

<p style="text-align: right;">1</p> <p style="text-align: center;">NUNAVUT WATER BOARD</p> <p style="text-align: center;">Sabina Gold & Silver Corp. Type "A" Water Licence Number 2AM-BRP1831 Amendment Application</p> <hr/> <p style="text-align: center;">PUBLIC HEARING VOLUME 1</p> <hr/> <p style="text-align: center;">Cambridge Bay, Nunavut July 13, 2021</p>	<p style="text-align: right;">2</p> <p style="text-align: center;">TABLE OF CONTENTS</p> <p style="text-align: center;">Description Page</p> <p>July 13, 2021 Morning Session 9</p> <p>Opening Remarks by the Nunavut Water Board Chair 9</p> <p>Identification and Introduction of the Parties 20</p> <p>MERLE KEEFE, JOHN KAIYOGANA, JANET KADLUN, 30</p> <p>Affirmed</p> <p>MATTHEW PICKARD, CATHERINE PAUL, ALISON SNOW, 32</p> <p>KERRIE SERBEN, DIONNE FILIATRAULT, SHADI DAYYANI, ELAINE IRVING, Affirmed</p> <p>Presentation by Sabina Gold & Silver Corp. 33</p> <p>Crown-Indigenous Relations and Northern Affairs 45</p> <p>Canada Questions Sabina Gold & Silver Corp.</p> <p>Nunavut Water Board Staff Questions Sabina 47</p> <p>Gold & Silver Corp.</p> <p>July 13, 2021 Afternoon Session 56</p> <p>The Panel Questions Sabina Gold & Silver Corp. 58</p> <p>JOHN ROESCH, Sworn 66</p> <p>Presentation by the Kitikmeot Inuit Association 67</p> <p>Nunavut Water Board Staff Questions the 78</p> <p>Kitikmeot Inuit Association</p> <p>The Panel Questions the Kitikmeot Inuit 84</p> <p>Association</p>
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<p>7</p> <p>1 C. Paul (Remotely) Project Engineer, Weymark</p> <p>2 Consulting</p> <p>3 D. Filiatrault Senior Regulatory Advisor,</p> <p>4 (Remotely) Golder Associates</p> <p>5 S. Dayyani (Remotely) Consultant, Golder Associates</p> <p>6 A. Snow (Remotely) Consultant, Golder Associates</p> <p>7 K. Serben (Remotely) Consultant, Golder Associates</p> <p>8 A. Humphries (Remotely) Consultant, Golder Associates</p> <p>9 E. Irving (Remotely) Consultant, Golder Associates</p> <p>10 J. Kurylo (Remotely) Consultant, SRK Consulting</p> <p>11 S. Barnes (Remotely) Consultant, SRK Consulting</p> <p>12</p> <p>13 INTERVENERS</p> <p>14</p> <p>15 Kitikmeot Inuit Association</p> <p>16 J. Roesch Senior Project Officer</p> <p>17 R. Nesbitt (Remotely) Consultant, Hutchinson</p> <p>18 Environmental Sciences</p> <p>19</p> <p>20 Crown-Indigenous Relations and Northern Affairs Canada</p> <p>21 S. Dewar (Remotely) Director of Resource</p> <p>22 Management</p> <p>23 A. Keim (Remotely) Waters Coordinator</p> <p>24 S. Forte (Remotely) Water Management Specialist</p> <p>25 R. Hoos (Remotely) Consultant, Tetra Tech</p> <p>26</p>	<p>8</p> <p>1 Environment and Climate Change Canada</p> <p>2 O. O'Sullivan Acting Senior Environmental</p> <p>3 (Remotely) Assessment Officer</p> <p>4 R. Ejeckam (Remotely) Senior Mining Officer</p> <p>5 M. Tobin (Remotely) Water Quality Officer</p> <p>6 J. Small (Remotely) Unit Head for Environmental</p> <p>7 Assessment North</p> <p>8</p> <p>9 INTERPRETERS/TRANSLATORS</p> <p>10 J. Panioyak Language Translator</p> <p>11</p> <p>12 T. Huynh, CSR(A) Official Court Reporter</p> <p>13</p> <p>14 C. Coomber Sound Technician</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>26</p>

<p style="text-align: right;">9</p> <p>1 (PROCEEDINGS COMMENCED AT 9:19 AM)</p> <p>2 Opening Remarks by the Nunavut Water Board Chair</p> <p>3 THE CHAIR: Good morning and welcome to</p> <p>4 public hearing for the Type "A" water licence</p> <p>5 application submit by Sabina Gold & Silver Corporation.</p> <p>6 This application is seeking authorization to amend</p> <p>7 their existing Type "A" water licence</p> <p>8 Number 2 AM-BRP1831.</p> <p>9 My name is Lootie Toomasie, and I am the</p> <p>10 chairperson of the Nunavut Water Board and the Hearing</p> <p>11 Chair for today's public hearing. Over the next two</p> <p>12 days, the Nunavut Water Board will be considering</p> <p>13 Sabina's application to authorize the activities</p> <p>14 requested by applicant, that I will discuss later in my</p> <p>15 opening remarks. I would like to also note that some</p> <p>16 parties are joining the public hearing via Zoom</p> <p>17 conference call, so I would like to ask those</p> <p>18 participants who are calling in to mute their</p> <p>19 microphone to avoid any unnecessary noises.</p> <p>20 Before we proceed with the hearing, let us open</p> <p>21 the hearing with a prayer. This time, I will pray.</p> <p>22 Let's pray.</p> <p>23 (OPENING PRAYER)</p> <p>24 THE CHAIR: On behalf of the Nunavut Water</p> <p>25 Board, I welcome you to Cambridge Bay. Now, to provide</p> <p>26 you with some background and set the stage for the</p>	<p style="text-align: right;">10</p> <p>1 hearing, the Nunavut Water Board, which I shall refer</p> <p>2 to as "the Board" or "the NWB," is an institution of</p> <p>3 public government created under Article 13 of agreement</p> <p>4 between the Inuit of Nunavut settlement area and Her</p> <p>5 Majesty the Queen in Right of Canada (Nunavut</p> <p>6 Agreement). The NWB is responsible for the use,</p> <p>7 management, and regulation of fresh water in Nunavut</p> <p>8 settlement area.</p> <p>9 The purpose of this public hearing is to review an</p> <p>10 application filed by Sabina Gold & Silver Corporation</p> <p>11 -- I may -- to call them "Sabina" or "the applicant" --</p> <p>12 for amendment to their existing Type "A" water licence</p> <p>13 Number 2 AM-BRP1831, which was issued on September 21,</p> <p>14 2018, with expiration date of December 31, 2031, under</p> <p>15 the Nunavut Waters and Nunavut Surface Rights Tribunal</p> <p>16 Act, to authorize the use of water and deposit of waste</p> <p>17 associated with the development of Back River project.</p> <p>18 Under Article 13, Section 13.3.6 of Nunavut</p> <p>19 Agreement and Section 29 of Nunavut Waters Nunavut</p> <p>20 Surface Rights Tribunal Act, the Board has delegated</p> <p>21 its power to dispose of all matters related to</p> <p>22 processing of Sabina's amendment application, including</p> <p>23 the conduct of this public hearing, to a panel of the</p> <p>24 Board, which the Board refer to -- "the Back River</p> <p>25 panel" or "Panel P19."</p> <p>26 I'll be chairing this Panel. And with me today,</p>
<p style="text-align: right;">11</p> <p>1 as members of the Panel, are Board members Sarah Silou,</p> <p>2 on my left, and to my right, Sakiasie Sowdlooapik.</p> <p>3 Several staff members who have contributed to the</p> <p>4 Board's administration and technical review of the</p> <p>5 application are present, along with the legal counsel</p> <p>6 to the Board. I ask them to wave when I say their</p> <p>7 name:</p> <p>8 • Karén Kharatyan, Director of Technical Services</p> <p>9 • Richard Dwyer, Manager of Licensing, at the back.</p> <p>10 • Sergey Kuflevskiy, Technical Advisor</p> <p>11 • Teresa Meadows, from Meadows Law, legal counsel to</p> <p>12 the Board</p> <p>13 In addition, we have an interpreter available for</p> <p>14 simultaneous interpretation throughout the hearing,</p> <p>15 James Panioyak, who is from Cambridge Bay. For audio</p> <p>16 support, we have Christopher Coomber from PIDO. If you</p> <p>17 experience any difficulty with your headset,</p> <p>18 Christopher will be able to provide you assistance. To</p> <p>19 ensure an accurate record of the proceeding is kept, we</p> <p>20 have with us a court reporter, Tran Huynh, from Dicta</p> <p>21 Court Reporting Incorporated.</p> <p>22 Before I move on to an overview of the application</p> <p>23 and what to expect today during this public hearing,</p> <p>24 there are some important housekeeping items for</p> <p>25 everyone here. First of all, I would like to remind</p> <p>26 everyone that we are currently in the middle of a</p>	<p style="text-align: right;">12</p> <p>1 global pandemic, so we'll be discussing safety measures</p> <p>2 on an ongoing basis throughout this meeting. As</p> <p>3 everyone can appreciate, due to public health</p> <p>4 restrictions associated with the COVID-19 pandemic, our</p> <p>5 proceeding may look different than usual, as we had to</p> <p>6 modify our normal plans to keep us safe and in</p> <p>7 compliance with the local public health requirements.</p> <p>8 Secondly, I would like to ask again those</p> <p>9 participants who are calling in via Zoom to mute their</p> <p>10 microphones to avoid my unnecessary noises. I would</p> <p>11 also like to remind everyone to please turn your cell</p> <p>12 phones off, to put them on silent mode before we begin.</p> <p>13 I haven't done that either.</p> <p>14 Additionally, as indicated earlier, there is</p> <p>15 interpretation available throughout the hearing, in</p> <p>16 English and in Inuinnaqtun. Earpieces can be obtained</p> <p>17 from the table located just by the door, as you came</p> <p>18 into this room. Channel 1 broadcasts the floor; and</p> <p>19 Channel 2, English; and Channel 3, Inuinnaqtun. When</p> <p>20 you're speaking into a microphone, please make sure you</p> <p>21 have turned your earpiece off, prevent audio feedback</p> <p>22 or interference with the speakers.</p> <p>23 Thirdly, I would like to ask everybody, including</p> <p>24 applicant, interveners, and members of the public to</p> <p>25 sign in and leave your contact information on the sheet</p> <p>26 located at the table by the entrance. Additionally,</p>

<p style="text-align: right;">13</p> <p>1 there are COVID-19 screening questionnaire forms 2 available; please fill them out. This information is 3 required by the Department of Health for 4 contact-tracing purposes, so we would appreciate your 5 help in making sure this information is provided. 6 Also, the agenda for the public hearing and the 7 community sessions are available at the back. Please 8 pick one up; follow along with us as we proceed. 9 The washrooms are located just outside, on the 10 right. And this is -- it's not outside. It's in the 11 building, but outside this room. Sorry about that. 12 And the exits are located on my left, by the entrance. 13 And there's also, at the back here, two of them at the 14 back here. 15 There will be snacks and refreshment brought in 16 throughout the hearing, during the break, and you are 17 welcome to help yourself throughout the day. Please 18 remember to wash your hands and use hand sanitizer 19 prior to touching the snacks. Also, the snacks are 20 individually packaged, so please try to take only the 21 item you are going to consume. 22 Finally, to assist both our court reporter and 23 interpreter, please wait to have a microphone before 24 you speak, then state your name, speak clearly and 25 slowly, and avoid the use of abbreviation. We 26 appreciate your assistance in making sure your comments</p>	<p style="text-align: right;">14</p> <p>1 are recorded and the Board's record of proceeding is 2 accurate and complete. 3 Prior to identifying and introducing all the 4 parties in attendance today, I will ask the NWB 5 director of technical services, Karén Kharatyan, to 6 provide a brief description of the application that is 7 before the Board. 8 Karén, take the floor. 9 MR. KHARATYAN: Thank you, Mr. Chair. 10 Before going to the application scope, one 11 additional housekeeping matter: Parties attending the 12 call -- or the public hearing through Zoom may notice 13 that we don't have interpretation for people attending 14 through Zoom, but we have interpretation 15 (INDISCERNIBLE) place. And we will have interpretation 16 for people attending through Zoom for this community 17 evening session. 18 So the application we will be discussing today is 19 for an amendment to the existing Type "A" water licence 20 Number 2AM-BRP1831 to support ongoing construction and 21 operation of -- at Back River project. Specifically, 22 Sabina is seeking approval for the following proposed 23 changes under the application: 24 • extending Umwelt underground working from 650 metres 25 depth to 900 metres 26 • increasing the size of the Goose airstrip from 1,500</p>
<p style="text-align: right;">15</p> <p>1 metres to 1,800 metres 2 • increasing the size of the marine laydown area 3 airstrip from 915 to 1,500 metres 4 • adding 500,000 litres of fuel storage on a new pad at 5 the marine laydown area 6 • placing aggregate over approximately 15 kilometres of 7 rough terrain along the winter ice road, between the 8 marine laydown area and Goose site 9 • increasing water use at the Goose site from 468,000 10 cubic metres to 822,450 cubic metres annually 11 • increasing water use for ice road construction and 12 maintenance from 675 cubic metres per kilometres to 13 2,025 cubic metres per kilometre 14 • increasing the volume of waste rock in the waste rock 15 storage facility from 59 to 86.6 million tonnes 16 located, with no change to the total footprint of the 17 waste rock storage facility 18 • adding the use of mined-out open pits for future 19 tailings storage 20 • replacing three temporary emergency shelters along 21 the winter ice road with permanent emergency camps 22 • adding 2 years of the Operations phase of the project 23 • reducing the capacity of process plant from 7,000 24 tonnes per day to around 3,000 to 4,000 tonnes per day 25 • using small-diameter flexible pipe for marine laydown 26 area desalination plant intake and discharge instead of</p>	<p style="text-align: right;">16</p> <p>1 permanent pipes 2 • and extending the marine laydown area shoreline pad 3 approximately to 41 metres long, 9-and-a-half metres 4 wide, and 2 metres in depth. 5 This was the scope of the application. Thank you, 6 Mr. Chair. 7 THE CHAIR: Thank you, Karén. 8 Now I am going to provide you with a brief review 9 of the procedural history for the application that is 10 before the Board, which captures only the major 11 procedural steps. 12 • October 13 to 15, 2020: NWB received an amendment 13 application from Sabina and distributed it for its 14 initial completeness check. 15 • November 12 and 13, 2020: NWB review preliminary 16 technical comments from the KIA, CIRNA, and ECCC. 17 • November 30, 2020: Applicant provide response to the 18 comments submit by the interveners. 19 • December 17, 2020: NWB distributed application for 20 the full public review, with the deadline of January 21 29, 2021. 22 • January 28 and 29, 2021: NWB review technical review 23 comments from the KIA, ECCC, and CIRNA. 24 • February 12, 2021: NWB received and distribute 25 Sabina's response to the interveners' comments. 26 • March 12, 2021: NWB distribute Sabina's response to</p>

<p style="text-align: right;">17</p> <p>1 the interveners' comments on the Hydrodynamic and the 2 Water Quality Model. 3 • March 26, 2021: NWB conducted technical meeting and 4 pre-hearing conference via video and audio conference. 5 • April 19, 2022: NWB issue PHC report. NWB published 6 a Notice of Public Hearing to be held in Cambridge Bay 7 in the week of July 12, 2021. 8 • June 15 to 25, 2021: NWB received and distribute the 9 final written submission of the interveners and 10 applicants. 11 • July 5 and 6, 2021: NWB received PH presentation 12 from all participants. 13 • July 7, 2021: NWB distributed a final agenda for the 14 public hearing, along with the presentation submitted. 15 Complete details on all submissions received in 16 relation to the applicant and key procedural steps are 17 available on the NWB FTP site. If you need any 18 assistance finding or reviewing any of the 19 documentation filed on the site, please check with our 20 manager of licensing, Richard Dwyer, at the table, and 21 he will help you get you access to the documents. 22 I will now ask Karén to discuss the issue that 23 will need to be addressed at this hearing. 24 Karén. 25 MR. KHARATYAN: Thank you, Mr. Chair. 26 So the following topics or questions for public</p>	<p style="text-align: right;">18</p> <p>1 hearing discussion were identified during the technical 2 meeting and pre-hearing conference for this file, that 3 happened in the end of March. So one topic was scope 4 of amendments to the existing licence at Goose site. 5 That includes the Goose site airstrip extension, Umwelt 6 underground extension, total water use increase, waste 7 and water management infrastructure. 8 At the marine laydown area, additional -- addition 9 of fuel transfer area, airstrip extension, shoreline 10 pad extension. And associated with the winter ice 11 road, the subbase upgrade, service/emergency camps, and 12 total water use increase. 13 Another topic was water management. That includes 14 increased water use at the Goose site and associated 15 with the winter ice road, changes in water management 16 strategy required to meet the Canadian Council of the 17 members of -- Ministers of the Environment water 18 quality objectives or site-specific water quality 19 objectives, as appropriate, at the edge of the mixing 20 zone. So the mixing zone remains to be determined. 21 Associated with water quality, prediction of 22 elevated parameters of concern at the outlet to Goose 23 Lake, inclusion of a complete list of parameters and 24 discharge criteria for potential effluent discharges to 25 Goose Lake. 26 Regarding modeling, management plans, manuals, and</p>
<p style="text-align: right;">19</p> <p>1 reports, timing of updates to the original Hydrodynamic 2 Model and prediction as well as the content; updates 3 and addition to existing management plans and reports 4 to reflect new infrastructure and closure of existing 5 infrastructure, including water management plan, 6 tailings management plan, waste rock management plan, 7 borrow pits and quarry management plan, and closure and 8 reclamation plan. 9 For construction drawings and reports, providing 10 the assessment of hydraulic conductivity of bedrock 11 associated with the tailings storage facility dam. 12 Regarding monitoring program, regulated monitoring 13 for potential effluent discharge to Goose Lake and 14 other potential amendments to existing ongoing 15 requirements. 16 Associated with annual reporting requirements 17 under Schedule B, inclusion of comparison of measured 18 groundwater inflow rates to model prediction into 19 annual reports. 20 Associated with closure and reclamation planning, 21 updated Interim Closure and Reclamation Plan and 22 amendments to Part C, "Security," and associated 23 definitions in Schedule C. 24 And the last item for this public hearing 25 discussion was discussion on amended water licence 26 framework.</p>	<p style="text-align: right;">20</p> <p>1 Thank you, Mr. Chair. 2 3 Identification and Introduction of the Parties 4 THE CHAIR: All right, thank you. Thank 5 you, Karén. 6 So now we -- now that we have given you a 7 background to the amendment application that we'll be 8 discussing throughout this public hearing and community 9 session, I would like to turn to Item 4 on the agenda, 10 the introduction of applicants and interveners 11 participating in this public hearing. I will ask that 12 the applicant, Sabina, introduce their representative. 13 MR. KEEFE: Merle Keefe, Sabina. 14 Thank you, Mr. Chair. On behalf of Sabina Gold & 15 Silver, I would like to thank you and the Panel members 16 for the opportunity to introduce to you, as well as the 17 public and participating parties in this hearing, the 18 members of our Sabina team. I will introduce those 19 team members on the video, but, first, we will start 20 with the Sabina representatives in the room. 21 My name is Merle Keefe. I'm the Manager of 22 Environmental Permitting with Sabina. I will ask John 23 and then Janet to please introduce themselves and their 24 roles. 25 MR. KAIYOGANA: Ullaakkut. John Kaiyogana, 26 Community Liaison Officer based here at Cambridge Bay.</p>

<p style="text-align: right;">21</p> <p>1 I'd like to welcome the Board, staff, public (OTHER 2 LANGUAGE SPOKEN).</p> <p>3 MS. KADLUN: Good morning. I'm Janet 4 Kadlun. I'm new at Sabina Gold & Corp. I'm the Senior 5 Indigenous Coordinator based out of Kulugtuk. 6 MR. KEEFE: Thanks, Janet. 7 Thank you, John. 8 On the video, we have Matthew Pickard, our 9 Vice-President of Environment and Sustainability. 10 Supporting Sabina's core team, we also have on the 11 phone legal counsel, Christine Kowbel from Lawson 12 Lundell, as well as several technical consultants, 13 including Catherine Paul, project engineer with Weymark 14 Consulting, and several team members from Golder 15 Consulting: Dionne Filiatrault, Senior Regulatory 16 Advisor, Shadi Dayyani, water quality modeler, as well 17 as Alison Snow, water quality modeler. 18 Online with my team, virtually, due to the current 19 pandemic -- so if I pause while I discuss topics that 20 may arise with them, I do apologize in advance. There 21 are some additional members of our team which are 22 remotely available, should we need to call on them. 23 However, you know, based on the outstanding technical 24 issues, we do not believe interveners will have 25 questions for them. However, should the Board or Board 26 staff have questions, or if additional topics are</p>	<p style="text-align: right;">22</p> <p>1 brought forward during the hearing, we will be able to 2 get them on the call quickly. Thank you. Quana. 3 THE CHAIR: Thank you. 4 Now I will call on the local associations and 5 representative and intervening parties to introduce the 6 people who will be presenting them here today. 7 Kitikmeot Inuit Association, who is here in person, 8 will be providing a formal presentation. 9 Go ahead. 10 MR. ROESCH: Yes, I'm John Roesch, the 11 Senior Project Officer for the Kitikmeot Inuit 12 Association. Online, in video, is our water quality 13 specialist, Richard Nesbitt, with Hutchinson 14 Environmental Sciences Limited. And we're the only two 15 here today. Thank you. 16 THE CHAIR: Thank you. 17 Now I would like to call Crown-Indigenous 18 Relations and Northern Affairs, who is joining us over 19 teleconference and will be providing a formal 20 presentation. 21 CIRNA. 22 MR. DEWAR: Qujannamiik, Mr. Chair. My 23 name is Spencer Dewar. I'm the Director of Resource 24 Management for Crown-Indigenous Relations and Northern 25 Affairs Canada in the Nunavut regional office. Our 26 apologies for not being able to be there today.</p>
<p style="text-align: right;">23</p> <p>1 I am joined by Andrew Keim, our Waters 2 Coordinator, and Sarah Forte, Water Management 3 Specialist. And we also have via Zoom, not with us in 4 person, Rick Hoos from Tetra Tech. Quana. 5 THE CHAIR: You must have your mic on 6 mute. We can hear you -- we cannot hear you. 7 MR. DEWAR: Oh, can you hear me now? Can 8 you hear us now? 9 THE CHAIR: Yes, I can -- we can hear you 10 now. 11 MR. DEWAR: Qujannamiik, Mr. Chair. Our 12 apologies for not being there in person. My name is 13 Spencer Dewar. I'm the Director of Resource Management 14 with Crown-Indigenous Relations and Northern Affairs 15 Canada, located in the Nunavut Regional Office. I'm 16 joined today by Andrew Keim, Regional Water 17 Coordinator, and Sarah Forte, Water Management 18 Specialist. In addition, we're also supported by Rick 19 Hoos of Tetra Tech. Quana. 20 THE CHAIR: We didn't hear Sarah. I think 21 it was on mute. 22 MR. DEWAR: Okay, can you hear me? 23 THE CHAIR: Yes, I can hear you. We can 24 hear you now. 25 MR. DEWAR: Okay. Did you hear me 26 introduce ourselves, or do you want to -- want me to</p>	<p style="text-align: right;">24</p> <p>1 start again? 2 THE CHAIR: Okay, thank you. 3 Yes, I will have to get use to this -- 4 MR. DEWAR: Thank you. 5 THE CHAIR: -- with your -- with this 6 teleconference on this hearing. I've never done it 7 before, so I may get confused once in a while. Okay. 8 MR. DEWAR: No problem. 9 THE CHAIR: Thank you. 10 Now, I would like to call the Environment and 11 Climate Change Canada, who is joining us over the 12 teleconference and will providing a formal 13 presentation. 14 Climate Change Canada? 15 MS. O'SULLIVAN: Good morning, Mr. Chair. My 16 name is Orlagh O'Sullivan. I am an acting Senior 17 Environmental Assessment Officer with Environment and 18 Climate Change Canada. With me today, I have Reg 19 Ejeckam, our Senior Mining Officer; Meagan Tobin, our 20 Water Quality Officer; and Jody Small, the Unit Head 21 for Environmental Assessment North. Thank you. 22 THE CHAIR: We can't hear you. Something 23 wrong on the line. 24 MS. SULLIVAN: Can you hear me now? 25 MS. MEADOWS: Mr. Chair? Thank you, 26 Mr. Chair. Teresa Meadows, legal counsel for the</p>

<p style="text-align: right;">25</p> <p>1 Nunavut Water Board.</p> <p>2 Mr. Chair, I believe that Orlagh was introducing</p> <p>3 everyone, and we weren't going to go to the other</p> <p>4 people that she'd introduced, to say "hi", yet. So she</p> <p>5 has introduced everybody that is for Environment and</p> <p>6 Climate Change team. So we were able to hear</p> <p>7 Ms. O'Sullivan do the introductions. And then only</p> <p>8 when the experts go to speak will we go to them. So</p> <p>9 we'll make their microphones live then. Thank you,</p> <p>10 Mr. Chair.</p> <p>11 THE CHAIR: Okay, thank you, Teresa.</p> <p>12 So continue. If there are any other interveners</p> <p>13 who would like to speak, please identify yourself and</p> <p>14 introduce your representative. Is there anybody online</p> <p>15 who would like to speak? Okay, I take that there's</p> <p>16 none.</p> <p>17 Are there any members of the general public who</p> <p>18 would like to identify themselves and make a formal</p> <p>19 request to speak to the Board during this public</p> <p>20 hearing? I also want to mention that any community</p> <p>21 member who wishes to ask question or provide</p> <p>22 comments to the Board about this application will also</p> <p>23 have an opportunity to do so tonight during the</p> <p>24 community session starting at 6:30 PM.</p> <p>25 Are there any representatives from agencies,</p> <p>26 associations, et cetera, who have not submitted</p>	<p style="text-align: right;">26</p> <p>1 intervention but would like to speak?</p> <p>2 I will now turn to the identification of any</p> <p>3 motion or any objection to the application that is</p> <p>4 before the Board.</p> <p>5 Teresa, take the floor.</p> <p>6 MS. MEADOWS: Thank you, Mr. Chair. Teresa</p> <p>7 Meadows, legal counsel for the Nunavut Water Board.</p> <p>8 Mr. Chair, it's my understanding that there are no</p> <p>9 outstanding motions or objections to this public</p> <p>10 hearing proceeding, and so we do not have any</p> <p>11 procedural matters at this time. Thank you, Mr. Chair.</p> <p>12 THE CHAIR: Thank you.</p> <p>13 Now we'll be -- proceed to -- proceed with</p> <p>14 Item 8. Before we go on to -- go to Item 8, I'd like</p> <p>15 to take a 10-minute break.</p> <p>16 (ADJOURNMENT)</p> <p>17 THE CHAIR: Good morning. We shall</p> <p>18 reconvene from the break. We're about to going into</p> <p>19 presentations by applicant. We're going to that. Just</p> <p>20 a reminder that the -- as I mentioned earlier this</p> <p>21 morning, that when we speak, make sure we speak slowly.</p> <p>22 And we have one interpreter at the moment. So whenever</p> <p>23 he'll get behind, he will notify me so that everything</p> <p>24 will be under control.</p> <p>25 So before we go into the presentation, so I'll</p> <p>26 take the floor to hand over to Teresa, legal counsel.</p>
<p style="text-align: right;">27</p> <p>1 Go ahead.</p> <p>2 MS. MEADOWS: Thank you, Mr. Chair. Teresa</p> <p>3 Meadows, legal counsel for the Nunavut Water Board.</p> <p>4 Mr. Chair, I have two procedural matters before we</p> <p>5 begin with the presentation by Sabina Gold & Silver</p> <p>6 Corp. The first matter is in respect of the exhibits</p> <p>7 that will be filed in the public hearing. I've been</p> <p>8 provided with nine résumés of the experts that will be</p> <p>9 appearing and presenting evidence on behalf of Sabina.</p> <p>10 And I also have two copies of the presentation</p> <p>11 materials that will be presented today, one in English,</p> <p>12 and one translated into Inuktitut.</p> <p>13 EXHIBIT 1 - CV of Samantha Barnes</p> <p>14 EXHIBIT 2 - CV of Shadi Dayyani</p> <p>15 EXHIBIT 3 - CV of Dionne Filiatrault</p> <p>16 EXHIBIT 4 - CV of Alison Humphries</p> <p>17 EXHIBIT 5 - CV of Elaine Irving</p> <p>18 EXHIBIT 6 - CV of John Kurylo</p> <p>19 EXHIBIT 7 - CV of Catherine Paul</p> <p>20 EXHIBIT 8 - CV of Kerrie Serben</p> <p>21 EXHIBIT 9 - CV of Alison Snow</p> <p>22 EXHIBIT 10 - Sabina Gold & Silver Corp.</p> <p>23 PowerPoint Presentation in English</p> <p>24 EXHIBIT 11 - Sabina Gold & Silver Corp.</p> <p>25 PowerPoint Presentation in Inuktitut</p> <p>26 EXHIBIT 12 - Sabina Gold & Silver Corp.</p>	<p style="text-align: right;">28</p> <p>1 PowerPoint Presentation in French</p> <p>2 MS. MEADOWS: So, Mr. Chair, without further</p> <p>3 ado, if I've missed anything, perhaps I will cede the</p> <p>4 floor to legal counsel for Sabina Gold & Silver Corp.</p> <p>5 to identify if there are any additional exhibits that I</p> <p>6 should be marking in this public hearing at this time.</p> <p>7 Thank you, Mr. Chair.</p> <p>8 THE CHAIR: Thank you.</p> <p>9 Go ahead, applicant legal counsel.</p> <p>10 MS. KOWBEL: Thank you, Mr. Chair.</p> <p>11 Christine Kowbel, legal counsel for Sabina. Those are</p> <p>12 our exhibits at this time. Thank you.</p> <p>13 MS. MEADOWS: Thank you, Mr. Chair. Teresa</p> <p>14 Meadows, legal counsel for the Nunavut Water Board.</p> <p>15 Mr. Chair, the second matter is to swear and affirm the</p> <p>16 witnesses for Sabina, who are about to present evidence</p> <p>17 before the Board. And it's my understanding that John</p> <p>18 is not present in the room right now. When he comes</p> <p>19 back in, we will be able to go to him and make sure</p> <p>20 that he is properly sworn or affirmed.</p> <p>21 I'm going to walk everyone through this at this</p> <p>22 time. And then when we go to other interveners, before</p> <p>23 they present evidence, we will be implementing the same</p> <p>24 procedure for those who are not attending in person.</p> <p>25 For the people who are here in person, if you wish</p> <p>26 to be sworn, the Bible is here, and you're able to take</p>

<p style="text-align: right;">29</p> <p>1 your oath by swearing on the Bible. For those who are 2 attending by Zoom, because I can't be present and see 3 you swearing on a holy object, we ask that you affirm. 4 And what I will do is the same procedure every time: I 5 will state what the affirmation is and provide you with 6 the oath. When we switch to you on Zoom, if you can 7 state and spell your name for the record and then say 8 your name and "I affirm." Then it will be properly -- 9 your evidence will be considered to be taken under 10 oath. 11 So for the witnesses who are here, if you can 12 state and spell your name for the record, please. 13 MR. KEEFE: Merle Keefe, M-E-R-L-E 14 K-E-E-F-E, and I do. 15 MS. MEADOWS: I haven't given you the oath 16 yet. 17 MR. KEEFE: Sorry. 18 MS. MEADOWS: Just state and spell your 19 name. 20 MR. KEEFE: Okay. Again? 21 MS. MEADOWS: No. 22 MR. KEEFE: Okay, thank you. 23 MR. KAIYOGANA: John Kaiyogana, J-O-H-N 24 K-A-I-Y-O-N-G-A-N-A. Quana. 25 MS. KADLUN: Janet Kadlun, J-A-N-E-T 26 K-A-D-L-U-N.</p>	<p style="text-align: right;">30</p> <p>1 MS. MEADOWS: Thank you. Do the witnesses 2 wish to be sworn or affirmed? 3 MR. KEEFE: Merle Keefe, Sabina. 4 Affirmed, please. 5 MR. KAIYOGANA: John Kaiyogana, Sabina. 6 Affirmed. 7 MS. KADLUN: Janet Kadlun, Sabina. 8 Affirmed. 9 MS. MEADOWS: All right. The oath is: Do 10 you solemnly affirm the evidence about to be given by 11 you shall be the truth, the whole truth, and nothing 12 but the truth? State your name, and then "I affirm" if 13 you do. 14 MR. KEEFE: Merle Keefe. I affirm. 15 MR. KAIYOGANA: John Kaiyogana, I affirm. 16 MS. KADLUN: Janet Kadlun, I affirm. 17 MERLE KEEFE, JOHN KAIYOGANA, JANET KADLUN, Affirmed 18 MS. MEADOWS: Thank you. 19 Are there any witnesses on Zoom that will be 20 providing evidence, Mr. Keefe? 21 MR. KEEFE: Merle Keefe, Sabina. Yes, 22 there are. 23 MS. MEADOWS: For the witnesses who are on 24 Zoom who will be providing evidence, if you can raise 25 your hand on the Zoom feed so that you will go to the 26 top of the list, and then Sergey will be able to switch</p>
<p style="text-align: right;">31</p> <p>1 over to you. Please listen to the oath, and you if do 2 accept the oath, then state your name and "I affirm." 3 Do you solemnly affirm the evidence about to be 4 given by you shall be the truth, the whole truth, and 5 nothing but the truth? 6 MR. PICKARD: So Matthew Pickard, Sabina 7 Gold & Silver. I affirm. 8 MS. MEADOWS: Mr. Pickard, can you please 9 state and spell your name for the record, first? 10 MR. PICKARD: Yes. Thank you, Teresa. 11 So Matthew Pickard for Sabina Gold & Silver, 12 M-A-T-T-H-E-W P-I-C-K-A-R-D. I affirm. 13 MS. MEADOWS: Thank you. 14 Are there any other further witnesses that need to 15 be affirmed? Yes. 16 MR. KEEFE: Merle Keefe, Sabina. Yes, 17 there are additional members which will be presenting 18 evidence and do need to be sworn in. Thank you. 19 I will ask my team, in order, to please raise your 20 hand, as the Nunavut Water Board has requested, and be 21 sworn in as they call on you. 22 Merle Keefe with Sabina. Sorry. So I can see 23 that my team has started raising their hand. Would you 24 like me to call on them individually? Yes? Okay. 25 Starting with Catherine Paul, please. 26 MS. PAUL: Good morning. Catherine Paul,</p>	<p style="text-align: right;">32</p> <p>1 C-A-T-H-E-R-I-N-E P-A-U-L, Catherine Paul, and I 2 affirm. 3 MR. KEEFE: Okay, up next, we have Alison 4 Snow. 5 MS. SNOW: Alison Snow, A-L-I-S-O-N 6 S-N-O-W, Alison Snow, I affirm. 7 MR. KEEFE: Up next, we have Kerrie 8 Serben. 9 MS. SERBEN: Hi, there. Kerrie Serben, 10 K-E-R-R-I-E S-E-R-B-E-N, Kerrie Serben, I affirm. 11 MR. KEEFE: Up next, we have Dionne 12 Filiatrault. 13 MS. FILIATRAULT: N-E -- Dionne Filiatrault, 14 D-I-O-N-N-E F-I-L-I-A-T-R-A-U-L-T, Dionne Filiatrault, 15 I affirm. 16 MR. KEEFE: Up next, we have Shadi 17 Dayyani. 18 MS. DAYYANI: Shadi Dayyani, S-H-A-D-I 19 D-A-Y-Y-A-N-I, Shadi Dayyani, I affirm. 20 MR. KEEFE: And up next, we have Elaine 21 Irving. 22 MS. IRVING: Elaine Irving, E-L-A-I-N-E 23 I-R-V-I-N-G, and I affirm. 24 MR. KEEFE: Thank you. Merle Keefe, 25 Sabina. That's everyone. 26 MATTHEW PICKARD, CATHERINE PAUL, ALISON SNOW, KERRIE</p>

<p style="text-align: right;">33</p> <p>1 SERBEN, DIONNE FILIATRAULT, SHADI DAYYANI, ELAINE 2 IRVING, Affirmed 3 MS. MEADOWS: Thank you, Mr. Keefe. 4 Teresa Meadows, legal counsel for the Nunavut 5 Water Board. Mr. Chair, those are all my matters. We 6 will be filing the first 11 documents in this public 7 hearing as exhibits. And that concludes my procedural 8 matters, Mr. Chair. 9 THE CHAIR: Thank you, Teresa. 10 Mr. Keefe, please go ahead with your presentation. 11 12 Presentation by Sabina Gold & Silver Corp. 13 MR. KEEFE: Thank you, Mr. Chairman. 14 Merle Keefe, Sabina. Once again, I would like to take 15 the opportunity to thank you and the Panel members for 16 the opportunity to present our application for 17 amendment to Sabina's Type "A" water licence for the 18 Back River project. As John mentioned, I would also 19 like to thank the community of Cambridge Bay as well as 20 the other Kitikmeot communities and all parties that 21 have expressed interest in our project throughout the 22 original licensing process as well as this amendment 23 process. 24 Mr. Chairman -- John, I will ask you to please 25 provide copies, hard copies, of our presentations to 26 the Panel members before we begin. Yes, please. Okay,</p>	<p style="text-align: right;">34</p> <p>1 and I'll now share my screen via Zoom and start the 2 presentation. Thank you. 3 Okay, Merle Keefe, Sabina. Okay, just a little 4 delay. Okay, great. So this is just a forward-looking 5 information slide. This next slide provides an 6 overview or an outline of the presentation I will 7 provide today. At a high level, we'll discuss who is 8 Sabina, who is the Back River project. I'll discuss 9 the modification package or the amendment application 10 as well as the technical comments and the final 11 submission review phase. 12 Sabina is a Vancouver-based company with extensive 13 northern experience. Our main project, the project we 14 are here today to discuss, is the Back River Gold 15 project. The location of the Back River project can be 16 seen on this map. At the northern end of the Back 17 River project, we have the marine laydown area. That's 18 located in southern Bathurst Inlet. The Goose property 19 area is located approximately 130 kilometres south of 20 the marine laydown area. 21 When we talk about the Back River project, or I 22 talk about the Back River project today, I talk about 23 it as three main parts: We have the Goose property, we 24 have the marine laydown area, and we have an 25 interconnecting winter ice road. The image you see 26 here in front of you is the site layout for the Goose</p>
<p style="text-align: right;">35</p> <p>1 property area. At the far bottom-right-hand corner, 2 you'll see our tailings storage facility. You have 3 interconnecting roads to our deposits. There are 4 several at the Goose project area: You have the Goose 5 main and, on this figure, you see as well the Umwelt 6 pit and the Llama pit. 7 The pink images on your screen show water 8 management structures. The brown show waste rock 9 storage facilities. The red triangle shows the 10 existing exploration camp. I will show a picture of it 11 on the upcoming slides. There's an airstrip. And the 12 grey in the middle is where the plant site will be, as 13 well as the accommodation complex. 14 This next slide, this is a picture of the Goose 15 camp today -- or this picture was taken in September of 16 2020. And you can see, at the far end, the existing 17 exploration camp; in the middle, you can see the 18 airstrip, in the first phase of extending that 19 airstrip. Moving down the screen, you can see our 20 crusher; into the right is the quarry. You can see my 21 screen. And down here is the road to the underground 22 access -- eventual underground access and the eventual 23 plant site. 24 This is an image of the interconnecting winter ice 25 road. Sabina brings supplies, equipment into the Back 26 River project via barge at the marine laydown area. In</p>	<p style="text-align: right;">36</p> <p>1 the winter, a winter ice road is constructed, which 2 connects the marine laydown area in the Goose property, 3 and those equipment and supplies are trucked down to 4 the Goose property area. We've constructed the winter 5 ice road once in 2018 and 2019, and this is simply a 6 picture of that winter ice road. 7 Moving on to the marine laydown area, again, this 8 is an image of the layout of the marine laydown area. 9 In the -- in the middle is the airstrip. We have some 10 laydown pads, explosive storage, as well as a bulk fuel 11 containment on the southern end, and our existing 12 quarry. On the northern end, we have the shoreline 13 pad, where the barges abut up to and offload, as well 14 as another freight storage pad. 15 Here is a picture of the marine laydown area in 16 September of 2020. Again, you see the shoreline pad, 17 at the bottom of your screen, against Bathurst Inlet. 18 You can see equipment and supplies being stored on the 19 freight storage area pad, the airstrip in the middle, 20 as well as the accommodation complex, and more laydown 21 pads and bulk fuel containment up here. 22 So the Back River project has, you know, an 23 extensive regulatory history. The environment 24 assessment commenced in 2013, culminating with 25 receiving our project certificate in 2017. In the 26 following year, in 2018, the Nunavut Water Board issued</p>

<p style="text-align: right;">37</p> <p>1 our existing Type "A" water licence. And in October of 2 2020, Sabina submitted the amendment application to the 3 Water Board. 4 The Back River project and Sabina also have 5 numerous other authorizations, permits, and licences. 6 This table simply summarizes all of those permits and 7 authorizations for the Back River project from the 8 various regulatory agencies. 9 Moving on to the amendment application, in 2019, 10 Sabina engaged regulators that this modification 11 package would be submitted by Sabina; in June of 2020, 12 the NPC referred the modification package to the NIRB; 13 and culminating in December of 2020, the technical 14 review commencing by the Nunavut Water Board. Sorry, 15 one sec here. 16 Okay, two overarching qualifications with Sabina's 17 amendment application: Sabina clarifies that the 18 mining areas and associated infrastructure already 19 included within the project certificate and the 20 Type "A" water licence remain in the amended licence. 21 Sabina also confirms that the scope of the activities 22 outlined in the licence remain unchanged and that 23 Sabina is not requesting a reduction in that project 24 scope. 25 The actual amendment application focuses on the 26 three main bodies of the Back River project, again, the</p>	<p style="text-align: right;">38</p> <p>1 Goose property, the marine laydown area, and the winter 2 ice road. And we'll discuss each of those individually 3 now. At the Goose property, we have the airstrip 4 extension, the Umwelt underground extension, an 5 increase in water use, and changes to water and waste 6 management infrastructure. 7 Starting with the airstrip extension, Sabina is 8 proposing to extend the existing all-weather airstrip 9 from the permitted 5,000 feet to 6,000 feet and extend 10 the width by 50 feet. The extension will allow Sabina 11 to land larger aircraft more successfully. And as you 12 can see in the picture on the presentation, the 13 extension is in the same general location and 14 orientation as the original airstrip, within the 15 previously assessed area. 16 Sabina is also proposing an extension to the 17 Umwelt underground from the permitted depth of 18 650 metres to an additional 250 metres, for a total of 19 900 metres. Since the original application, Sabina has 20 advanced exploration at the project site, has 21 identified additional resources, and that's why we are 22 requesting the extension to the underground depth. 23 Through detailed engineering, Sabina identified 24 the requirement for an additional water allotment from 25 Goose Lake to support milling activities at the 26 project. So Sabina is requesting an additional water</p>
<p style="text-align: right;">39</p> <p>1 allotment from Goose Lake through this amendment 2 application process. 3 Sabina's refined mine plan and the smaller 4 throughput process plant has a revised water management 5 plan and water management infrastructure. That is 6 summarized on the table that you see on the screen and 7 was provided in Sabina's amendment application and 8 updated water management plan. So that is it for the 9 amendment applications considered at the Goose property 10 area. 11 We're now moving on to the marine laydown area, or 12 the MLA. We have an additional fuel transfer area, an 13 extension of the airstrip, and extension of the 14 shoreline pad. Sabina is requesting one additional 15 fuel transfer area at the MLA, a fully lined, fully 16 contained fuel transfer area of 500,000 litres. That 17 fuel transfer area can be seen by the orange polygon on 18 the screen or in your presentations. This will allow 19 or facilitate the more successful transfer of fuel from 20 the ships to Sabina's bulk fuel tanks. 21 Similar to Goose, Sabina is requesting an airstrip 22 extension at the MLA, from 3,000 feet to 5,000 feet, 23 and extending the width by 50 feet. Again, this will 24 allow Sabina to land larger aircraft more successfully 25 at the marine laydown area. 26 And, finally, we have the shoreline pad extension</p>	<p style="text-align: right;">40</p> <p>1 at the marine laydown area. As I mentioned, equipment 2 and supplies are offloaded via ship and barges to the 3 marine laydown area. As you can see in the picture in 4 your presentation, equipment is offloaded via the barge 5 onto metal ramps and then onto the shoreline pad. 6 Sabina is requesting an extension of that shoreline pad 7 by approximately 1 to 2 metres, which you can see in 8 the orange box in the presentation, a small extension 9 to greatly increase or reduce the safety risk and allow 10 the barges to come up close and snug to the shoreline 11 pad when it begins offloading. 12 Moving on to the winter ice road, there are three 13 amendment activities: the subbase upgrade; service and 14 emergency camps; and, again, an increase in water use. 15 When Sabina constructed and operated our first winter 16 ice road in 2018, we identified several areas that were 17 either steep or consisted of polar fields. Sabina is 18 requesting -- or proposing to upgrade the subbase of 19 the winter ice road in those areas. It's a small -- 20 there are not many areas, less than 10 percent of the 21 winter ice road. Sabina wishes to apply a thin layer 22 of aggregate to the base of those winter ice roads, 23 when the winter ice road will be built on top, to more 24 efficiently construct and operate those couple sections 25 annually, as we construct the winter ice road. 26 The next amendment activity on the winter ice road</p>

<p style="text-align: right;">41</p> <p>1 is the installation of three permanent service and 2 emergency camps. Sabina's first winter ice road had a 3 mobile emergency camp that moved with the construction. 4 Sabina would like to construct three equally spaced 5 camps, permanent camps, seasonally operated, along the 6 winter ice road. It was actually something that we 7 regularly heard from communities throughout the 8 environmental assessment, was that Sabina needed to 9 have emergency camps on the winter ice road. Well, 10 Sabina intends to construct these now. 11 Again, the first year Sabina constructed the 12 winter ice road, we recognized that we needed an 13 additional allotment of water to construct the full 14 winter ice road safely and efficiently so that it 15 protects the tundra, as we have committed to. So 16 through this amendment application, Sabina is 17 requesting an additional water allotment for 18 construction of the winter ice road. The additional 19 requested water remains within DFO guidelines. 20 Moving on, I'll just briefly touch on mitigation, 21 management, and monitoring, as it is very important to 22 the project. With the application -- or the amendment 23 application, Sabina submitted multiple updated 24 management plans. Sabina also, through this process, 25 has commitments to revise and resubmit these management 26 plans through constructive feedback provided by</p>	<p style="text-align: right;">42</p> <p>1 parties. Sabina has also provided multiple Draft Water 2 Licence Frameworks. 3 Furthermore, I would like to highlight that Sabina 4 has committed to providing an update to the 5 Hydrodynamic Model, following approval of the licence, 6 and updates are to take into account commitments made 7 through this process. 8 Moving on to reviewing the final submission and 9 the technical comments, in January of this year, Sabina 10 received initial technical comments. Sabina responded 11 to those technical comments in February and included an 12 updated an Hydrodynamic Model report. In March, Sabina 13 received technical comments related to that 14 Hydrodynamic Model, and we had separate meetings with 15 Environment Canada and CIRNAC as well as the KIA to 16 discuss additional questions and comments. Sabina 17 responded on March of 2021 with those comments. 18 In total, Sabina received 18 technical comments on 19 the application and 13 subsequent technical comments on 20 the Hydrodynamic Model. We also received final 21 submissions on June 15th, with responses provided June 22 25th. 23 I will give a brief overview of those final 24 submission comments, by party, now. Starting with the 25 KIA, we had nine final submission comments: seven 26 resolved, two were unresolved comments in the final</p>
<p style="text-align: right;">43</p> <p>1 submission, one related to the Hydrodynamic Model, two 2 related to the closure reclamation and security. 3 I will look to KIA and John when I say this next 4 part. But KIA's final presentation confirms that the 5 remaining technical issues of the Hydrodynamic Model 6 are resolved. Since then, we have had subsequent 7 conversations on four specific items related to the 8 Hydrodynamic Model, and I believe that they are now 9 resolved, pending conditions in the water licence -- or 10 commitments in the water licence. But I believe John 11 and the KIA will speak to that in their presentation. 12 Sabina will also be providing an agreed-upon updated 13 closure plan as well as a cost estimate. 14 Moving on to CIRNAC, or Crown-Indigenous Relations 15 and Northern Affairs Canada, in their final submission, 16 they had nine comments: six resolved and three were 17 unresolved in their final submission. They related to 18 the Draft Water Licence Framework. 19 Sabina has provided an updated Draft Water Licence 20 Framework, which incorporates the language provided and 21 discussed with CIRNAC, related to closure and 22 progressive reclamation. Sabina has also committed to 23 providing an updated Hydrodynamic Model. And Sabina 24 intends, again, to file a joint submission prior to the 25 end of this public hearing, on the closure reclamation, 26 and security.</p>	<p style="text-align: right;">44</p> <p>1 Moving on to Environment and Climate Change, five 2 final submission comments were submitted. Sabina 3 provided responses to all comments in our final 4 response package. And all technical comments and 5 Hydrodynamic Model comments resolved or conditionally 6 resolved, as per Environment Canada's final 7 presentation. 8 I would just like to quickly touch on Sabina's 9 consultation and engagement. It's important to Sabina 10 and, I think, important to discuss today. Sabina 11 engaged -- oh, you can see me up there -- engaged 12 communities specifically in the Kitikmeot regarding the 13 modification package application. We also tapped in 14 and reviewed our comprehensive community engagement and 15 traditional knowledge database as we constructed this 16 modification package and submitted the amendment 17 application. As you can see, Sabina has also had a 18 number of community member -- community meetings over 19 the past several years in the Kitikmeot region. 20 That's the end of my presentation. Thank you. 21 Quana. 22 THE CHAIR: Thank you. Thank you for your 23 presentation. 24 Do the interveners have any questions for Sabina? 25 Let's start with Kitikmeot Inuit Association. 26 MR. ROESCH: This is John Roesch for the</p>

<p style="text-align: right;">45</p> <p>1 Kitikmeot Inuit Association. I'll ask our water 2 quality expert, Richard Nesbitt, if he has any 3 questions for Sabina at this point. 4 MR. NESBITT: Richard Nesbitt here. Can 5 everyone hear me all right? Hello? 6 Assuming that folks can hear me, no, I don't have 7 any questions at this time. I will raise some points 8 to follow with Merle's comments on the resolutions that 9 Sabina and KIA have achieved during our presentation. 10 Thank you. 11 MR. ROESCH: This is John Roesch. I have 12 no questions, myself. Richard will speak to further 13 details after my presentation. Okay, thank you. 14 THE CHAIR: Thank you, KIA. 15 I would like to call Crown-Indigenous Relations 16 and Northern Affairs. Do you have any questions for 17 Sabina? 18 MR. DEWAR: Hello. Can you hear me? 19 THE CHAIR: Yes, we can hear you. 20 21 Crown-Indigenous Relations and Northern Affairs Canada 22 Questions Sabina Gold & Silver Corp. 23 MR. DEWAR: Qujannamiik, Mr. Chair. 24 Spencer Dewar, Crown-Indigenous Relations and Northern 25 Affairs Canada. We do have one question for Sabina. 26 In your presentation, you refer to the second</p>	<p style="text-align: right;">46</p> <p>1 version of the water licence. We were wondering if you 2 were going to submit -- or maybe you've provided it 3 late last night, a third version. Quana. 4 MR. KEEFE: Merle Keefe with Sabina. 5 Thank you. Thank you, CIRNAC. Yes, the short 6 answer is, yes, we do plan on providing an updated 7 Draft Water Licence Framework which takes into account 8 the conversations between KIA and CIRNAC over the past 9 48 hours. My understanding is that submission will be 10 happening very, very shortly. Thank you. 11 THE CHAIR: Thank you. 12 I would like to call Environment and Climate 13 Change Canada, if you have any questions to Sabina. 14 MS. O'SULLIVAN: Orlagh O'Sullivan from 15 Environment and Climate Change Canada. No questions 16 from us, Mr. Chair. Thank you. 17 MS. MEADOWS: Mr. Chair -- thank you, 18 Mr. Chair. Teresa Meadows, legal counsel for the 19 Nunavut Water Board. Mr. Chair, I'm not sure that 20 Crown-Indigenous Relations and Northern Affairs Canada 21 was completely finished with their line of questioning. 22 So if you can just go back to them and see whether or 23 not they have any additional questions. Thank you, 24 Mr. Chair. 25 THE CHAIR: Thank you. Yes, as legal 26 counsel's suggestion, we'll do so.</p>
<p style="text-align: right;">47</p> <p>1 MR. DEWAR: Qujannamiik, Mr. Chair. 2 Spencer Dewar, Crown-Indigenous Relations and Northern 3 Affairs Canada. No further questions. Thank you for 4 the opportunity. 5 THE CHAIR: Okay, thank you. 6 Okay, Karén, go ahead. 7 8 Nunavut Water Board Staff Questions Sabina Gold & 9 Silver Corp. 10 MR. KHARATYAN: Thank you, Mr. Chair. Karén 11 Kharatyan, Nunavut Water Board. I guess this is our 12 turn to ask questions, Mr. Chair. So we have a few 13 comments or questions. I will start with my comments 14 or clarification required; then Sergey will follow. 15 First, Merle, you mentioned about updated Draft 16 Licence Framework. From my understanding, this 17 security part you provided within the previous version 18 or existing version is not finalized, will be finalized 19 based on your discussion, because the numbers we 20 received are different from agencies or KIA and CIRNAC, 21 and the number provided within your draft is different. 22 Just your confirmation, yes. 23 MR. KEEFE: So Merle Keefe, Sabina. Thank 24 you, Mr. Chair. 25 So the Draft Water Licence Framework that will be 26 submitted shortly, electronically, will have different</p>	<p style="text-align: right;">48</p> <p>1 closure cost estimate and staging and split than the 2 original Type "A" water licence, yes, that is correct. 3 MR. KHARATYAN: Karén Kharatyan, Water Board. 4 Thank you, Sabina. Because you are updating this 5 Draft Licence Framework to be considered by the Board, 6 just one comment to be taken into account: Within the 7 current Draft Framework, you included additional 8 definition for "reservoir." That is defined to be 9 water body to be used when filling the open pits. And 10 under definitions, you also have, I think, "Goose main" 11 reservoir, "Umwelt reservoir." 12 While the definition of "reservoir" is 13 appropriate, is fine for us, if you go to the part of 14 waste disposal, or Part F, using the term of 15 "reservoir" within a couple of terms is actually 16 conflicting within the licence philosophy. Like, go to 17 Part F, Item 13, and Part F, Item 20. These parts make 18 -- or gives authorization, Sabina, to discharge 19 effluent that doesn't make -- meet the criteria to 20 different, yes, facilities, including reservoir. It 21 makes -- or creates a situation, when Sabina using the 22 same term or definition of "reservoir," in following 23 this term, will be able -- kind of, discharge untreated 24 effluent to Goose Lake, which is approp -- which is not 25 appropriate. That is actually conflicting within the 26 licence.</p>

<p style="text-align: right;">49</p> <p>1 So the Board thinks that these terms will be 2 worded without including "reservoir." If you use the 3 definition of "reservoir," as suggested by Sabina, the 4 Items F-13 and F-20 shouldn't have "reservoir" included 5 within these terms. 6 MR. KEEFE: Okay, thank you, Mr. Chair. 7 Thank you, Karén. So maybe if I could just take a 8 step back and briefly explain why Sabina submitted -- 9 or included the definition for "reservoir" in this 10 updated Draft Water Licence Framework. A reservoir is 11 -- it's a legacy term on our -- on our project; it's 12 not a new definition. It was in the original water 13 licence, under "Llama reservoir." 14 A reservoir is simply a mined-out open pit that 15 does not receive tailings. A tailings facility is a 16 mined-out open pit that receives tailings. A reservoir 17 is a mined-out open pit that the receives contact 18 water, including saline water. That's the origin of 19 the "reservoir." 20 Tailings facilities had its own definition in the 21 original licence, but individual tailings facilities 22 also had definitions. So we felt that that was an 23 oversight in the original licence, and we wanted to 24 make sure that "reservoir" had its own definition as 25 well. 26 That being said, we were -- we're simply just</p>	<p style="text-align: right;">50</p> <p>1 trying to reduce the number of times we go back to redo 2 the licence as well as the definitions. That being 3 said, it was, you know, absolutely not Sabina's intent 4 to include a definition or -- yeah, definitions or 5 terms and conditions that allowed Sabina to discharge 6 untreated water. It was not our intent. 7 So what I can -- I will ask our team to look at 8 Part F, Item 13 and 20, now and make sure that the 9 language in there does not reflect untreated discharge 10 or unapproved discharge, and I'll make sure that that 11 is corrected in the upcoming Draft Water Licence 12 Framework, which should be coming very shortly. 13 THE CHAIR: Thank you. 14 Go ahead, Karén. 15 MR. KHARATYAN: Karén Kharatyan, Water Board. 16 Thank you, Mr. Chair. 17 Thank you, Sabina. We will look at this when you 18 submit the next draft, and we'll let you know whether 19 the issue is resolved. 20 Maybe last comments or clarification from Sabina: 21 During the technical review stage or during the review 22 of Hydrodynamic Model presented by Sabina, 23 Crown-Indigenous Relations and Northern Affairs -- I 24 think this was by CIRNA -- raised an issue of including 25 closure within this model. Sabina responded that 26 closure is not actually licensed or not included within</p>
<p style="text-align: right;">51</p> <p>1 the scope of the existing licence, that they don't 2 think it's appropriate to include the closure. 3 However, the Board position is to agree with 4 CIRNAC, that this is a reasonable request, that closure 5 should be included within the model or next model to 6 make sure that Sabina appropriately prepare its 7 operation to be ready for projected closure. 8 So just to confirm whether the next hydro -- 9 because Sabina made the comments that all technical 10 review comments will be taken into account within the 11 next Hydrodynamic Model, just to confirm whether a 12 closure stage will be included within the model 13 completion. Thank you. 14 MR. KEEFE: Thank you, Mr. Chair. 15 Thank you, Karén. Merle Keefe with Sabina. In 16 short, yes, yes, Karén, the next updated model, 17 Hydrodynamic Model, will include the closure phase. 18 MR. KHARATYAN: Karén Kharatyan, Water Board. 19 Thank you, Mr. Chair. 20 Just to confirm, this is the updated model that 21 will be submitted potentially within 90 days of licence 22 approval, potential approval by Minister? 23 MR. KEEFE: Thank you, Mr. Chair. 24 Thank you, Karén. Merle Keefe with Sabina. So 25 there's two pieces there. It is -- I will confirm that 26 the next updated model submitted, following approval of</p>	<p style="text-align: right;">52</p> <p>1 this licence, will include the closure phase and the 2 multiple other commitments discussed during this 3 review. 4 The -- initially, the condition that we provided 5 was to complete this model 90 days following approval 6 of this licence. Since then, we've gone back, our 7 team, and we've reviewed the commitments that we have 8 made, including additional baseline data in the next 9 model that we're completing. Right now we have boots 10 on the ground, collecting additional baseline data. We 11 have to run sensitivity analysis, as committed to, and 12 multiple other commitments. 13 Before we can run that Hydrodynamic Model, we also 14 have to redo a water and load balance, as -- which was 15 discussed during the technical meeting. All these 16 things run into each other, and it's July of 2020 [sic] 17 already. 18 So our team is actually proposing that that update 19 be completed by March 31st of 2022 to allow us the 20 additional time to, you know, complete -- successfully 21 complete the comprehensive update. So rather than the 22 90 days, which potentially put us around January, we 23 are now proposing March 31st of 2022. Thank you. 24 MR. KHARATYAN: Karén Kharatyan, Water Board. 25 Thank you, Mr. Chair. 26 Thank you, Sabina. While the Board thinks this is</p>

<p style="text-align: right;">53</p> <p>1 a very reasonable approach to include within the next 2 annual report, we will be looking at agency's position 3 as well, yes, about timing of submission of this 4 updated model. Thank you. 5 THE CHAIR: Thank you. Any further 6 questions? 7 Sergey, go ahead. 8 MR. KUFLEVSKIY: Thank you, Mr. Chair. Sergey 9 Kuflevskiy, Nunavut Water Board. 10 I have one clarification to ask for, from Sabina. 11 This is regarding Item F-21 from the Draft Water 12 Licence Framework. You provided the -- you proposed in 13 the effluent quality criteria, and for some chemicals, 14 the thresholds are a lot lower than the MDMER 15 thresholds. For example, for copper, the thresholds 16 are way lower than what is in the MDMER. And for lead, 17 it is also lower. 18 I just wanted to confirm why Sabina -- what was 19 the logic behind this and if Sabina is, indeed, 20 committing to meet these thresholds or this was just an 21 oversight. Thank you. 22 MR. KHARATYAN: Thank you, Mr. Chair. Karén 23 Kharatyan, Water Board. Maybe I can (INDISCERNIBLE) a 24 little bit, Sergey's confirmation, looking at Sabina. 25 We understand that this is to make sure that Goose Lake 26 is not impacted as a result of mining operation,</p>	<p style="text-align: right;">54</p> <p>1 generally. We are kind of looking for confirmation 2 from Sabina whether they are confident they will able 3 to meet this criteria. Thank you. 4 MR. KEEFE: Thank you. Thank you, 5 Mr. Chair. 6 Thank you, Sergey. 7 Thank you, Karén, from the Nunavut Water Board. 8 So on the heels of the updated Hydrodynamic Model, 9 in advance of creating the effluent quality criteria 10 that were provided in the updated Draft Water Licence 11 Framework, we went through a rigorous process of 12 identifying potential parameters of concern and 13 identifying -- or reviewing them against water quality 14 guidelines that need to be met within Goose Lake to be 15 protective of the aquatic receiving environment. 16 So with that said, the answer is, yes, Sabina will 17 meet both the effluent quality criteria that were 18 provided in the Draft Water Licence Framework as well 19 as MDMER. But, yes, Sabina will -- and, furthermore, 20 just to provide a little bit more colour, in our final 21 submission, one of the parties -- I can't recall 22 exactly who -- requested Sabina provide evidence that 23 there were precedent in northern mining exper -- 24 operations or other mining operations, where this 25 treatment did occur, for example, on nutrients or on 26 metals. And Sabina did provide that evidence as part</p>
<p style="text-align: right;">55</p> <p>1 of the final submission review. 2 So there are treatment methods, objectives out 3 there, currently operating, that Sabina can implement 4 at our Back River project. Thank you. Quana. 5 THE CHAIR: Thank you. 6 Any more questions? Sergey? 7 MR. KUFLEVSKIY: Thank you, Mr. Chair. 8 Thank you, Merle. This answered my question. 9 I also wanted to note that we have seen the 10 comments from Environment and Climate Change Canada 11 regarding nitrate. And we will come back to this 12 section after their presentation to ensure that their 13 comments are adequately addressed and that they are 14 satisfied with how Sabina addressed the comments. 15 Thank you, Mr. Chair. 16 THE CHAIR: Thank you. 17 MR. KEEFE: Thank you, Mr. Chair. 18 Thank you, Sergey. Yes, we are willing and able 19 to have those conversations when they do arise. And we 20 have had some subsequent conversations with the KIA, 21 actually, on that matter of nutrients and making sure 22 that appropriate monitoring was in place through the 23 AEMP. So we can also advise the Board at that time. 24 Thank you. 25 THE CHAIR: Thank you. 26 Thank you, Staff.</p>	<p style="text-align: right;">56</p> <p>1 Now I would like to call Panel members, if there's 2 a question to the applicant. Panel members? 3 MS. SILOU: Oh, no. I'm good. 4 THE CHAIR: You have any questions? You 5 have a question, Sakiasie? No? Okay, thank you. 6 Thank you, Applicant, for your presentation. 7 Thank you very much. 8 Okay, should we take a break for now and then come 9 back at 1:00? So the interveners will -- we will start 10 with the Kitikmeot Inuit Association for intervention. 11 Okay, take a -- we take a break now and come back at 12 1:00 for your -- Kitikmeot Inuit Association will be 13 the first person to present their presentation. Thank 14 you. 15 (LUNCHEON ADJOURNMENT AT 11:23 AM) 16 (PROCEEDINGS RECOMMENCED AT 1:08 PM) 17 THE CHAIR: Good afternoon. Welcome back 18 for this afternoon's session. So we are about to start 19 with the interveners. But before we get into 20 interveners, we have three things from Water Board's 21 side that we want to carry on with the applicant. 22 So, Karén, you want to start with that? 23 MR. KHARATYAN: Thank you, Mr. Chair. Karén 24 Kharatyan, Water Board. 25 Just to confirm with Sabina, because within their 26 presentation, they had one table -- I don't remember</p>

<p style="text-align: right;">57</p> <p>1 the number of this slide. "Goose Property Amendment,"</p> <p>2 "Waste and Water Management," Table G1-1, that includes</p> <p>3 items that were previously permitted and items included</p> <p>4 within modification -- 2020 modification package. And</p> <p>5 this comment of 2020 modification package actually</p> <p>6 excludes some items like Echo pit, Echo underground, or</p> <p>7 Llama underground, et cetera, that were previously</p> <p>8 permitted.</p> <p>9 So this is to confirm with Sabina that Sabina</p> <p>10 doesn't request to reduce the scope of the licence, but</p> <p>11 just provide this column as information regarding</p> <p>12 potential amendments without reducing the scope of the</p> <p>13 licence. Thank you. This is our understanding, just</p> <p>14 to confirm with you, Sabina. Thank you.</p> <p>15 THE CHAIR: Thank you.</p> <p>16 Applicant, go ahead.</p> <p>17 MR. KEEFE: Thank you, Mr. Chair. Merle</p> <p>18 Keefe with Sabina. Thank you.</p> <p>19 Thank you, Karén, for the question. I do confirm</p> <p>20 that Sabina does not wish to reduce the scope of the</p> <p>21 original Type "A" water licence and that table was just</p> <p>22 provided for information purposes and summarized the</p> <p>23 changes in the water management plan -- water</p> <p>24 management plan from the original Type "A" to the</p> <p>25 modification package. But, again, yes, I confirm: no</p> <p>26 reduction in scope. Thank you.</p>	<p style="text-align: right;">58</p> <p>1 THE CHAIR: So from the staff, is there</p> <p>2 another -- do you have more -- oh, okay.</p> <p>3 Sarah --</p> <p>4 MS. SILOU: Yes.</p> <p>5 THE CHAIR: -- do you have question?</p> <p>6</p> <p>7 The Panel Questions Sabina Gold & Silver Corp.</p> <p>8 MS. SILOU: Yes, a technical question.</p> <p>9 Oh, the little person. Okay, thank you.</p> <p>10 Sarah Silou, S-I-L-O-U. I have a question, a</p> <p>11 short one. It's personally just for my own</p> <p>12 understanding. And the first one was -- "DWLF," I</p> <p>13 assume that's "Department of Wildlife and Fisheries,"</p> <p>14 is it? It's under Sabina submissions, under "CIRNAC,"</p> <p>15 but you probably know -- or CIRNAC could answer. It's</p> <p>16 up to you, if you know what "DWLF" is.</p> <p>17 MR. KEEFE: Thank you. Thank you for the</p> <p>18 question. It's Merle Keefe with Sabina.</p> <p>19 "DWLF" stands for "Draft Water Licence Framework."</p> <p>20 So Sabina and the other parties worked on language for</p> <p>21 the new licence.</p> <p>22 MS. SILOU: Sorry, "Draft Water" -- what?</p> <p>23 MR. KEEFE: "Licence."</p> <p>24 MS. SILOU: "Licence."</p> <p>25 MR. KEEFE: "Draft Water Licence</p> <p>26 Framework."</p>
<p style="text-align: right;">59</p> <p>1 MS. SILOU: "Framework," okay. Sorry.</p> <p>2 MR. KEEFE: That's okay.</p> <p>3 MS. SILOU: Yes, yes. That helps me to</p> <p>4 understand more when I'm reading it.</p> <p>5 MR. KEEFE: Great.</p> <p>6 MS. SILOU: Okay. And the other question,</p> <p>7 I guess, is to Sabina. Goose property amendment --</p> <p>8 last night, I was trying to read, and they were very</p> <p>9 good to explain everything. It's just that when</p> <p>10 they're not in English, then I look in the cell phone</p> <p>11 and try to find it. But it told me it was German, and</p> <p>12 I didn't understand more. Umwelt underground</p> <p>13 extension -- there's a Llama pit, Umwelt pit, Umwelt</p> <p>14 underground.</p> <p>15 MR. KEEFE: Umwelt.</p> <p>16 MS. SILOU: That's at the airport. I</p> <p>17 understand that's a northwest-southeast airport. So</p> <p>18 when you're landing, you'll be landing -- coming in on</p> <p>19 the new extension, which, when I was reading, it talked</p> <p>20 about the depth. And I thought that's digging into the</p> <p>21 ground. But when I look at the picture, it's high up.</p> <p>22 So you probably do dig underground. I don't know. I'm</p> <p>23 interested in foundations of buildings and stuff, and</p> <p>24 so this was interesting to see.</p> <p>25 I just wanted an understanding of what an Umwelt</p> <p>26 pit or Umwelt underground is.</p>	<p style="text-align: right;">60</p> <p>1 MR. KEEFE: Okay, quana. Thank you.</p> <p>2 Thank you for your question. It's Merle Keefe with</p> <p>3 Sabina.</p> <p>4 So I think there's sort of two parts there. The</p> <p>5 first part is the airstrip. And you are correct; it is</p> <p>6 located up high. We do not dig down for the</p> <p>7 construction of our airstrip. You're interested in</p> <p>8 foundations. It's not ideal to dig in the Arctic. You</p> <p>9 probably know this, but it's permafrost, so it starts</p> <p>10 to melt. So we typically like to build up.</p> <p>11 The second part of your question is related to</p> <p>12 Umwelt underground, and that is part of the mine. When</p> <p>13 we go -- dig down to access the gold, we want to go</p> <p>14 250 metres farther underground to access more gold,</p> <p>15 gold that we have recently found since our original</p> <p>16 application. Quana.</p> <p>17 MS. SILOU: So it's an underground mine.</p> <p>18 It descends?</p> <p>19 MR. KEEFE: Yes, Umwelt -- yes, it is.</p> <p>20 It's an open pit and underground, but Umwelt is the</p> <p>21 underground part.</p> <p>22 MR. KIAYOGANA: It's a name.</p> <p>23 MR. KEEFE: "Umwelt" is a name, yes.</p> <p>24 MS. SILOU: Yes (INDISCERNIBLE).</p> <p>25 MR. KEEFE: Thank you. Quana.</p> <p>26 MS. SILOU: I understand much better.</p>

<p style="text-align: right;">61</p> <p>1 MR. KEEFE: Great. Thank you. 2 THE CHAIR: Okay. You're done? 3 MS. SILOU: Yes. 4 THE CHAIR: Okay. 5 And then Teresa. 6 MS. MEADOWS: Thank you, Mr. Chair. I think 7 there was also kind of another element to the question, 8 and that was where did the name "Umwelt" come from. 9 What does that mean? Is it a technical term, or is it 10 just a name? 11 MR. KEEFE: Thank you for the question. 12 Sorry that I missed it. It is just a name. There is 13 no technical meaning to "Umwelt." There is no 14 technical meaning to "Llama" or "Goose." They are just 15 names. Quana. Thank you. 16 THE CHAIR: Okay, Sarah Silou. 17 MS. SILOU: Yes. 18 Thank you, Teresa. Yes, I -- when I mentioned, 19 Teresa, I thought it might signify something. Like, 20 for an engineer or architect, when they see that, they 21 know what kind of a material it is, because in some 22 places, they may dig underground right to the 23 permafrost, to the Canadian Shield, in any case, and 24 put rods or something and then make it firmer and 25 stuff. So I thought -- I was wondering whether that 26 "Umwelt" meant it was some kind of a material that was</p>	<p style="text-align: right;">62</p> <p>1 being put underground. Thank you, Teresa. 2 And thank you. 3 And, Mr. Chair, thank you. 4 THE CHAIR: Okay, thank you. 5 Teresa, go ahead. 6 MS. MEADOWS: Thank you, Mr. Chair. Teresa 7 Meadows, legal counsel for the Nunavut Water Board. 8 So, Mr. Chair, we have an additional exhibit to discuss 9 now. Over the break, you heard, just before we broke 10 for lunch, that Sabina had indicated that they were 11 going to be filing an updated version of the Draft 12 Water Licence Framework document, and that document is 13 a document that is prepared by Sabina. It's based on a 14 discussion of changes to the water licence that Sabina 15 would like to see. It's discussed with other parties 16 and the other interveners that are appearing here 17 today. And it's updated by Sabina, I think, three or 18 four times over the course of the amendment 19 application. 20 So just before the break, you heard that Sabina 21 was going to be providing an updated version for us to 22 discuss during this public hearing. They have now done 23 that, so the Water Board staff have that 24 electronically. Our intention is to circulate that to 25 all the parties that are here and that are attending by 26 Zoom, on the electronic registry.</p>
<p style="text-align: right;">63</p> <p>1 We will be only marking it, for now, as the next 2 exhibit in the public hearing, and we will ask that 3 parties look at it today -- the remainder of today and 4 into tomorrow morning. When we reconvene tomorrow 5 morning, we will have a discussion with all the parties 6 as to whether they have any corrections or comments or 7 further revisions that they would suggest to that 8 document, or whether they're happy with all of the 9 wording, the suggested wording and suggested revisions. 10 And then the Board will decide whether or not to accept 11 it for filing as the next exhibit in the public 12 hearing. 13 So, Mr. Chair, I just wanted to give all the 14 parties who are either on Zoom or here the heads-up 15 that the Board will be circulating that document for 16 their review and ask them to do a little bit of 17 homework tonight and let us know tomorrow morning if 18 they have any comments or objections to that document 19 being filed as the next exhibit in the public hearing. 20 EXHIBIT 13 - Sabina Draft Water Licence 21 Framework Addendum Revision 3 22 MS. MEADOWS: I just want to touch on 23 tomorrow, during the agenda. So Item 13 of the agenda 24 is actually a discussion of the Draft Water Licence 25 Framework. So we will actually have some time set 26 aside to discuss the suggested revisions that Sabina</p>	<p style="text-align: right;">64</p> <p>1 has prepared. 2 But to give everyone an indication of what -- how 3 the Board looks at the Draft Water Licence Framework, 4 the Board considers those revisions, but is not bound 5 to adopt any of the wording that is suggested by the 6 parties. For some terms and conditions, the Board has 7 standard wording, so we may not adopt all the changes 8 that are suggested. But the Board certainly does 9 consider the Draft Water Licence Framework to help 10 focus the discussion of all the parties, with respect 11 to amendments to the licence that may be necessary or 12 may be opportune to engage in at this time. 13 So thank you, Mr. Chair. That was a spoiler alert 14 for tomorrow, what you have to look forward to, 15 starting the day off early with a discussion of the 16 Draft Water Licence Framework. 17 I also wanted to mention, from a procedural 18 perspective, while I'm on the mic, that tonight, in 19 order to be able to have interpretation going live on 20 the Zoom feed and people being able to choose the 21 language that they want to listen to or that they would 22 like to speak, Sergey just sent out an updated link. 23 So tonight when you sign in to Zoom, please use the 24 updated link so that you will have the ability to have 25 the Zoom feed have live interpretation as well. 26 And for anyone in your teams, we tried to make</p>

<p style="text-align: right;">65</p> <p>1 sure we included everyone in the -- in Sergey's email. 2 But if you didn't receive it or if there are any 3 parties out there who have included additional people 4 that we don't know about, that are going to be attended 5 by -- attending by Zoom, please get the updated link 6 out to the people who need it. 7 So, Mr. Chair, those are the matters in terms of 8 Sabina and closing off the staff and Board questioning 9 with respect to Sabina. 10 And now I'd like to turn to the next two matters 11 that I have, from a procedural perspective, and that is 12 the swearing in of the intervener, the Kitikmeot Inuit 13 Association, and entering their presentation materials 14 as the next exhibits in this public hearing. So, 15 Mr. Chair, if I can have the witnesses state and spell 16 their name for the record. 17 I believe you have your consultant who's on Zoom 18 as well. So if I can start with you and then go to 19 Mr. Nesbitt. 20 MR. ROESCH: Okay. Yes, thank you. My 21 name is John Roesch. That's "John," J-O-H-N, "Roesch," 22 R-O-E-S-C-H, for the Kitikmeot Inuit Association. And 23 then Richard can go next. 24 MR. NESBITT: Richard Nesbitt, that's 25 R-I-C-H-A-R-D N-E-S-B-I-T-T. And I'm an aquatic 26 scientist with Hutchison Environmental Sciences.</p>	<p style="text-align: right;">66</p> <p>1 MS. MEADOWS: Thank you, Mr. Roesch. If I 2 can get you to put your right hand on the Bible and 3 raise your left hand, or vice versa. I switched you 4 up, didn't I? My apologies. 5 Do you solemnly swear that the evidence about to 6 be given by you shall be the truth, the whole truth, 7 and nothing but the truth, so help you God? 8 MR. ROESCH: I solemnly swear that 9 everything I say is the truth, nothing but the truth, 10 so help me God. 11 JOHN ROESCH, Sworn 12 MS. MEADOWS: Thank you. 13 And, Mr. Nesbitt, I will administer the oath, and 14 then when you come back on, if you can state your name 15 and say "I affirm," if you do indeed affirm. 16 Do you solemnly affirm that the evidence about to 17 be given by you shall be the truth, the whole truth, 18 and nothing but the truth? 19 MR. NESBITT: Hi. Thank you, Teresa. 20 Richard Nesbitt. I so affirm. Thanks. 21 MS. MEADOWS: Thank you, Mr. Chair. Teresa 22 Meadows, legal counsel for the Nunavut Water Board. 23 Mr. Chair, I have two exhibits for this intervener, 24 being the presentation materials that they are about to 25 present in English and Inuinnaqtun. And those will be 26 filed as the next two exhibits in the public hearing.</p>
<p style="text-align: right;">67</p> <p>1 And those are my procedural matters, Mr. Chair. 2 EXHIBIT 14 - Kitikmeot Inuit Association 3 Public Hearing Presentation 4 EXHIBIT 15 - Kitikmeot Inuit Association 5 Community Session Presentation 6 THE CHAIR: Thank you. 7 Go ahead, KIA. 8 9 Presentation by the Kitikmeot Inuit Association 10 MR. ROESCH: Thank you, Mr. Chairman. 11 Ladies and gentlemen of the Board, I'm going to 12 give my presentation. It is a bit dated; it was 13 submitted July 6th to the Board. There have been 14 developments. So I'll read it as originally written; 15 then I will speak to some developments. And at the end 16 of my presentation, Richard Nesbitt will speak to 17 points of discussion we have had with Sabina Gold & 18 Silver on issues that we would like to make in 19 commitments in the water licence. So he'll speak to 20 that at the end of my presentation. Okay. 21 Hello, everyone. I am John Roesch. I'll wait 22 'til we bring up the slides. Are the slides up? There 23 we go. You have to put it on the full slide. There we 24 go. Thank you. 25 Hello, everyone. I am John Roesch, the Senior 26 Hope Bay Project Officer for the Department of Lands</p>	<p style="text-align: right;">68</p> <p>1 and Environment for the Kitikmeot Inuit Association. I 2 am responsible for the project oversight for the KIA 3 and provide input into the regulatory process on the 4 Back River project to both the NWB and to NIRB. In 5 performing this role, I make use of KIA's consultants, 6 who are subject-matter experts in the areas of 7 hydrology, hydrogeology, fisheries, aquatic 8 environment, and geotechnical engineering. Next slide. 9 The purpose of this presentation is to provide a 10 brief summary of our final submission on the 11 modifications for the Back River project Type "A" water 12 application. Our review covered hydrology, 13 hydrogeology, fisheries, aquatic environment, water 14 quality, monitoring. 15 KIA conducted the review in a collaborative manner 16 with Sabina Gold & Silver, out of which we brought 17 forward 17 issues in our information requests, which 18 were addressed by Sabina in their response. Our review 19 of the Hydrodynamic Model of Goose Lake produced six 20 issues and recommendations, of which four were resolved 21 prior to the technical meeting in March. The two 22 outstanding issues were tentatively resolved upon 23 reviewing the updated Hydrodynamic Model, through 24 discussions with Sabina. The next slide, please. 25 The two outstanding issues and recommendations 26 that were resolved were divergence from the Final</p>

<p style="text-align: right;">69</p> <p>1 Environmental Impact Statement predicted impacts to 2 Goose Lake, and water quality predictions and defining 3 the mixing zone. 4 Sabina will provide site-specific water quality 5 objectives document, documentation, and the basis for 6 nitrate site-specific water quality objectives for 7 Goose Lake. Sabina will provide the Total Phosphorus 8 Equilibrium Criterion model, incorporating nitrogen as 9 a contributor to the eutrophication of Goose Lake, as 10 per KIA's and Environment and Climate Change Canada's 11 requests. 12 There will be -- there will only be one discharge 13 location for Goose Lake, which is Location B in the 14 modeling, and only one discharge rate of 1,900 cubic 15 metres per day. Location A and the discharge of 2,500 16 cubic metres per day has been eliminated. 17 Additional modeling and cryoconcentration 18 conditions in the shallow area of the neck of Goose 19 Lake will be undertaken. Additional monitoring will 20 also be undertaken of the discharge Location B in Goose 21 Lake. The Aquatic Environmental Monitoring Program 22 will be updated to reflect this additional monitoring. 23 An assessment of the toxicity of total ammonia 24 effluent quality will be provided for the full Metal 25 and Diamond Mining Effluent Regulations range of pH to 26 support the Metal Diamond Mining and Effluent</p>	<p style="text-align: right;">70</p> <p>1 Regulations pH Equilibrium Criterion Model predictions. 2 And I just want to point out, we had provided 3 recently four points of consideration to Sabina about 4 what we'd like as commitments and conditions within the 5 water licence. So that'll be in the framework that's 6 proposed, and Richard Nesbitt will speak more of this 7 at the end of my presentation. Next slide. 8 The KIA has agreed with Sabina on a total security 9 of 48.5 million for the Back River project. KIA had 10 proposed a split of 31 percent and 69 percent for 11 Inuit-owned land and Crown land and water reclamation 12 security, respectively, to CIRNAC and Sabina. Our 13 review of reclamation security was conducted by our 14 geotechnical engineering consultant. 15 The KIA is open to the receipt of staged security 16 from Sabina, subject to particular water license 17 conditions. The KIA, CIRNAC are currently discussing a 18 proposed staged split of security for the Back River 19 project. 20 And the update to this is that we have agreed upon 21 a split of land and water security of 32.5 percent for 22 IOL and 67.5 percent for Crown land, water. And I 23 believe we are now -- have agreed upon the stages. 24 Some stages have been -- have been combined, and I'll 25 get that -- to this in the next slide. Thank you. 26 Next slide.</p>
<p style="text-align: right;">71</p> <p>1 As with the previous plan, Sabina's mine site 2 construction phases start on IOL in the first and 3 second phases, which are initial infrastructure (year 4 minus 3), Umwelt underground (year minus 2), and Umwelt 5 operations (year minus 2). The KIA is exposed to 6 considerable risk and liability immediately. For this 7 reason, the KIA will receive a higher level of security 8 at the start of construction for major mine site 9 components and infrastructure being built on IOL. 10 In this proposed staged split of security, as 11 construction phases progress, the KIA's proportion of 12 the allotted staged security is reduced. By the time 13 Llama operation phase comes, KIA will have received 93 14 percent of our required security. By the time Goose 15 Lake main underground phase -- both KIA and CIRNAC 16 would have received 99 percent and 89 percent, 17 respectively, of their required reclamation security 18 for the project. 19 The KIA believes that this proposed staged 20 security is equitable in meeting both KIA's and 21 CIRNAC's security requirements, given the relative risk 22 exposure in each of the construction phases. 23 Now, this was our proposal, and we provided it to 24 Sabina and to CIRNAC. And since then, Umwelt -- the 25 quarry has been combined with, I believe, Umwelt 26 operations. And, also, Llama quarry has been combined</p>	<p style="text-align: right;">72</p> <p>1 with another phase. So the number of phases has been 2 reduced, and this was to meet CIRNAC's requirements. 3 Next slide. 4 KIA still needs to work out with Sabina and CIRNAC 5 to update the reclamation security for the Back River 6 project, for the proposed modifications. This will 7 result in an adjustment in the overall split required 8 and the staging, given the proposed modifications and 9 change in construction schedule. The KIA anticipates 10 little or no change in the split of land and water with 11 these proposed modifications. 12 And as I have just said previously, we've agreed 13 upon a split of 32.5 percent for IOL and 67.5 percent 14 for water. And the stages have been consolidated; 15 they've been reduced. Next slide. 16 The KIA is still open to receiving security using 17 the proposed staged split under particular water 18 license conditions. These conditions are the same as 19 presented to the Nunavut Water Board in August 2018, 20 these being: 21 • the receipt of security 60 days prior to construction 22 • staged security is subject to the Nunavut Water Board 23 process 24 • Sabina provides quarterly summary reports on 25 construction progress 26 • reclamation costs are updated and reviewed</p>

<p style="text-align: right;">73</p> <p>1 periodically</p> <p>2 • and additional security is provided within 60 days of</p> <p>3 review and determination by the Nunavut Water Board.</p> <p>4 Next slide.</p> <p>5 The KIA believes that having resolved the two</p> <p>6 remaining technical issues of the Hydrodynamic Model,</p> <p>7 the issue of updating the staged security can be</p> <p>8 concluded with both Sabina and CIRNAC through further</p> <p>9 cooperation.</p> <p>10 We thank you for listening, and we are open to</p> <p>11 questions. But before we go to questions, I'll ask</p> <p>12 Richard to explain the points of consideration that we</p> <p>13 wanted as commitments and conditions in the water</p> <p>14 licence. Thank you.</p> <p>15 THE CHAIR: Thank you.</p> <p>16 MR. NESBITT: Thank you for that, John.</p> <p>17 Richard Nesbitt here, on behalf of the Kitikmeot</p> <p>18 Inuit Association. So, first of all, as John had</p> <p>19 mentioned, we have resolved our concerns with the</p> <p>20 nitrate site-specific water quality objective. Sabina</p> <p>21 had provided that supplemental information as part of</p> <p>22 their final submission.</p> <p>23 They further resolved our initial concerns with</p> <p>24 the Hydrodynamic Model by clarifying that they will</p> <p>25 only be using the discharge Location B. We did raise</p> <p>26 some new concerns with the most recent Hydrodynamic</p>	<p style="text-align: right;">74</p> <p>1 Model in our technical submission, and we believe that,</p> <p>2 through discussions with Sabina, we have come to some</p> <p>3 resolutions we would like to provide to the Board, for</p> <p>4 considerations for incorporation into the licence</p> <p>5 either as terms or conditions or as commitments by the</p> <p>6 proponent.</p> <p>7 Our first consideration was with regards to total</p> <p>8 phosphorus in the effluent. KIA was concerned that the</p> <p>9 phosphorus concentrations under ice moved from the</p> <p>10 oligotrophic trophic status to a higher trophic status.</p> <p>11 And while we did agree with the proponent that, under</p> <p>12 ice, the concern was less, we were still worried about</p> <p>13 a divergence from model predictions and the potential</p> <p>14 for growth enrichment, for eutrophication, in the</p> <p>15 open-water season.</p> <p>16 So KIA had proposed to Sabina that, given this</p> <p>17 concern about a trophic status shift, Sabina will</p> <p>18 develop an adaptive management approach for nutrients,</p> <p>19 in particular, phosphorus and nitrogen, in Goose Lake.</p> <p>20 And, specifically, Sabina has committed to develop</p> <p>21 triggers and thresholds for phosphorus and</p> <p>22 chlorophyll A; to implement adaptive mitigations; and</p> <p>23 form a working group with Environment and Climate</p> <p>24 Change Canada, Crown-Indigenous Relations and Northern</p> <p>25 Affairs Canada, and the Kitikmeot Inuit Association to</p> <p>26 develop more protective effluent quality criteria,</p>
<p style="text-align: right;">75</p> <p>1 should increases in chlorophyll A suggest the potential</p> <p>2 for algal growth in the open-water season. We, of</p> <p>3 course, are also open to the inclusion of nitrogen in</p> <p>4 this adaptive management framework, as perhaps</p> <p>5 suggested by Environment Canada.</p> <p>6 Through our discussions with Sabina, Sabina has</p> <p>7 agreed to address this as a commitment and has</p> <p>8 committed to submit, for Board approval prior to March</p> <p>9 31st, 2022, an updated Aquatic Effects Management Plan</p> <p>10 that includes this and all the other commitments made</p> <p>11 during the regulatory review of the application and</p> <p>12 will specifically include the adaptive approach to</p> <p>13 managing nutrients in Goose Lake, but through an</p> <p>14 adaptive response framework, including action levels.</p> <p>15 And this will all be included in the updated Aquatic</p> <p>16 Effects Managing -- Management Plan.</p> <p>17 Our second concern was with regards to the</p> <p>18 potential for two discharge scenarios, one at 1,900</p> <p>19 cubic metres per day and a secondary higher discharge</p> <p>20 scenario at 2,500 cubic metres per day. And Sabina has</p> <p>21 agreed to add the following term and condition under</p> <p>22 Part F of the Draft Water Licence Framework, which we</p> <p>23 will, of course, be confirming this afternoon or this</p> <p>24 evening: The licensee shall demonstrate that the total</p> <p>25 quantity of effluent discharged from the final</p> <p>26 discharge point to monitoring stations -- which will be</p>	<p style="text-align: right;">76</p> <p>1 determined -- in Goose Lake shall not exceed 1,900</p> <p>2 cubic metres per day and 175,000 cubic metres per year</p> <p>3 unless otherwise approved by the Board in writing,</p> <p>4 subject to evidence resulting from model updates -- and</p> <p>5 this is referring to the Hydrodynamic Model -- are</p> <p>6 required by the licence.</p> <p>7 We also raised concerns with elevated</p> <p>8 concentrations under ice, at 1,000-metre radius from</p> <p>9 the final point of discharge, as presented in the</p> <p>10 updated Hydrodynamic Model. And Sabina has committed</p> <p>11 to updating the Aquatic Effects and Management Plan to</p> <p>12 specifically address the current discharge location,</p> <p>13 that is Location B, which is now the preferred option</p> <p>14 for the -- or for the project. And the monitoring to</p> <p>15 address this location will also be included in the</p> <p>16 March 31st, 2022, Aquatic Effects Management Plan</p> <p>17 update.</p> <p>18 Finally, okay, also as with Sergey's concern, we</p> <p>19 highlighted the discrepancy between the Metal and</p> <p>20 Diamond Mine Effluent Regulations and the effluent</p> <p>21 quality criteria proposed by Sabina. And it was nice</p> <p>22 to hear in Sabina's response to the Nunavut Water Board</p> <p>23 that, indeed, they would be working to meet both the</p> <p>24 effluent quality criteria outlined in the water licence</p> <p>25 as well as the Metal and Diamond Mining Effluent</p> <p>26 Regulations.</p>

<p style="text-align: right;">77</p> <p>1 Okay, I also wanted to confirm, for Karén's 2 comment, that the timeline for the Adaptive Management 3 Plan as well as the timeline for the Hydrodynamic 4 Model, which also seems to be targeting this March 5 31st, 2022, submission deadline, is acceptable to KIA 6 and that Sabina, as part of the updated Hydrodynamic 7 Model, has also committed to KIA to include closure in 8 the updated modeling, to provide greater assurance to 9 KIA as to the conditions in closure and post closure. 10 So that concludes my comments on the resolutions 11 that we have reached with Sabina. And, of course, I'm 12 open to any questions at this time. Thank you. 13 THE CHAIR: Thank you. There are more add 14 -- there are some more to add in? 15 MR. ROESCH: No. This concludes our 16 presentation. Thank you. 17 THE CHAIR: Okay, thank you. 18 Now I'll open up -- open up for questions. 19 MS. SILOU: This is for Panel or anybody? 20 THE CHAIR: No. 21 Okay, I'll start with the applicant. 22 MR. KEEFE: Thank you, Mr. Chair. Merle 23 Keefe, Sabina. Thank you to the KIA for their 24 presentation, but Sabina has no questions. Thank you. 25 THE CHAIR: Thank you. 26 Crown-Indigenous, you have any questions?</p>	<p style="text-align: right;">78</p> <p>1 MR. DEWAR: Qujannamiik, Mr. Chair. 2 Spencer Dewar, Crown-Indigenous Relations and Northern 3 Affairs Canada. Can you hear me? 4 THE CHAIR: We can hear you. 5 MR. DEWAR: No questions. Qujannamiik. 6 THE CHAIR: Thank you. 7 And then is there a question from Environment and 8 Climate Change Canada? 9 MS. SULLIVAN: Good afternoon, Mr. Chair. No 10 questions from Environment and Climate Change Canada. 11 This is Orlagh O'Sullivan. 12 THE CHAIR: Thank you. 13 Is there a question from Nunavut staff? Sorry, 14 about that -- NWB Board, NW -- yes, kind of mixed up, 15 Board staff. 16 17 Nunavut Water Board Staff Questions the Kitikmeot Inuit 18 Association 19 MR. KHARATYAN: Karén Kharatyan, Water Board. 20 Thank you, Mr. Chair. Just a few clarification with 21 KIA. 22 Based on the information KIA provided, their 23 numbers of security are slightly different from their 24 presentation regarding the split of security between 25 KIA and CIRNAC. So just to confirm whether KIA will be 26 working, by tomorrow, by CIRNAC, to provide this final,</p>
<p style="text-align: right;">79</p> <p>1 yes, input -- 2 MR. ROESCH: Yes. 3 MR. KHARATYAN: -- which is maybe different 4 from the one included within draft framework, licence 5 framework or what is -- how they -- yes, they want to 6 proceed. 7 MR. ROESCH: I believe that it'll be 8 presented tomorrow. Sabina will be presenting the 9 final -- the overall quantum is agreed upon, and the 10 split is agreed upon. And I believe we have agreement 11 on the final stages. KIA did not have any concerns 12 with TMAC's -- I mean, with Sabina's stage breakdown, 13 but CIRNAC did. So by the consolidation of the stages, 14 our risk is reduced. And so we have no concerns. 15 So the final cost breakdown, I believe, will be 16 produced by Sabina. And we're in agreement with it, if 17 CIRNAC is. And so I believe, as it stands -- I'm going 18 by memory -- the split is 32.5 percent for IOL and 67.5 19 percent for Crown water. And then they have -- we've 20 consolidated stages, and that's okay with KIA. 21 MR. KHARATYAN: Thank you, KIA. Karén 22 Kharatyan, Water Board. 23 Maybe also to confirm with Sabina whether their 24 Draft Framework just submitted is different from the 25 KIA presentation, about the split of security. If it's 26 different, that they agree with this approach to</p>	<p style="text-align: right;">80</p> <p>1 present something common -- jointly tomorrow. 2 MR. KEEFE: Thank you, Mr. Chair. 3 Thank you, Karén. It's Merle Keefe with Sabina. 4 If it's okay with the Water Board, I'd like to pass 5 this question and response to Matthew Pickard, who's on 6 the line. 7 Matthew, please go ahead. 8 MR. PICKARD: Thank you, Merle. 9 Matthew Pickard with Sabina. And thank you to the 10 Chair and the Water Board to be able to speak on this 11 one. 12 As mentioned by John, the version he showed was, I 13 guess, a couple of weeks ago. There was just some 14 general shifting of the dollars. The split that John 15 speaks about, 32-and-a-half and the -- what does it 16 work out to be -- 67-and-a-half, are the same as what 17 we're presenting. So the updated Interim Closure and 18 Reclamation Plan, along with the Reclaim Model, are 19 prepared by Sabina, but have not been submitted yet as 20 exhibits. We were waiting to see the final 21 presentations by both KIA and CIRNAC before doing that. 22 So we are aligned perfectly with KIA on this one. 23 The numbers are just shifting slightly. And the 24 primary cause of that shifting, just so everyone 25 understands, is that there's three parties and we kinda 26 gotta reach a middle between KIA and CIRNAC when we</p>

<p style="text-align: right;">81</p> <p>1 stage and split. So there was a little bit of movement 2 until the end of day, Friday. 3 So we will -- the KIA and CIRNAC have both been 4 provided copies of that information as of Friday. And 5 then we'll be providing the Board that following 6 CIRNAC's presentation, will be the current plan. Thank 7 you. 8 MR. KHARATYAN: Karén Kharatyan, Water Board. 9 Thank you, Mr. Chair. 10 And thank you, KIA and Sabina, for response. 11 Another clarification with KIA: We are -- we know 12 that KIA raised the issue of nutrients -- or nitrate 13 and phosphorus concentration in Goose Lake that may be 14 a result of discharge -- continuous discharge of 15 effluent. And we heard that commitment with Sabina was 16 to have Aquatic Effect Monitoring Plan updated and to 17 address this issue. 18 Just to confirm at this stage with KIA -- because 19 we have, actually, nitrate and phosphorus included as 20 criteria for effluent discharge within the proposed 21 Draft Licence Framework. Better they agree with the 22 number of nitrate and phosphorus within this table, as 23 a criteria, yes, for effluent discharge. Thank you. 24 MR. ROESCH: Okay. Was that a question you 25 wanted us to confirm -- 26 MR. KHARATYAN: Yes.</p>	<p style="text-align: right;">82</p> <p>1 MR. ROESCH: -- in accordance with the 2 table? I'll let Richard address that question. 3 MR. NESBITT: Richard Nesbitt here, on 4 behalf of the Kitikmeot Inuit Association. We were a 5 little concerned with the minimal amount of plant data 6 in the effluent quality criteria, a site-specific water 7 quality objective derivation. The document noted that 8 there was a difference in the way plants and other 9 aquatic life behaved in response to the 10 hardness-dependent nitrate guideline. 11 That said, the Ekati guideline also met the 12 minimum standards from the CCME. And so we found the 13 guideline to be acceptable, also noting that the 14 hardness range, which the guideline was validated 15 against, was similar to that of Goose Lake. Thank you. 16 MR. KHARATYAN: Karén Kharatyan, Water Board. 17 Thank you for confirmation. Yes, I don't have anything 18 to add. Maybe Sergey has some question for KIA. 19 MR. KUFLEVSKIY: Thank you, Karén. 20 Thank you, Mr. Chair. This is Sergey Kuflevskiy. 21 Just one more confirmation -- Richard just said it, but 22 I just wanted to reconfirm that KIA is okay with using 23 the Ekati mine -- diamond mine hardness-dependent 24 equation. 25 MR. ROESCH: Yes, I believe so, but Richard 26 will confirm it for you again.</p>
<p style="text-align: right;">83</p> <p>1 MR. NESBITT: Thank you, Sergey. From the 2 toxicological perspective, we are indeed comfortable 3 using the guideline, as I had stated. 4 We know that there is the potential for some 5 nutrient enrichment resulting from nitrate -- or 6 nitrogen species in combination with phosphorus in 7 Arctic environments, as some recent literature has 8 demonstrated, which is why we are still concerned about 9 the adaptive management framework for managing 10 nutrients in Goose Lake and being prepared to 11 adaptively manage them should enrichment be detected. 12 But we feel that we have addressed that concern 13 adequately through Sabina's commitment to update the 14 Aquatic Effects Management Plan, as I had outlined 15 during KIA's presentation. Thank you. 16 THE CHAIR: Thank you. 17 You have more to add? 18 MR. KHARATYAN: Nothing at this stage. No 19 more questions or clarification, Mr. Chair. Karén 20 Kharatyan, Water Board. Thank you. 21 THE CHAIR: Thank you. 22 Staff -- Panel members, you have questions? You 23 have one, Sarah? 24 MS. SILOU: Yes. 25 THE CHAIR: Sarah, go ahead. 26</p>	<p style="text-align: right;">84</p> <p>1 The Panel Questions the Kitikmeot Inuit Association 2 MS. SILOU: Because of COVID 19, we've 3 been meeting by Zoom, so I think -- I'm sorry if I'm a 4 bit behind in understanding your -- what you're talking 5 about. 6 But a follow-up with my previous question, with 7 John and Richard talking and the staff, I seem to have 8 understood that -- I think I misunderstood Goose -- 9 like, in this book, the airport is -- and this Goose 10 property amendment are right close to each other. And 11 for some reason, maybe because the Goose property 12 amendment has a north signal -- and for me, when I see 13 that, I think, automatically, "airport." 14 So I think I thought that this Umwelt underground 15 extension was the extension of the airstrip, the air -- 16 and I didn't quite understand it 'til John starts 17 talking and I look at the numbers, the 18 1-million-and-a-half and the rest of it. Then I 19 thought, well, that's not the airplane extension. 20 So I look again. And especially -- it looks like 21 there's Crown land and Inuit-owned land. So for 22 security, that's why there's different numbers coming 23 from KIA and the Federal Government; is that right? 24 MR. ROESCH: Yes. The project is located 25 primarily on Inuit-owned -- 26 MS. SILOU: Sorry, sorry, he has --</p>

<p style="text-align: right;">85</p> <p>1 THE CHAIR: Please state your name before 2 you talk. 3 MR. ROESCH: Yes. This is John Roesch for 4 the KIA. 5 Just to explain the project, most of the 6 infrastructure is on Inuit-owned land. The tailings 7 storage facility is on Crown land. In fact, KIA, 8 deliberately, when the project was originally approved, 9 wanted that on Crown land. So that's why there is a 10 split in security. And there's always a split between 11 CIRNAC, which needs security for water, and we need 12 security for our Inuit-owned land. 13 And so that's what we sort of negotiate with 14 Sabina and CIRNAC. We get an agreement on the overall 15 quantity and the amount of money required for security. 16 And then what we do -- and this is what you saw in my 17 presentation, is what -- we proposed to both Sabina and 18 CIRNAC what the split of water would be. We had no 19 problems with the staging that Sabina had proposed, so 20 we didn't have any problem with it. But CIRNAC had a 21 problem with the staging. They wanted a consolidation 22 of staging, and so Sabina responded to that. 23 And then CIRNAC came out with their proposed split 24 of land and water. And we had proposed 31 percent for 25 us and 69 percent for CIRNAC. They had proposed, I 26 believe, 34 percent for us and 66 percent for them. So</p>	<p style="text-align: right;">86</p> <p>1 we split the difference, so we each gained a little 2 bit. So that's why it's now at 32-and-a-half percent 3 for KIA and 67.5 percent for CIRNAC. So we're -- 4 agreement on that. 5 And we had looked at the final updated cost model 6 on Friday. You know, Sabina had consolidated stages 7 for CIRNAC. We weren't concerned with the proposed 8 stages. So when it's consolidated, it just reduces 9 risk for us as well, so we're satisfied with that. So 10 we are in agreement with what has (INDISCERNIBLE) 11 through this three-way discussion with Sabina and 12 CIRNAC. And CIRNAC will give their presentation and 13 explain, you know, security, from their perspective, to 14 you. 15 And they -- just to remind you, the modifications 16 to the Back River are not just the airstrip, but going 17 underground at Umwelt earlier. They rearranged their 18 process or stages from what was previously. And so 19 we're dealing with that, and we're dealing with, you 20 know, more underground water flow, through 21 hydrogeology, then greater treatment of water. 22 And then our real concern was, they have to treat 23 the water during operations, and then we require 24 post-closure treatment as well. There's some 25 uncertainty in the models they provided, that were a 26 little uncertain. So we got extra money to address</p>
<p style="text-align: right;">87</p> <p>1 that uncertainty. 2 And so when they make a production decision -- 3 they're going to bring a water treatment plant to the 4 site -- we get additional treat -- security for 5 long-term water treatment. So we're addressing it in 6 two ways, this uncertainty about the quality of water 7 in Goose Lake: one, through the security, getting more 8 money upfront, and also having Sabina make commitments 9 in the water licence, and that's the other point we 10 talked to. So we approach it in two ways. 11 So does this clarify things for you, in that? 12 MS. SILOU: Yes. Sarah Silou. 13 Thank you, John, KIA. 14 Thank you, Mr. Chair. 15 THE CHAIR: Okay, thank you. 16 Thank you, KIA, for your presentation. 17 Now, we will have Crown-Indigenous. Before going 18 to that, Teresa will take the floor. 19 MS. MEADOWS: Thank you, Mr. Chair. Teresa 20 Meadows, legal counsel for the Nunavut Water Board. 21 So, Mr. Chair, I have two procedural matters: The 22 first is I have two presentations to mark as the next 23 exhibits in this public hearing, being the 24 presentations that are about to be provided by 25 Crown-Indigenous Relations and Northern Affairs Canada 26 in English and Inuktitut, in one version, and</p>	<p style="text-align: right;">88</p> <p>1 Inuinnaqtun in the other version, so two documents. 2 EXHIBIT 16 - Crown-Indigenous Relations and 3 Northern Affairs Presentation in English and 4 in Inuinnaqtun 5 EXHIBIT 17 - Crown-Indigenous Relations and 6 Northern Affairs Presentation in English and 7 in Inuktitut 8 MS. MEADOWS: And I would now like to give 9 the -- provide the affirmation. And then when we go to 10 the witnesses who are attending by Zoom, if you can 11 state and spell your name for the record and then state 12 your name again and advise us if you affirm. 13 So do you solemnly affirm that the evidence about 14 to be given by you shall be the truth, the whole truth, 15 and nothing but the truth? 16 So now I will turn it to Crown-Indigenous 17 Relations and Northern Affairs Canada. 18 MR. DEWAR: Qujannamiik, Mr. Chair. 19 Spencer Dewar, Crown-Indigenous Relations and Northern 20 Affairs Canada. I affirm. S-P-E-N-C-E-R D-E-W-A-R. 21 Qujannamiik, Mr. Chair. We would also like to 22 affirm April Hussey with Tetra Tech. Quana. 23 MS. HUSSEY: April Hussey with Tetra Tech, 24 A-P-R-I-L H-U-S-S-E-Y. April Hussey, I affirm. 25 SPENCER DEWAR, APRIL HUSSEY, Affirmed 26 MS. MEADOWS: Thank you, Mr. Chair. Teresa</p>

<p style="text-align: right;">89</p> <p>1 Meadows, legal counsel for the Nunavut Water Board. 2 Mr. Dewar, are there any other witnesses that you 3 need to affirm before you make your presentation? 4 MR. DEWAR: Qujannamiik, Mr. Chair. There 5 will be no other affirmations on behalf of 6 Crown-Indigenous Relations and Northern Affairs Canada. 7 Quana. 8 MS. MEADOWS: Thank you, Mr. Chair. Teresa 9 Meadows, legal counsel for the Nunavut Water Board. 10 Mr. Chair, those are my procedural matters, so that 11 Crown-Indigenous Relations and Northern Affairs Canada 12 can now begin their presentation. Thank you. 13 THE CHAIR: Thank you, Teresa. 14 Go ahead, Crown-Indigenous Relations and Northern 15 Affairs. Go ahead with your presentation. 16 17 Presentation by Crown-Indigenous Relations and Northern 18 Affairs Canada 19 MR. DEWAR: Qujannamiik, Mr. Chair. 20 Spencer Dewar, Crown-Indigenous Relations and Northern 21 Affairs Canada. We would like to take this opportunity 22 to thank the Water Board for this opportunity to make a 23 presentation and intervention regarding Sabina Gold & 24 Silver's application to amend the water licence for the 25 Back River project. On behalf of Crown-Indigenous 26 Relations and Northern Affairs Canada, I would like to</p>	<p style="text-align: right;">90</p> <p>1 recognize the Nunavut Water Board's work in 2 facilitating this licence application review process 3 and Sabina's efforts to respond to our questions and 4 concerns. Next slide. 5 I will start with a brief overview of 6 Crown-Indigenous Relations and Northern Affairs 7 Canada's responsibilities with respect to licensed 8 applications and our department's contributions made 9 during this process. Following that, I will speak to 10 the topics of technical review as identified by the 11 Nunavut Water Board. 12 Overall, Crown-Indigenous Relations and Northern 13 Affairs Canada raised 19 information requests and 9 14 technical comments. Almost all issues identified have 15 been resolved through discussions at the technical 16 meeting and updated materials submitted by Sabina. 17 Next slide, please. 18 Crown-Indigenous Relations and Northern Affairs 19 Canada has a broad mandate for the co-management of 20 freshwater resources and the management of Crown land 21 in Nunavut under the Nunavut Agreement and the listed 22 acts and regulations on this slide. Crown-Indigenous 23 Relations and Northern Affairs Canada administers and 24 ensures compliance with regulatory authorizations that 25 permit -- pertain to Nunavut's Crown land and 26 freshwater resources.</p>
<p style="text-align: right;">91</p> <p>1 The department participates in water licence 2 processes administered by the Nunavut Water Board along 3 with other interested parties, providing technical 4 advice and expertise for the Nunavut Water Board's 5 consideration. Crown-Indigenous Relations and Northern 6 Affairs Canada also issues land-use permits and leases 7 for Crown land. Next slide, please. 8 Earlier, the Nunavut Water Board listed the 9 interventions, to date, in their water licence 10 amendment process. This slide details Crown-Indigenous 11 Relations and Northern Affairs Canada's five 12 contributions. Discussions with the Kitikmeot Inuit 13 Association and Sabina relative to the reclamation and 14 security occurred outside of the Board's process, but 15 the conclusions are reported through submissions and 16 this presentation. Next slide, please. 17 The first topic proposed by the Nunavut Water 18 Board is the scope of the amendment, which is to add or 19 modify the items listed on this slide. Our department 20 agrees that the scope has been consistent throughout 21 this process and did not submit any comments pertaining 22 to the scope. Next slide, please. 23 Sabina is requesting increased water use from two 24 lakes next to the project as well as along the winter 25 ice road. They have also proposed changes to the 26 timing of construction and operation of structures to</p>	<p style="text-align: right;">92</p> <p>1 manage water on site, in particular, those for storing 2 saline groundwater pumped from the underground. 3 Crown-Indigenous Relations and Northern Affairs Canada 4 requested further details on the Water and Load Balance 5 model, which predicts how much water will flow into the 6 pits in the underground mine, how much can be managed 7 in the different ponds, and how much will be needed by 8 the mill, and where the water will be stored. 9 Sabina provided answers about the water inflow in 10 the Llama pit, the parameters used for the Umwelt 11 underground extension and the saline water pond, and 12 request for increased water use that have resolved all 13 of our concerns. Next slide, please. 14 There is some overlap between the topics on this 15 slide and the previous one since the Water and Load 16 Balance model also predicts water quality. This 17 picture is of Goose Lake, which is the main receiving 18 water body, and we want to make sure that it remains 19 healthy. Our comments on the water quality are related 20 to the incorporation of effects of climate change into 21 the model and salinity in the saline water pond and pit 22 lake. Sabina's responses have addressed our concerns. 23 Next slide, please. 24 Management plans and manuals allow us to 25 understand the measures and procedures that will be 26 used to control water and waste on site and to make</p>

<p style="text-align: right;">93</p> <p>1 things -- make sure things go according to plan. Most 2 of Crown-Indigenous Relations and Northern Affairs 3 Canada's questions were about the differences between 4 plans, like criteria for segregating potentially 5 acid-generating rock; or clarifications, like timelines 6 for temporary waste rock storage pile. Sabina provided 7 satisfactory explanations for all but one comment. 8 Five of the satisfactory explanations require 9 follow-up, which will require changes to management 10 plans the next time they are updated. 11 Our largest concern is about the water quality in 12 Goose Lake, as predicted by the hydrodynamic modeling. 13 The latest version of the model was restricted to 14 operational period, and many parameters appear to 15 increase the maximum concentration over the 12 years of 16 operation, particularly in the final three years. The 17 lack of data in closure and post-closure means that we 18 are not able to evaluate the impacts of the proposed 19 measures during these periods. 20 Sabina has committed to providing an updated model 21 within 90 days of the licence approval or if the Board 22 accepts Sabina's proposal to have it included within 23 next year's annual report, with simulations -- with 24 simulation periods extending into closure and 25 post-closure, integrating commitments made in the 26 technical review phase.</p>	<p style="text-align: right;">94</p> <p>1 Our department considers this a suitable solution 2 that mean the measure and commitments include more 3 detailed inputs, include field data to be collected 4 this summer, and what [sic] the water management plan 5 be updated at the same time to integrate changes to the 6 water management on site, that are being proposed based 7 on the Hydrodynamic Model finding. 8 During our reclamation discussions with Sabina and 9 the Kitikmeot Inuit Association, we had understood that 10 Sabina would be submitting an updated Interim Closure 11 and Reclamation Plan. We have received the plan, and 12 we do believe it has been shared with the Nunavut Water 13 Board for broader circulation. Next slide, please. 14 Since proposed changes to infrastructure are 15 limited, there were few drawings to review. Our only 16 two comments related to design criteria for event 17 ponds, diversion berms and culverts. The criteria has 18 not changed since 2018, when the licence was issued, 19 and the two comments are resolved. Next slide, please. 20 Most of the discussions on the monitoring program 21 are regarding proposed changes to waste management on 22 site and criteria for effluent discharge to Goose lake. 23 Crown-Indigenous Relations and Northern Affairs Canada 24 asked about monitoring groundwater in the active layer 25 near infrastructure, and Sabina clarified how 26 permafrost will be used to contain potentially impacted</p>
<p style="text-align: right;">95</p> <p>1 water and seeps will be used to identify any concerns. 2 Our department has not commented on effluent 3 discharge criteria, which is the principal discussion 4 topic for monitoring. We support Environment and 5 Climate Change Canada and the Kitikmeot Inuit 6 Association's efforts to ensure that the criteria are 7 protective of the environment in maintaining Goose 8 Lake's aquatic health in both the short and long term. 9 Next slide, please. 10 Discussions during the course of the technical 11 review identified items requiring monitoring, and 12 adding them to the annual report will be the best way 13 to follow performance. The first is an annual 14 comparison of groundwater inflow rates to model 15 predictions. Inflow rates are difficult to predict, 16 given limited in situ and scalable data. And 17 higher-than-expected rates can lead to difficulties 18 managing saline groundwater. Checking the numbers 19 annually will hopefully allow early identifications of 20 important deviations so that changes to the water 21 management plan can be made as necessary. 22 The next two items relate to progressive 23 reclamation, which is touched on this slide as well as 24 the next two. Progressive reclamation is an activity 25 which Crown-Indigenous Relations and Northern Affairs 26 Canada encourages on all sites. It is challenging to</p>	<p style="text-align: right;">96</p> <p>1 ensure reclamation work is appropriate and properly 2 executed since the closure and reclamation plan is 3 still at an interim stage and the reclamation works are 4 carried out over longer periods of time. 5 With Sabina, we are asking that the Nunavut Water 6 Board to consider including two further requirements in 7 the annual report of the amended water licence: Number 8 one is a progressive reclamation work plan for the 9 upcoming year so that all parties are aware of the work 10 plan. This will allow our department to plan 11 inspections of reclamation work, as needed, and allow 12 opportunity to all parties to have an understanding of 13 the evolution of environmental liabilities on site. 14 Number two is a progressive reclamation report for 15 the previous year so that parties can evaluate what 16 work has been done against the work plan and how the 17 environmental liabilities are changing. The Draft 18 Water Licence Framework submitted by Sabina includes 19 these proposed changes. Next slide, please. 20 Sabina has provided an updated Interim Closure and 21 Reclamation Plan yesterday, which we have reviewed. We 22 did seek clarification from Sabina regarding 23 reclamation methodologies for tailings storage at Echo 24 and waste rock and tailings storage at Goose main. We 25 seek that Sabina references this, post our 26 presentation.</p>

<p style="text-align: right;">97</p> <p>1 Crown-Indigenous Relations and Northern Affairs 2 Canada participated in regular exchanges with Sabina 3 and the Kitikmeot Inuit Association to estimate the 4 cost of reclaiming the mine site. The majority of our 5 questions were to better understand the mine plan, 6 areas of exposed potentially acid-generating rock or 7 tailings, and the volumes of potentially contaminated 8 water. 9 Our estimate assumes progressive reclamation will 10 occur as per the mine plan, resulting in smaller cost 11 estimates than the total of each project component 12 costed individually. The year with the highest cost 13 estimate was Year 2 of operations and which was used to 14 set the cost estimate security amount. As each party 15 has spoken to, our department supports the agreed-upon 16 estimate of \$48,592,000 and is contingent on 17 incorporation of mechanisms in the amended water 18 licence to monitor that progressive reclamation that is 19 occurring as planned. 20 Should there be changes to the reclamation 21 activities that will lead to differences between 22 security posted and environmental liabilities on site, 23 the current licence contains mechanisms for parties to 24 request revision. The mechanisms our department 25 recommends were described in the previous slide and 26 consists of items in the annual report: a progressive</p>	<p style="text-align: right;">98</p> <p>1 reclamation work plan and a progressive reclamation 2 report to ensure that reclamation work leads to 3 long-term physical and chemical stability objectives. 4 CIRNAC expects to review issued-for-construction 5 drawings and designs before the works are executed. 6 Currently, Sabina, the Kitikmeot Inuit 7 Association, and Crown-Indigenous Relations and 8 Northern Affairs Canada have agreement on the total 9 reclamation costs, and we also agree on the number -- 10 or the names of the 12 stages being proposed, and we 11 also agree on the split between the Crown and the 12 Kitikmeot Inuit Association. However, we've not come 13 to agreement on the value of each stage. Next slide, 14 please. 15 Crown-Indigenous Relations and Northern Affairs 16 Canada provided comments to the Nunavut Water Board on 17 the Draft Water Licence Framework provided by Sabina on 18 March 16th. Our review was limited to those terms and 19 conditions pertaining to the amendments, and the lack 20 of comments on other proposed changes does not 21 constitute agreement on behalf of our department. We 22 noted many proposed changes do not seem to have been 23 discussed during the amendment process. 24 We recognize Sabina has provided an update to this 25 Draft Framework, incorporating proposed changes 26 discussed, to allow monitoring of progressive</p>
<p style="text-align: right;">99</p> <p>1 reclamation efforts. Next slide, please. 2 This slide was written and sent to translation 3 before Sabina provided their final written statement. 4 Our department is satisfied with Sabina's commitment to 5 provide an updated Hydrodynamic Model 90 days following 6 the licence approval and recommends that the water 7 management plan be updated on the same timeline. We 8 realize that Sabina has requested an extension to that, 9 and that is for the Board to consider. 10 Crown-Indigenous Relations and Northern Affairs 11 Canada is also satisfied with most of the reclamation 12 security discussions. We agree that the total security 13 should be over \$48 million, and we agree that it can be 14 split into 12 stages. And we agree to the split 15 between the Kitikmeot Inuit Association and our 16 department. 17 However, the one outstanding issue is, we do not 18 have agreement on how the total should be split between 19 certain stages, and we will be submitting to the 20 Nunavut Water Board our proposed splits. Questions? 21 Quana. 22 THE CHAIR: Thank you. Thank you for your 23 presentation, CIRNAC. 24 Now open up for questions. Start with applicant. 25 If you have questions, you may do -- ask CIRNAC. 26</p>	<p style="text-align: right;">100</p> <p>1 Sabina Gold & Silver Corp. Questions Crown-Indigenous 2 Relations and Northern Affairs Canada 3 MR. KEEFE: Thank you, Mr. Chair. 4 Thank you, CIRNAC, for your presentation. Just 5 one moment, please. 6 Okay, thank you, Mr. Chair. 7 Again, thank you to the Crown for their 8 presentation. We do have some comments or questions to 9 make. I'm going to pass the microphone to Matthew 10 Pickard on the phone, please. Thank you. 11 MR. PICKARD: Thanks, Merle. 12 Thanks, Mr. Chair, for allowing me to speak. I'm 13 Matthew Pickard with Sabina Gold & Silver. 14 So I guess there's two follow-up points, I think, 15 on CIRNAC's presentation, the first, just with some 16 communications back and forth and to clarify and just 17 make sure it's clear on the record. Any -- you know, 18 any of the waste rock or tailings storage facilities 19 associated with the project -- 'cause we know that 20 there's some, you know, shifting and general discussion 21 on those -- their closure standards are all basically 22 the same. 23 And as agreed upon in our original Nunavut Impact 24 Review Board process and Water Board processes, we 25 either have to cover waste rock and tailings with 26 5 metres of non-acid-generating material or 5 metres of</p>

<p style="text-align: right;">101</p> <p>1 water cover. And I know that was -- I don't know if 2 it's really highlighted too much in Spencer's 3 presentation. But I just wanted to make sure that, you 4 know, people understand and that that's the intention. 5 You know, we do have different placements of waste 6 rocks and different placements of tailings, and that 7 standard applies across the board. That standard, for 8 the Board's information, was developed early on in the 9 process to ensure that we had a closure plan that could 10 withstand climate change, and placing the most clean 11 rock on top of acid-generating rock would basically 12 ensure that. And that 5-metre cover is the most in the 13 north, out of the mines. So that's Point 1, and that's 14 just a general statement to make sure there's clarity. 15 Point 2 -- so we're -- to be honest, Sabina's 16 surprised that CIRNAC didn't give us any heads-up that 17 the stages were not being accepted. We had 18 conversations on Friday which generated two questions, 19 which we did respond to and give answers to. Our 20 preference would be that CIRNAC would allow us to see 21 their submission prior to just making it to the Board. 22 We did use CIRNAC's -- for the most part, CIRNAC's 23 breakdown when we proposed the final stage numbers back 24 on Friday, so I'm not a hundred percent sure where that 25 differentiation is coming from. 26 So I guess Sabina's request at this point is --</p>	<p style="text-align: right;">102</p> <p>1 since I do believe, based on Teresa -- Nunavut Water 2 Board's legal counsel's plan, is to -- is to allow 3 people the evening to look at exhibits and submissions. 4 Sabina would request that CIRNAC place an exhibit on 5 the file so that we all have an opportunity to look at 6 what their final submission states on closure security. 7 Thank you. 8 THE CHAIR: Thank you. 9 Any more questions from the applicant? 10 MR. KEEFE: Thank you, Mr. Chair. Merle 11 Keefe with Sabina. No further questions from Sabina at 12 this time. Thank you. Quana. 13 THE CHAIR: Thank you. 14 Now I would like to ask Inuit -- Kitikmeot Inuit 15 Association if you have any questions to the 16 Crown-Indigenous and Northern Affairs Canada. 17 MR. ROESCH: Thank you, Mr. Chair. This 18 is -- 19 THE CHAIR: Before you go on, our legal 20 counsel -- interruption. 21 MS. MEADOWS: Sorry, Mr. Roesch. 22 Teresa Meadows, legal counsel for the Nunavut 23 Water Board. Mr. Chair, perhaps if we can go to 24 Crown-Indigenous Relations and Northern Affairs Canada. 25 I did hear a question in there, to them, with respect 26 to when they would be in a position to file that</p>
<p style="text-align: right;">103</p> <p>1 additional submission. And the Water Board, similarly, 2 is also very interested in what that proposed timing 3 looks like. 4 So if we can have Crown-Indigenous Relations and 5 Northern Affairs Canada respond to the question of 6 timing of filing of that exhibit, and then we can 7 proceed to additional questions. Thank you, Mr. Chair. 8 THE CHAIR: Thank you, Teresa, for 9 guidance. 10 Crown-Indigenous and Northern Affairs. 11 MR. DEWAR: Qujannamiik, Mr. Chair. I 12 just wanted to provide some clarification. I'm not 13 sure Matthew captured it correctly. I did say several 14 time that we do agree with the 12 stages, so we have no 15 issue with 12 stages. However, what we've not come to 16 agreement on is the value or the allocation of security 17 at each stage. We can submit that at the supper break. 18 Quana. 19 THE CHAIR: Karén. 20 MR. KHARATYAN: Mr. Chair, thank you. This is 21 Karén Kharatyan, Water Board. 22 A clarification to CIRNAC: Spencer, please 23 clarify what you mean when saying you disagree with the 24 contribution or, yes, dollar value for every stage. 25 And what is the result of your disagreeing? What is 26 the rationale or points of disagreeing? The Board</p>	<p style="text-align: right;">104</p> <p>1 needs to see how you disagree with each stage. 2 If you are not able to provide your rationale or 3 clarification which -- with each stage, with the number 4 figure, we don't have evidence, yes, how you disagree, 5 really, for each stage. Just to clarify whether you 6 are planning to submit this information to the Board 7 maybe separately or maybe with KIA sometime tomorrow, 8 because -- or if you propose other timing. 9 And to be fair, this information should be 10 provided on a timely manner, yes, to allow also other 11 parties to review, especially Sabina. Thank you. 12 THE CHAIR: Thank you, Karén. 13 Okay. Okay, Crown-Indigenous Relations and 14 Northern Affairs Canada, continue. 15 MR. DEWAR: Qujannamiik, Mr. Chair. 16 Spencer Dewar, Crown-Indigenous Relations and Northern 17 Affairs Canada. I just want to reiterate: We do agree 18 with the global amount of security, we do agree with 19 the 12 stages that have been proposed to post the 20 security. But we do have some differences of opinion 21 on how much should be allocated at each of those 22 stages. 23 So I can provide an example, for clarification, 24 and -- the principal difference in our estimate is one 25 Sabina is presenting, is for the split for the tailings 26 storage facility. There are two stages, construction</p>

<p style="text-align: right;">105</p> <p>1 and operation. And our estimate for the construction 2 stage is principally related just to the cost of 3 breaching the dam. So our total for this stage is 4 relatively small, approximately \$350,000. And most of 5 the -- of the costs that we have were associated with 6 what it would cost to reclaim once the facility -- once 7 the facility was in operation. So at that stage, we 8 see that amount of security to be held at 26.6 million. 9 So it's about how we're valuing each of those 10 milestones. And we -- you know, will provide the 11 information as soon as we can. We have to evaluate it 12 or review, based on what we receive. So we've 13 committed that we'd provide it at the supper break. 14 Qujannamiik. 15 THE CHAIR: Thank you. 16 Karén. 17 MR. KHARATYAN: Okay. Karén Kharatyan, Water 18 Board. Thank you, Mr. Chair. 19 So we understood that CIRNAC will be providing 20 this information sometime by the end of day or around 21 the end of day. And I can ensure Sabina that Sabina 22 will be provided, yes, for their comments or 23 clarification. Thank you. 24 THE CHAIR: Thank you. 25 Sabina. 26 MR. KEEFE: Thank you, Mr. Chair. Again,</p>	<p style="text-align: right;">106</p> <p>1 I'm going to ask Matthew Pickard to speak, please. 2 MR. PICKARD: Thanks, Merle. 3 And thanks, Mr. Chair. 4 And thanks, Spencer, for the additional clarity 5 and -- for the questions. I'm going to make a 6 suggestion here. I hope -- I hope this is an 7 acceptable one. But if acceptable to the Board, is it 8 possible to allow -- and if CIRNAC's -- and KIA are 9 both supportive of this -- to have a discussion 10 immediately before the community presentations or 11 during the dinner break, to walk through it? 12 The one example Spencer brings forward is 13 something CIRNAC brought forward to us before. So 14 that's not a surprise, and I don't want the Board to 15 think it was. And if that's the -- one of the -- or 16 the -- or one of the sticking points, I do believe that 17 we can adjust and deal with that rather simply. 18 In the case that Spencer did bring forward, Sabina 19 -- Sabina has likely significantly over-secured. But 20 that being said, I think there's enough flexibility in 21 the parties to work through that fairly quickly. And 22 that might allow us, then, just to have a more 23 streamlined approach to provide to the Board once 24 completed. 25 So I'm going to make the suggestion then that, if 26 acceptable to KIA, CIRNAC, and, of course, the Board,</p>
<p style="text-align: right;">107</p> <p>1 would you grant us maybe until this evening, assuming 2 both CIRNAC and KIA are willing to have a conversation 3 with Sabina and walk through these points earlier? 4 Thank you. 5 THE CHAIR: Thank you. 6 Teresa, go ahead. 7 MS. MEADOWS: Thank you, Mr. Chair. Teresa 8 Meadows, legal counsel for the Nunavut Water Board. 9 Recognizing that there is -- there's a little bit 10 of questioning remaining, and then we will be going to 11 Environment and Climate Change Canada, with the idea 12 that we would break then and perhaps early so that you 13 would have some time over the dinner break to have the 14 discussions by teleconference. 15 If you wish to use the Board's teleconference line 16 for the public hearing, we can certainly make that 17 available. Or if you wish to have those discussions 18 offline, on your own, that's also available to you, but 19 outside of the public hearing venue and off of the 20 record. 21 And then we can reconvene -- again, tomorrow 22 morning, when we start off the day by the discussions 23 of Sabina's Draft Water Licence Framework, we can then 24 close that loop and follow up with the parties as to 25 whether or not there will be additional filings that 26 Crown-Indigenous Relations and Northern Affairs Canada</p>	<p style="text-align: right;">108</p> <p>1 wishes to provide, or whether there'll be a joint 2 submission from the Kitikmeot Inuit Association, 3 Sabina, and Crown-Indigenous Relations and Northern 4 Affairs Canada. 5 So, Mr. Chair, having interrupted the Kitikmeot 6 Inuit Association's questioning, perhaps we can turn 7 back to them and complete this part of the hearing. 8 And whatever time remains, early -- if we can break 9 early before the dinner break, then -- if parties can 10 use that time, that would be beneficial. Thank you, 11 Mr. Chair. 12 THE CHAIR: Thank you. Thank you for 13 directions. 14 Okay, I think we are ready to have KIA. Go ahead. 15 16 Kitikmeot Inuit Association Questions Crown-Indigenous 17 Relations and Northern Affairs Canada 18 MR. ROESCH: Yes. This is John Roesch for 19 the Kitikmeot Inuit Association. I just want, first, 20 to state, we had received Sabina's updated costs model 21 on Friday. We had reviewed it on Friday. I reviewed 22 it again with our geotechnical engineering consultant 23 on Monday, and we had concluded that it was adequate 24 for our needs, both the staging and the amount per 25 stage and the split. And we had indicated this in my 26 -- I had phoned Matthew Pickard.</p>

<p style="text-align: right;">109</p> <p>1 So I'd like to know, from CIRNAC, is it all the 2 amounts, each amount for each stage that you want 3 revised, along with the split per stage? And, two, 4 when will you provide KIA your cost model? 5 THE CHAIR: Thank you. 6 KIA, CIRNAC. 7 MR. DEWAR: Qujannamiik, Mr. Chair. I 8 defer that question to April Hussey from Tetra Tech. 9 Quana. 10 MS. HUSSEY: Thank you, Spencer. 11 Thank you -- thank you, Board. This is April 12 Hussey with Tetra Tech. 13 John, the -- there are slight differences, as 14 Spencer mentioned, in regards to the different 15 assumptions underlying activities in select stages, and 16 that is the majority of the difference. 17 There is also some slight differences in 18 allocations between KIA and CIRNAC. As Matthew 19 mentioned, I think, with some additional discussion, we 20 can come to a rapid resolution of these items. They 21 are not major items, I would say. They are not large 22 issues. It's just a matter of trying to resolve the 23 minor differences related to applying specific 24 reclamation activities to either the KIA or CIRNAC 25 liability. 26 Does that answer your question?</p>	<p style="text-align: right;">110</p> <p>1 MR. ROESCH: When will KIA receive your 2 updated model? 3 MS. HUSSEY: As Spencer indicated -- 4 Spencer, I believe you said at the supper break. 5 And then Matthew indicated that we should have a 6 discussion of some of these items prior to that; is 7 that correct? 8 MR. DEWAR: Qujannamiik, Mr. Chair. 9 Spencer Dewar, Crown-Indigenous Relations and Northern 10 Affairs Canada. Yeah, we're open to meet at the supper 11 break, and we're open to share the information, yes, 12 post that meeting. 13 THE CHAIR: Teresa. 14 MS. MEADOWS: Thank you, Mr. Chair. Teresa 15 Meadows, legal counsel for the Nunavut Water Board. 16 So perhaps if we can park that discussion for now, 17 use the time over the supper break. Hopefully, we'll 18 have -- we'll break early, and then you'll be able to 19 use that time to have a discussion and still get in 20 some decent time to be fed before we come back for the 21 community session at 6:30. 22 So, Mr. Chair, perhaps -- if there are any 23 additional questions from the Kitikmeot Inuit 24 Association to Crown-Indigenous Relations and Northern 25 Affairs Canada. 26 MR. ROESCH: Thank you. We have no further</p>
<p style="text-align: right;">111</p> <p>1 questions. Thank you. 2 THE CHAIR: Thank you. 3 Now I'd like to ask Environment and Climate Change 4 Canada if you have any questions to the 5 Crown-Indigenous and Northern Affairs. 6 MS. O'SULLIVAN: Orlagh O'Sullivan from 7 Environment and Climate Change Canada. No questions. 8 Thank you, Mr. Chair. 9 THE CHAIR: Thank you. 10 I'd like to ask the Board staff if there are any 11 questions. 12 13 Nunavut Water Board Staff Questions Crown-Indigenous 14 Relations and Northern Affairs Canada 15 MR. KHARATYAN: Karén Kharatyan, Water Board. 16 Thank you, Mr. Chair, a couple of clarifications. I 17 will start, then Sergey will follow up. 18 CIRNAC, within your presentation, I think it was 19 maybe within the last slides, when you were speaking 20 about the Interim Closure Reclamation Plan, you 21 mentioned that there was a submission of interim -- 22 updated Interim Closure Reclamation Plan that was 23 reviewed by CIRNAC, and CIRNAC's understanding is that 24 Sabina will be providing an updated Interim Closure 25 Reclamation Plan. Maybe Sergey will follow up about 26 whether you had questions, comments, et cetera.</p>	<p style="text-align: right;">112</p> <p>1 Just looking at the Draft Water Licence Framework 2 Sabina just provided, they propose to submit an updated 3 Interim Closure Reclamation Plan within one year of 4 operation, operation phase. That could be sometime 5 maybe in 2023 or 2024. I don't know. And very likely, 6 from our understanding, this updated Interim Closure 7 Reclamation Plan will take into account all review 8 comments, et cetera, including the finding of 9 Hydrodynamic -- updated Hydrodynamic Model to be 10 submitted by March -- end March, 2022. 11 So the question or clarification that I'm seeking 12 from CIRNAC is to confirm whether they agree with the 13 submitted -- or submission of updated Interim Closure 14 Reclamation Plan within one year of operation phase, as 15 suggested by Sabina. Thank you. 16 THE CHAIR: Thank you. Okay, go ahead, go 17 ahead. 18 MR. KHARATYAN: Maybe -- Mr. Chair, maybe 19 CIRNAC may clarify whether they agree with this 20 timeline. Then Sergey may have follow-up questions or 21 comments. Thank you. 22 THE CHAIR: Thank you. 23 Go ahead, Crown-Indigenous. 24 MR. DEWAR: Qujannamiik, Mr. Chair. 25 My understanding is that we received an Interim 26 Closure and Reclamation Plan from Sabina yesterday. I</p>

<p style="text-align: right;">113</p> <p>1 think it would be our hope that that plan would be 2 forwarded to the Nunavut Water Board for all to see and 3 that hopefully we could have it approved before one 4 year. So I would hope that it could form part of this 5 licence. Quana. 6 THE CHAIR: Thank you. 7 Staff? Sergey. 8 MR. KUFLEVSKIY: Thank you, Mr. Chair. 9 Thank you, Spencer. I just wanted to confirm, are 10 you talking about the Interim Closure and Reclamation 11 Plan that was submitted on June 15th? And if yes, from 12 my understanding, you just said that you need more time 13 to review it or you have reviewed it. And do you have 14 any comments if you have reviewed it already? Thank 15 you. 16 THE CHAIR: Thank you. 17 Sorry, I didn't have my mic on. 18 Crown-Indigenous and Northern Affairs, go ahead. 19 MR. DEWAR: Qujannamiik, Mr. Chair. 20 So there was an Interim Closure and Reclamation 21 Plan that was submitted by Sabina in June, and we 22 received updates to that plan yesterday. So, 23 therefore, I think we could ask Sabina if they've 24 submitted it to the Nunavut Water Board or are they 25 waiting for our comments. But we believe that this is 26 the plan that should be put in and form part of this</p>	<p style="text-align: right;">114</p> <p>1 licence. Quana. 2 THE CHAIR: Thank you. 3 Sergey, go ahead. Go ahead. 4 MR. KUFLEVSKIY: Thank you. 5 So are you going to provide some comments, because 6 this plan is going to be included into the list of 7 management plans under this licence, under this 8 amendment -- amended licence? So the Board would like 9 to know if CIRNAC has any comments at this stage before 10 the Board starts their discussions about the amendment 11 of the licence. 12 THE CHAIR: Karén, do you want to add? 13 MR. KHARATYAN: Thank you, Mr. Chair. Karén 14 Kharatyan. 15 I will try to make more clear maybe, CIRNAC, 16 Spencer. Like we see from Draft Licence Framework, 17 Sabina is proposing to have this updated Interim 18 Closure Reclamation Plan implemented, as approved by 19 the Board. So we want to make sure that CIRNAC doesn't 20 have -- we want to make sure that CIRNAC doesn't have 21 major concern with approval of this version of Interim 22 Closure Plan -- Closure Reclamation Plan, with an 23 assumption and the expectation to have an updated plan 24 to come within one year of operation phase. Thank you. 25 THE CHAIR: Thank you. 26 Crown-Indigenous and Northern Affairs, go ahead.</p>
<p style="text-align: right;">115</p> <p>1 MR. DEWAR: Qujannamiik, Mr. Chair. 2 Our only concerns with the Interim Closure 3 Reclamation Plan that we received were in relation to 4 the methodologies related to a couple of them. And I 5 think we've highlighted those in my presentation. And 6 Matthew did respond with affirmative, positive answers, 7 so he did provide the clarification. 8 I don't think we have outstanding comments or 9 issues related to the Interim Closure and Reclamation 10 Plan, so we do believe that could be submitted to the 11 Board for consideration, to form part of the licence. 12 THE CHAIR: Thank you. 13 Sergey, do you have more to add? Thank you. Go 14 ahead. 15 MR. KUFLEVSKIY: Thank you, Spencer, for 16 clarifying. This is Sergey Kuflevskiy, Nunavut Water 17 Board. 18 I have one more clarification to ask for. In your 19 final written submissions in Table 3, you stated that 20 Technical Comment 6 is resolved and requires a 21 follow-up. And when I read the description provided, 22 it basically states that: (as read) 23 Sabina has clarified that temporary 24 potentially acid-generating stockpiles will 25 be within the quarry footprints, runoff from 26 the quarries will be monitored, and the piles</p>	<p style="text-align: right;">116</p> <p>1 will be in place a shorter period of time 2 than the time for onset of acidic conditions 3 from the rocks. 4 So what follow-up does CIRNAC require, an update to the 5 plan? Or it was just an oversight in the table? Could 6 you please clarify that? Thank you. 7 THE CHAIR: Thank you. 8 CIRNAC, go ahead. 9 MR. DEWAR: Qujannamiik, Mr. Chair. 10 Spencer Dewar, Crown-Indigenous Relations and Northern 11 Affairs Canada. 12 I guess -- I guess what's outstanding is for 13 Sabina to actually update that in their management 14 plans. So we -- I think we have agreement -- it's been 15 stated, Sabina needs to update the management plan. 16 Quana. 17 MR. KUFLEVSKIY: Thank you. This answers my 18 question. 19 THE CHAIR: Thank you. 20 So, okay, that was the staff. 21 Now, Panel members do you have any questions to 22 the CIRNAC? 23 MS. SILOU: No. 24 THE CHAIR: Okay, there's none. 25 Thank you, CIRNAC, for your presentation. 26 Now, before we go on to another intervener, the</p>

<p style="text-align: right;">117</p> <p>1 last intervener we have here, I'd like to take a short 2 break, at least 10-minute break, before we have 3 Environment and Climate Change Canada go on to have a 4 presentation. 5 (ADJOURNMENT) 6 THE CHAIR: Let's get back to reconvene 7 from the break. So we had -- the next intervener will 8 be Climate Change Canada. Before we go into that, 9 Teresa will take the floor. 10 Go ahead. 11 MS. MEADOWS: Thank you, Mr. Chair. Teresa 12 Meadows, legal counsel for the Nunavut Water Board. 13 Mr. Chair, I have two procedural matters. The first is 14 that I have three presentations that will be filed as 15 the next electronic exhibits in the public hearing, and 16 that consists of the presentation materials that are 17 about to be presented by Environment and Climate Change 18 Canada: one version -- one copy is English, one copy 19 is Inuktitut, and one copy is Inuinnaqtun. And so I 20 propose to file those three exhibits as the next 21 exhibits in this public hearing. 22 EXHIBIT 18 - Environment and Climate Change 23 Canada Presentation in English 24 EXHIBIT 19 - Environment and Climate Change 25 Canada Presentation in Inuktitut 26 EXHIBIT 20 - Environment and Climate Change</p>	<p style="text-align: right;">118</p> <p>1 Canada Presentation in Inuinnaqtun 2 MS. MEADOWS: My second procedural matter, 3 Mr. Chair, is that I will issue the affirmation. And 4 if the witnesses for Environment and Climate Change 5 Canada can please then state and spell their names for 6 the record, and then state their name again and that 7 they affirm. They can then be sworn in and -- or 8 affirmed and ready to proceed. 9 Do you solemnly affirm that the evidence about to 10 be given by you shall be the truth, the whole truth, 11 and nothing by the truth? 12 MS. O'SULLIVAN: Orlagh O'Sullivan, Environment 13 and Climate Change Canada. That's O-R-L-A-G-H, 'O', 14 apostrophe, S-U-L-L-I-V-A-N. And Orlagh O'Sullivan, I 15 affirm. 16 MS. TOBIN: Meagan Tobin with Environment 17 and Climate Change Canada. That's M-E-A-G-A-N 18 T-O-B-I-N, Meagan Tobin, and I affirm. 19 MR. EJECKAM: Reg Ejeckam, Environment and 20 Climate Change Canada, R-E-G E-J-E-C-K-A-M. Reg 21 Ejeckam, I affirm. 22 ORLAGH O'SULLIVAN, MEAGAN TOBIN, REG EJECKAM, Affirmed 23 MS. MEADOWS: Thank you, Mr. Chair. Teresa 24 Meadows, legal counsel for the Nunavut Water Board. 25 Mr. Chair, those are all my procedural matters. 26 Environment and Climate Change Canada can now proceed</p>
<p style="text-align: right;">119</p> <p>1 to their presentation. 2 THE CHAIR: Thank you, Teresa. 3 Okay, now proceed with Climate Change Canada. 4 Go ahead with your presentation. 5 6 Presentation by Environment and Climate Change Canada 7 MS. SULLIVAN: Is the presentation coming up 8 okay? 9 Okay. So good afternoon, Mr. Chair, Board 10 members, Elders, other community members, Board staff, 11 and parties that have joined us here today. My name is 12 Orlagh O'Sullivan, and I'm an Acting Senior 13 Environmental Assessment Officer with Environment and 14 Climate Change Canada. With me, presenting, I have 15 Meagan Tobin, our water quality analyst. 16 In this presentation, we will summarize the 17 department's final written submission, which was 18 submitted to the Nunavut Water Board on June 15th, 19 2021. Before we begin, I would like to thank the Board 20 for allowing us to present and participate in this 21 hearing virtually. 22 To start off, I will go through Environment and 23 Climate Change Canada's mandate and then briefly touch 24 upon the relevant acts and legislation. We will have a 25 slide on the status, with each of the department's 26 concerns from the technical review and Hydrodynamic</p>	<p style="text-align: right;">120</p> <p>1 Model review that preceded the technical meeting. A 2 summary of Environment and Climate Change Canada's 3 final written submission will follow, that includes our 4 comments and recommendations related to the updated 5 Hydrodynamic Model and preliminary effluent quality 6 criteria for parameters of concern provided by Sabina 7 in May. 8 Under the Department of the Environment Act, the 9 powers, duties, and functions of the Minister of 10 Environment and Climate Change extend to matters such 11 as the preservation and enhancement of the quality of 12 the natural environment, including water, air, and soil 13 quality and the coordination of the relevant policies 14 and programs of the Government of Canada. It includes 15 renewable resources, including migratory birds and 16 other non-domestic flora and fauna, meteorology, and 17 the enforcement of rules and regulations. 18 Environment and Climate Change Canada's mandate is 19 governed by the Department of the Environment Act, the 20 Canadian Environmental Protection Act, the "Pollution 21 Prevention" provisions of the Fisheries Act, Migratory 22 Birds Convention Act, and the Species at Risk Act. 23 Moving into the current status of our technical 24 comments, so Environment and Climate Change Canada 25 consider all of these comments resolved based on the 26 proponent's responses. In the case of Technical</p>

<p style="text-align: right;">121</p> <p>1 Comment 2, regarding the tailings storage facility in 2 bedrock fracture zone, Environment and Climate Change 3 Canada considers this to be resolved based on the 4 proponent's responses, which include commitments to 5 further testing. This comment was included as ECCC 6 Number 1 in our final written submission. 7 With regards to the status of our comments on the 8 Hydrodynamic Model, Environment and Climate Change 9 Canada also considers these to be resolved, both 10 through Sabina's responses in writing and the 11 commitments they made at the pre-hearing conference and 12 technical meeting. For Comments 1, 3, 4, and 6, we 13 find these comments addressed by Commitment 6, which 14 requires the proponent to submit an updated 15 Hydrodynamic Model and report, following the approval 16 of the licence. 17 Environment and Climate Change Canada's written 18 submission included five comments, first was the 19 comment on the resolution of our technical comment 20 regarding the tailings storage facility. In addition, 21 ECCC Number 2 through 5 are comments and 22 recommendations on the updated Hydrodynamic Model and 23 preliminary effluent quality criteria for parameters of 24 concern, from our review of the May 20, 2021, effluent 25 quality criteria report. Environment and Climate 26 Change Canada find these comments to be resolved based</p>	<p style="text-align: right;">122</p> <p>1 upon the proponent's responses. 2 I am going to turn the presentation over to Meagan 3 to discuss how these comments were resolved. 4 MS. TOBIN: Thank you. Meagan Tobin with 5 Environment and Climate Change Canada. 6 So Environment and Climate Change Canada Final 7 Comment Number 2 recommended that predicted total 8 phosphorus and nitrogen inputs be reviewed and the 9 potential for eutrophication in Goose Lake be 10 evaluated. In response, Sabina provided information on 11 the relationship between phosphorus and nitrogen in 12 Goose Lake; proposed effluent quality criteria for 13 total phosphorus; and stated that, based on this, they 14 do not expect a large increase in productivity or a 15 decline in (INDISCERNIBLE) oxygen. 16 Based on the response provided and the additional 17 discussions that occurred today, Environment and 18 Climate Change Canada considers this comment to be 19 resolved, noting that monitoring for nutrients in Goose 20 Lake will be an important component to ensure that any 21 changes can be detected and managed. In addition, 22 Environment and Climate Change Canada is supportive of 23 the proposed commitment Sabina has made to the KIA for 24 an updated AEMP and development of an adaptive 25 management approach, including action levels for 26 nutrients in Goose Lake.</p>
<p style="text-align: right;">123</p> <p>1 Environment and Climate Change Canada Final 2 Comment 3 recommended that the proponent provide 3 additional information on the candidate treatment 4 options that would achieve the proposed effluent 5 quality criteria and to discuss potential timelines for 6 implementation. 7 In response, Sabina has provided a list of the 8 potential treatment technologies and stated that all 9 treatment will be implemented in advance of discharge. 10 They have further clarified at this hearing that, with 11 these technologies, they will be able to meet their 12 proposed discharge limits. Based on this response 13 provided by Sabina, Environment and Climate Change 14 Canada considers this comment to be resolved. 15 Final Comment Number 4 made recommendations 16 related to receiving-environment monitoring, action 17 levels, and future model validation. In response, 18 Sabina has reiterated their commitment to establishing 19 action levels for Goose Lake within an adaptive 20 management response framework in order to provide an 21 early warning indication of the potential for adverse 22 effects on water quality. They have also stated that 23 they intend to validate the model, as required, by 24 changes in operation or technology and will be updating 25 modeling in the third year following commencement of 26 operations.</p>	<p style="text-align: right;">124</p> <p>1 Based on the response provided, Environment and 2 Climate Change Canada considers this comment to be 3 resolved and looks forward to reviewing the updated 4 AEMP, the action levels, and adaptive management 5 response framework once developed. 6 Final Comment Number 5 recommended Sabina provide 7 additional information on how the United States 8 Environmental Protection Agency water quality guideline 9 for aluminum has been modified for this site. In 10 response, Sabina has provided information on how the 11 United States guideline is preferred over the Canadian 12 Council for Ministers of Environment guideline, as it 13 incorporates pH, organic carbon, and hardness as 14 toxicity-modifying factors. They state that the United 15 States guideline was refined to make the output 16 compatible with the standardized Canadian procedures 17 for site-specific water quality guideline developments 18 that are established by the Canadian Council for 19 Ministers of the Environment. 20 Based on the response provided by Sabina, 21 Environment and Climate Change Canada considers this 22 comment to be resolved. However, we do note that 23 Environment and Climate Change Canada has developed a 24 draft aluminum federal environment quality guideline 25 that is currently out for public review prior to being 26 finalized. This draft guideline incorporates the same</p>

<p style="text-align: right;">125</p> <p>1 toxicity-modifying factors as the United States 2 Environmental Protection Agency guideline. Environment 3 and Climate Change Canada recommends Sabina consider 4 use of the Canadian federal environmental quality 5 guideline for application to Goose Lake once it has 6 been finalized. 7 So that concludes my presentation, and so we'd 8 just like to thank the Nunavut Water Board for this 9 opportunity to provide input on Sabina Gold & Silver's 10 Back River project water licence amendment, and we look 11 forward to continuing our participation. And we can 12 now take any questions. 13 THE CHAIR: Thank you, Climate Change 14 Canada. 15 Now I think we are ready to open up for questions. 16 I'd like to start with applicant. If you have a 17 question, you may go ahead. 18 MR. KEEFE: Thank you, Mr. Chair. Merle 19 Keefe, Sabina. No further questions. We thank 20 Environment and Climate Change Canada for their 21 presentation. And, yes, I mean, we'd be okay taking a 22 look at the new federal effluent quality guidelines, as 23 they relate to aluminum, once they are finalized. 24 Again, thank you. Thank you Mr. Chair. 25 THE CHAIR: Thank you, Applicant. 26 Kitikmeot Inuit Association, if you have a</p>	<p style="text-align: right;">126</p> <p>1 question to Environment and Climate Change Canada, go 2 ahead. 3 MR. ROESCH: This is John Roesch for the 4 Kitikmeot Inuit Association. We have no questions for 5 Environment and Climate Change Canada. Thank you. 6 THE CHAIR: Thank you. 7 Crown-Indigenous Northern Affairs Canada, you have 8 any questions to Climate Change Canada? 9 MR. DEWAR: Qujannamiik, Mr. Chair. 10 Spencer Dewar, Crown-Indigenous Relations and Northern 11 Affairs Canada. No questions. Quana. 12 THE CHAIR: Thank you. 13 Now I'd like to ask the staff, Board staff. 14 Go ahead, Sergey. 15 16 Nunavut Water Board Staff Questions Environment and 17 Climate Change Canada 18 MR. KUFLEVSKIY: Thank you, Mr. Chair. Sergey 19 Kuflevskiy, Nunavut Water Board. I just want to 20 confirm that the criteria presented in the 'F' -- in 21 the table, under Item F-23 in the Draft Water Licence 22 Framework, is acceptable by the Environment and Climate 23 Change Canada. I'm just going to bring up this table, 24 just going to share my screen. 25 So for both nitrate and aluminum, for criteria in 26 this table, does Environment and Climate Change Canada</p>
<p style="text-align: right;">127</p> <p>1 agree with the numbers provided in the table just 2 shared with everybody? 3 MS. TOBIN: Thank you, Mr. Chair. 4 And thank you, Sergey. 5 So Environment and Climate Change Canada has 6 reviewed all of the proposed effluent quality criteria 7 provide by Sabina, and the approach taken for EQC 8 development was reasonable and appropriate. And the -- 9 I guess there will -- the EQC will be supported and 10 validated by end-of-pipe toxicity and ongoing 11 receiving-environment monitoring. 12 MR. KUFLEVSKIY: Thank you, Meagan. One more 13 question that's about the Hydrodynamic Model. We asked 14 everybody, every party, if they are in agreement -- if 15 they support the deadline of March 31st of next year as 16 a deadline for the Hydrodynamic Model. Does the 17 Environment and Climate Change Canada agree with this 18 deadline as well? 19 MS. TOBIN: Thank you, Mr. Chair. 20 And thank you, Sergey. Meagan Tobin, Environment 21 and Climate Change Canada. 22 Yes, we would agree that it is a reasonable 23 timeline for the proponent to submit on March of next 24 year. 25 MR. KUFLEVSKIY: Thank you, Meagan. And one 26 more -- this Sergey Kuflevskiy, Nunavut Water Board.</p>	<p style="text-align: right;">128</p> <p>1 One more clarification for your Comment Number 2 -- so 2 you said that in your final written statement, you're 3 saying that Environment and Climate Change Canada is 4 satisfied, conditional to additional analysis for 5 potential nutrient enrichment. So is this still -- 6 should this still be considered, or you see this item 7 as closed? 8 MS. TOBIN: Thank you, Mr. Chair. Meagan 9 Tobin with Environment and Climate Change Canada. 10 So given the commitment provided by Sabina to the 11 Kitikmeot Inuit Association to holistically look at 12 nutrients within Goose Lake and adaptively manage 13 accordingly, we would consider this to be resolved, 14 with that commitment. Thank you. 15 MR. KUFLEVSKIY: Thank you. 16 THE CHAIR: Thank you. 17 Is the Panel members -- any questions to Climate 18 Change Canada? 19 Go ahead, Sarah. 20 MS. SILOU: Sarah Silou. Thank you. No 21 questions. 22 THE CHAIR: Thank you. 23 Sakiasie? 24 MR. SOWDLOOAPIK: Mr. Chair, no questions at 25 this time. Qujannamiik. 26 THE CHAIR: Thank you.</p>


<p style="text-align: right;">129</p> <p>1 Okay, in our agenda, we are done with the 2 intervention. So we can recess for now and come back 3 tomorrow morning and finish up the agenda in the 4 morning then. 5 Before going to that, Teresa, go ahead. 6 MS. MEADOWS: Thank you, Mr. Chair. Teresa 7 Meadows, legal counsel for the Nunavut Water Board. 8 So, Mr. Chair, that concludes the presentation from the 9 interveners. 10 And so as Mr. Chair has directed, we will now 11 adjourn, come back tonight for the community 12 information session at 6:30. And it's our hope that 13 that will give Sabina, Crown-Indigenous Relations and 14 Northern Affairs Canada, and the Kitikmeot Inuit 15 Association some time over the dinner break to have 16 their discussions with respect to the outstanding 17 issues in respect of reclamation security and the 18 phasing of that reclamation security. 19 And so when we reconvene tonight, we will be doing 20 the community information session. And then tomorrow 21 morning we will start up with the discussion of the 22 exhibits and the discussion of whether or not there is 23 some follow-up from the three parties that are having 24 the security discussions over the dinner break and then 25 into the evening. 26 Thank you, Mr. Chair.</p>	<p style="text-align: right;">130</p> <p>1 THE CHAIR: Okay, thank you. 2 We are done for now. We'll come back at 6:30 for 3 community session and then tomorrow morning for -- 4 continue on this public hearing agenda. 5 (DINNER ADJOURNMENT AT 3:47 PM) 6 (PROCEEDINGS RECOMMENCED AT 6:54 PM) 7 THE CHAIR: Good evening. Good evening. 8 Now, yes, we're supposed to start -- we were going to 9 start at 6:30 for the community session. Now almost -- 10 it's 7 to 7 right now. So I need guidance from legal 11 counsel how we will proceed for tonight's session. 12 Can you guide us, Teresa? 13 MS. MEADOWS: Thank you, Mr. Chair. Teresa 14 Meadows, legal counsel for the Nunavut Water Board. 15 So, Mr. Chair, perhaps -- I'm not sure there was 16 sufficient progress made over the dinner break. But 17 maybe what we'll do is continue on with that part of 18 the hearing if those discussions can happen now. And 19 then following that, Mr. Chair, I do have some 20 additional documentation that we can talk about 21 potentially marking, circulating, and having parties 22 then review that material over the evening and getting 23 back to us tomorrow morning with their comments and any 24 objections to those materials being filed as the 25 exhibits in this hearing. 26 So perhaps the thing to do is go to Sabina, and</p>
<p style="text-align: right;">131</p> <p>1 then the Kitikmeot Inuit Association, and then 2 Crown-Indigenous Relations Northern Affairs Canada to 3 talk about the security update and whether or not the 4 parties have an update for us on that, first, and then 5 come back to me with respect to the exhibits in the 6 hearing. Thank you, Mr. Chair. 7 THE CHAIR: Thank you, Teresa. Yes, we 8 can proceed with that -- proceed with that. 9 So, Sabina, give us update of your 10 (INDISCERNIBLE). Thank you. 11 12 Update on the Status of Discussions 13 MR. KEEFE: Okay. Sorry. Thank you, 14 Mr. Chair. Merle Keefe with Sabina. We have -- 15 progress has been made over the break, so I will ask, 16 again, Matthew Pickard to just summarize the progress 17 that we've made to date, for the Board. Thank you. 18 MR. PICKARD: Matthew Pickard with Sabina. 19 Thanks, Merle. 20 And thanks, Mr. Chair, for passing us the mic. 21 Yeah, I'll give you a quick -- the group, a quick 22 update. And then, as mentioned by Teresa, you can have 23 KIA and CIRNAC confirm the current status. So we did 24 receive CIRNAC's preferred breakdown of the dollars; we 25 received that before we started the last break. As 26 agreed, we -- Sabina worked those numbers and took a</p>	<p style="text-align: right;">132</p> <p>1 look at -- basically just trying to summarize them into 2 one spreadsheet and analyze them. 3 Subsequent to that, we did have a call at 5:30 4 Mountain Time, so about an hour-and-a-half ago, where 5 we walked through those numbers with both KIA and 6 CIRNAC and compared them to what Sabina had presented 7 on -- to the group on Friday. 8 So the current status is that we've suggested to 9 the parties that we accept CIRNAC's revised stages. 10 The dollar values associated with those stages is what 11 we're talking about here. Really, there was one -- 12 only one stage -- or, sorry, two stages where we saw 13 more significant money move. The rest of the 14 adjustments were, I guess, let's say material -- 15 moderately material or not very material, and so it 16 wasn't a concern to Sabina to adjust those numbers, 17 overall. 18 So we have agreed to a couple of things. 19 Following that meeting, Sabina issued the summary of 20 everything we talked about, including the Excel 21 spreadsheets and breakdown to both KIA and CIRNAC, 22 though, all parties agreed to meet tomorrow morning 23 before the commencement of the public -- or, sorry, of 24 the hearing to confirm the acceptance by both parties. 25 They both wanted to go away and just take a quick look 26 at it, and they would do that this evening. I think</p>

<p style="text-align: right;">133</p> <p>1 both parties, generally, were supportive of it, but, 2 again, wanted to look at the details and be sure they 3 were -- they were in agreement. 4 So that's where that sits. We have adjusted our 5 documentation, pending their support. In tomorrow's 6 meeting, we will submit revised numbers. The group 7 also discussed the submission methodology, and it was 8 suggested that Sabina would present those to the Board 9 tomorrow morning, and then both KIA and CIRNAC could 10 confirm their support for those numbers and for that 11 presentation. 12 So that gives you the -- the Board the updates. 13 I'm happy to answer questions, if there are any, on the 14 process and where we got to. Otherwise, I'll let the 15 Board pass it off to KIA and CIRNAC. Thank you. 16 THE CHAIR: Thank you. 17 Teresa, go ahead. 18 MS. MEADOWS: Thank you, Mr. Chair. Teresa 19 Meadows, legal counsel for the Nunavut Water Board. So 20 if we can just have the Kitikmeot Inuit Association 21 sort of weigh in on their expectations for both the 22 filing of documentation and then the follow-up tomorrow 23 morning during the proceedings. Thank you, Mr. Chair. 24 THE CHAIR: Thank you. 25 Kitikmeot Inuit Association, go ahead. 26 MR. ROESCH: Thank you, Mr. Chairman. This</p>	<p style="text-align: right;">134</p> <p>1 is John Roesch for the Kitikmeot Inuit Association. 2 Yes, we did meet at 5:30. We went over CIRNAC's 3 adjustments. The adjustments, per stage, KIA has no 4 problem with. It's primarily they're adjusting the 5 tailings storage facility, and they've decided for -- 6 that they want to get \$1.6 million one year later. 7 That doesn't affect KIA, so we're not concerned about 8 that. 9 The other adjustments were very minor. In fact, 10 we consider them non-material in terms of dollar 11 amounts. So we're fine with the dollar amounts per 12 stage and the number of stages. My geotechnical 13 engineering consultant is reviewing the splits per 14 stage. KIA's concern is that we always want to get our 15 money as soon as possible, upfront. Right? So I'm 16 making sure that, given what we had agreed to before, 17 there -- we're in an equal position or a better 18 position in terms of receiving money sooner. 19 So that's why I'm seeking to confirm with my 20 engineering consultant tonight. And as soon as he's 21 done with that, he'll phone me and we'll discuss it, go 22 over the spreadsheets. And we'll meet tomorrow morning 23 at 20 minutes before our meeting, and we'll confirm it 24 with Sabina that we agree with it. And they will 25 present it to the Board, the final total quantum, the 26 total stages, and the split that's agreed upon. Thank</p>
<p style="text-align: right;">135</p> <p>1 you. 2 MS. MEADOWS: Thank you, Mr. Chair. Teresa 3 Meadows, legal counsel for the Nunavut Water Board. So 4 if I can have Crown-Indigenous Relations and Northern 5 Affairs Canada weigh in and give their summary of that 6 timing or just confirmation of the timing. 7 With respect to tomorrow's meeting, it sounds like 8 you may benefit from a little more time, so a later 9 start tomorrow morning, so that you can have your 10 conversations and prepare documentation that you would 11 then turn around and present to the Board. And if that 12 is indeed the case, perhaps if Crown-Indigenous 13 Relations and Northern Affairs Canada can give us an 14 indication of whether or not they could benefit from a 15 slighter later start. I'm thinking nothing more than a 16 30-minute later start, but -- given that we are likely 17 going to get through quite a bit of the remainder of 18 the agenda tonight. 19 So, Crown-Indigenous Relations and Northern 20 Affairs Canada, if you can provide the Board with your 21 thoughts on the resolution of these issues. Thank you, 22 Mr. Chair. 23 THE CHAIR: Thank you. 24 So, Crown-Indigenous -- what is it? CIRNAC, sorry 25 about that. 26 MR. DEWAR: Qujannamiik.</p>	<p style="text-align: right;">136</p> <p>1 THE CHAIR: Go ahead. 2 MR. DEWAR: Spencer Dewar. Sorry. Sorry, 3 the hearing is coming in and out. 4 Spencer Dewar, Crown-Indigenous Relations and 5 Northern Affairs Canada. I believe Sabina and the 6 Kitikmeot Inuit Association, what we did here with the 7 Kitikmeot Inuit Association, provided an accurate 8 summary of the discussions. Things are positive. We 9 just need to take a bit of a break for a final review 10 before confirming. 11 We don't think that it's necessary to have a later 12 start tomorrow morning. We do believe we should -- 13 we'll know by the time the hearing is scheduled to 14 start. And once all parties are in approval, we have 15 no issue with Sabina submitting the document of behalf 16 of us all. Quana. 17 THE CHAIR: Thank you, CIRNAC. 18 Teresa, go ahead. 19 Discussion 20 MS. MEADOWS: Thank you, Mr. Chair. Teresa 21 Meadows, legal counsel for the Nunavut Water Board. 22 So, Mr. Chair, perhaps we'll poll the parties with 23 respect to whether or not they think a 30-minute delay 24 in start time might be a good thing or not. It's 25 certainly up to you, in terms of the agenda having</p>

<p style="text-align: right;">137</p> <p>1 room, I think, for a 30-minute delay. But if it's not 2 necessary and you would rather proceed at the scheduled 3 time, certainly, the Board is, of course, ready and 4 willing to do that. 5 So perhaps if I can have the Kitikmeot Inuit 6 Association -- and then, Sabina, you'll have the final 7 word. 8 MR. ROESCH: This is John Roesch for the 9 Kitikmeot Inuit Association. A 30-minute delay to the 10 start would be prudent. If we don't need it, we can 11 let you know. So you can book it in, and if we don't 12 need it, then we can start at 9. Okay? And we'll let 13 you know. Thank you. 14 MR. KEEFE: Thank you, Mr. Chair. Merle 15 Keefe with Sabina. 16 We're fully aligned with John and the KIA on the 17 start time tomorrow. That sounds good to us. Thank 18 you. 19 MS. MEADOWS: Thank you, Mr. Chair. Teresa 20 Meadows, legal counsel for the Nunavut Water Board. 21 Mr. Chair, there were some materials that were provided 22 to -- I believe all the parties were copied on those 23 materials, but they were provided by Sabina just before 24 the dinner break, with respect to the Reclaim Model, 25 updates to the Reclaim Model, the closure cost 26 estimate, and an updated Interim Closure and</p>	<p style="text-align: right;">138</p> <p>1 Reclamation Plan that we heard about, being referenced 2 by Crown-Indigenous Relations and Northern Affairs. 3 But perhaps if I can get legal counsel for Sabina 4 to -- or anyone with Sabina who is in attendance 5 tonight, to sort of walk us through what those 6 documents are. Then we can talk about marking those as 7 exhibits, with the understanding that the materials 8 will be circulated to all the parties tonight. And 9 then tomorrow, when we reconvene, we'll talk about 10 whether or not there are any objections or further 11 comments from any of the intervenes in respect of those 12 materials before we file them on the public hearing 13 record. 14 So, Sabina, if you can walk us through what those 15 documents are, that came by way of email today. 16 Thank you, Mr. Chair. 17 THE CHAIR: Thank you. 18 Go ahead, Applicant. 19 MR. KEEFE: Thank you. Thank you, 20 Mr. Chair. Merle Keefe with Sabina. Once again, I'll 21 pass it to Matthew to walk us through those exhibits. 22 Thank you. 23 MR. PICKARD: Here we go. Thank you, 24 Mr. Chair. 25 And thank you, Merle. 26 So I'm just going to cover these off quickly. But</p>
<p style="text-align: right;">139</p> <p>1 there was three exhibits provided at -- earlier today. 2 There was actually a total of four, but we're only 3 going over these three. The -- they all tie to the 4 closure cost estimate. 5 So I -- there may, as a result of discussions -- 6 or there will, as a result of discussions with CIRNAC 7 and KIA, be a re-file of at least one of these 8 exhibits, and that will be the reclaim closure cost 9 estimate, Teresa, just so that you know. 10 So Sabina filed, late this afternoon, three 11 documents: They were the updated Interim Closure and 12 Reclamation Plan. We filed two versions of that with 13 the Board; the first was a red-line version which 14 showed all of the changes that were completed on that 15 since the June 15th submission. 16 So we mentioned previously, the last one on the 17 public register for the Interim Closure and Reclamation 18 Plan was June 15th of this year. The one we submitted 19 earlier today was an update to that, with tracked 20 changes. So that will be easy for all parties, 21 including the Board, to see the final edits. Okay? 22 We included a clean copy of the Interim Closure 23 and Reclamation Plan also, which had those edits 24 accepted. This Interim Closure and Reclamation Plan 25 would be the one that the parties will be giving 26 feedback on, well, I guess, tomorrow, as part of their</p>	<p style="text-align: right;">140</p> <p>1 -- as part of our discussions, and that that would be 2 the Closure and Reclamation Plan that we would look for 3 the Board to accept, you know, should they accept these 4 modifications into the licence. 5 And the final document that was provided, which is 6 an Excel document, is the complete closure cost 7 estimate that we've been working on, so that is the 8 Reclaim Model. Okay? 9 Again, and just to add clarity to this, of those 10 three exhibits that were filed, we anticipate that 11 likely, almost certainly -- well, the closure cost 12 estimate/Reclaim Model, there will be a new exhibit 13 filed on that one. And then the Interim Closure and 14 Reclamation Plan, both the red-line and clean versions, 15 at this time, we do not think there'll be a new one 16 filed. 17 I hope that answers your questions, Teresa, but 18 I'm happy to provide any other clarity. Thank you. 19 THE CHAIR: Thank you. 20 Teresa, go ahead. 21 MS. MEADOWS: Thank you, Mr. Chair. 22 Thank you, Mr. Pickard. 23 So with respect to the draft that will be updated, 24 of the closure cost estimate, the Board can file this 25 draft as -- we'll mark this as an exhibit, recognizing 26 that tomorrow we will likely receive an updated version</p>

<p style="text-align: right;">141</p> <p>1 as well, and we will connect those two exhibits so that 2 it's clear which one supersedes the other, so that 3 someone looking at the record is able to know which of 4 the versions is the one that the Board would be 5 considering and which one has been agreed to by the 6 parties, if there is agreement amongst the parties as 7 to the appropriate updated figures for that particular 8 document. So, Mr. Chair, I propose to mark those as 9 the next three exhibits in this public hearing. 10 In looking at the email that was circulated, the 11 time that it was circulated was 3:21 PM Mountain Time. 12 And it was circulated to all of the interveners that 13 are present here. It's my understanding that perhaps 14 Mr. Nesbitt was missing from the email thread, but 15 Sergey did forward it to him immediately. 16 So it's my understanding that all parties have a 17 copy of these documents. But if you do not -- if any 18 of the interveners do not have a copy of the document 19 and have not -- the three documents referenced by 20 Sabina, please advise Sergey, and we will make sure 21 that you have a copy of that. And tomorrow morning, 22 you will be expected, when we reconvene, to address any 23 comments that you have on those documents, any 24 objections that you have with respect to those 25 documents being filed and considered by the Board, in 26 the public hearing registry.</p>	<p style="text-align: right;">142</p> <p>1 And if there are no objections following those 2 discussions, the Board will then enter those documents 3 on to the public hearing record, and those documents 4 will be considered by the Board in decision-making in 5 respect of this amendment application. 6 EXHIBIT 21 - Interim Closure and Reclamation 7 Plan, Red-Line Version 8 EXHIBIT 22 - Interim Closure and Reclamation 9 Plan, Clean Copy 10 EXHIBIT 23a - Closure Cost Estimate July 2021 11 MS. MEADOWS: So, Mr. Chair, with that, 12 subject to any objections by the parties, perhaps we 13 can continue on with the -- we'll park all of these 14 procedural exhibit matters, and we will continue on 15 with the remainder of the public hearing agenda, to 16 complete as much as we can tonight and then reconvene 17 tomorrow morning to deal with the remaining procedural 18 matters. Thank you, Mr. Chair. 19 Mr. Chair, my apologies. I just have one more 20 thing that -- I recognize that the discussions -- the 21 next discussions, really, are in respect of the Draft 22 Water Licence Framework document, and, likely, people 23 would benefit from taking a look at that exhibit, 24 seeing as they only received it today, to get their 25 final comments to the Board. And so there's likely not 26 much benefit in launching into those discussions.</p>
<p style="text-align: right;">143</p> <p>1 But I do want to talk a little bit about what is 2 the Draft Water Licence Framework and what the Board 3 uses it for, how the Board considers that evidence, and 4 how the Board considers the comments provided by 5 interveners or members of the public, if there were 6 some members of the public here tonight. 7 So the Draft Water Licence Framework is something 8 that -- is a tool that is oftentimes used by proponents 9 to help focus the technical discussions of the 10 amendments that are proposed to a water licence. Many 11 parties, many interveners, and members of the public 12 often ask the Board, if they have not commented on a 13 revision that's proposed by the proponent, does that 14 mean that they necessarily agree with it because 15 they've not said anything about it and they've not 16 provided comments. 17 The way that the Board handles Draft Water Licence 18 Frameworks and the comments that are provided by 19 parties is, there is no assumption made. If a party 20 doesn't comment on a particular term or condition, the 21 Board doesn't automatically assume that you have 22 accepted those changes. 23 As Mr. Dewar said during Crown-Indigenous 24 Relations and Northern Affairs Canada's presentation, 25 they provided comments only in respect of particular 26 revisions that are proposed, over which</p>	<p style="text-align: right;">144</p> <p>1 Crown-Indigenous Relations and Northern Affairs Canada 2 considers themselves to have jurisdiction. That 3 doesn't necessarily mean they accept all of the other 4 proposed revisions or that they don't accept those 5 revisions. They're simply neutral with respect to 6 that. 7 The Board realizes that and recognizes that 8 interveners are not expected to comment on all of the 9 sections of the revised Draft Water Licence Framework. 10 The Board also recognizes that Draft Water Licence 11 Frameworks -- there are times when parties have come to 12 agreement about wording. But the Board still has 13 jurisdiction to determine what is the appropriate way 14 to convey that understanding and agreement under the 15 licence, recognizing that sometimes there are 16 standardized terms that the Board uses in other 17 licences or that the Board has specific approaches for 18 -- project-specific approaches for different regions, 19 or different watersheds, or different licensees. 20 And so the fact that the Board doesn't necessarily 21 just accept the version of the suggested amendments 22 does not mean that the Board does not value or hear 23 what the parties are saying or what the agreement is, 24 in respect of those terms and conditions. It is simply 25 a function of the regulator doing their job to 26 regulate, as they see fit.</p>

<p style="text-align: right;">145</p> <p>1 So with that, perhaps, Mr. Chair, that kind of 2 concludes the content that we're able to get through 3 tonight, recognizing that we have not had any community 4 members come out tonight. 5 I do want to reassure the Board and the 6 interveners, both here and online, and Sabina as well, 7 that there was considerable outreach to the community. 8 Notice was provided. Facebook notifications and, kind 9 of, ongoing reminders were popping up on Facebook, on 10 the community page. And so, you know, from the Board's 11 perspective, the fact that people did not come out 12 tonight is more indicative, likely, of no significant 13 concern from communities. 14 The Board has also not received written comments 15 from the community. Occasionally, it may happen that 16 people are unavailable or on the land. But very often, 17 there are many other ways to reach out to the Board to 18 advise us of community concerns about particular 19 amendments or licences. And the Board has not received 20 anything in respect of this particular licence that 21 would indicate concern. 22 So with that, Mr. Chair, I think that concludes 23 the process that we can get through today. If any of 24 the parties have any questions with respect to the 25 agenda for tomorrow or any changes to the process, as 26 we've outlined it, please advise the Board as soon as</p>	<p style="text-align: right;">146</p> <p>1 you can. 2 If you do need that extra 30 minutes, we ask that 3 you let us know as early as you can so that parties 4 know not to gather and sit online and wait for that 5 extra half-hour, if you need a delay. And in the 6 interim, those conclude the process and procedure that 7 we can get through today, Mr. Chair. And with that, I 8 will be quiet now. Thank you, Mr. Chair. 9 THE CHAIR: Thank you, Teresa. 10 Any questions, Applicant? Do you have any 11 questions, regard to what Teresa mentioned? 12 MR. KEEFE: Thank you, Mr. Chair. Merle 13 Keefe with Sabina. No further questions from us. 14 Thank you. Quana. 15 THE CHAIR: Thank you. 16 CIRNAC, do you have any questions? 17 MR. DEWAR: Qujannamiik, Mr. Chair. 18 Spencer Dewar, Crown-Indigenous Relations and Northern 19 Affairs Canada. No questions. 20 THE CHAIR: Thank you, CIRNAC. 21 Environment and Climate Change Canada, do you have 22 any -- do you have any questions? 23 MS. TOBIN: Hi. Meagan Tobin with 24 Environment and Climate Change Canada. We have no 25 questions. 26 THE CHAIR: Thank you.</p>
<p style="text-align: right;">147</p> <p>1 All right, Teresa, go ahead. 2 MS. MEADOWS: Teresa Meadows, legal counsel 3 for the Nunavut Water Board. I, of course, said I was 4 going to be quiet, and I just have one more thing. 5 Sergey has advised me that in order to ensure we 6 do have interpretation available on the Zoom call 7 tomorrow, if everyone can use the same link that he 8 sent you for tonight to sign on tomorrow, then we can 9 ensure that you do have access to choose the 10 interpretation feed that you want to listen to. So the 11 link that you used to sign on tonight, please use that 12 one tomorrow when we reconvene at 9 or 9:30. 13 Thank you, Mr. Chair. Now I really am done, I 14 promise. 15 MR. KHARATYAN: Mr. Chair -- 16 THE CHAIR: Go ahead, Karén. 17 MR. KHARATYAN: Karén Kharatyan, Water Board. 18 Maybe to make it very clear for parties about 19 tomorrow's discussion and agenda, the remaining agenda 20 items for tomorrow's discussion are three. So before 21 result -- before going to closing remarks, we have to 22 discuss and hopefully finalize the security. So there 23 would be questioning of parties and confirmation that 24 an agreement is made regarding the security. 25 We will question parties about this additional 26 submission, Interim Closure -- updated Interim Closure</p>	<p style="text-align: right;">148</p> <p>1 Reclamation Plan, to get every party's or agency's 2 confirmation, whether they are okay, they agree with 3 this updated Interim Closure Reclamation Plan to be 4 approved and implemented by Sabina until the next 5 update of the plan. 6 And the third item will be discussion, general 7 discussion, about the draft water licence -- updated 8 Draft Water Licence Framework. Again, we will be 9 questioning parties and get their comments, question, 10 clarification and hopefully finalize or get a good, 11 clear indication about their agreement or disagreement 12 with certain amendment proposed by Sabina. 13 These are the main agenda items for tomorrow's 14 discussion. Hopefully all three items will be 15 resolved, and the Board will be able to go to closing 16 remarks and finalize the public hearing. Thank you, 17 Mr. Chair. 18 THE CHAIR: Okay, thank you. 19 So I think we are ready to have a -- for 20 adjournment for tonight and then proceed again tomorrow 21 morning. So any suggestion for the timing for tomorrow 22 morning? 23 MS. MEADOWS: Mr. Chair, I promised. I'm 24 not going to promise. Teresa Meadows, legal counsel 25 for the Nunavut Water Board. 26 Mr. Chair, I would just suggest that we do just</p>

<p>149</p> <p>1 reconvene at 9:30. Then it's clear for everyone. 2 Everyone knows when we need to be back in the room. 3 Everyone knows when they need to be online. And we 4 don't have to worry about trying to reach out to people 5 and letting them know, oh, no, actually, it's 9 instead 6 of 9:30. So let's just make it clear that we'll 7 reconvene at 9:30. Thank you, Mr. Chair. 8 THE CHAIR: Thank you. Yes, that's very 9 good timing. We don't have to rush, too, in the 10 morning. All right. So adjournment -- now it's 11 adjourned for tonight. We reconvene tomorrow morning 12 at 9:30. Thank you. 13 _____ 14 PROCEEDINGS ADJOURNED UNTIL 9:30 AM, JULY 14, 2021 15 _____ 16 17 18 19 20 21 22 23 24 25 26</p>	<p>150</p> <p>1 CERTIFICATE OF TRANSCRIPT: 2 3 I, Tran Huynh, certify that the foregoing pages 4 are a complete and accurate transcript of the 5 proceedings, taken down by me in shorthand and 6 transcribed from my shorthand notes to the best of my 7 skill and ability. 8 Dated at the City of Calgary, Province of Alberta, 9 this 30th day of July 2021. 10 11 12 13  14 Tran Huynh, CSR(A) 15 Official Court Reporter 16 17 18 19 20 21 22 23 24 25 26</p>