through that in time, and
7 as we know from listening to this and reading this
8 information, caribou do change where they go based on
9 forage availability and the size of their herd.

10 So the monitoring program we have in place is
11 intended to guide how we monitor caribou interacting
12 with the project and how we can determine if there is
13 or is not an impact, and in the future, through the
14 terrestrial advisory group and participation from HTO
15 members and -- and the Kivalliq Inuit Association and
16 others, we hope to have a better picture of how to
17 monitor and mitigate any potential effects and
18 understand concerns from these different groups. Thank
19 you.

20 THE CHAIR: (INUKTITUT SPOKEN - NO
21 TRANSLATION) Andre Aokaut.

22 MR. AOKAUT: Thank you, Madam Chair. Andre
23 Aokaut.

24 If the community-based monitoring program captures
25 an impact that's not predicted, what will Agnico Eagle
26 and the government bodies do about it? Thank you.

1 THE CHAIR: We'll defer responses to other
2 registered intervenors until they've been sworn in.
3 They can defer their response to when -- after they
4 give their presentation.

5 Agnico Eagle, Jamie Quesnel.

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

8 As we stated, we feel confident that with this
9 application, there's no effect with existing
10 conditions. However, based on the community-based
11 monitoring, if we see there's an effect that's related
12 or unrelated to our -- our -- our discharge, we feel
13 very confident that there is no effect with our
14 application, but I think it's important that other
15 parties are aware of that, so maybe the Government of
16 Nunavut would have to get involved with that and also
17 possibly Health Canada, especially if we see things
18 that are outside of what our application is. Maybe
19 something historical before Agnico's time and things
20 like that.

21 So I think it's good. It's important to have the
22 community-based monitoring, understand the results, but
23 also communicate what that means as a group, and the
24 proper groups should respond to that. So we're
25 hoping -- hopefully, we don't see anything. We feel
26 very confident with what our experts are telling us

1 with this application, with our water being discharged.

2 We -- we don't foresee any -- any issue based on
3 an effect. There's a change in the hundred metres.
4 That's the Hula-Hoop, the mixing zone, but there's no
5 effect from outside of that and also with the barriers
6 for harvesting, but, again, if we're looking at areas
7 that are being harvested for mussels or shellfish, then
8 I think the appropriate agency should be engaged to
9 work with the community to come up with a solution.

10 So that's how we see the program. If you see --
11 different views, I guess. Once we develop that scope,
12 we can work that out. But I think other parties may
13 have to look at this and see what's the best option for
14 the community if that does occur. Hopefully that
15 answers your question. Thank you.

16 THE CHAIR: (INUKTITUT SPOKEN - NO
17 TRANSLATION) Andre Aokaut.

18 MR. AOKAUT: Thank you, Madam Chair. Andre
19 Aokaut.

20 I have no further questions at the moment.

21 THE CHAIR: (INUKTITUT SPOKEN - NO
22 TRANSLATION) Clayton Tartak.

23 Kivalliq Wildlife Board Questions Agnico Eagle Mines
24 Limited

25 MR. TARTAK: Thank you, Madam Chair.
26 Clayton Tartak, Kivalliq Wildlife Board.

1 First question: Did Agnico Eagle or their
2 consultants have research permits for the 2020
3 Meliadine caribou camera monitoring program?

4 THE CHAIR: Agnico Eagle, Jamie Quesnel.

5 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

6 A few back for operations says, yes, we had that
7 permit. Thank you.

8 THE CHAIR: (INUKTITUT SPOKEN - NO
9 TRANSLATION) Clayton Tartak.

10 MR. TARTAK: Thank you, Madam Chair.
11 Clayton Tartak, Kivalliq Wildlife Board.

12 Did Agnico Eagle have permits to lay down the pipe
13 that they used for the 2020 caribou monitoring program?

14 THE CHAIR: Agnico Eagle, Jamie Quesnel.

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

17 We placed some small sections of pipe at the mine
18 site close -- close to the mine sites where our IQ
19 coordinator brought some Elders to the site. So it was
20 just a small section of pipe that was placed there for
21 observation. I think that's what Clayton is referring
22 to.

23 So we're not to -- we're not aware of any permit
24 that was required for that, so we feel that we were
25 falling within the requirements for having consultation
26 with the Elders based on what -- how the pipe would

1 look like beside the road very close to -- to the road.
2 I think it was only a hundred feet of pipe. So thank
3 you.

4 THE CHAIR: (INUKTITUT SPOKEN - NO
5 TRANSLATION) Clayton Tartak.

6 MR. TARTAK: Thank you, Madam Chair. I'll
7 take that as no response.

8 Next question: Agnico Eagle states that they have
9 committed to including Inuit Qaujimajatuqangit in the
10 decision-making process for the terrestrial advisory
11 group. What mechanism in the terrestrial advisory
12 group would be utilized if community-based
13 organizations have noticed an impact that is not
14 captured by Agnico Eagle's caribou monitoring program?

15 THE CHAIR: Agnico Eagle, Jamie Quesnel.

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

18 We have -- in the draft terms of reference, we --
19 we have a clause where traditional knowledge, IQ, would
20 be merged with western science based on the studies
21 that would occur, so we feel there's an opportunity to
22 look at this from the western science point of view and
23 traditional knowledge and IQ point of view and where
24 they're integrated into some decision-making.

25 And the monitoring -- like we said earlier, the
26 monitoring programs would be adjusted based on the

1 information that is found in the field. So, again,
2 we're looking forward to comments from the participants
3 related to the terms of reference. Thank you.

4 THE CHAIR: (INUKTITUT SPOKEN - NO
5 TRANSLATION) Clayton Tartak.

6 MR. TARTAK: Thank you, Madam Chair.
7 Clayton Tartak, Kivalliq Wildlife Board.

8 I'd like to point out simply that the Rankin Inlet
9 HTO did provide comments on the first draft, and those
10 were not taken into consideration.

11 But for the next question related to the terms of
12 reference, Agnico Eagle states in Section 4.2, the
13 terms of reference, that if consensus cannot be
14 reached, it would not be taken into consideration in
15 the terrestrial ecosystem's monitoring and management
16 plan. If there's no consensus, so if Agnico disagrees
17 with the community assessments, does that mean that IQ
18 will not be taken into consideration?

19 THE CHAIR: Agnico Eagle, Jamie Quesnel.

20 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

21 Just for clarification, the 4.2, is that -- are
22 you referencing the draft terms of reference?

23 THE CHAIR: (INUKTITUT SPOKEN - NO
24 TRANSLATION) Clayton Tartak.

25 MR. TARTAK: Thank you, Madam Chair.

26 Yes, that is correct.

1 THE CHAIR: Agnico Eagle, Jamie Quesnel.

2 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

3 Section 4.2 of the draft terms of reference says:

4 (as read)

5 The process to seek advice from the
6 terrestrial advisory group members on
7 specific evidence or information shall be
8 rendered by consensus between all members of
9 the TAG. In other words, consensus will be
10 required to identify what evidence or
11 information is required to support the
12 purpose of the TAG.

13 So I don't understand Clayton's interpretation, and,
14 again, it would be great if the Kivalliq Wildlife Board
15 can provide us comments on the entirety of the draft
16 terms of reference, but I think it's pretty
17 self-explanatory what Section 4.2 means.

18 THE CHAIR: (INUKTITUT SPOKEN - NO
19 TRANSLATION) Clayton Tartak.

20 MR. TARTAK: Thank you, Madam Chair.
21 Clayton Tartak, Kivalliq Wildlife Board.

22 I disagree with their interpretation, but
23 nonetheless ...

24 The next question: Slide 12 indicates that there
25 are no unforeseen cumulative or transboundary impacts.
26 Is that under the assumption that issues to date have

1 been mitigated?

2 THE CHAIR: Agnico Eagle, Jamie Quesnel.

3 MR. DE LA MARE: Thank you, Madam Chair. Corey
4 De La Mare of Golder Associates.

5 The basis for that statement comes from the
6 original FEIS where the assessment for caribou was
7 based on a low magnitude of effect, a low frequency of
8 duration, so basically a small-scale footprint with --
9 overlapping with the Qamanirjuaq caribou range, a low
10 frequency of duration that ties back to what I said
11 earlier around that 5 to 11 days of interaction with
12 caribou, and, consequently, then a low consequence or a
13 low effect to caribou.

14 So that's what the original prediction was, and so
15 because we feel that that's still accurate, then
16 there's no unforeseen effects. Thank you.

17 THE CHAIR: (INUKTITUT SPOKEN - NO
18 TRANSLATION) Clayton Tartak.

19 MR. TARTAK: Thank you, Madam Chair, and
20 thanks for the response.

21 The response once again seemed to come to the
22 conclusion that this represents a very small portion of
23 caribou habitat, and in one of the presentations, it
24 says directly "habitat loss". But does this account
25 for habitat fragmentation due to changes in migration?

26 MR. DE LA MARE: Thank you for the --

1 THE CHAIR: Agnico Eagle, Corey De La
2 Mare.

3 MR. DE LA MARE: Thank you, Madam Chair. Corey
4 De La Mare, Agnico Eagle.

5 Yes. We did also consider habitat loss, habitat
6 fragmentation, and improved access for harvesting in
7 the original assessment in 2014. So these were all
8 effects that we examined in that original assessment.
9 Thank you.

10 THE CHAIR: KWB, Clayton Tartak.

11 MR. TARTAK: Thank you, Madam Chair.
12 Clayton Tartak, Kivalliq Wildlife Board.

13 One final question: Can Agnico Eagle provide a --
14 a step-by-step walkthrough of a spill if it were to
15 happen in a low point along the all-weather access
16 road?

17 THE CHAIR: Agnico Eagle, Jamie Quesnel.
18 Colleen Prather.

19 MS. PRATHER: Thank you, Madam Chair.
20 Colleen Prather with Agnico Eagle. Thank you for the
21 question.

22 So we have outlined steps that we would take in
23 the spill contingency plan that outlines what would
24 happen if spills were to occur under various scenarios
25 in various areas.

26 We also provided as part of our final written

1 submission a summary of a spill analysis, a potential
2 spill, if it were to occur along the waterline.

3 And at a -- at a high level, what that means is
4 the waterline is managed through the water treatment
5 control centre at site. There's a control person there
6 who manages the water management and the -- the flows
7 as they're going through the line.

8 We have a -- or we will have a leak detection
9 system present, and that will be flagged if there is a
10 leak or -- happening from the waterline, and what that
11 does is it triggers -- because there's a change in
12 pressure, it triggers a shut down of the flows. But
13 prior to that happening or if that were to happen,
14 there are routine inspections happening along the
15 waterline.

16 If the alarms were triggered, a team would be
17 immediately sent to -- to the area to investigate, and
18 depending on what is found, the spill contingency plan
19 would be enacted. I hope that addresses your question.
20 Thank you.

21 THE CHAIR: (INUKTITUT SPOKEN - NO
22 TRANSLATION) Clayton Tartak.

23 MR. TARTAK: Thank you, Madam Chair.
24 Clayton Tartak, Kivalliq Wildlife Board.

25 No further questions at this time.

26 THE CHAIR: Sayisi Dene and

1 Northlands Denesuline First Nation, Geoff Bussidor.
2 Sayisi Dene and Northlands Denesuline First Nations
3 Questions Agnico Eagle Mines Limited

4 MR. BUSSIDOR: Hello. Can you hear me?

5 THE CHAIR: Yes. You may proceed.

6 MR. BUSSIDOR: Thank you, Madam Chair. Good
7 afternoon.

8 I have one question. It's to do with the dust
9 suppressors that would be used on the road and the --
10 if you could elaborate on that, that would be helpful.
11 Thank you.

12 THE CHAIR: Agnico Eagle, Jamie Quesnel.
13 Michel Groleau.

14 MR. GROLEAU: Thank you, Madam Chair.
15 Michel Groleau, Agnico Eagle. Thank you for the
16 question.

17 So we're using approved dust suppression on our
18 road. So right now what we're seeing from the
19 effectiveness of the dust suppressant is quite
20 effective. We see a limited dust emission from the
21 road with the application of the approved dust
22 suppressant applied on our road. So hopefully that's
23 answering your question. This dust suppressant is --
24 is applied beginning of the -- of the summer so we're
25 sure to limit emission at that time. Thank you.

26 THE CHAIR: Sayisi Dene and

1 Northlands Denesuline First Nation, Geoff Bussidor.

2 MR. BUSSIDOR: Thank you for that. I was
3 just wondering what -- what it contained. Is that a
4 chemical that is being used, or what is it -- what is
5 it that's being used for the road?

6 THE CHAIR: Agnico Eagle, Michel Groleau.

7 MR. GROLEAU: Michel Groleau, Agnico Eagle.

8 So we're using the tetra flakes. So it's a base
9 of calcium chloride, so it's flakes that are placed on
10 the road and that limit dust emission from the road.

11 THE CHAIR: Sayisi Dene and Northlands
12 Denesuline First Nation, Geoff Bussidor.

13 MR. BUSSIDOR: Thank you for that.

14 Yeah. We -- we joined this process late -- late
15 on after it all started, but the reason why I was
16 asking was given all the assurances provided about
17 the -- the treatment of the surface contact water and
18 the saline water that's going to be pushed out into the
19 sea, I was wondering, you know, if it was considered
20 for this water to be used on the road as a
21 suppressant rather than this -- this other calcium
22 chloride or whatever it was that you said. I didn't
23 quite hear what you said. I was just wondering if that
24 was considered at all during this process.

25 THE CHAIR: Before we go to a response
26 from Agnico Eagle, it's now 5:00. So we're going to

1 take a supper break and reconvene at 6:30.

2 (PROCEEDINGS ADJOURNED UNTIL 6:30 PM)

3 (PROCEEDINGS RECOMMENCED AT 6:33 PM)

4 THE CHAIR: Welcome back, everyone.

5 Going back to where we left off before the supper
6 break. Response from Agnico Eagle, Jamie Quesnel.

7 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

8 Thank you, Madam Chair.

9 No. We did not consider it for a dust suppressant
10 and could I just add a point of clarification?

11 Yeah. With the question -- the comment from the
12 Kivalliq Wildlife Board, we reviewed our files. We
13 received the response just based on distribution of the
14 terms of reference, but we did not receive any comments
15 on the terms of reference, so I just wanted to provide
16 that clarification. Thank you.

17 THE CHAIR: Sayisi Denis and Northlands
18 Denesuline First Nations, Geoff Bussidor.

19 MR. BUSSIDOR: Thank you, Madam Chair, and
20 also to Agnico Eagle for that response.

21 I guess maybe in the future that's something that
22 could be considered in a circumstance like that. I
23 don't know what calcium chloride in the north -- how it
24 affects anything, but that's a technical question.

25 But I have another question here. This question
26 is about the potential for a memorandum of

1 understanding for the terrestrial advisory group that
2 was mentioned earlier. Would there be a memorandum of
3 understanding between all parties to the terrestrial
4 advisory group or separate memorandums of understanding
5 between Agnico Eagle and each individual party?

6 Thank you.

7 THE CHAIR: Agnico Eagle, Jamie Quesnel.

8 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

9 Thank you, Madam Chair.

10 We didn't think we would need a memorandum of
11 understanding initially, but we feel that we would have
12 memorandum of understandings with each individual party
13 because I think each party has some unique aspects
14 related to their involvement with the terrestrial
15 advisory group.

16 However, the terms of reference would be for all
17 parties, but that's how we're envisioning the next
18 step. Thank you.

19 THE CHAIR: Sayisi Dene and Northlands
20 Denesuline First Nations, Geoff Bussidor.

21 MR. BUSSIDOR: Thank you, Madam Chair. Geoff
22 Bussidor with (OTHER LANGUAGE SPOKEN) Dene, Sayisi Dene
23 First Nation.

24 I have another question, Madam Chair. We would
25 appreciate a clarification of Agnico Eagle's commitment
26 about the January 2021 Golder memorandum describing

1 interactions between collared caribou and the
2 all-weather access road.

3 Your response to questions by Kivalliq Inuit
4 Association and the Government of Nunavut this
5 afternoon, Agnico Eagle stated it would update this
6 report within six months of this hearing and provide a
7 revised report to the government. I have two questions
8 about this. One, will Agnico Eagle commit to also
9 involve Sayisi Dene, Northlands Denesuline, and the
10 Kivalliq Inuit Association in planning the revised
11 assessment and provide the revised report on the
12 assessment to all the intervenors to this review? I'll
13 let you answer that one first.

14 Thank you.

15 THE CHAIR: Agnico Eagle, Jamie Quesnel.

16 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

17 Thank you, Madam Chair.

18 Yeah. It's six months from the hearing, so it
19 would be December of this year. Yeah. We can include
20 the key intervenors that want to be involved with that
21 review of the scope of the next step of that document.

22 Thank you.

23 THE CHAIR: Sayisi Dene and Northlands
24 Denesuline First Nation, Geoff Bussidor.

25 MR. BUSSIDOR: Thank you, Madam Chair.

26 The last question: Will this be added to the

1 formal list of commitments, then? Masi.

2 THE CHAIR: Agnico Eagle, Jamie Quesnel.

3 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

4 Thank you, Madam Chair.

5 We're including the commitment we discussed
6 earlier from the Government of Nunavut for the
7 six-month review, so we can add the additional wording.

8 Again, we don't feel this should delay the
9 approval of the key component of this application, but
10 we will provide an updated commitment list --
11 commitment to the commitment list as per this
12 discussion.

13 Thank you.

14 THE CHAIR: Sayisi Dene and Northlands
15 Denesuline First Nation, Geoff Bussidor.

16 MR. BUSSIDOR: Thank you, Madam Chair.

17 I don't have -- no further questions from our
18 side. Thank you.

19 THE CHAIR: Are there any questions from
20 the NIRB staff? Karen?

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

23 MS. COSTELLO: Thank you very much, Madam
24 Chair. Karen Costello for the Nunavut Impact Review
25 Board staff.

26 Staff have a number of questions related to the --

1 to the second presentation.

2 The first question: Section 4.1, Item 12, of the
3 existing Meliadine project certificate states that:
4 (as read)

5 The proponent shall establish a web page or
6 portal as a means of making all
7 nonconfidential monitoring and reporting
8 information associated with the project
9 available to the public.

10 And the NIRB has similar wording in several of the
11 project certificates that have been issued already.

12 Agnico Eagle has a website, which has an overview
13 of the projects. It is operating in the Kivalliq
14 region. So the question is: Can the proponent provide
15 an update regarding whether this will be the website
16 that it will be placing the material that has been
17 requested by the Kivalliq Wildlife Board and what the
18 current timeline is to make a portal for monitoring
19 information, including the documents that would be
20 related to the TAG. And, for reference, the Kivalliq
21 Wildlife Board - 1 -- it's a final written
22 submission -- was asking for all correspondence
23 including: (as read)

24 The terms of reference, supporting documents,
25 meeting minutes, and participant comments to
26 be made available for the public on the

1 NIRB's public registry.

2 And then they went on to quote the project certificate.

3 So the NIRB question is: Is Agnico planning to
4 use its existing website, the aemnunavut.ca for sharing
5 the materials? Thank you Madam Chair.

6 THE CHAIR: Agnico Eagle, Jamie Quesnel.

7 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

8 Thank you, Madam Chair.

9 As you know, we're using the Nunavut Impact Review
10 Board registry as the primary venue for the public
11 documents, which I think is applicable. We do have our
12 website for the Nunavut platform, but some of the
13 things you're asking we would have to talk to our IT --
14 information technology department on the capabilities.
15 We're not the right folks to answer that type of
16 question, so we would have to talk to them on how that
17 would work and how we would vet these documents. So we
18 would have to think about it, so I can't really give an
19 answer on a commitment.

20 But right now with the related documents we use
21 for our applications and some of the things that have
22 been provided have been put on the public registry of
23 the Nunavut Impact Review Board, and also we've sent
24 information to -- the intervenors are copied on some of
25 the information that's been transferred. So we're
26 trying our best, but I don't have an answer how it

1 would work, the mechanics of it, timelines. We would
2 have to talk to some other people within the company.

3 Thank you.

4 THE CHAIR: NIRB staff.

5 MS. COSTELLO: Thank you very much, Madam
6 Chair. Karen Costello for the Nunavut Impact Review
7 Board staff.

8 I believe it would be useful for the NIRB to find
9 out what might be possible.

10 So moving on, the next question has to do with the
11 adaptive management plan and one of the options within
12 it.

13 So within Term and Condition 131 in the project
14 certificate, the proponent must engage: (as read)

15 With the Kangiqliniq Hunters and Trappers
16 Organization to confirm the commencement and
17 ending date of the open-water season for
18 marine discharge each year.

19 So the question is in two parts. Can Agnico speak to
20 how engagement with the HTO has been functioning since
21 the beginning of the saline effluent discharge into
22 Melvin Bay began in 2019?

23 The second part: In the adaptive management plan
24 submitted, Agnico indicated one option would be to
25 start discharge earlier, that is, under ice before the
26 open-water season if the conditions existed for the

1 caution level to be triggered.

2 Will the Hunters and Trappers Organization be
3 involved in decision-making on triggering this option?

4 Thank you, Madam Chair.

5 THE CHAIR: Agnico Eagle, Jamie Quesnel.

6 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

7 Thank you for the question.

8 Yeah. The operation talks with the KHTO during
9 the -- this time of year. Every -- the frequency could
10 be every week, every second week to talk about the
11 open-water season, so that's how the communication's
12 been going on since 2019.

13 Discharge earlier? I think we would need to
14 include them with that decision, probably most of the
15 intervenors in this room, just so we're aligned based
16 on that -- on that plan, if the adaptive management
17 plan is approved by the intervenors that have been
18 reviewing it, unless the KHTO doesn't want to be
19 involved with that decision, but we're open to
20 including them.

21 THE CHAIR: NIRB staff.

22 MS. COSTELLO: Thank you, Madam Chair. Thank
23 you for that response.

24 The next question has to do with kind of the
25 intent behind this amendment. So the proponent has
26 indicated this amendment is to change the conveyance

1 method for the saline groundwater, and that part of
2 assessing the benefits of this change included the
3 reduction in dust generation from the -- from a
4 reduction in truck traffic along the all-weather access
5 road.

6 Can Agnico confirm this means there will be no
7 further trucking of water once the pipe -- once the
8 waterline is built and in operation?

9 Thank you, Madam Chair.

10 (UNREPORTABLE SOUND)

11 THE CHAIR: There is an interruption on
12 the phone line.

13 Agnico Eagle, Jamie Quesnel.

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

16 We're just doing a final review of the adaptive
17 management plan to ensure we didn't use that as a -- as
18 an option if something did occur, but once the
19 waterline is approved, we don't see the need for trucks
20 to be used to convey water to Melvin Bay. But if
21 something did occur, I guess, that we're -- both lines
22 were down or something, we may have to look at
23 something to move water, but right now, we want the
24 waterline to be the sustainable conveyance of water,
25 and that's why we built two lines to have some level of
26 redundancy with two waterlines. So hopefully that

1 answers your question. Thank you.

2 THE CHAIR: NIRB staff.

3 MS. COSTELLO: Thank you, Madam Chair.

4 So what I heard was that you have two waterlines,
5 so you're hoping that if one goes down the other
6 remains functional, but that other options may need to
7 be considered if you had some sort of failure where
8 both lines were down. So does that mean one of the
9 options you want to have considered is that -- is the
10 ability to return to trucking?

11 Thank you, Madam Chair.

12 THE CHAIR: Agnico Eagle, Jamie Quesnel.

13 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

14 Thank you, Madam Chair.

15 We can keep it as an option if something
16 catastrophic occurs, but it would be a last option. We
17 feel the line -- in the construction of the waterline
18 with the redundancy, it should meet our needs. But if
19 it's a -- something catastrophic, then I guess it would
20 be pragmatic to keep that in as a last -- a last
21 resort.

22 Thank you.

23 THE CHAIR: NIRB staff.

24 MS. COSTELLO: Thank you, Madam Chair. Thank
25 you for that response.

26 Moving on to a couple of questions relating to --

1 to caribou and harvest studies, how has Agnico Eagle
2 used the data and observations from the caribou
3 behaviour study, the camera study, the caribou collar
4 data, and the hunter harvest survey in planning for the
5 2021 monitoring year?

6 Thank you, Madam Chair.

7 THE CHAIR: Agnico Eagle, Jamie Quesnel.
8 Corey De La Mare?

9 MR. DE LA MARE: Thank you, Madam Chair.

10 So the information that we used to understand how
11 to prepare for the project site and understand where
12 caribou are so that we are prepared is we use
13 information of sightings of caribou from land users,
14 from the collar information that we get from the
15 Government of Nunavut, and then we start to -- that
16 initiates us collecting information on-site.

17 So then our technicians are out on-site using
18 height-of-land surveys and road surveys to collect
19 observation information, so it tells us where caribou
20 are, how many there are, and in what direction they're
21 travelling, and that allows us to mitigate and manage
22 different pieces of the mine site.

23 Regarding the behaviour information and the camera
24 information, so for the camera data, we're using it to
25 better understand at the very fine scale, so at the
26 smaller scale on the road and in the mine

1 infrastructure where caribou are interacting with the
2 project in crossing the road.

3 The behavioural information was just started last
4 year, and that information is also telling us how
5 caribou respond to the road, how they respond to other
6 stressors on the road, whether that be humans watching
7 them, ATV traffic, truck traffic, other types of things
8 on the road that might disturb them. And then the
9 hunter harvest survey, that process is just getting
10 going now as well and so that information isn't -- and
11 it doesn't actually tie into how we prepare for 2021
12 necessarily, but it does give us some information of
13 how harvesters will use the road, and that's in the
14 process now.

15 And then I think the main thing here to consider
16 is when caribou come through, it's -- it's very -- it's
17 intense. So there can be lots of numbers, but it's
18 very short. So we don't have a long period of time
19 when they're interacting with the project to collect a
20 lot of information, particularly on behaviour, so we
21 just have that five-to-eleven-day window to collect
22 that information, and that gets reviewed each year and
23 lessons learned are applied to the following year. And
24 I hope that answers the question.

25 THE CHAIR: NIRB staff.

26 MS. COSTELLO: Thank you, Madam Chair.

1 Thank you for that response, and your response is
2 a perfect segue into the next question.

3 It was noted that 2020 was the first year of your
4 hunter harvest survey, and there were only four
5 responses received. What initiatives has Agnico Eagle
6 thought of to improve participation in the hunter
7 harvest survey for 2021?

8 Thank you, Madam Chair.

9 THE CHAIR: Agnico Eagle, Jamie Quesnel.

10 MS. LECLAIR: Suzanne Leclair for Agnico
11 Eagle.

12 In 2020 we had hired a consultant to support
13 Kangiqliniq Hunters and Trappers Organization here in
14 Rankin to carry out the hunter harvester survey study,
15 and this -- and we've paid for the consultant to come
16 down last March and provide capacity support to KHTO or
17 Kangiqliniq Hunters and Trappers Organization to set up
18 the process to collect better harvesting data. Thank
19 you, Madam Chair.

20 THE CHAIR: NIRB staff.

21 MS. COSTELLO: Thank you, Madam Chair. Thank
22 you for that response.

23 Final question has to do with road traffic. How
24 many vehicles travel the road during the year,
25 excluding the times that the road is closed for caribou
26 in the area? Thank you, Madam Chair.

1 THE CHAIR: Agnico Eagle, Jamie Quesnel.

2 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

3 Thank you, Madam Chair.

4 Every year those numbers are provided in the
5 annual report. We don't have those numbers readily
6 available, but they are part of the annual report. We
7 can provide that answer a little bit later because we
8 don't have the -- we would have to review the annual
9 report, pull those numbers that's been already
10 submitted to the public registry. So we can get --
11 summarize it for tomorrow, if that's okay. So a
12 deferral of that question. Thank you.

13 THE CHAIR: NIRB staff.

14 MS. COSTELLO: Thank you, Madam Chair.

15 Yeah. We had realized it after I said it that it
16 was in the annual report. We're just trying to get a
17 sense of the -- kind of the trend in the overall number
18 of times that the road has been closed due to caribou
19 in the area over the -- for the last -- since the site
20 became operational. Thank you, Madam Chair.

21 THE CHAIR: Agnico Eagle, Jamie Quesnel.

22 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

23 We can pull those numbers together, and we can
24 provide that first thing in the morning. Thank you.

25 THE CHAIR: NIRB staff.

26 MS. COSTELLO: Thank you, Madam Chair. Karen

1 Costello for the Nunavut Impact Review Board staff.

2 That concludes staff's questions on this
3 presentation. Thank you, Madam Chair.

4 THE CHAIR: Are there any questions from
5 the Board? Phillip?

6 Nunavut Impact Review Board Questions Agnico Eagle
7 Mines Limited

8 MR. KADLUN: My question is in regards to
9 the waterline. You say that the -- the waterline will
10 go along the roadway on the way to the sea. Have the
11 proponent done any modelling, if any, to check to see
12 if there's -- once you -- once you stop using it for --
13 before freeze-up? I'm thinking about the -- the
14 possibility of concentration buildup inside the pipe,
15 and you stated that most of the pipe will -- 80 to 90
16 percent of that pipe will be covered.

17 Can the proponent elaborate on how they intend to
18 address the possibility of a concentration of buildup
19 underground inside the pipe? And I'm wondering how --
20 that you have ability to detect exactly where -- where
21 that rupture might occur from freezing and thawing.
22 Thank you, Madam Chair.

23 THE CHAIR: Agnico Eagle, Jamie Quesnel.

24 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

25 Thank you, Madam Chair. Thank you, Phillip, for the
26 question.

1 The term that's used to clean the line -- to clean
2 the line after -- before freeze-up is called "pigging".
3 So we would pig the line. So we didn't come up with
4 the term. It's just something that's used in the
5 industry. So it's basically like a torpedo that goes
6 in the line to clean it to ensure that the line is
7 clean. There's no water sitting at a low spot that
8 would freeze during the winter. So that process would
9 occur prior to freeze-up.

10 And then the next year before we start using the
11 line, we've made a commitment to inspect the line to
12 ensure the line is working as per design, ensuring that
13 there's no cracks, and, again, this is why we have two
14 lines. If we had one waterline that may have a
15 maintenance issue but the second line's good to go,
16 then we can start moving water in the second waterline.
17 So hopefully that answers your question. Thank you.

18 MR. KADLUN: Thank you for that response.
19 That's all I have.

20 THE CHAIR: Any questions from the Board?
21 Allen.

22 MR. MAGHAGAK: Madam Chair, this may not be
23 totally under Agnico Eagle's charge at the moment
24 because it's under the Nunavut government's public
25 health responsibility, and that's -- on the news media
26 I read at dinnertime that they were thinking of

1 returning some of the Nunavut workers back to the mine
2 site. It's been over 16 months, I believe. A lot of
3 the Nunavut workers were stopped from going back to
4 work even though they were paid parts of their salary.

5 Madam Chair, I'd like a clarification. Since
6 public health officials today have announced that some
7 form of returning the Nunavut workers back to the mine
8 site will be reviewed and that, I believe, Agnico Eagle
9 probably will have to work with public health to return
10 all the workers.

11 I'd just like to know, Madam Chair: In respect to
12 the Nunavut workers, especially from Kivalliq, how do
13 you plan to return the Nunavut workers back to your
14 mine site? Will they be in stages, or will you be able
15 to get them back to work? That's all I have, Madam
16 Chair.

17 THE CHAIR: Agnico Eagle, Jamie Quesnel.

18 Suzanne Leclair.

19 MS. LECLAIR: Suzanne Leclair for Agnico
20 Eagle.

21 The return back to work, Agnico is pleased to
22 state that it will be in stages and on a voluntary
23 basis initially. We have no set date yet for the
24 return to work, but employees will be contacted in the
25 next weeks -- next few weeks. I hope that answers your
26 question. Thank you.

1 THE CHAIR: Are there any more questions
2 from the Board?

3 In your first presentation, I had asked a question
4 regarding the shellfish monitoring program. Can Agnico
5 Eagle clarify that the program that you're proposing is
6 intended to be an incentive to monitor the quality of
7 valued ecosystem components and not specifically
8 potential project impacts, or what are the specific
9 project impacts that you would hope to detect if you
10 were to implement that program? Agnico Eagle, Jamie
11 Quesnel.

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

14 Like we were mentioning this morning, it still has
15 to be worked out on all the details, but also as there
16 was a deferral to some other intervenors based on a
17 question from the Rankin HTO, as part of scoping that
18 out and talking to everybody on how this program would
19 work, there may be a touch point where it has to be
20 transferred maybe to another stakeholder. There might
21 be a limitation for our activities based on the scope
22 of the project. So that's why we have to talk to all
23 the folks to understand that.

24 So it's important for the community to understand
25 the program related to our activities for sure, but
26 there may be an aspect of the program where the

1 Government of Nunavut may have to get engaged with it,
2 so we're still working out those details, but our
3 intention is to talk to everybody to ensure we
4 understand the needs of everybody so we have a program
5 that has the right -- the right intent for the
6 community, and I think that's the most important piece.
7 Thank you.

8 THE CHAIR: On the same topic -- and
9 perhaps Fisheries and Oceans Canada could provide some
10 feedback on this when they -- after their
11 presentation -- a program of that nature could
12 potentially become a term or condition in a project
13 certificate. So understanding whether there's an
14 expected direct link between the monitoring program or
15 if it's to address community concerns as an incentive,
16 Fisheries and Oceans Canada, perhaps maybe they can
17 share some, if there are any programs similar to this
18 type of initiative. Because if the program is intended
19 to capture something, that -- we need to understand how
20 the objectives of such a program would be met in the
21 project certificate if it were to be implemented.

22 And moving on to the terrestrial environment.
23 There have been concerns raised regarding the
24 implementation of a potential terrestrial advisory
25 group, and other government parties and stakeholders
26 could provide their feedback on this as well when

1 they -- after they give their presentations.

2 Who would provide the monetary support to meet the
3 objectives of a terrestrial advisory group? Because if
4 the -- if there are objectives in the terrestrial
5 advisory group that are intended to meet monitoring
6 objectives, who would provide that support?

7 Recognizing that community groups often have
8 limitations within their current funding agreements,
9 also recognizing that the effectiveness of terrestrial
10 advisory groups has been put to question, what has
11 Agnico Eagle learned from other terrestrial advisory
12 groups, and how would Agnico Eagle apply these lessons
13 learned to the proposed terrestrial advisory group for
14 this project? So if -- if there are things that you
15 have learned from other terrestrial advisory groups,
16 how would you apply them -- how have you applied them
17 to the proposed one?

18 Also, if the objectives of the terrestrial
19 advisory group cannot be met, as earlier you
20 mentioned -- Agnico Eagle mentioned that there were
21 several attempts to engage with intervenors who could
22 potentially be involved in this advisory group but that
23 there have been issues in coming to the table to
24 discuss these issues, what would be the alternative?
25 How would Agnico Eagle -- what would be the alternative
26 to meeting the objectives of a terrestrial advisory

1 group if the effectiveness is not there? Agnico Eagle,
2 Jamie Quesnel.

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

5 I'll just unpack the question a little bit, but
6 dealing with the lessons learned, we now have two
7 traditional knowledge and IQ coordinators to help the
8 process and could lead some of the discussion.

9 Also, the input from the intervenors or the
10 participants will help the process, and that's what
11 we're trying to achieve right now. You are correct.
12 There are some lagging comments from some of the
13 participants, but based on the effectiveness, there are
14 willing participants, so we would move forward with the
15 participants who are willing to have a terrestrial
16 advisory group and talk about these things. And also
17 we have the annual report where we can report this to
18 all the parties.

19 So a few things even with the IQ coordinators that
20 we have, there's additional effectiveness for that
21 understanding from that aspect of the advisory group
22 with western science. So it's a lesson learned, but
23 it's also part of effectiveness; right? How do we get
24 better with that?

25 The capacity part -- like, we do provide a
26 per diem to the hunters and trappers organization for

1 their involvement. I know there was an earlier
2 discussion with NTI about supporting, and I know
3 Kivalliq Wildlife Board talked about that. There may
4 be other parties that are involved with this
5 application and also involved with the understanding of
6 the importance of an advisory group to provide some
7 funding to ensure the monitoring can occur.

8 And I think that's where it becomes very
9 effective. Everyone sees the benefit of this advisory
10 group to make a difference, and I think there's
11 opportunities where other parties would get engaged and
12 provide the funding to make it a collaborative approach
13 not just on discussion but ensuring that we build that
14 capacity in the communities and it becomes sustainable.
15 So I don't think it's just -- it should be Agnico
16 Eagle. We're doing our part, I think, but I think
17 others can provide additional support with the
18 community because I think it's important to everybody.

19 I think we all want the same -- the same answer or
20 the same understanding, so it would be good if we would
21 all get engaged to make the program effective, which
22 is -- I think it is effective, but it can always get
23 better. We can always do better, but I think -- I
24 think everybody -- some key intervenors have a
25 responsibility too. Thank you.

26 THE CHAIR: You may have missed my last

1 question. If the terrestrial advisory group objectives
2 are unable to be met through the advisory group, what
3 would the alternative be to meet the objectives of that
4 group? You mentioned the IQ coordinators. Are there
5 current plans in place to be able to meet those
6 objectives if the advisory group is unable to meet the
7 objectives that are set out for it? Is there an
8 alternative avenue to meet those objectives? Agnico
9 Eagle, Jamie Quesnel.

10 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.
11 Thank you, Madam Chair. Thanks for the reminder of the
12 question I forgot to answer.

13 We're looking at other advisory groups in the
14 community to provide input, so we're looking at
15 other -- maybe an Elder advisory group can support the
16 members to -- to meet the objectives or we -- we use
17 this -- a new advisory group working with our IQ
18 coordinators, and we would do it with that type of
19 process with the operation because we see there is a --
20 there's a value here, so it's something we -- we feel
21 we need to do.

22 So this is the other option as an alternative, to
23 work with a group that would support our IQ
24 coordinators and give more direction on how to do this
25 and align with the western science. Like, we already
26 have monitoring programs at the site, but we have to

1 build that other component. So that's something else
2 we're considering if this advisory -- the terrestrial
3 advisory group does not come to fruition, does not
4 happen.

5 So those are another -- that's an alternative that
6 we're looking at right now. So we're evaluating that
7 option to see where we can go with that, but I'm not
8 too sure if Suzanne -- if you want to add a few details
9 on that.

10 MS. LECLAIR: Suzanne Leclair for Agnico
11 Eagle.

12 Just as an additional detail, it was suggested by
13 one of the board member from Kangiqliniq Hunters and
14 Trappers Organization to see if we can work with our IQ
15 coordinators Inuit Elders advisory group and see if it
16 could offer support and direction to the HTO, the
17 Rankin HTO, for additional guidance on subjects that it
18 would like more clarification. I hope that answers
19 that question.

20 THE CHAIR: Okay. Thank you.

21 Moving on to Agenda Item 6, presentations by
22 registered intervenors -- technical presentations from
23 registered intervenors. I'll ask our legal counsel to
24 swear or affirm the next group of presenters and mark
25 the exhibits so that we can begin with the
26 presentations.

1 (INUKTITUT SPOKEN - NO TRANSLATION). Teresa, can
2 you please hold. Teresa Meadows.

3 Procedural Direction by Nunavut Impact Review Board
4 Legal Counsel

5 MS. MEADOWS: Thank you, Madam Chair.

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

8 So, Madam Chair, it's my understanding that
9 Nunavut Tunngavik will be the next speakers, although
10 I'm not sure if that continues to be the order or if
11 they -- if it's only with respect to questioning that
12 they would rather -- that the Kivalliq Inuit
13 Association would precede them. So I'll pause there.

14 THE CHAIR: Well, I'll start with the
15 Kivalliq Inuit Association.

16 MS. MEADOWS: Thank you, Madam Chair.

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

19 So, Madam Chair, I have one copy of presentation
20 materials that I propose to file as the next exhibit,
21 and that is the presentation that the Kivalliq Inuit
22 Association is about to present in English and
23 Inuktitut.

24 EXHIBIT 4 - Hard Copy PowerPoint
25 Presentation, Environmental Assessment of
26 Treated Groundwater Effluent Discharge into

1 Marine Environment, Rankin Inlet Technical
2 Review of Final Environmental Impact
3 Statement Addendum (English/Inuktitut)

4 MS. MEADOWS: And if I can have -- the
5 witnesses for the Kivalliq Inuit Association, I will
6 administer the affirmation, and then when you go to
7 speak, before you go to speak, if you can please state
8 and spell your name for the record, and say "I so
9 affirm", then you will be able to proceed.

10 LUIS MANZO, RICHARD NESBITT, KIM POOLE, Affirmed

11 THE CHAIR: NIRB legal counsel.

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

15 Madam Chair, those are all my procedural matters.
16 Thank you.

17 THE CHAIR: (INUKTITUT SPOKEN - NO
18 TRANSLATION) Luis Manzo.

19 Presentation by Kivalliq Inuit Association
20 (Environmental Assessment of Treated Groundwater
21 Effluent Discharge into Marine Environment)

22 MR. MANZO: Thank you, Madam Chair.

23 My name is Luis Manzo, Kivalliq Inuit Association.
24 Thanks to the Board for the opportunity to be part of
25 the assigned intervenor in this project. Thank you for
26 the community, and members of the community are

1 invited --

2 (INTERPRETER BELL)

3 MR. MANZO: -- to be part of this
4 process --

5 THE CHAIR: Luis Manzo, if you can please
6 slow down for the interpreters and pause between
7 sentences. You may proceed.

8 MR. MANZO: -- if -- again, change to the
9 second slide, please.

10 Kivalliq Inuit Association represents Inuit and
11 administers certain provisions of the Nunavut Agreement
12 in the Kivalliq region. Kivalliq Inuit Association
13 mission is to represent Inuit in a fair and democratic
14 matter in the development, protection, administration,
15 and advancement of the rights and benefits and to
16 promote economic, social, political, and cultural
17 well-being.

18 The IM or Inuit-owned lands management is to
19 administer those lands to promote self-reliance and
20 the cultural and social well-being of Inuit now and in
21 the future.

22 Inuit-owned lands will be managed in such a way as
23 to sustain and enhance the values of the lands. The
24 objectives of the review is to ensure that the
25 potential impacts and benefits were comprehensively
26 assessed, ensure the IQ values were incorporated into

1 the impact determination, mitigation, protection [sic]
2 design, and monitoring.

3 The history. Kivalliq Inuit Association submitted
4 an initial assessment of the amendment in September 25,
5 2020, highlighting 13 deficiencies and technical
6 concerns in three areas: Inuit employment,
7 characterizing impacts between the marine environment,
8 potential impacts to caribou and the terrestrial
9 environment.

10 Kivalliq Inuit Association also requested Agnico
11 Eagle update their application to discharge all water
12 from the Meliadine site by the waterline to Melvin Bay.
13 This request is intended to avoid most discharges to
14 Meliadine Lake to address concerns raised by the
15 Kivallirmuit.

16 Agnico Eagle responded to Kivalliq initial
17 13 issues resolving the majority by describing how
18 Inuit employment targets for the project can be
19 achieved despite the pandemic, providing additional
20 information to demonstrate that increased discharge of
21 saline groundwater would not negatively impact water
22 quality and aquatic life in Melvin Bay, committing to
23 bury or cover 80, 90 percent of the twin waterlines.
24 However, Agnico Eagle had not adequately addressed
25 Kivalliq Inuit Association's request to divert all
26 surface and subsurface contact water from the Meliadine

1 site to Melvin Bay.

2 Kivalliq Inuit Association submitted a full
3 technical review of the amendment in November 14, 2020,
4 progressing our requests raised during the initial
5 review that Agnico Eagle divert all surface contact
6 water from CP1 to Melvin Bay.

7 Kivalliq Inuit Association also raised four new
8 technical issues. Agnico Eagle responded to these in a
9 response package issued in November 20, 2020, and
10 through discussions and commitments during the January
11 2021 technical meeting.

12 One information request and two technical comments
13 were unresolved as of our final written submission. In
14 fulfillment of commitments made during the technical
15 meeting and in response to Kivalliq Inuit Association
16 intervention, Agnico Eagle submitted an adaptive
17 management plan outlining an approach to divert surface
18 contact water from CP1 to Melvin Bay. Three technical
19 issues were raised following our review of this new
20 plan.

21 And I -- and now, Madam Chairman, I pass the
22 presentation to Richard Nesbitt.

23 THE CHAIR: Richard Nesbitt.

24 MR. NESBITT: Thank you, Madam Chair.

25 Again, Richard Nesbitt on behalf of the Kivalliq Inuit
26 Association.

1 Before we begin to go over our outstanding and new
2 technical comments, I would like to say that we
3 recommend that the Nunavut Impact Review Board consider
4 the twin waterlines with the 20,000-cubic-metre-per-day
5 capacity in their review of the application consisting
6 of a maximum 12,000 cubic metres per day of saline
7 effluent as proposed by Agnico Eagle and at least
8 8,000 cubic metres per day for surface contact water
9 discharged from CP1.

10 The Kivalliq Inuit Association has assessed the
11 amendment application with the understanding that
12 diverting surface contact water from Meliadine Lake is
13 not an alternative but a core function and benefit of
14 the waterlines and has made this clear in all of our
15 submissions.

16 Diverting CP1 water from Meliadine Lake is of
17 utmost importance to KIA, and we will be proposing
18 terms and conditions in support of this understanding
19 and following from our technical submission and this
20 presentation.

21 Our outstanding Information Request Number 2 deals
22 with the 20,000-cubic-metre alternative and the
23 discharge of surface contact water. The KIA was
24 concerned with the ongoing surface contact water
25 discharges to Meliadine Lake and requested that Agnico
26 Eagle divert as much surface contact water as possible

1 from CP1 to Melvin Bay.

2 We had specifically recommended updated
3 hydrodynamic modelling to evaluate the feasibility of
4 discharging not only saline effluent but a blended
5 saline and surface contact water effluent to Melvin
6 Bay. Agnico Eagle responded with an updated
7 hydrodynamic model, including a variety of scenarios
8 which included specifically a low salinity option,
9 which is to say a high proportion of surface contact
10 water in the effluent. Next slide, please. Thank you.

11 This updated modelling suggests that there is
12 significant additional assimilative capacity in Melvin
13 Bay to accommodate a large proportion of surface
14 contact water from CP1 in the overall effluent without
15 incurring a negative impact or a deleterious effect to
16 Melvin Bay. As raised by community members this
17 evening and throughout the day today, we heard that
18 there was concern with impacts to shellfish and other
19 aquatic life as well as to water quality, and this
20 higher proportion of surface contact water, as shown by
21 Agnico Eagle's modelling, did not incur a negative
22 effect on those ecosystem components.

23 We, therefore, request Agnico Eagle commit to
24 diverting all surface contact water to the waterlines
25 for discharge to Melvin Bay unless absolutely
26 necessary, and we propose the term "absolutely

1 necessary" as a clear description of the benefits that
2 Agnico Eagle described in their presentation of the
3 waterlines, which they had described as minimizing
4 discharges to Meliadine Lake. Next slide, please.

5 I will now pass it over to Kim Poole for the next
6 two technical issues.

7 THE CHAIR: Kim Poole.

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

10 The first topic, it regards -- is regarding
11 monitoring the effects of the all-weather access road
12 and the waterlines on caribou movement. The Kivalliq
13 Inuit Association believes there was -- there is or was
14 uncertainty around -- there is uncertainty around how
15 caribou have reacted to the all-weather access road and
16 that the addition of the covered waterlines is just
17 going to add more uncertainty to this reaction.

18 There has been substantial discussion today
19 regarding the preliminary analysis of the caribou
20 all-weather access road interactions and also has been
21 substantial discussion about the development and --
22 development of the terrestrial advisory group.

23 And we believe -- even though this slide says that
24 this topic is not resolved, we believe with the
25 commitments that have been stated today by Agnico Eagle
26 to, for one, put all efforts they can into getting the

1 terrestrial advisory group going, and for two, for the
2 sixth month after this hearing, for revising the
3 preliminary analysis on the caribou road interactions,
4 we believe that this topic has now been resolved with
5 these commitments. Next slide, please.

6 There has also been today a lot of discussion on
7 the terrestrial advisory group, and there -- I don't
8 want to beat that horse to death, although I would like
9 to make a couple of points. One is that we believe
10 there should be a single memorandum of understanding
11 for the terrestrial advisory group. There is one terms
12 of reference. There is one terrestrial advisory group.
13 There isn't really a good reason there shouldn't be one
14 memorandum of understanding that will add transparency
15 so that everybody can see what's going on with it.

16 The other point is that I have been personally
17 involved with terrestrial-advisory-type groups for the
18 last decade at three -- two other different mining
19 operations, and I would suggest that they are
20 effective -- they are relatively effective at some of
21 the issues that were questioned earlier this evening.

22 They allow for open, continuous dialogue where
23 people can get together. I totally acknowledge there
24 are funding issues -- or some of the participants
25 have -- have funding issues about attendance, but I
26 have -- I do suggest that they are effective in moving

1 forward more efficiently than one-on-one phone calls
2 and conference calls and especially reports back and
3 forth. Those are -- take a long time and frankly get
4 quite tiring. So I would be fully supportive of a
5 terrestrial advisory group if we were able to establish
6 one for the Meliadine Mine. And the next slide,
7 please.

8 One of our comments initially was on determining
9 the optimal slide -- side slopes of the berms for the
10 waterline crossings. Initially, Agnico Eagle in their
11 (INDISCERNIBLE) review suggested that the best side
12 slopes were a 1 to 3 or a 1 to 6. That's a rise over
13 run. 1 rise over 3 units of running. Fairly shallow
14 slope, although they initially planned for a 1 to
15 2.5 rise to run for the road.

16 Agnico Eagle has clarified that they are targeting
17 a side slope of about 1 to 3 for the -- for the
18 waterlines and that they will provide as-builts within
19 six months of completion of the lines, and the Kivalliq
20 Inuit Association does consider that this issue has
21 been resolved.

22 That is it for terrestrial comments, and I'd like
23 to hand the mic back to Richard Nesbitt. Thank you.

24 THE CHAIR: Richard Nesbitt.

25 MR. NESBITT: Thank you, Madam Chair.

26 So in the first year that the waterline will

8 We appreciate that Agnico Eagle had included the
9 KIA in the adaptive management plan discussions, but we
10 are concerned that the current plan does not clarify
11 how the additional saline groundwater stored in
12 Tiriganiaq 2 will be handled until the Tiriganiaq 2 has
13 been dewatered.

14 Again, this lack of clarity introduces uncertainty
15 as to how the normal operating condition in the
16 adaptive management plan will be defined for saline
17 storage, and it makes it unclear as to how much of the
18 CP1 water can be discharged through those waterlines --
19 (INTERPRETER BELL)

21 THE CHAIR: Richard Nesbitt, if you can
22 please slow down for the interpreters and pause between
23 sentences. You may --

25 THE CHAIR: -- proceed.

26 MR. NESBITT: -- next slide, please. Thank

1 you.

2 So Agnico Eagle had responded by describing the
3 available groundwater storage on-site. As I had
4 brought up in my questions to Agnico Eagle, they had
5 clarified the inflows and how much storage was
6 available. However, their responses also indicated
7 that discharge of saline water through the waterlines
8 is the priority and highlighted that the storage of
9 excess saline water or any water on-site is not a
10 viable long-term option.

11 We would like to clarify that we are certainly not
12 asking that Agnico Eagle stores excess saline
13 groundwater on-site indefinitely. We, I think,
14 demonstrated in our questioning earlier on that with
15 the 20,000-cubic-metre-per-day capacity, Tiriganiaq 2
16 can be with, you know, 600,000 cubic metres stored
17 inside it dewatered completely, potentially even in the
18 first year, as well as completely dewatering CP1 in
19 that first year with the understanding that
20 Tiriganiaq 2 can be dewatered not necessarily as
21 efficiently as possible but certainly over the course
22 of that first four to five months. Next slide, please.

23 And as I had said, the overall capacity in those
24 waterlines, based on Agnico Eagle's hydrodynamic
25 modelling, may be up to 3 million cubic metres per
26 year, which is certainly enough to dewater both CP1 and

1 Tiriganiaq 2 even if the waterline is only operational
2 or between, you know, 60 and 80 percent of the time
3 addressing some of Karen Costello's comments on what
4 would happen if the waterlines are not necessarily both
5 available but contingencies are available and can we
6 still avoid trucking if those contingencies are
7 required. Next slide, please.

8 So we put forward a specific request that we will
9 be asking to be incorporated into the new or updated
10 adaptive management plan. That is that Agnico Eagle
11 devote at least 50 percent of the full waterline
12 capacity, so that is 10,000 cubic metres per day of the
13 overall 20,000 cubic metres per day, devoting that to
14 surface contact water as soon as the waterlines become
15 available annually and suspend or stop discharges to
16 Meliadine Lake unless the water levels in CP1 exceed
17 94 percent, which is Agnico Eagle's defined at-risk
18 water level during the open-water period.

19 We are also hoping that Agnico Eagle can clarify
20 in the next iteration of the plan how saline
21 groundwater stored in Tiriganiaq 2 will be handled
22 under the adaptive management plan when the waterlines
23 initially become available. Next slide, please.

24 We were also concerned with how the waterlines
25 would work to remove CP1 water during freshet. We know
26 that discharges to both Meliadine Lake and Melvin Bay

1 are planned during the freshwater and marine ice-free
2 seasons but that these discharge windows do not
3 necessarily align. The needs for discharging from CP1
4 will occur earlier than the waterlines will necessarily
5 become available as they will not be heat-traced.

6 And we understand that Agnico Eagle will need to
7 discharge ahead of the waterlines becoming available
8 from CP1 to prevent an issue like we saw in 2020 where
9 there was a potential risk to the CP1 dike. KIA
10 recommended that Agnico Eagle link commencing the
11 annual operations of the waterline in the adaptive
12 management plan to temperature as has been done at the
13 conclusion of the operational window, and Agnico Eagle
14 agreed to that request. Next slide, please.

15 We further recommended that Agnico Eagle specify
16 within the plan that diversion of water from CP1 to
17 Melvin Bay will be prioritized ahead of saline water
18 during freshet given the ample saline water storage
19 capacity not necessarily requiring the use of
20 Tiriganiaq 2 that was available on-site as defined in
21 the groundwater management plan.

22 And Agnico Eagle disagreed with this request
23 citing concerns with long-term storage of saline
24 groundwater in terms of a risk to permafrost
25 degradation and increased groundwater inflows into the
26 underground. Next slide, please.

1 We respectfully disagree suggesting that a delay
2 of two or three months during the already open-water
3 season and allowing for the frost to aggrade in the
4 following winter season will mitigate these risks with,
5 again, the understanding that all saline and surface
6 contact water can be dewatered through the waterlines
7 during the open-water season. And, again, this is
8 possible even when applying an only four-month
9 operational window allowing for a significant downtime
10 for maintenance. Next slide, please.

11 So as with the previous technical comment, we
12 recommend that Agnico Eagle devote at least 50 percent
13 of that full waterline capacity to the discharge of
14 surface contact water as soon as the waterlines become
15 available annually. Next slide, please.

16 For our final new comment on the adaptive
17 management plan, we noted that the adaptive management
18 plan had set a limit to the surface contact water
19 within the waterlines of 6,000 cubic metres per day or
20 only 50 percent of the core application of 12,000 cubic
21 metres per day. We were concerned -- sorry. We were
22 concerned that this limit would increase the likelihood
23 that discharges from CP1 to Meliadine Lake would be
24 required based on the definition of normal operating
25 conditions. Next slide, please.

26 So KIA, as with the previous technical comment,

1 has proposed that temporary storage of saline water
2 on-site during the open-water season will allow Agnico
3 Eagle to devote a greater proportion of surface contact
4 water to the waterlines, and we recommend that the
5 volume of surface contact water, or fresher water,
6 moved to Melvin Bay should not be limited to 50 percent
7 capacity by volume but rather should be limited to
8 compliance with the metal and diamond mine effluent
9 requirement -- regulations requirement that the
10 effluent is not acutely lethal to aquatic life. Next
11 slide, please.

12 So to support this lower total dissolved solids
13 limit on discharges to Melvin Bay, we recommend that
14 Agnico Eagle conduct acute toxicity testing using the
15 Metal and Diamond Mine Effluent Regulations saline
16 species to determine the lower total dissolved solids
17 limit using blended surface contact water from CP1 as
18 well as saline groundwater stored on-site. This total
19 dissolved solids limit should be applied as a lower
20 bound effluent quality criterion for discharges to
21 Melvin Bay.

22 An important understanding there for the folks
23 listening from the communities is that while salty
24 water going into the -- into Meliadine Lake can cause a
25 problematic effect and kill fish, similarly, freshwater
26 going directly into the ocean can cause problems, and

1 so we are looking to make sure that as much surface
2 contact water can be moved from Meliadine Lake to the
3 ocean without causing any problems for Inuit use of
4 that area to water quality or to aquatic life. I'll
5 turn it back to Luis now and ask if there are any
6 questions. Thank you.

7 THE CHAIR: Luis Manzo.

8 MR. MANZO: Thank you, Madam Chair.

9 That's the end of the presentation, if there's any
10 questions.

11 THE CHAIR: Before we go to questions,
12 we're going to take a 15-minute break.

13 (ADJOURNMENT)

14 THE CHAIR: Welcome back, everyone.

15 Moving on to questions to the Kivalliq Inuit
16 Association. Nunavut Tunngavik Incorporated, Bert
17 Dean.

18 MR. DEAN: Thank you, Madam Chair. Bert
19 Dean with NTI.

20 We don't have any questions for KIA. Thank you.

21 THE CHAIR: Government of Nunavut, Gabriel
22 Karlik.

23 MR. KARLIK: Thank you, Madam Chair.
24 Gabriel Karlik, Government of Nunavut.

25 No questions at this time for KIA.

26 THE CHAIR: (INUKTITUT SPOKEN - NO

1 TRANSLATION) Spencer Dewar.

2 MR. DEWAR: Ujannamiik, Madam Chair.

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

5 No questions for Kivalliq Inuit Association.

6 THE CHAIR: (INUKTITUT SPOKEN - NO
7 TRANSLATION) Victoria Shore.

8 MS. SHORE: Victoria Shore, Environment
9 and Climate Change Canada.

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

11 THE CHAIR: (INUKTITUT SPOKEN - NO
12 TRANSLATION) Edyta Ratajczyk.

13 MS. RATAJCZYK: Thank you, Madam Chair. Edyta
14 Ratajczyk, Fisheries and Oceans Canada.

15 No questions. Thank you.

16 THE CHAIR: (INUKTITUT SPOKEN - NO
17 TRANSLATION) Joel Kaushansky.

18 MR. KAUSHANSKY: Thank you, Madam Chair. Joel
19 Kaushansky, Health Canada.

20 No questions at this time. Thank you.

21 THE CHAIR: (INUKTITUT SPOKEN - NO
22 TRANSLATION) Scott Kidd.

23 MR. KIDD: Good evening, Madam Chair.
24 Scott Kidd with Transport Canada.

25 Transport Canada has no questions right now.

26 Thank you.

1 THE CHAIR: (INUKTITUT SPOKEN - NO
2 TRANSLATION) Maximilien Genest.

3 MR. GENEST: Thank you, Madam Chair.
4 Maximilien Genest, Natural Resources Canada.

5 We don't have any questions at this time. Thank
6 you.

7 THE CHAIR: Thomas Ubluriak from Arviat
8 HTO, do you have any questions for the Kivalliq?

9 MR. UBLURIAK: No. I don't have any
10 questions right now.

11 THE CHAIR: (NO ENGLISH FEED)

12 MR. AGGARK: Thank you, Madam Chair. Harry
13 Aggark, Aqigiq HTO, chairperson.

14 I don't have questions at this moment. Thank you.

15 THE CHAIR: (INUKTITUT SPOKEN - NO
16 TRANSLATION) Harold Putumiraqtuq.

17 MR. PUTUMIRAQTUQ: Thank you, Madam. Harold
18 Putumiraqtuq, Baker Lake HTO, vice chair.

19 No questions at the moment. Thank you.

20 THE CHAIR: (INUKTITUT SPOKEN - NO
21 TRANSLATION) Andre Aokaut.

22 MR. AOKAUT: Thank you, Madam Chair. Andre
23 Aokaut.

24 The Rankin HTO has made less -- less wordy
25 requests, but we support the Kivalliq Inuit Association
26 request for changes to the adaptive management plan.

1 Thank you.

2 THE CHAIR: (INUKTITUT SPOKEN - NO
3 TRANSLATION) Clayton Tartak.

4 MR. TARTAK: Thank you, Madam Chair.
5 Clayton Tartak, Kivalliq Wildlife Board.

6 I have no questions at this time.

7 THE CHAIR: Sayisi Dene and Northlands
8 Denesuline First Nations, Geoff Bussidor.

9 MR. BUSSIDOR: Thank you, Madam Chair.
10 Sayisi Dene First Nation, Geoff Bussidor.

11 No questions at this time. Thank you.

12 THE CHAIR: Agnico Eagle, Jamie Quesnel.
13 Agnico Eagle Mines Limited Questions Kivalliq Inuit
14 Association

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

17 We don't really have any questions. We have a few
18 comments for the Board to consider, and also we have
19 some concerns with some of the options that the
20 Kivalliq Inuit Association are dictating -- not -- or
21 mentioning to provide to the adaptive management plan
22 change.

23 Some of the aspects that the Kivalliq Inuit
24 Association are providing creates a risk to the
25 operation. We've gone through this with the Nunavut
26 Water Board process where they recommended, Store more

1 water on-site. We provided a technical memo with
2 our -- our experts on permafrost degradation. We can
3 submit a copy to the Nunavut Impact Review Board based
4 on the risks that do occur on storage of water.

5 In addition, on TC Number 1 with the 94 percent
6 threshold, it is known that creates a risk to the
7 integrity of the structure, and we can be in a
8 emergency amendment process to discharge water because
9 the Kivalliq Inuit Association wants us to store a high
10 volume of water.

11 Some of the comments from Kivalliq Inuit
12 Association's subject-matter experts is
13 counterintuitive to adaptive management. Adaptive
14 management is a process to provide flexibility. So
15 it's a structured iterative approach to environmental
16 management decision-making.

17 It's applicable to a project like ours. It's part
18 of a dynamic natural system where uncertainty can be a
19 significant factor. So we need the flexibility. We
20 have to adapt to the circumstances. Our adaptive
21 management plan provides that road map. If the Nunavut
22 Impact Review Board approves that adaptive management
23 plan, we would have that flexibility without the
24 additional risks that Kivalliq Inuit Association is
25 providing as options to us.

26 And typically we don't permit what is feasible.

1 We assess what is protective. Based on this file,
2 Nunavut Impact Review Board in 2014 assessed our
3 discharge at Lake Meliadine as safe. We meet
4 predictions. Nunavut Water Board has approved our
5 discharge at Lake Meliadine as safe. Our discharge to
6 Itivia, saline water to Melvin Bay has been clearly
7 demonstrated as safe with the approval of the
8 conveyance of water of trucking to Melvin Bay. Now
9 we're asking for that change of conveyance.

10 And to give us limits on certain things, it's just
11 counterintuitive to an adaptive management plan
12 approach, which most intervenors ask the mining
13 companies, and for Agnico to adapt, have a clear
14 adaptive management plan based on site conditions as
15 they change. In this adaptive management plan we
16 provided, it provides the Board to make a decision to
17 allow the site to have that flexibility.

18 So overall both discharges, freshwater and marine
19 discharge, are safe based on our predictions. And to
20 have the limit of saline water 12,000 is
21 counterproductive. We mentioned we meet the
22 flexibility to increase our saline water discharge
23 above 12,000. We also mentioned we can divert surface
24 contact water as that alternative, which is defined in
25 adaptive management plan, but we keep on receiving
26 options that creates a risk to the operation.

1 Again, storage of water on the site, it creates a
2 risk to degradation of permafrost. We provided our
3 technical memo.

4 (INTERPRETER BELL)

5 MR. QUESNEL: I'm not sure if Kivalliq Inuit
6 Association has retained an expert to understand
7 degradation of permafrost.

8 Dealing with restriction of -- of total dissolved
9 solids, we do have a robust federal regulation that we
10 would have to adhere to. The Metal and Diamond Mining
11 Effluent Regulation, they have parameters in there that
12 we have to meet, which we have in our existing approval
13 for the discharge to Melvin Bay with the conveyance of
14 saline water with a truck, but part of that regulation
15 does not have a parameter for total dissolved solids.

16 We have additional testing -- toxicity testing
17 where we have to look at those requirements based on a
18 marine species. Well, that regulation was changed.

19 So overall I just feel we cannot agree with those
20 changes. That would create risk to the operation.
21 That would restrict the flexibility for the operation,
22 and it's counterproductive. It's counterintuitive to
23 what an adaptive management plan should be.

24 With normal operating conditions we have defined,
25 we feel if we can move our inventory of saline water at
26 the site and ensure the practices are met to meet the

1 normal operating conditions, we would be minimizing our
2 discharge to Lake Meliadine. We understand the
3 importance of the lake, but also we've demonstrated the
4 water we are discharging to the freshwater environment
5 and to the marine environment is safe and protective.

6 Those are our comments. Thank you.

7 THE CHAIR: (INUKTITUT SPOKEN - NO
8 TRANSLATION) Luis Manzo.

9 MR. MANZO: Thank you, Madam Chairman.

10 Richard Nesbitt, you wanted to respond?

11 THE CHAIR: Richard Nesbitt.

12 MR. NESBITT: Thank you, Madam Chair, and
13 thank you, Jamie, for your comments.

14 I would first like to say that we do understand
15 from the western science perspective that the
16 discharges, as described by Agnico Eagle and as
17 reported on in their annual reports, have indeed
18 demonstrated that, again, discharges from the western
19 science perspective have been safe.

20 We have also heard over the course of the previous
21 meetings in February as well as in comments over the
22 last few months that Kivallirmuit have a lower comfort
23 level with ongoing discharges to Meliadine Lake, and we
24 understand that it is both KIA's responsibility and
25 part of the Nunavut Impact Review Board's mandate to
26 consider Inuit Qaujimagatugangit.

1 We would also like to say that KIA does understand
2 the objectives of an adaptive management plan, and our
3 disagreement with Agnico Eagle is on the level of
4 clarity that that adaptive management plan provides in
5 terms of how much water and when will be discharged to
6 Meliadine Lake and how much water and when will be
7 discharged from the site to Melvin Bay.

8 We have sought to provide comments based on
9 subject-matter experts such as myself and others
10 retained by KIA to make recommendations for
11 consideration for the Board and for Agnico Eagle that
12 will help achieve both KIA's objective of preventing
13 discharges to Meliadine Lake unless absolutely
14 necessary as well as ensuring Agnico Eagle's operation
15 is not compromised or unduly put at risk.

16 Again, as we stated in our presentation, we will
17 be providing terms and conditions to provide better
18 clarity and more direction regarding the
19 recommendations we have outlined in our presentation
20 for the Board's consideration as well as for other
21 intervenors to review and provide input on.

22 Agnico Eagle has asked these intervenors for input
23 and to some degree consensus on that plan, and this is
24 continuing --

25 (INTERPRETER BELL)

26 MR. NESBITT: -- the iterative process

1 of -- of coming to a plan that all parties can agree
2 to, again, without putting the project at risk. Thank
3 you, Madam Speaker -- Madam Chair.

4 THE CHAIR: Agnico Eagle, Jamie Quesnel.

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

7 I think the adaptive management plan, like I was
8 saying, that has been submitted highlights the
9 flexibility the operation needs that derisks the
10 project based on our expertise as an operator in
11 Nunavut for 13 years. It's a challenging environment.
12 We're still sticking at it. We're still here. We want
13 to be here for a long time. So I think our knowledge
14 on how things can work is provided in that adaptive
15 management plan, and we say and we've been saying we're
16 going to minimize the discharge to Meliadine Lake, but
17 we have to get to normal operating conditions.

18 It may take a year or two years, but we're going
19 to get there, and we need the flexibility to get there.
20 So I think the road map to get there has been provided.
21 We're putting the infrastructure in to allow that.
22 We've shown that from the start with our application.
23 Diversion of surface water was part of it. It's not
24 like we're saying no, but we need to ensure the project
25 is at normal operating conditions, and that's been
26 provided pretty clear in the adaptive management plan.

1 And, again, the risks are being -- the options
2 that are being mentioned by Kivalliq Inuit
3 Association's expert creates a risk, and we cannot
4 accept risk because we're going to be submitting for an
5 emergency amendment at some time. Thank you.

6 THE CHAIR: (INUKTITUT SPOKEN - NO
7 TRANSLATION) Luis Manzo.

8 MR. MANZO: No further comments, Madam
9 Chair. Thank you.

10 THE CHAIR: Are there any questions from
11 the NIRB staff?

12 Nunavut Impact Review Board Staff Questions Agnico
13 Eagle Mines Limited

14 MS. COSTELLO: Thank you, Madam Chair. Karen
15 Costello on behalf of NIRB staff.

16 We have one question for the Kivalliq Inuit
17 Association.

18 What type of geotechnical or hydrological
19 assessment did the Kivalliq Inuit Association or its
20 experts do to come to the conclusion that it provided
21 in Bullet 3 on Slide 15 that reads: (as read)

22 Drawing down excess saline stored in
23 Tiriganiaq 2 as efficiently as possible may
24 not be necessary to avoid damage to the site
25 infrastructure.

26 Thank you, Madam Chair.

1 THE CHAIR: Kivalliq Inuit Association,
2 Luis Manzo.

3 MR. MANZO: Luis Manzo, Kivalliq Inuit
4 Association.

5 If you will allow me to defer the question, Madam
6 Chairman, for the geotechnical expert to -- because
7 there's no line right now. We're going to have to
8 contact. Thanks.

9 THE CHAIR: Okay. We'll take that as a
10 deferred response?

11 MR. MANZO: Yeah.

12 THE CHAIR: Are there any more questions
13 from the NIRB staff?

14 MS. COSTELLO: Thank you, Madam Chair. Karen
15 Costello on behalf of the Nunavut Impact Review Board
16 staff.

17 We have no further questions at this time. Thank
18 you.

19 THE CHAIR: Are there any questions from
20 the NIRB board?

21 Moving on. Thank you for your presentation.

22 Moving on to the next registered intervenor, Nunavut
23 Tunngavik Incorporated, Bert Dean.

24 I will now turn over to the Board's legal counsel
25 to swear or affirm the next group of presenters and
26 mark the exhibits so that we can begin with

1 presentations.

2 MS. MEADOWS: Thank you, Madam --

3 THE CHAIR: NIRB legal counsel.

4 Procedural Direction by Nunavut Impact Review Board
5 Legal Counsel

6 MS. MEADOWS: Sorry, Madam Chair.

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

9 Madam Chair, it's my understanding that there is
10 one exhibit to be mark for -- in advance of this
11 registered intervenor presenting.

12 So I will mark that exhibit being their
13 presentation materials provided in -- one presentation
14 in English and Inuktitut as the next exhibit in this
15 public hearing.

16 EXHIBIT 5 - Hard Copy PowerPoint
17 Presentation, Nunavut Tunngavik Incorporated
18 Presentation, Agnico Eagle Mines Limited's
19 Saline Effluent Discharge to Marine
20 Environment Project Proposal
21 (English/Inuktitut)

22 MS. MEADOWS: And if I can have the
23 witnesses for Nunavut Tunngavik, when I return -- after
24 I give you the affirmation, if you can state and spell
25 your name for the record, and then state your name and
26 "I affirm".

1 BERT DEAN, DAVID LEE, RAYMOND MERCER, DAVID KUNUK,
2 Affirmed

3 THE CHAIR: If the other parties are going
4 to provide evidence or respond later, we'll remember to
5 affirm them. Oh, who is this?

6 (VIDEO FEED LOST)

7 THE CHAIR: Carson Gillis? There are some
8 technical difficulties.

9 NIRB legal counsel?

10 MS. MEADOWS: Thank you, Madam Chair.

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

13 So, Madam Chair, if the parties who are going to
14 be doing the presentation are present, perhaps we can
15 go to the presentation, and tomorrow we can start with
16 further affirmation of additional witnesses who will be
17 providing answers to questions.

18 Thank you, Madam Chair.

19 THE CHAIR: Okay. Nunavut Tunngavik
20 Incorporated, Bert Dean.

21 Presentation by Nunavut Tunngavik Incorporated (Nunavut
22 Tunngavik Incorporated Presentation, Agnico Eagle Mines
23 Limited's Saline Effluent Discharge to Marine
24 Environment Project Proposal)

25 MR. DEAN: Thank you, Madam Chair.

26 I'll start the presentation here. Okay.

1 So we'll just go through the role of Nunavut
2 Tunngavik Incorporated.

3 NTI designates implementation responsibilities to
4 KIA, or Kivalliq Inuit Association, with land
5 management, so KIA has been the lead. But as the
6 parent organization, Nunavut Tunngavik Incorporated
7 represents the Inuit of Nunavut for the purpose of
8 ensuring that Inuit rights are fully respected.

9 This includes Aboriginal rights, such as the duty
10 to consult under Section 35 of the Canadian
11 constitution, and treaty rights, meaning Nunavut
12 Agreement rights and obligations.

13 NTI's role extends to ensuring that the processes
14 of the institutions of public government are in keeping
15 with the Nunavut Agreement as well as the Nunavut
16 Planning and Project Assessment Act and uphold Inuit
17 participation and consultation requirements.

18 In this review process, NTI supports the Kivalliq
19 Inuit Association and also support the Kivalliq
20 Wildlife Board and the community hunters and trappers
21 organizations, or HTOs, as well as communities
22 generally in addressing issues that are of concern to
23 all Inuit in Nunavut, including the promotion of Inuit
24 culture and the safeguarding of Nunavut's wildlife,
25 environment, culture, lands, and economy.

26 Concerns that have been identified by NTI in this

1 review process. The incorporation of Inuit
2 Qaujimaqatuqangit in monitoring and managing -- and
3 management plans, the development of an effective and
4 inclusive terrestrial advisory group or TAG, the
5 capacity of communities and Inuit organizations to
6 meaningfully contribute to the review, the TAG, and in
7 monitoring functions, as well as outstanding Inuit
8 issues regarding the level of potential impacts to the
9 terrestrial, fresh water, and marine environments as
10 well as harvesting activities.

11 The establishment of the terrestrial advisory
12 group or TAG. NTI supports the establishment of the
13 TAG for the Meliadine gold project. NTI accepts the
14 invitation to participate on the TAG. Agnico Eagle's
15 draft terms of reference for the TAG also includes the
16 following organizations as members: The Government of
17 Nunavut, Department of Environment; Kivalliq Inuit
18 Association; Kangiqliniq HTO, Issatik HTO, Chesterfield
19 Inlet HTO, Arviat HTO, Northlands Denesuline First
20 Nation, Sayisi Dene First Nations, and Environment and
21 Climate Change Canada.

22 NTI supports the inclusion of the Baker Lake HTO
23 and Kivalliq Wildlife Board on the TAG, given their
24 concerns regarding the project proposal and their
25 extensive knowledge and experience related to
26 terrestrial issues and mine impacts.

1 The terrestrial advisory group terms of reference.
2 NTI recommends that Agnico Eagle's draft terms of
3 reference for the TAG be reviewed and amended by all
4 TAG members. The draft terms of reference should
5 emphasize the equal value of scientific information and
6 Inuit Qaujimajatuqangit, provide for monitoring
7 programs to collect and use community knowledge and
8 Inuit Qaujimajatuqangit, and to also allow terrestrial
9 advisory group members to provide their advice and
10 recommendations to NIRB when a consensus decision or
11 recommendation on an issue cannot be reached.

12 Again, the TAG and the project terms and
13 conditions. Nunavut Tunngavik recommends that the role
14 of the Meliadine Mine terrestrial advisory group be
15 formally set out through project terms and conditions
16 as has occurred for the TAG related to the Whale Tail
17 Pit Project.

18 Requirements for the use of Inuit
19 Qaujimajatuqangit. NTI notes that the current project
20 certificate for Meliadine Gold Mine only requires the
21 use of Inuit Qaujimajatuqangit in relation to marine
22 shipping and walrus habitat. With the establishment of
23 the Meliadine Mine terrestrial advisory group, there
24 should be accompanying requirements for the collection
25 and use of Inuit Qaujimajatuqangit for all terrestrial
26 values and the project terms and conditions as required

1 for the Whale Tail Pit Project.

2 And that concludes the NTI presentation, and
3 myself or colleagues will be available to answer
4 questions. Thank you, Madam Chair.

5 THE CHAIR: It's just about 9:00, so we're
6 going to end for today and reconvene tomorrow morning
7 at 9 with questions to Nunavut Tunngavik Incorporated.

8 That concludes Day 1 of this public hearing.
9 Thank you all for your contributions to a productive
10 day. We'll resume the hearing tomorrow morning at 9 AM
11 Central Time to continue with the remaining
12 presentations by intervenors before beginning the
13 community roundtable.

14 Before you leave, if you can please throw out your
15 garbage from your -- wherever you're sitting before you
16 leave.

17 _____

18 PROCEEDINGS ADJOURNED UNTIL 9:00 AM, JUNE 15, 2021

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1 CERTIFICATE OF TRANSCRIPT:

2

3 We, Sandra Burns and Andres Vidal, certify that
4 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.

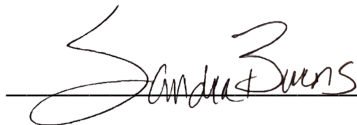
8 Dated at the City of Edmonton, Province of
9 Alberta, this 29th day of June 2021.

10

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14

Sandra Burns, CSR(A), RPR, CRR

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Official Court Reporter

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Andres Vidal, CSR(A)

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Official Court Reporter

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