

NUNAVUT WATER BOARD

Renewal and Amendment Application for Type "A" Water  
Licence No: 2AM-LUP1520 for the Lupin Gold Mine

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COMMUNITY SESSION

VOLUME 2

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Kugluktuk, Nunavut

January 15, 2020

1	TABLE OF CONTENTS		
2			
3	Description		Page
4			
5	January 15, 2020	Community Session	170
6	Opening Remarks		173
7	Presentation by Nunavut Water Board Staff		178
8	Presentation by Lupin Mines Incorporated		191
9	Questions to Lupin Mines Incorporated by the		208
10	Community of Kugluktuk		
11	Discussion		211
12	Presentation by Crown-Indigenous Relations and		212
13	Northern Affairs Canada		
14	EVA WALKER, ANNE WILSON, Sworn		221
15	Presentation by Environment and Climate Change		222
16	Canada		
17	Closing Remarks		224
18	Certificate of Transcript		226
19			
20			
21			
22			
23			
24			
25			
26			

1	EXHIBITS	
2	Description	Page
3		
4	EXHIBIT 20 - Hard Copy, PowerPoint Presentation,	211
5	Mandalay Resources Corporation (Community Session)	
6	(English)	
7		
8	EXHIBIT 21 - Hard Copy, PowerPoint Presentation,	221
9	Lupin Mine Presentation to the Nunavut Water Board	
10	by Environment and Climate Change Canada Community	
11	Session) (English/Inuinnaqtun)	
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		

1 Proceedings taken at Kugluktuk Recreation Complex,  
2 Kugluktuk, Nunavut

3

4 January 15, 2020 Community Session

5

6 NUNAVUT WATER BOARD

7 L. Toomasie The Chair

8 A. Hanson Main Vice-Chair

9 A. Ningark Panel Member

10

11 NUNAVUT WATER BOARD STAFF

12 T. Meadows Legal Counsel

13 S. Autut Executive Director

14 K. Kharatyan Director of Technical Services

15 B. Kogvik Director of Board

16 Administration and

17 Communications

18 R. Dwyer Manager of Licencing

19 D. Donald Technical Advisor

20

21

22

23

24

25

26

1 APPLICANT

2

3 LUPIN MINES INCORPORATED

4 K. Lewis Project Manager

5 B. Labatte Chief Development Officer,

6 Mandalay Resources

7 C. Kowbel Legal Counsel, Lawson Lundell

8 D. Hohnstein Consultant, Lupin Mines

9 Incorporated

10 K. Bocking Principal, Golder Associates

11 S. Wilkins Project Manager, Water

12 Resources, Stantec Consulting

13 A. Tong Senior Geotechnical Engineer,

14 Stantec Consulting

15 J. McKinley Senior Hydrogeologist, Stantec

16 Consulting

17 K. Ruptash VP Projects, Nahanni

18 Construction

19

20

21

22

23

24

25

26

## 1 INTERVENORS

2

## 3 CROWN-INDIGENOUS RELATIONS AND NORTHERN AFFAIRS CANADA

4 G. Okonkwo Manager of Water Resources

5 N. Noah Land Administrator Major

6 Projects

7 G. Wiatzka VP Director of Mining, Arcadis

8 S. Dewar Director Resource Management

9 (Via Teleconference)

10 D. Kohlenberg Department of Justice

11 (Via Teleconference)

12

## 13 ENVIRONMENT AND CLIMATE CHANGE CANADA

14 E. Walker Senior Environmental

15 Coordinator

16 A. Wilson Lead - Water Quality Expert

17 Support

18

## 19 INTERPRETERS/TRANSLATORS

20 B. Kogvik Inuinnaqtun Language

21 Translator

22

23 J. Otokiak Inuinnaqtun Language

24 Translator

25

26 J. Albert, CSR(A) Official Court Reporter

1 N. Poitras Sound Technician

2

3 (PROCEEDINGS COMMENCED AT 7:03 PM)

4 Opening Remarks

5 THE CHAIR: Welcome, everyone. Before we  
6 start, I think we need a control for the kids,  
7 controlling the kids here tonight. I need somewhat  
8 behaved to have the -- allow them to keep quiet.

9 Okay. Good evening, everyone, and welcome to the  
10 Community Session of Nunavut Water Board public hearing  
11 for the application file filed by Lupin Mines  
12 Incorporated -- I will refer to them as "LMI" for  
13 short -- to renew and amend the existing Type "A" Water  
14 Licence Number 2AM-LUP1520. My name is Lootie  
15 Toomasie, and I am the chair of the Nunavut Water Board  
16 and the hearing chair for this public hearing.

17 This public hearing is being conducted by the  
18 Nunavut Water Board to consider an application by LMI  
19 asking the Nunavut Water Board to issue a renewed and  
20 amended water licence for the terms of 7 years, updated  
21 subsequently to 12 years to authorize activities  
22 associated with the final closure and reclamation of  
23 the Lupin Mine Project, which sits approximately 285  
24 kilometres south of Kugluktuk on Contwoyto Lake. The  
25 mine has not been operated since 2005 and has been  
26 sitting in care and maintenance for the last 15 years.

1           The application requests the use of 250,000 cubic  
2 metres of water per year during the first two years of  
3 active reclamation, followed by the use of 5,000 cubic  
4 metres per year during post-closure activities as well  
5 as permanent deposit of waste.

6           Before we proceed with tonight's session, please  
7 let us begin with a prayer. Let's stand for prayer.

8 Opening Prayer

9 THE CHAIR:                   Thank you once again.

10           For those of you who were not here this morning  
11 when we started the public hearing, I have a few brief  
12 housekeeping and introductory remarks, and then I will  
13 turn the microphone over to the executive director and  
14 Staff of the Nunavut Water Board, the Applicant, and  
15 Intervenors.

16           Before I do, please note that there's  
17 interpretation available throughout the hearing, and  
18 the earpieces are available from the table located as  
19 you came in. Channel 1 is for the floor, and Channel 2  
20 for English, and Channel 3, Inuinnaqtun.

21           I also want to remind everyone to sign in on the  
22 sign-in sheet located at the table just before you came  
23 in. To ensure we have accurate and complete record of  
24 those who have participated in this part of the  
25 public -- a part of our public hearing, we ask everyone  
26 to sign in. As the sign-in sheets will be attached to



1 the Board's record of proceedings and decision report  
2 for this file, please fill in the sheet legibly and  
3 accurately.

4 And there will be coffee, tea, and snacks located  
5 at the table along the side, along the side table  
6 that's at the back there. Please help yourself to the  
7 refreshments. There are agendas for the hearing and  
8 the Community Session available at the table as you  
9 came in. Please pick one up and follow along.

10 Before we proceed to the presentation on the  
11 agenda, I would like to introduce the Board members and  
12 Staff who are joining us here today.

13 I will be chairing this panel, and with me today,  
14 as members of the decision-making panel responsible for  
15 this file, are Board members Amanda Hanson Main on my  
16 right, and to my left is Alex Ningark.

17 Several Staff members who have contributed to the  
18 NWB's administration and technical review of this  
19 amendment application are present, along with legal  
20 counsel to the NWB. I will introduce the individuals  
21 attending today. When I say your name, please wave so  
22 that people will know who you are. I'll make sure I  
23 pronounce -- say your name properly this time.

24 Stephanie Autut, executive director; Karén  
25 Kharatyan -- I have a hard time pronouncing that last  
26 name all the time. I never get used to it -- director

1 of technical services; Ben Kogvik, director of Board  
2 administration and communication at the back in the  
3 interpreting booth over there; Derek Donald, technical  
4 advisor; Richard Dwyer, manager of licencing at the  
5 back by the entrance; and Teresa Meadows from Meadows  
6 Legal -- Law, legal counsel to the Board, sorry.

7 In addition, we have two interpreters available  
8 for simultaneous translation: Ben Kogvik, in-house  
9 interpreter to the Board, Joe Otokiak, who is  
10 originally from Cambridge Bay, now living in  
11 Yellowknife at the back there.

12 For audio support, we have with us Norbert Poitras  
13 from PIDO. If you experience any difficulties with  
14 your headsets, Norbert will be able to assist you.

15 To ensure an accurate record of the proceeding is  
16 kept, we have with us a court reporter, Julie Albert,  
17 from Dicta Court Reporting Inc. She's at the back and  
18 wearing red. To assist Julie, I ask that all parties  
19 please state their name prior to speaking.

20 With that, I will now turn the microphone over to  
21 Stephanie Autut, executive director, to give you an  
22 overview of tonight's session.

23 Stephanie.

24 MS. AUTUT: Thank you, Mr. Chair.

25 The Board will start tonight's session with a  
26 presentation by the Nunavut Water Board's technical

1 staff, which will be followed by a presentation by the  
2 Applicant, Lupin Mines Incorporated. Following that,  
3 we will have presentations by two agencies,  
4 Crown-Indigenous Relations and Northern Affairs,  
5 "CIRNAC", and Environment and Climate Change Canada,  
6 "ECCC".

7 After each presentation, we will invite anyone who  
8 wishes to ask questions or provide the panel with their  
9 comments to step up to the microphone and speak on the  
10 record. If you are an Elder, you can speak at any time  
11 throughout these proceedings. We just ask that you  
12 raise your hand to be recognized by the chairperson and  
13 wait to speak until one of our staff members can get a  
14 microphone for you so that we can ensure your comments  
15 are included on the record.

16 For everyone here tonight, I encourage you all to  
17 ask questions or share your comments with the Board by  
18 stepping up to the microphone. You can direct your  
19 questions to the Staff of the Nunavut Water Board, the  
20 Applicant, Lupin Mines Incorporated, and the  
21 Intervenors, Crown-Indigenous Relations and Northern  
22 Affairs and Environment and Climate Change Canada.

23 As Mr. Chair said at the start of the public  
24 hearing this morning, it is very important to the Board  
25 that we have an accurate record of the information,  
26 questions, and comments that we hear during this public

1 hearing, so we ask that to assist our interpreters and  
2 the court reporter, please wait until you have a  
3 microphone before you speak, then state your name, and  
4 speak directly, clearly, and slowly into the  
5 microphone. Please be mindful of the interpreters as  
6 you go, and avoid the use of abbreviations, if you can.

7 We appreciate your participation and assistance in  
8 making sure we are all heard and understood in this  
9 hearing and that this hearing is conducted in a  
10 productive and respectful manner.

11 I will now turn the microphone over to the Board's  
12 technical staff to walk you through how this amendment  
13 and renewal application has progressed to this point.

14 So, Derek, if you would please give an overview of  
15 your presentation.

16 Presentation by Nunavut Water Board Staff

17 MR. DONALD: Thank you very much,  
18 Stephanie. My name is Derek Donald with the Nunavut  
19 Water Board, and so I'll just provide you a brief  
20 presentation, as Stephanie had mentioned, that focuses  
21 mostly on the Water Board, sort of, procedures that  
22 mining companies and other Proponents, sort of, have to  
23 go through when applying for a water licence.

24 So this presentation here is for the Type "A"  
25 Water Licence 2AM-LUP1520, so that's for the Lupin Mine  
26 Project. So just to briefly go over what this

1 presentation will look like, first I'll give you a bit  
2 of background info, and then I'll describe, sort of,  
3 the different types of authorizations that the Water  
4 Board can issue to different Proponents, go through the  
5 licencing process, the different types of licences that  
6 can be issued, and then I'll talk a little bit about  
7 the project itself, but very briefly. I'll leave most  
8 of the details about the project itself to LMI, or  
9 Lupin Mines Incorporated. And I might throw in some  
10 acronyms there, like, for the Nunavut Water Board,  
11 "NWB"; Lupin Mines Incorporated would be "LMI";  
12 Crown-Indigenous Relations and Northern Affairs Canada  
13 would be "CIRNAC"; and Environment and Climate Change  
14 Canada would be "ECCC". So I'll just give you a  
15 heads-up because it's a lot of acronyms to keep track  
16 of.

17 I'll tell you what. I'll just come stand at the  
18 front of the room. Why not. It will be awkward for  
19 me, but will that work? That's all right. I've got a  
20 pretty loud voice.

21 MS. MEADOWS: No.

22 MR. DONALD: No? Okay.

23 MS. MEADOWS: Because the interpreters --

24 MR. DONALD: Oh, of course.

25 MS. MEADOWS: -- can't hear you.

26 THE CHAIR: Is there a microphone at the

1 back?

2 MR. KHARATYAN: Oh, it's working.

3 MR. DONALD: It's working now? Okay.

4 MR. POITRAS: Do you want a mic?

5 MR. DONALD: Oh, it's working now.

6 Apologies. Okay. So moving on.

7 So Nunavut Water Board is an institute of public  
8 government established under Article 13 of the Nunavut  
9 Agreement, and we -- it holds responsibilities and  
10 powers over the regulation, use, and management of  
11 freshwater in the Nunavut Settlement Area.

12 Sorry, just a little bit of technical  
13 difficulties. I'm thinking the battery must have just  
14 died on us. Okay. Yeah, thank you.

15 So the objectives of the Nunavut Water Board are  
16 to provide for the conservation and utilization of  
17 waters in Nunavut, except in national parks, in a  
18 manner that provides optimum benefit for the residents  
19 of Nunavut, in particular, and then Canadians in  
20 general as well. Next.

21 So based on the Water Board's mandate, we may  
22 issue any of the following authorizations to regulate  
23 the use of water and/or deposit of waste for activities  
24 occurring within the Nunavut Settlement Area, so these  
25 are the type of licences or permits we issue to people  
26 or groups looking to conduct a project in Nunavut.

1           So the very first one, an approval without a  
2   licence, this is for the smallest projects, usually  
3   just a few people for a single year and the use of less  
4   than 50 cubic metres of water. The next is a Type "B"  
5   Water Licence, so these are for medium-sized projects,  
6   so this would be a lot of your exploration mining,  
7   mining projects, and those would fall between 50 and  
8   300 cubic metres of water use; and then, finally, the  
9   Type "A" Water Licence, so that's the one we're  
10   discussing right now, these are for real -- quite large  
11   major projects.

12           So Lupin Mines Incorporated was an operational  
13   mine, obviously a big project, and they've had a Type  
14   "A" Water Licence for quite a few years now, as we'll  
15   see. Next slide.

16           So just a little bit about the process that we  
17   actually take Proponents through when applying for a  
18   project. Initially, we receive our application, right  
19   up here. Followed by the application we get from a  
20   Proponent, we send it out for initial, sort of,  
21   preliminary review and check just to make sure that it  
22   has enough information there that it can be evaluated  
23   properly. So we'd send that out to the different  
24   intervening parties such as CIRNA and Environment  
25   Canada.

26           Then following that, if there's any additional

1 information requested, the Proponent would provide it,  
2 and then we provide the notice of application and the  
3 starting of the 30-day technical review period, and so  
4 that's this stage right here, and this is really the  
5 major review of the project, so the major looking at  
6 all the technical specifics.

7 Oh, actually go back, Karén. Sorry. I'm going a  
8 bit slow.

9 And then here, the parties submit their written  
10 interventions or their written representations, so they  
11 just make their technical comments, and then we hold  
12 the technical meeting.

13 So we had the technical meeting for this back in  
14 the beginning of June this year here in -- here in  
15 Kugluktuk. Next.

16 Following the technical meeting, we hold a  
17 pre-hearing conference, and so that's typically the day  
18 after to just, kind of, discuss the procedural matters.  
19 Following that, we -- sorry, we provide -- we send out  
20 this pre-hearing conference decision report, and, sort  
21 of, that summaries -- summarizes all the information,  
22 or, I guess all -- yeah, all the information up to --  
23 up to that point of the technical meeting and then  
24 provides the Proponent -- the Proponent with, sort of,  
25 any comments or commitments that they may have brought  
26 up through the technical review. And then in that, we



1 also provide this notice of public hearing with a  
2 minimum of 60 days, 60 days' notice, so we actually  
3 provided quite a bit more because we provided that back  
4 in June. Next slide.

5 Then following that, we hold the public hearing,  
6 so that's where we're at, at this stage. Sort of up to  
7 now, the Proponents often provide us with some more of  
8 their technical information, as well, so we've really  
9 gotten down to the finer details of the project.

10 So then following our public hearing, it can, kind  
11 of, go two ways. The NWB issues a decision to approve  
12 the application, or we'd issue a decision not to  
13 approve the application, so that's the first step; and  
14 then the second one in red here, that's where the  
15 Minister of Crown-Indigenous Relations, they make a  
16 decision whether or not to agree with us or to,  
17 essentially, disagree with us, not approve our  
18 decision. And so, again, that, I guess, would be the  
19 end, at which point they would either receive their  
20 water licence, or they wouldn't, and further  
21 discussions would be had.

22 So for the Lupin Mines Project itself, this is --  
23 this is, sort of, a photograph of it. A little bit  
24 dated at this point. So the project location -- oh,  
25 next slide -- is here, about 285 kilometres southeast  
26 of Kugluktuk, so that's where we are up here. Here's

1 the project, the Lupin Mine, and then Yellowknife is  
2 down right here, just for reference. Next slide.

3 And so as I'd mentioned, this project has quite a  
4 bit of history. Commercial gold mining started in  
5 1982. Then they were in production for almost 20  
6 years. They went into care and maintenance a little  
7 bit, back in production, but since 2005, they've been  
8 in care and maintenance ever since. Next slide.

9 So, again, going all the way back, the Water Board  
10 has issued a number of three different water licences  
11 to this project, so I guess beginning in 2000, the  
12 first water licence here went from 2000 to 2008, the  
13 second one then went from 2009 to 2014, and then the  
14 one that they are currently permitted under is from  
15 2015 to 2020, so this is the year which the licence  
16 expires, and so I'll just go over those a little bit --  
17 the next slide in a little bit more detail.

18 So this first one issued back in 2000 was issued  
19 to Kinross Gold Corporation. It allowed for 1.7  
20 million cubic metres per year of water use and deposit  
21 of waste for a mining undertaking. It was then amended  
22 in 2001, so a change in financial security. Then in  
23 20 -- in 2007, it was assigned from Kinross Gold  
24 Corporation to LMI, Lupin Mines Incorporated, and then  
25 in 2008, finally, it was amended again just to extend  
26 the term of the licence. Next slide.

1           So then the next licence was issued in 20 -- in  
2   2009 to Lupin Mines, allowed again for 1.7 million  
3   cubic metres of water per year for a mining  
4   undertaking. In 2009, then, so pretty quickly, an  
5   amendment was issued related to the monitoring, and  
6   then in 2014, an emergency amendment allowing for the  
7   discharge of some effluent to -- from specific  
8   facilities that met licence requirements. Next slide.

9           So now this is the current licence that they are  
10   licenced under, issued in 2015. Now, this allowed for  
11   the use of -- this is -- I'll mention, too, this is the  
12   start of their care-and-maintenance phase, so this is  
13   where they really, kind of, went into care and  
14   maintenance. At the time, they had some intentions of  
15   potentially starting up production again, which they  
16   obviously never ended up doing, so this licence was a  
17   little bit different, but it allowed for 5,000 cubic  
18   metres of water use per year during care and  
19   maintenance, and then if they got up and running again,  
20   it would allow for 500,000 cubic metres per year, sort  
21   of, during that transition to a production mine again,  
22   and then this licence was amended three times over the  
23   last, I guess, couple years all related to security.  
24   Okay, slide.

25           So the scope of the application, so this is what  
26   they're really applying for right now. This is what

1 we're discussing. Again, I'll be quite brief, and I'll  
2 let Lupin Mines go over the details of their project,  
3 but they're applying for a 12-year renewal of the  
4 licence. Originally, we had discussed, kind of, more  
5 of a six-year, but following the technical meeting,  
6 we'd agreed that 12 years is more appropriate; and then  
7 water use of 685 cubic metres per day, 100 for camp,  
8 585 for industrial uses; and then once remediation is  
9 complete, a reduction back down to that 5,000 cubic  
10 metres per year, sort of, during the monitoring.

11 So they'll also have waste disposal on site.  
12 Obviously with the final closure of a mine, some of  
13 that waste is, kind of, going to be left on site, but  
14 managed properly before they leave it. So they do have  
15 some petroleum hydrocarbon contaminated soils, some  
16 hazardous materials including asbestos. They have a  
17 fair bit of waste rock on site that is potentially  
18 acid-generating, some demolition waste, so such as the  
19 buildings, and some wastewater disposal; and then right  
20 now, what we've been talking about is about 2.5 years  
21 to complete the closure and reclamation activities, and  
22 then right now, ten, ten years of post-closure  
23 monitoring, so following their reclamation. Right now,  
24 we have it at ten -- ten years they'll be monitoring  
25 the site, and that would bring to the end of the term  
26 of the 12-year renewal, if issued, and so at which

1 point, you know, there would be lots of time to discuss  
2 if more monitoring is needed, or if not, in fact,  
3 everything is performing as it has -- as was planned.  
4 Okay. Next slide. Yeah, thank you.

5 So here, I'll just bring out -- break out a little  
6 bit more of the procedural history and the details  
7 within that, so just so you get a sense of, sort of,  
8 the -- all the steps of the process that we've been  
9 through.

10 So it was July 27th in 2018 that LMI initially  
11 provided us with their application, be it an incomplete  
12 application, and then in 2019, the beginning of 2019 is  
13 when they supplied us with their final documents, such  
14 as their translated summaries.

15 Following that, we distributed the application for  
16 the completeness check, as I had described earlier.  
17 Then on March 4th of this year, we received comments on  
18 the completeness check and initial technical review  
19 from Crown-Indigenous Relations and Northern Affairs  
20 Canada.

21 On March 19th, we received LMI's response to those  
22 comments, and then on March 29th is when we issued the  
23 notice of the application and invited all parties for  
24 that really substantial 30-day technical review. So  
25 the Nunavut Water Board has received technical comments  
26 both from CIRNA and from Environment Canada, so both of

1 those intervening parties.

2 Then on May 17th is when we received LMI's  
3 response to Intervenor's comments, and on June 6th and  
4 7th is when we held the technical meeting in person  
5 here in Kugluktuk. Next slide.

6 On June 18th is when we issued the pre-hearing  
7 conference decision report, and this outlined a number  
8 of commitments made by LMI with respect to more  
9 information they'd, essentially, provide us before we  
10 held this public hearing here.

11 And then so on November 15th, so a month and a  
12 half before Christmas there, sort of thing, is when LMI  
13 had provided all this information and the vast majority  
14 of the commitments they had, sort of, fulfilled.

15 Then in December, on the 13th, we received our  
16 final written submissions from Environment Canada and  
17 Climate Change -- Environment and Climate Change  
18 Canada, and on December 6th and December 18th, we  
19 received two separate written submissions from  
20 Crown-Indigenous Relations and Northern Affairs Canada,  
21 at which point they did state that they were still  
22 under discussion about the current security that LMI  
23 hold -- or that CIRNAC holds of LMI's and then also  
24 how, exactly, they're going to be returning that  
25 security to them so that they have money to clean up  
26 the site.

1           Then on January 3rd of this year, 2020, we  
2   received the Applicant's response, and on January 27th,  
3   we held a brief conference call, again, just to, sort  
4   of, discuss aspects of a security to make sure that we  
5   came into this public hearing, and everybody, kind of,  
6   knew we were all on the same page, you know. Next  
7   slide.

8           Then on January 10th -- it says "January 20th",  
9   but that's supposed to be "January 10th" -- we received  
10  copies of the public hearing presentations from all  
11  parties; and then on January 13th, the NWB distributed  
12  the final agenda for the public hearing; and then that  
13  brings us to today and tomorrow, in which the Nunavut  
14  Water Board will -- we hosted the public hearing this  
15  morning, and then we're having the Community Session  
16  right now, obviously, and then again tomorrow morning,  
17  we'll finish off with the public hearing.

18          So all submissions are available on the Nunavut  
19  Water Board's FTP site, so that means that all of the  
20  information that we have gathered, you know , all the  
21  environmental information at the Lupin mine site we do  
22  have on the internet, we do have on our Public  
23  Registry, on our public FTP site, so it is accessible  
24  to the public, which means any one of you could go on  
25  there and look, look through all that information.  
26  It's quite a bit, but some of it's -- some of it's

1     worthwhile.

2             So throughout this application process, as I'd  
3     mentioned, we did receive participation from CIRNAC and  
4     Environment Canada, and they helped us, sort of, move  
5     the application to this stage of the process. We also  
6     recognize and appreciate participation of these  
7     intervening parties and appreciate, sort of, all the --  
8     all the help they've provided. Next slide.

9             So this Community Session right now, the public  
10    hearing, this is for the Water Board, for us to really  
11    obtain feedback from the community here, so it's  
12    very -- it's very nice to see quite a large crowd that  
13    showed up here, and we encourage everyone here to ask  
14    any questions that you might have because this is,  
15    really, where we -- where we are looking to hear, you  
16    know, how the public, how the community feels about the  
17    project, and if you would like to provide any questions  
18    in writing, as well, Richard's -- Richard Dwyer's email  
19    is up here, and you can also speak to him at the back,  
20    and you can send him, sort of, a written email so that  
21    if you'd prefer to put a statement in writing, rather  
22    than speaking at the microphone, that option is  
23    available to you.

24            Next slide -- actually, we can skip these couple  
25    of slides because they were, sort of, just duplicated,  
26    and then lastly here, I've just got a list of emails



1 for all the Water Board Staff that's sort of been  
2 involved in this process so far.

3 Lastly, I'd just like to thank you all, too, for  
4 coming, and I guess if you have any questions or  
5 comments, we'd love to hear them.

6 MS. AUTUT: Okay. Thanks, Derek.

7 So as we've seen, Derek's walked through what the  
8 Water Board's process is here in this meeting. Are  
9 there any questions from the public related to the  
10 Water Board process that we'd like to ask Derek?

11 Okay. Seeing no hands right now, we'll move on to  
12 the presentation from the Applicant, Lupin Mines. So  
13 if at any point during the presentation, or afterwards,  
14 we're going to questions, you can have questions for  
15 the Applicant or the Board or any of the other parties.  
16 Just bear that in mind.

17 So, Karyn, who will be presenting for the  
18 Applicant?

19 MS. KOWBEL: Christine Kowbel, legal  
20 counsel for Lupin Mines.

21 Belinda Labatte will be -- will be commencing the  
22 presentation and then handing it off to various members  
23 of the team.

24 MS. AUTUT: All right. Thanks, Christine.  
25 So, Belinda, whenever you're ready.  
26 Presentation by Lupin Mines Incorporated

1 MS. LABATTE: Good evening. Thank you,  
2 Mr. Chair, the Nunavut Water Board. Delighted to be  
3 here in Kugluktuk with you this evening. Members of  
4 the community, hello. Belinda Labatte, Mandalay  
5 Resources and a director of Lupin Mines.

6 You've heard, this evening, about the Nunavut  
7 Board, Nunavut Water Board process, and I'd like to  
8 tell you and share with you the story of our company  
9 and how we came to be here, which is also my story.  
10 I've been with Mandalay Resources since 2009, which is  
11 when this company was started, a much shorter history  
12 than Lupin Mines.

13 This is a picture of one of the mines that we own  
14 in Australia, and this is a process where they're  
15 drilling to see what we have underground, and those  
16 containers are sheltering the community from two  
17 things: Noise and dust. Next slide.

18 I won't go into this. Since we are a public  
19 company, we are listed on the Toronto Stock Exchange,  
20 we are obligated, when we talk about the future, to  
21 tell you that the future may not happen, and so these  
22 are the forward-looking statements that we are required  
23 to put in our presentation.

24 So who are we? What do we do? How do we work?  
25 We are an international mining company. We have  
26 projects in Australia, the southern part. It's a very

1     difficult time right now for the Australians. They're  
2     dealing with a lot of fires. Fortunately, we are a  
3     fire shelter because we have a lot of infrastructure in  
4     that area, so we're watching very carefully what's  
5     happening in Australia. We also operate a mine in  
6     Sweden, which is very far north, as you can see, not as  
7     far north as Kugluktuk, but also very cold weather and  
8     a lot of cold-weather issues, and that is how we came  
9     to own Lupin Mines.

10           So we produce, approximately, with, between the  
11     two mines, 90 to 100,000 ounces of gold and another  
12     metal called antimony.

13           Our first mine, so when Mandalay came into  
14     existence, was this mine in Australia, Costerfield,  
15     which we acquired in 2009, and that's when I also was  
16     there to assist with that process, and then we acquired  
17     the Björkdal Mine, Elgin, in 2014.

18           It took us some time to learn about the company  
19     and learn about Lupin and the operation, and we had  
20     made the decision, a number of years -- a few years  
21     after, to move from the care and maintenance process to  
22     final closure.

23           In terms of our company, we are well-financed. We  
24     have over \$20 million of cash to support our two  
25     operating mines and the work that we're talking about  
26     here today. Next slide.

1           So that's what we do. Who we are, we are based in  
2   Toronto. I am from Toronto, though I grew up in  
3   Montreal, and we have a pretty international group.  
4   Our CEO came with the company when we acquired our mine  
5   in Chile, which is currently not operating, but he  
6   moved to Toronto with his family. He's from Australia.  
7   Our CFO is from Australia, and we have a board of  
8   directors whose role is to oversee all the work that we  
9   do at Mandalay, including any projects that are at the  
10   end of their lifecycle and have to be closed, and I'm  
11   going share with you some stories about what we have  
12   done in our company as a responsible company.

13           We will have already closed mines. This is not  
14   the first one, but it is the largest. I would like to  
15   mention for the benefit of yourselves that you know  
16   that we have done this before, and for the Nunavut  
17   Water Board, that our directors, Mr. Terry Ackerman,  
18   Mr. Peter Jones, have significant experience with mine  
19   closures in Arizona, in the United States, Argentina.  
20   Dominic Duffy was responsible for closing two mine  
21   sites in Chile, and Peter Jones has experience working  
22   in closures in Canada, and they fully support the  
23   process that we're going through today. Next slide.

24           How do we work? This is something I really enjoy  
25   talking about because I want to share with you that we  
26   are a values-based company. Living our values is about

1 people, for themselves, having values that we share as  
2 individuals and as a company.

3       These values were not just words that came out.  
4 They were developed by groups of people who worked  
5 together in communities similar to yourselves, and  
6 these have not changed in many years, and we purposely  
7 decided to talk about the word because it means  
8 something, so let me just tell you what it means to me  
9 and what it means to us.

10       Top-left is "safety". Everything we do in our  
11 company, it's safety first. We only produce gold if it  
12 is produced safely. It is the Number 1 item on an  
13 agenda whenever we meet with our general managers and  
14 every board meeting that we have; and, here, when we go  
15 through our process, the care and maintenance and if we  
16 go through, and as we intend to, when we get our  
17 licence that we are requesting, the closure of Lupin  
18 Mines, it is safety first. Our contractor understands  
19 this, and the philosophy is that that matters. The  
20 people who work with us will work safely.

21       "Integrity" is about doing what you say you will  
22 do and doing so even when nobody is looking or  
23 listening, and when we speak and when we communicate,  
24 we follow through with what we say we're going to do,  
25 and this has been absolutely key in our communications  
26 with Nunavut Water Board, with CIRNAC, with anybody

1     that we talk to about Lupin or other mines.

2             "Responsibility", this is really why we are here.

3     We made a decision that we want to close Lupin Mines,  
4     that this was the right thing to do because we are a  
5     responsible mining company, and this is part of it. We  
6     are not generating any revenue from this. This is  
7     about sharing in what everybody's objective is, which  
8     is the right thing to do, is to have the appropriate  
9     and most efficient way to put the environment back to  
10    what it was, I would say, in perhaps an even better  
11    condition than as it was, when we look at the pictures,  
12    and do so with everybody being on the same page and  
13    having as transparent a process as we can. So  
14    "responsibility" is all about taking responsibility for  
15    our actions and the environment.

16            "Performance and innovation", we want to look  
17    always at the best way to do something and focus on  
18    performance and create value for all of our  
19    stakeholders, not just our investors, as we are a  
20    public company, but for our employees, that they  
21    believe in the work that they do, and for our community  
22    members, that they value our presence in the community;  
23    and I would like to just reinforce this because where  
24    we do operate, in Sweden and in Australia, we have  
25    taken the time to do significant work on community  
26    surveys and finding out what people think, including,

1 as well, the employees. I personally did this work a  
2 number of times for the company.

3 And "agility" is about moving in a way that is  
4 responsive. We don't want to be the last person to  
5 show up at any meeting or with any process. We want to  
6 do it well, properly, and be responsive.

7 I would like to say that I thank the CIRNAC and  
8 Nunavut Water Board in working in a collaborative way,  
9 and I think that we've shown that these values, they  
10 are workable, and we can work together with this mind  
11 set. Next slide.

12 So I'll just read out to how we -- how we look at  
13 our work and how we conduct our work.

14 We believe that our employees live and work safely  
15 and that they experience satisfaction from high  
16 performance, and, again, whether a mine is operating or  
17 it's in a crisis situation or it's in care and  
18 maintenance or in closure, this holds true. The  
19 communities in which we operate value our presence.  
20 Our environmental impact is minimized and causes no  
21 permanent harm. Everything in the filed -- final  
22 reclamation and closure plan speaks to this. We have a  
23 large and diversified set of customers, and, finally,  
24 that our shareholders realize a superior total return  
25 on their investment and that they, too, support our  
26 corporate values. Next slide.

1           Let me just walk you through a few of the projects  
2 before we talk about Lupin Mines because this is part  
3 of our story.

4           We acquired a company in Chile, and similar to  
5 when we acquired Elgin, there were projects there that  
6 were not operating and were not a focus of the company.  
7 Without any government intervention, without anybody  
8 telling us what to do with those projects, we  
9 proactively spent the money to close them.

10          La Cascada mine is one such example. It was a  
11 gold, silver mine not operated by us. It was a  
12 complete rehabilitation of the mine site. There was no  
13 security on this mine. We took the initiative to  
14 rehabilitate it.

15          The work that we did there included closing  
16 underground access, dismantling, removing  
17 infrastructure, profiling the waste dumps, and local  
18 vegetation was used throughout. It was approved by the  
19 regulator in Chile and closed in 2014, and the bottom  
20 photo, although not very clear, shows you that it looks  
21 very well-integrated into the environment.

22          The next slide is about Furioso mine, which was a  
23 second mine that we made a decision to close. This had  
24 an issue of acid-generating rock operated by prior  
25 owners. There, we were backfilling the whole open pit,  
26 capping of the pit with several layers, including a



1 complete asphalt layer. This closure, we also capped  
2 an underground portal as it was a combination  
3 open-pit/underground mine. The closure was also  
4 approved by the Chilean government, and there was no  
5 security on this mine. It was something that we did  
6 proactively. Next slide.

7       Here's some pictures to share. Again, this was  
8 never operated by our company, but we recognized that  
9 an environmentally responsible company, this is also --  
10 this is what we expect of ourselves, what the Board  
11 expects, and what our investors expect, and you can see  
12 here, there's some layers of asphalt, the closing of  
13 the underground portal. Next slide.

14       Wastes were relocated, and a hundred percent of  
15 the infrastructure was closed and removed, nothing  
16 needed to be there after the fact, and you can see here  
17 a picture of a three-year process whereby it looks very  
18 well-integrated into the environment.

19       So now we're talking about the Lupin mine. You  
20 have a bit of an idea of our story and where we work  
21 and what we have done, and -- we can go to the next  
22 slide -- I'm going to walk you through a bit of the  
23 work that we've done over the last few years before  
24 Karyn, who has been instrumental, a very valued team  
25 member here in leading us through to the point that we  
26 are here today, which is really, for us, a milestone.

1     There is a tremendous amount of work that has been done  
2     by Karyn and by the individuals that you see beside me,  
3     behind me, and not everybody is here today, so that  
4     goes to show you that we do value the expertise of  
5     people in their field. We don't know everything, and  
6     we're bringing in the people who know it best for very  
7     specific parts of this mine.

8             And so if we go back to 2017, it was still under  
9     care and maintenance. We, as a company, we had to do a  
10    lot of learning about working in this environment with  
11    Karyn. She was the brain. We had only acquired the  
12    mine in 2014, and so we needed some time, but we worked  
13    through it, and we conducted environmental effects  
14    monitoring, numerous studies in 2017, including diesel  
15    sampling, asbestos-materials assessment, and we  
16    conducted a Phase 1 and 2 environmental site  
17    assessment, and you can see that already at that point,  
18    we started to remove some hazardous waste. Next slide.

19            If we go forward to the next year, 2018, still in  
20    care and maintenance, but we continued the work that  
21    was required of us by the various groups, and the  
22    environmental effects monitoring program continued. We  
23    started to do reclamation at Cell 5, progressive  
24    reclamation. Esker material was now being used to  
25    cover the tailings, which is great because it puts us  
26    in a really good position to finish the work over the

1 next two years. We did fuel-tank cleaning and soil  
2 sampling from tailings areas and land farm and more  
3 work to remove building content, all kinds of things  
4 that you can imagine, furniture, electronics, and some  
5 other hazardous materials, paints, and aerosols. In  
6 this year, 32,000 kilograms of hazardous materials were  
7 removed from site for disposal.

8 Lupin 2019, care and maintenance activities  
9 continued. We, again, completed more studies because,  
10 at this point, we were getting a lot of clarity that  
11 moving into final closure and reducing our  
12 environmental liability was the right thing for the  
13 company and, we believe, a positive thing for the site  
14 as we did not see any other options to restart this  
15 mine, and it has been under care and maintenance since  
16 2005.

17 We had new studies that were requested from us at  
18 the technical meeting, which was mentioned earlier, and  
19 these studies have helped LMI de-risk the closure  
20 process, so even though there's a lot of work here,  
21 it's also -- it also helps de-risk everything that  
22 we're going to do going forward.

23 The studies that we did include studies on how  
24 climate change will impact the site and permafrost, the  
25 esker coverage of old tailings, how much we need and  
26 where, water-quality levels, geochemistry analysis,

1 hydrology studies, and dam risk assessments.

2 Remediation works continued with Dam K repairs as well.

3         One other thing that is important, and Kenny,  
4 who's sitting behind me to the right, was we had made a  
5 decision, with the support of our board of directors,  
6 to go through closure and that we could do so in an  
7 efficient way, but we needed a contractor to help us,  
8 and I believe Kenny will speak a little bit about the  
9 work that he's going to do on site and what the next  
10 two years are going to look like for LMI.

11         I think at this point, I'm going to hand it over  
12 to Karyn Lewis, so if you haven't met Karyn, Karyn  
13 knows everything about the site, and we have Kenny  
14 beside her, and then I'll come back and just say a few  
15 words about how we communicate with one another and how  
16 important this is to closing a site of this magnitude.

17 MS. LEWIS:                     Hi. I'm Karyn Lewis from LMI.  
18 I recognize some of you out there from working at site.

19         So we're going to be talking now about what we're  
20 going to be doing at site for 2020, 2021, and, finally,  
21 with the final ice road in 2022.

22         Nahanni Construction is going to be helping carry  
23 out our closure over the next two years, and I'm going  
24 to have Kenny Ruptash here go over what's actually  
25 going to -- what their team is actually going to be  
26 completing over the next couple years.

1 MR. RUPTASH: Hi, everyone. I realize that  
2 some of you can't see me, so I'll stand up so you can  
3 see my face real quick just so you can come -- you know  
4 who to talk to in the end -- sorry. It's Kenny Ruptash  
5 with Nahanni -- just so you know who to come and talk  
6 to after the presentation, after everything's said and  
7 done here. I'm here to, kind of, walk you through what  
8 the process is for cleanup.

9 A little bit about our company first. We're born  
10 and raised in the north. In '86, the company was  
11 started. When 90 North actually built the arena here,  
12 Nahanni was involved in it. We came up and did the  
13 concrete. We've only done work in the north, stuck to  
14 the north, and we've -- I guess, about ten years ago, a  
15 little bit better, 12 years ago, branched into  
16 remediation, so we cleaned up the Tundra Mine in NWT,  
17 there's nine mine sites on Gordon Lake, heavily  
18 involved in giant mine cleanup, so I say that because  
19 we've got some expertise in-house on how to -- how to  
20 clean up mines, how to do it properly, and how to train  
21 and bring up employees along the way.

22 So starting the project out, we'll be constructing  
23 an ice road. Coming out of the Yellowknife, we will  
24 bring all the equipment and materials to actually do  
25 the -- do the cleanup. Once we arrive at the site,  
26 we'll be blasting open the crown pillar, the pillar of

1 rock to open up the underground. The reason we're  
2 doing that is in Year 2 there's some heavily  
3 contaminated rock and soils that going to be going into  
4 the underground, so it's getting -- or I might be  
5 talking too quick here. Apologies. The bad rock, the  
6 rock that is going to contaminate the environment the  
7 most, is going to be put into the underground so it's  
8 not able to contaminate anymore.

9       There's two main streams of work, when we arrive  
10 at site. One, at the mine site, we're going to be  
11 deconstructing all the buildings, taking them down,  
12 demolishing them, putting them into a landfill. At the  
13 same time, we'll be pulling esker from the esker source  
14 and putting it on top of the tailings ponds,  
15 essentially, creating a barrier between the old  
16 tailings and the environment so that water's not  
17 getting into it, snow's not getting onto it, animals  
18 can't access it. It's, essentially, the animals will  
19 be walking on esker now, as opposed to the old  
20 tailings.

21       The covering of the tailings is going to be done  
22 in Year 1. We'll also be treating and discharging  
23 water. Once it's clean, we'll put it out into the  
24 environment. From there, we're going to be doing some  
25 reinforcing of a couple of dams so that they are  
26 stronger or more robust, longer lasting. That will be

1 done in Year 1, as well, and then the complete  
2 demolition of the mine site will be completed in Year 1  
3 as well.

4 Year 2, there's a cover similar to the one we put  
5 on the tailings overtop of the entire mine site when  
6 the buildings are gone so that animals can't access it,  
7 and water can't get to the old infrastructure. It's,  
8 essentially, just an esker cover in the -- in the  
9 tundra.

10 Now, through all that, I realize that's very a  
11 high level in what we're doing, but the -- there are  
12 job opportunities throughout that some are fairly  
13 clear. Operating equipment, we can list the equipment,  
14 but there's equipment operators. There's direct work,  
15 but there's also what I call "indirect work", or what  
16 we call "indirect work": Kitchen staff, site services  
17 for road maintenances, maintenance, fuelling, watering.

18 We, at Nahanni, have been speaking with Helen, and  
19 I'm going to -- I'm going to say her last name wrong,  
20 so don't tell her, Helen Tologonak and Miranda  
21 Atatahak, about job placement and postings so that the  
22 community knows what the specific jobs we're looking to  
23 fill are, where to apply for the jobs, and how to --  
24 who to speak to and how to go about speaking to them.

25 We intend on having about 70 people on site at a  
26 time, so there's lots to be done, lots of positions to

1 be filled. If you have any more questions, I'm happy  
2 to -- happy to talk to you after the meeting, or even  
3 if you have any questions right now, to come up and  
4 ask, but as far as the work, at a high level, that's --  
5 that's the intention. I don't know if there's anything  
6 else you guys ... okay. Then I'll turn it back over.

7 MS. LABATTE: Thank you, Karyn and Kenny.  
8 Could we go to the next slide, please.

9 So in terms of the communications, we have  
10 realized that it is really important to be in  
11 continuous communication with one another, so what this  
12 looks like, so my work, I work in the -- on the  
13 leadership team, and I do not do Lupin Mines'  
14 day-to-day. I'm responsible for all the projects that  
15 are not operating, and Karyn works on Lupin Mines every  
16 day and is key in keeping everything going on time, on  
17 budget, and ensuring that everybody has the right  
18 information.

19 We will be working very closely with our  
20 contractor, Nahanni. We will have regular  
21 communications as we go through full closure, and we  
22 have the support of engineers and consultants to ensure  
23 that everything we do is sound from an environmental  
24 perspective and an engineering perspective. At the  
25 same time, with all the government groups, Environment  
26 Canada, CIRNAC, Nunavut Water Board, we will engage



1 with anybody who would like to speak to us about this  
2 project and as required, and with the community here  
3 this evening, it's a great opportunity to get any  
4 questions from you about the work that we are doing,  
5 and if you prefer in writing, that is fine as well.  
6 Next slide.

7 I'd just like to take a moment to talk to you  
8 about a project in the vicinity, Ulu, which also came  
9 to us when we bought the Elgin company and the Björkdal  
10 mine.

11 It is located approximately 523 kilometres north  
12 of Yellowknife. I would say that's the same as from  
13 Toronto to Montreal, but that may or may not be  
14 relevant, but, for me, it gives me some sense of how  
15 long it would be to get there. It is with the KIA, the  
16 Kitikmeot Settlement Area of Nunavut, and we had been  
17 performing care and maintenance on this project, which  
18 is a gold project.

19 We're very happy that we found a solution with  
20 this project, and very late last year, we concluded our  
21 work with Blue Star Gold, who has acquired the Ulu  
22 property and the licence and will be beginning an  
23 exploration campaign on-site. I cannot speak for Blue  
24 Star, but I do know that they have some interesting  
25 ideas for the region to explore the site. They will  
26 assume all the environmental liabilities, past and

1 present, of the Ulu property.

2 So with that, I've shared with you who we are,  
3 what we do, and how we work, how we came to obtain  
4 Lupin Mines, and what we will be doing going forward,  
5 and I will pass it back to you, Mr. Chair, unless there  
6 are any questions from the community, and we look  
7 forward to working through this with you.

8 Thank you very much.

9 MS. AUTUT: Okay. Thank you, Belinda.

10 So at this point, are there any questions from the  
11 public to Lupin Mines? Anybody care to ask any  
12 questions or make comments relative to the project?

13 Sir, if you want to come up to a mic, yeah, and  
14 just tell us who you are so it gets on the record, any  
15 one of them, yeah.

16 Questions for Lupin Mines Incorporated by Community  
17 Representatives

18 MR. KAIYOGANA: Hello. My name is Richard  
19 Kaiyogana.

20 For the Lupin production, I was working at the  
21 Lupin mines in 1981, to start off. I probably started  
22 early.

23 I just want to get -- when you're mining, a gold  
24 mine is different from diamond mining, and the most  
25 important thing is -- is the tailings. To extract  
26 gold, you have to have some chemicals to get the gold

1 out, so the main thing I'm concerned about is the  
2 tailings, get all that done, cleared off for the  
3 wildlife, any wildlife, and that, as an Elder, I think,  
4 kind of, speak for the Elders, too.

5 Thank you.

6 MS. AUTUT: Thank you, Richard.

7 Did Lupin want an opportunity to respond or  
8 acknowledge the comment?

9 MS. LABATTE: Thank you for that, that  
10 comment, and I do agree. We do have gold mines in our  
11 portfolio, and all of them have tailings dams, and we  
12 take great care with our tailings dams and how we  
13 manage that, and every one of them is in compliance.

14 With respect to Lupin Mines, it is absolutely a  
15 priority. There's been a great deal of work done on  
16 how we will manage that and the covering of those  
17 tailings dams with esker, and I think we're on the same  
18 page, and, yeah, I would say it's also one of the first  
19 things that we're going to do in the timeline of the  
20 closure of this mine. As you've heard earlier, there's  
21 been some work already.

22 Thank you.

23 MS. AUTUT: Karyn, go ahead.

24 MS. LEWIS: Thank you. Karyn, LMI.

25 I just wanted to also note that we will have, you  
26 know, monitoring years after to make sure that the

1 performance of the -- at the tailings cover, et cetera,  
2 and still be doing testing. We're not finishing the  
3 closure work and then walking away. We will have a  
4 number of years of monitoring and looking at and making  
5 sure that everything is performing adequately before  
6 we're done at site.

7 MS. AUTUT: It may be beneficial, to the  
8 folks in the audience, if you wanted to elaborate a  
9 little more on what the management of the tailings  
10 process is going to look like, if you want to get into  
11 a bit more detail, recognizing that there weren't a lot  
12 of details specific to that in the presentation, and  
13 not everybody was here today to hear your presentation  
14 this morning.

15 MR. RUPTASH: Yeah, Kenny here with Nahanni,  
16 Kenny Ruptash.

17 The cover that's going on top of the tailings is a  
18 fairly thick cover of esker. The intention is that the  
19 tailings stay frozen, and the permafrost comes into the  
20 cover a little bit. There will no -- there is no  
21 opportunity for water to get in, wildlife to access it.  
22 It's going to be completely covered.

23 After it's covered, there's equipment or  
24 instruments that are put in to monitor how frozen it  
25 is, how much -- or if there's any water coming out,  
26 what is the quality of the water. There is not

1     supposed to be, so if there is, we -- where we have  
2     instruments in to check it. There is enough -- there's  
3     monitoring going on so we know how the cover is  
4     working, and we can confirm that it is working.

5     MS. AUTUT:                     Great. Thank you for that.

6             Are there any other questions from the -- from the  
7     public?

8             No. Okay. So we'll move on, then, to the  
9     presentations from the other Intervenor, so if we  
10    could have Crown-Indigenous Relations and Northern  
11    Affairs come up to the table, please.

12    Discussion

13    MS. AUTUT:                     So while we're getting Godwin  
14    set up here, we're going to go through some legal  
15    proceedings, so I'll hand the mic over to Teresa.

16    MS. MEADOWS:                   Thank you, Stephanie. Teresa  
17    Meadows, legal counsel for the Nunavut Water Board.

18             So my apologies, Mr. Chair. I forgot to indicate  
19    to everyone that I had marked, as an exhibit, the hard  
20    copy of the PowerPoint presentation that Mandalay just  
21    presented at the Community Session, and I will be  
22    marking that as the next exhibit in the public hearing,  
23    so my apologies. I should have done that before you  
24    spoke, but it is in the record now as the next exhibit  
25    in the public hearing.

26             EXHIBIT 20 - Hard Copy, PowerPoint

1 Presentation, Mandalay Resources Corporation

2 (Community Session) (English)

3 MS. AUTUT: Okay. Godwin, the floor is  
4 yours.

5 Presentation by Crown-Indigenous Relations and Northern  
6 Affairs Canada

7 MR. OKONKWO: Good evening, everyone. My  
8 name is Godwin Okonkwo. I am the manager of water  
9 resources with Crown-Indigenous Relations and Northern  
10 Affairs Canada in Iqaluit. I am joined here by a  
11 consultant Gerd from Arcadis, and Noah Noah, who is my  
12 colleague. He works in the lands division in Iqaluit.

13 I would like to thank the Nunavut Water Board for  
14 this opportunity to make a presentation at the public  
15 hearing regarding Lupin Mines Incorporated application  
16 to amend its water licence. I would also like to thank  
17 the community of Kugluktuk for attending the public  
18 hearing this evening.

19 At this time, I'd like to state that our  
20 presentation had been completed before the latest  
21 submissions by Lupin Mines and our discussions with  
22 them up until midnight yesterday, so some of the issues  
23 we're going to present, they have responded, and we  
24 have resolved them. There's only one issue that's not  
25 completely resolved.

26 So throughout the presentation, I will refer to my

1 office, Crown-Indigenous Relations and Northern Affairs  
2 Canada, as "CIRNAC", and so here is an outline of what  
3 my presentation will be: I will start with mentioning  
4 our roles and our responsibility, and then I will  
5 mention about how we've contributed to this review  
6 process for the licence, and then talk about the  
7 technical review comments.

8         So we have three major comments. The first two  
9 have been resolved. The last one has not completely  
10 been resolved. So the first is on tailings and waste  
11 rock, the second is on closure and reclamation  
12 planning, and then the third is on a reclamation  
13 security cost estimate.

14         So CIRNAC, we have a mandate to co-manage  
15 freshwater resources and manage Crown land in Nunavut  
16 under the following laws and agreement, so under the  
17 Department of Crown-Indigenous Relations and Northern  
18 Affairs Act, the Nunavut Agreement, under the Nunavut  
19 Land Claims Agreement Act, the Nunavut Waters and  
20 Nunavut Surface Rights Tribunal Act and regulations,  
21 the Nunavut Planning and Project Assessment Act, the  
22 Territorial Lands Act and regulations, and the Arctic  
23 Waters Pollution Prevention Act.

24         I would like to say the department also  
25 administers and enforces regulatory authorizations that  
26 are related to Nunavut's Crown land and freshwater

1 resources.

2 So CIRNAC participates in water licences processes  
3 administered by the Nunavut Water Board, along with  
4 other interested parties, providing technical advice  
5 and expertise for the Board's consideration.

6 So up until now, the department has participated  
7 and made a few submissions to the Nunavut Water Board  
8 regarding the application to amend and renew the Lupin  
9 water licence.

10 So by March 4th, 2019, it was information request,  
11 and then we attended and did a presentation here in  
12 Kugluktuk at the technical meeting on June -- between  
13 June 6th and 7th, 2019, and then we reviewed  
14 submissions for some of the commitments that came from  
15 that technical meeting, and we submitted that December  
16 6th, 2019, and then our final submission was December  
17 8, 2019.

18 I'd just like to say, as well, that we've also had  
19 several meetings with LMI -- LMI is the company -- to  
20 discuss all of the issues -- some of these issues we  
21 have, and we resolved a lot of them.

22 This picture was taken by my staff when they  
23 visited the site, and so this is just me -- I know some  
24 of you know the Lupin mine, but just to give a brief  
25 overview of the mine site.

26 So Lupin mine site is situated in Nunavut



1 Kitikmeot region, approximately 250 kilometres west of  
2 Arviat and 285 kilometres southeast of Kugluktuk.  
3 Lupin operated as a gold mine beginning in the 1980s.  
4 It has been in care and maintenance since 2005, and is  
5 presently under closure.

6 So Lupin's mine application today is for renewal  
7 and amendment of its existing Type "A" Nunavut Water  
8 Board Water Licence, which proposes final closure and  
9 reclamation for the mine site.

10 I'd like to say at this point that CIRNAC  
11 anticipates that a final closure plan of the mine site  
12 should be detailed enough to capture the full work to  
13 be carried out and eliminate, as much as possible,  
14 unknowns, environmental liabilities, or any surprises  
15 from the site into the future.

16 So our first issue was on the potential  
17 contamination that can happen from the waste rock used  
18 as construction material. So CIRNAC wanted to know how  
19 the waste rock was used for construction of  
20 infrastructure such as dams to know if we need some  
21 geochemical testing.

22 LMI indicated that much of the -- most of the  
23 waste rock will be encapsulated by permafrost. LMI  
24 also restated its commitment to post-closure  
25 monitoring, so after closure, they will keep  
26 monitoring, and CIRNAC was satisfied, and we will

1 consider this issue resolved.

2 Another issue we had was on the waste rock storage  
3 dome design and seepage. So LMI indicated they would  
4 make the mill-site footprint area smaller by pulling  
5 the rocks that were used as the base for the buildings  
6 and then covering it with clean soil in a dome-shaped  
7 structure. So CIRNAC has been discussing, with LMI, on  
8 a detailed schedule of work on how they are going to do  
9 this to reduce the environmental impact and make it  
10 stable for the long term. I just want to say that  
11 CIRNAC is satisfied with LMI's response on this issue,  
12 so we think this issue is resolved.

13 We had -- CIRNAC identified another issue with --  
14 we wanted to know how LMI will deal with tailings. I  
15 heard a community member talk about tailings, so we  
16 wanted to know how the tailings that are exposed right  
17 now would be managed and how the tailings that may be  
18 exposed, when they are reducing the water in the  
19 tailings management area, will be managed.

20 CIRNAC is satisfied, and LMI confirmed, that they  
21 will cover the tailings on site, and they also had a  
22 commitment to provide more details on the cover design  
23 so that we can confirm the stability and erosion  
24 control during this licencing process, so we consider  
25 this issue also resolved.

26 Another issue we were worried about was what we

1 call the Human Health Ecological Risk Assessment. So  
2 the objective of the Human Health Ecological Risk  
3 Assessment is to evaluate the potential risk to human  
4 health and environment from the contamination  
5 associated with the historical operations when the site  
6 operated.

7 In order -- in order for us to be satisfied that  
8 we can -- that they will derive a site-specific target  
9 level for any potential risk and to use that  
10 site-specific target level to define areas that will  
11 require remediation and risk management.

12 LMI responded to CIRNAC indicating commitment of  
13 the provision of a post-closure monitoring plan  
14 following discussion with stakeholders one year after  
15 issuance of the licence, and CIRNAC was satisfied with  
16 this. We feel like the issue, for us, is resolved.

17 So another issue is the geotechnical details of  
18 engineered structure. So our idea here was since Lupin  
19 mine is working towards final closure of the site, we  
20 thought we wanted more details about the geotechnical  
21 design for us to be able to evaluate if the proposed  
22 closure meant that the way that they've decided to  
23 close will be protective of the environment in the long  
24 term.

25 CIRNAC's concern, one of our main concerns was the  
26 long-term stability of the dams in the tailings

1 management area, which is expected to keep  
2 acid-generated tailings from being washed into the  
3 environment.

4 LMI provided some more details through various  
5 memos and also committed to providing more details  
6 during the licencing process. CIRNAC is satisfied with  
7 their response.

8 I had a question for them in the afternoon, if the  
9 extra information would be included in their final  
10 closure plan, and at the time, they said they were not  
11 thinking of revising -- updating the closure plan with  
12 the extra information.

13 Finally, our last issue is on the reclamation  
14 security cost estimate, and so the reclamation cost  
15 estimate they have provided so far, we -- CIRNAC had a  
16 challenge because we thought we didn't have adequate  
17 details to justify the cost estimate they provided.

18 So, currently, the security estimate we hold --  
19 and "security estimate" is money we hold so that we're  
20 sure that the site is cleaned and reclaimed. So we  
21 currently hold \$26.1 million, and the estimate that LMI  
22 has done to do the work is about \$23 million, but the  
23 position of CIRNAC is that the Crown does not want to  
24 have any liability or responsibility to clean the site,  
25 so we're recommending that the Crown retain the entire  
26 26.1 million, and as the site is cleaned, is reclaimed,

1     there can be a release of funds to LMI.

2             And so connected to that is what we call a  
3     "security release framework", so we've have been  
4     working together with LMI to determine how we're going  
5     to be releasing the funds to them when they complete  
6     the work, and what CIRNAC's position is, is if the work  
7     is done, that sometimes it's validated by an engineer,  
8     somebody who will stamp and sign and say the work is  
9     done, and there's a confirmation that environmental  
10    liability is reduced, then CIRNAC will consider  
11    releasing the part of the funds for that work.

12            So of these three major issues we had, the first  
13    two we think have been resolved successfully, and the  
14    first two are long-term stability of the cover and  
15    dams, management of tailings exposed when water levels  
16    are lowered.

17            And the last issue of the insufficient information  
18    for security estimation, on that last issue, CIRNAC  
19    has -- our position is the Crown does not want to have  
20    any liability to clean up the site. We want to retain  
21    the amount of money we are currently holding. We  
22    support progressive reclamation and progressive release  
23    of the funds as work is done, but it has to be based on  
24    the criteria that I just mentioned. So you do the  
25    work, it's validated. There's evidence of reduction in  
26    environmental liability, and then we can consider a

1 refund.

2 Koana.

3 MS. AUTUT: Thank you, Godwin.

4 So before we take questions, we're going to take a  
5 short break, give people an opportunity to stretch and  
6 grab something to drink and a snack, so we'll come back  
7 in 15 minutes; okay?

8 Thank you.

9 (ADJOURNMENT)

10 MS. AUTUT: All right. So if we could  
11 take our seats, we'll get started here in the next  
12 couple of minutes.

13 So before we move on to Environment Canada, are  
14 there any questions to Godwin related to the CIRNAC  
15 presentation?

16 If not, okay, so I'm going to ask Teresa to swear  
17 in Environment and Climate Change Canada.

18 MS. MEADOWS: Thank you, Stephanie, and  
19 thank you, Mr. Chair. Teresa Meadows, legal counsel  
20 for the Nunavut Water Board.

21 So for the benefit of community members, the --  
22 earlier today, the representatives from LMI and the  
23 representatives from Crown-Indigenous Relations and  
24 Northern Affairs Canada had provided their technical  
25 sessions, and so they had been sworn in to give their  
26 evidence, but Environment and Climate Change Canada

1     didn't -- we ran out of time this afternoon, and so  
2     they weren't able to present, so I'm going to swear  
3     them in before they present their Community Session  
4     tonight, so if I can have the witnesses state and spell  
5     their name for the record, please.

6     MS. WALKER:                     Eva Walker, E-V-A W-A-L-K-E-R.

7     MS. WILSON:                    Anne Wilson, A-N-N-E  
8     W-I-L-S-O-N.

9     MS. MEADOWS:                  Thank you.   Teresa Meadows,  
10    legal counsel for the Nunavut Water Board.

11    EVA WALKER, ANNE WILSON, Sworn

12    MS. MEADOWS:                  Thank you.   Teresa Meadows,  
13    legal counsel for the Nunavut Water Board.

14           Do you have a different presentation than -- okay.  
15    So I will file your presentation materials as the next  
16    exhibit in this public hearing.

17           EXHIBIT 21 - Hard Copy, PowerPoint  
18           Presentation, Lupin Mine Presentation to the  
19           Nunavut Water Board by Environment and  
20           Climate Change Canada (Community Session)  
21           (English/Inuinnaqtun)

22    MS. MEADOWS:                  Thank you, Mr. Chair.   Those  
23    are my procedural matters.

24    MS. AUTUT:                    Okay.   Thank you, Teresa.

25           If you're ready to get on underway, please  
26    proceed.

1 Presentation by Environment and Climate Change Canada

2 MS. WALKER: Eva Walker from Environment  
3 and Climate Change Canada. I apologize for having my  
4 back, sort of, to people.

5 So good evening, Mr. Chair, Board members, Elders,  
6 and community members, Board Staff, and parties that  
7 have joined us today.

8 So as I said, my name is Eva Walker. I'm a senior  
9 environmental assessment coordinator with Environment  
10 and Climate Change Canada, and with me today, I have  
11 Anne Wilson, who is our lead water quality expert. In  
12 this presentation, I'll summarize the department's  
13 final written submission for the Lupin Mines water  
14 licence amendment.

15 So to start off, I'll go through Environment and  
16 Climate Change Canada's mandate, briefly touch upon the  
17 Acts and regulations and legislation, and then provide  
18 a summary from our comments and technical and final  
19 written submissions.

20 So under the Department of Environment Act, the  
21 powers, duties, and functions of the Minister of  
22 Environment and Climate Change extend to matters such  
23 as the preservation and enhancement of quality of the  
24 natural environmental, including water, air, and soil  
25 quality, the coordination of relevant policies and  
26 programs of the Government of Canada, renewable



1 resources, including migratory birds and not -- other  
2 non-domestic flora and fauna, meteorology, and the  
3 enforcement of rules and regulations.

4 Environment Canada -- Environment and Climate  
5 Change Canada's mandate is governed by the Department  
6 of the Environment Act, Canadian Environmental  
7 Protection Act, the Pollution Prevention Provisions of  
8 the Fisheries Act, the Migratory Birds Convention Act,  
9 and the Species at Risk Act.

10 Environment and Climate Change Canada submitted  
11 seven technical comments to the Nunavut Water Board.  
12 Based on the responses from Lupin Mines Incorporated,  
13 as well as discussions with Lupin Mines, Environment  
14 and Climate Change Canada considers all of our  
15 technical comments resolved.

16 I will briefly summarize them for you now. So  
17 Environment and Climate Change Canada had technical  
18 comments related to climate change modelling on how  
19 well the tailings cover was working; assumptions around  
20 perimeter dams, their stability, and likelihood for  
21 seepage; duration and details of monitoring after  
22 closure work is finished; the effectiveness of the  
23 one-metre gravel cover over the tailings to prevent  
24 acid -- acidic drainage and metal leaching from the  
25 tailings; the handling and containment of waste rock  
26 that may generate drainage and leach metals that might

1 seep into water bodies as well as details on monitoring  
2 that will be done; and, finally, the disposal of  
3 asbestos.

4 Environment and Climate Change Canada also had one  
5 comment on the draft water licence that was submitted  
6 to the Nunavut Water Board by Lupin Mines Incorporated.  
7 This comment was about the change to the Metal and  
8 Diamond Mining Effluent Regulations, and that concludes  
9 my presentation.

10 Thank you.

11 MS. AUTUT: Thank you, Eva.

12 Are there any questions for Environment and  
13 Climate Change Canada?

14 Seeing no hands, thank you very much. At this  
15 point, I'm going to hand the microphone back over to  
16 the public hearing Chair, Lootie Toomasie, to close off  
17 the Community Session portion of this public hearing,  
18 so Lootie.

19 Closing Remarks

20 THE CHAIR: Thank you, Stephanie, and  
21 everyone who attended tonight's Community Session here  
22 in Kugluktuk. Your questions and comments about LMI's  
23 renewal and amendment application were appreciated by  
24 me and also by my panel members, Amanda Hanson Main and  
25 Alex Ningark.

26 As well, please let other members of the community

1 know that they are also welcome to attend the public  
2 hearing tomorrow.

3 On behalf of the Nunavut Water Board, I would also  
4 like to thank the Applicant and the Intervenors for  
5 their presentation and answers to questions from  
6 members of the public here tonight. Special thanks to  
7 the Elders, youth, and other community members of  
8 Kugluktuk for sharing their real stories and  
9 information with the panel and participating and  
10 contributing to a productive and respectful Community  
11 Session.

12 The Community Session is now adjourned. I look  
13 forward to seeing you all back here at 9 AM tomorrow  
14 morning, so let us close the Community Session by  
15 prayer. Let's stand.

16 Closing Prayer

17

18 PROCEEDINGS ADJOURNED UNTIL 9:00 AM, JANUARY 16, 2020

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1 CERTIFICATE OF TRANSCRIPT:  
2

3 I, Julie Albert, 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 26th day of January 2020.

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J Macdonald

Julie Albert, CSR(A)

Official Court Reporter

A				
<b>A-N-N-E (1)</b>	201:8	<b>ahead (1)</b> 209:23	211:18,23	217:10
221:7	<b>Acts (1)</b> 222:17	<b>air (1)</b> 222:24	<b>apologize (1)</b>	<b>arena (1)</b> 203:11
<b>abbreviations (1)</b>	<b>addition (1)</b> 176:7	<b>Albert (4)</b> 172:26	222:3	<b>Argentina (1)</b>
178:6	<b>additional (1)</b>	176:16 226:3,14	<b>Applicant (8)</b>	194:19
<b>ability (1)</b> 226:7	181:26	<b>Alberta (1)</b> 226:8	171:1 174:14	<b>Arizona (1)</b>
<b>able (4)</b> 176:14	<b>adequate (1)</b>	<b>Alex (2)</b> 175:16	177:2,20 191:12	194:19
204:8 217:21	218:16	224:25	191:15,18 225:4	<b>arrive (2)</b> 203:25
221:2	<b>adequately (1)</b>	<b>allow (2)</b> 173:8	<b>Applicant's (1)</b>	204:9
<b>absolutely (2)</b>	210:5	185:20	189:2	<b>Article (1)</b> 180:8
195:25 209:14	<b>adjourned (2)</b>	<b>allowed (4)</b>	<b>application (22)</b>	<b>Arviat (1)</b> 215:2
<b>access (4)</b> 198:16	225:12,18	184:19 185:2,10	167:9 173:11,18	<b>asbestos (2)</b>
204:18 205:6	<b>ADJOURNME...</b>	185:17	174:1 175:19	186:16 224:3
210:21	220:9	<b>allowing (1)</b> 185:6	178:13 181:18	<b>asbestos-materi...</b>
<b>accessible (1)</b>	<b>administered (1)</b>	<b>Amanda (2)</b>	181:19 182:2	200:15
189:23	214:3	175:15 224:24	183:12,13	<b>asking (1)</b> 173:19
<b>accurate (4)</b>	<b>administers (1)</b>	<b>amend (3)</b> 173:13	185:25 187:11	<b>aspects (1)</b> 189:4
174:23 176:15	213:25	212:16 214:8	187:12,15,23	<b>asphalt (2)</b> 199:1
177:25 226:4	<b>administration ...</b>	<b>amended (4)</b>	190:2,5 212:15	199:12
<b>accurately (1)</b>	170:16 175:18	173:20 184:21	214:8 215:6	<b>assessment (6)</b>
175:3	176:2	184:25 185:22	224:23	200:15,17
<b>acid (1)</b> 223:24	<b>Administrator (...)</b>	<b>amendment (8)</b>	<b>apply (1)</b> 205:23	213:21 217:1,3
<b>acid-generated ...</b>	172:5	167:9 175:19	<b>applying (4)</b>	222:9
218:2	<b>advice (1)</b> 214:4	178:12 185:5,6	178:23 181:17	<b>assessments (1)</b>
<b>acid-generating...</b>	<b>advisor (2)</b>	215:7 222:14	185:26 186:3	202:1
186:18 198:24	170:19 176:4	224:23	<b>appreciate (3)</b>	<b>assigned (1)</b>
<b>acidic (1)</b> 223:24	<b>aerosols (1)</b> 201:5	<b>amount (2)</b> 200:1	178:7 190:6,7	184:23
<b>Ackerman (1)</b>	<b>Affairs (13)</b>	219:21	<b>appreciated (1)</b>	<b>assist (4)</b> 176:14
194:17	168:13 172:3	<b>analysis (1)</b>	224:23	176:18 178:1
<b>acknowledge (1)</b>	177:4,22 179:12	201:26	<b>appropriate (2)</b>	193:16
209:8	187:19 188:20	<b>and/or (1)</b> 180:23	186:6 196:8	<b>assistance (1)</b>
<b>acquired (7)</b>	211:11 212:6,10	<b>animals (3)</b>	<b>approval (1)</b>	178:7
193:15,16 194:4	213:1,18 220:24	204:17,18 205:6	181:1	<b>associated (2)</b>
198:4,5 200:11	<b>afternoon (2)</b>	<b>Anne (4)</b> 168:14	<b>approve (3)</b>	173:22 217:5
207:21	218:8 221:1	221:7,11 222:11	183:11,13,17	<b>Associates (1)</b>
<b>acronyms (2)</b>	<b>agencies (1)</b> 177:3	<b>answers (1)</b> 225:5	<b>approved (2)</b>	171:10
179:10,15	<b>agenda (3)</b> 175:11	<b>anticipates (1)</b>	198:18 199:4	<b>assume (1)</b> 207:26
<b>Act (12)</b> 213:18	189:12 195:13	215:11	<b>approximately ...</b>	<b>assumptions (1)</b>
213:19,20,21,22	<b>agendas (1)</b> 175:7	<b>antimony (1)</b>	173:23 193:10	223:19
213:23 222:20	<b>agility (1)</b> 197:3	193:12	207:11 215:1	<b>Atatahak (1)</b>
223:6,7,8,8,9	<b>ago (2)</b> 203:14,15	<b>anybody (4)</b>	<b>Arcadis (2)</b> 172:7	205:21
<b>actions (1)</b> 196:15	<b>agree (2)</b> 183:16	195:26 198:7	212:11	<b>attached (1)</b>
<b>active (1)</b> 174:3	209:10	207:1 208:11	<b>Arctic (1)</b> 213:22	174:26
<b>activities (5)</b>	<b>agreed (1)</b> 186:6	<b>anymore (1)</b>	<b>area (7)</b> 180:11,24	<b>attend (1)</b> 225:1
173:21 174:4	<b>agreement (4)</b>	204:8	193:4 207:16	<b>attended (2)</b>
180:23 186:21	180:9 213:16,18	<b>apologies (4)</b>	216:4,19 218:1	214:11 224:21
	213:19	180:6 204:5	<b>areas (2)</b> 201:2	<b>attending (2)</b>

175:21 212:17 <b>audience (1)</b> 210:8 <b>audio (1)</b> 176:12 <b>Australia (7)</b> 192:14,26 193:5 193:14 194:6,7 196:24 <b>Australians (1)</b> 193:1 <b>authorizations (...)</b> 179:3 180:22 213:25 <b>authorize (1)</b> 173:21 <b>Autut (17)</b> 170:13 175:24 176:21 176:24 191:6,24 208:9 209:6,23 210:7 211:5,13 212:3 220:3,10 221:24 224:11 <b>available (6)</b> 174:17,18 175:8 176:7 189:18 190:23 <b>avoid (1)</b> 178:6 <b>awkward (1)</b> 179:18	179:2 <b>bad (1)</b> 204:5 <b>barrier (1)</b> 204:15 <b>base (1)</b> 216:5 <b>based (4)</b> 180:21 194:1 219:23 223:12 <b>battery (1)</b> 180:13 <b>Bay (1)</b> 176:10 <b>bear (1)</b> 191:16 <b>beginning (5)</b> 182:14 184:11 187:12 207:22 215:3 <b>behalf (1)</b> 225:3 <b>behaved (1)</b> 173:8 <b>believe (4)</b> 196:21 197:14 201:13 202:8 <b>Belinda (4)</b> 191:21,25 192:4 208:9 <b>Ben (2)</b> 176:1,8 <b>beneficial (1)</b> 210:7 <b>benefit (3)</b> 180:18 194:15 220:21 <b>best (3)</b> 196:17 200:6 226:6 <b>better (2)</b> 196:10 203:15 <b>big (1)</b> 181:13 <b>birds (2)</b> 223:1,8 <b>bit (22)</b> 179:1,6 180:12 181:16 182:8 183:3,23 184:4,7,16,17 185:17 186:17 187:6 189:26 199:20,22 202:8 203:9,15 210:11 210:20 <b>Björkdal (2)</b> 193:17 207:9 <b>blasting (1)</b> 203:26	<b>Blue (2)</b> 207:21 207:23 <b>board (59)</b> 167:3 168:7 169:9 170:6,11,15 173:10,15,18,19 174:14 175:11 175:15 176:1,6 176:9,25 177:17 177:19,24 178:16,19,21 179:4,10 180:7 180:15 184:9 187:25 189:14 190:10 191:1,10 191:15 192:2,7 192:7 194:7,17 195:14,26 197:8 199:10 202:5 206:26 211:17 212:13 214:3,7 215:8 220:20 221:10,13,19 222:5,6 223:11 224:6 225:3 <b>Board's (7)</b> 175:1 176:26 178:11 180:21 189:19 191:8 214:5 <b>Bocking (1)</b> 171:10 <b>bodies (1)</b> 224:1 <b>booth (1)</b> 176:3 <b>born (1)</b> 203:9 <b>bottom (1)</b> 198:19 <b>bought (1)</b> 207:9 <b>brain (1)</b> 200:11 <b>branched (1)</b> 203:15 <b>break (2)</b> 187:5 220:5 <b>brief (5)</b> 174:11 178:19 186:1 189:3 214:24 <b>briefly (4)</b> 178:26 179:7 222:16	223:16 <b>bring (4)</b> 186:25 187:5 203:21,24 <b>bringing (1)</b> 200:6 <b>brings (1)</b> 189:13 <b>brought (1)</b> 182:25 <b>budget (1)</b> 206:17 <b>building (1)</b> 201:3 <b>buildings (4)</b> 186:19 204:11 205:6 216:5 <b>built (1)</b> 203:11	180:19 <b>capped (1)</b> 199:1 <b>capping (1)</b> 198:26 <b>capture (1)</b> 215:12 <b>care (16)</b> 173:26 184:6,8 185:13 185:18 193:21 195:15 197:17 200:9,20 201:8 201:15 207:17 208:11 209:12 215:4 <b>care-and-maint...</b> 185:12 <b>carefully (1)</b> 193:4 <b>carried (1)</b> 215:13 <b>carry (1)</b> 202:22 <b>Cascada (1)</b> 198:10 <b>cash (1)</b> 193:24 <b>causes (1)</b> 197:20 <b>Cell (1)</b> 200:23 <b>CEO (1)</b> 194:4 <b>Certificate (2)</b> 168:18 226:1 <b>certify (1)</b> 226:3 <b>cetera (1)</b> 210:1 <b>CFO (1)</b> 194:7 <b>chair (16)</b> 170:7 173:5,15,16 174:9 176:24 177:23 179:26 192:2 208:5 211:18 220:19 221:22 222:5 224:16,20 <b>chairing (1)</b> 175:13 <b>chairperson (1)</b> 177:12 <b>challenge (1)</b> 218:16 <b>change (26)</b>
<b>C</b>				
<b>C (1)</b> 171:7 <b>Calgary (1)</b> 226:8 <b>call (5)</b> 189:3 205:15,16 217:1 219:2 <b>called (1)</b> 193:12 <b>Cambridge (1)</b> 176:10 <b>camp (1)</b> 186:7 <b>campaign (1)</b> 207:23 <b>Canada (36)</b> 168:13,16 169:10 172:3,13 177:5,22 179:12 179:14 181:25 187:20,26 188:16,18,20 190:4 194:22 206:26 212:6,10 213:2 220:13,17 220:24,26 221:20 222:1,3 222:10,26 223:4 223:10,14,17 224:4,13 <b>Canada's (2)</b> 222:16 223:5 <b>Canadian (1)</b> 223:6 <b>Canadians (1)</b>				

172:13 177:5,22 179:13 184:22 188:17,17 201:24 220:17 220:26 221:20 222:1,3,10,16 222:22 223:5,10 223:14,17,18 224:4,7,13 <b>changed (1)</b> 195:6 <b>Channel (3)</b> 174:19,19,20 <b>check (4)</b> 181:21 187:16,18 211:2 <b>chemicals (1)</b> 208:26 <b>Chief (1)</b> 171:5 <b>Chile (4)</b> 194:5,21 198:4,19 <b>Chilean (1)</b> 199:4 <b>Christine (2)</b> 191:19,24 <b>Christmas (1)</b> 188:12 <b>CIRNA (2)</b> 181:24 187:26 <b>CIRNAC (25)</b> 177:5 179:13 188:23 190:3 195:26 197:7 206:26 213:2,14 214:2 215:10,18 215:26 216:7,11 216:13,20 217:12,15 218:6 218:15,23 219:10,18 220:14 <b>CIRNAC's (2)</b> 217:25 219:6 <b>City (1)</b> 226:8 <b>Claims (1)</b> 213:19 <b>clarity (1)</b> 201:10 <b>clean (6)</b> 188:25 203:20 204:23 216:6 218:24	219:20 <b>cleaned (3)</b> 203:16 218:20 218:26 <b>cleaning (1)</b> 201:1 <b>cleanup (3)</b> 203:8 203:18,25 <b>clear (2)</b> 198:20 205:13 <b>cleared (1)</b> 209:2 <b>clearly (1)</b> 178:4 <b>climate (24)</b> 168:15 169:10 172:13 177:5,22 179:13 188:17 188:17 201:24 220:17,26 221:20 222:1,3 222:10,16,22 223:4,10,14,17 223:18 224:4,13 <b>close (6)</b> 196:3 198:9,23 217:23 224:16 225:14 <b>closed (4)</b> 194:10 194:13 198:19 199:15 <b>closely (1)</b> 206:19 <b>closing (7)</b> 168:17 194:20 198:15 199:12 202:16 224:19 225:16 <b>closure (26)</b> 173:22 186:12 186:21 193:22 195:17 197:18 197:22 199:1,3 201:11,19 202:6 202:23 206:21 209:20 210:3 213:11 215:5,8 215:11,25 217:19,22 218:10,11 223:22 <b>closures (2)</b>	194:19,22 <b>co-manage (1)</b> 213:14 <b>coffee (1)</b> 175:4 <b>cold (1)</b> 193:7 <b>cold-weather (1)</b> 193:8 <b>collaborative (1)</b> 197:8 <b>colleague (1)</b> 212:12 <b>combination (1)</b> 199:2 <b>come (8)</b> 179:17 202:14 203:3,5 206:3 208:13 211:11 220:6 <b>comes (1)</b> 210:19 <b>coming (3)</b> 191:4 203:23 210:25 <b>COMMENCE...</b> 173:3 <b>commencing (1)</b> 191:21 <b>comment (4)</b> 209:8,10 224:5 224:7 <b>comments (19)</b> 177:9,14,17,26 182:11,25 187:17,22,25 188:3 191:5 208:12 213:7,8 222:18 223:11 223:15,18 224:22 <b>Commercial (1)</b> 184:4 <b>commitment (3)</b> 215:24 216:22 217:12 <b>commitments (4)</b> 182:25 188:8,14 214:14 <b>committed (1)</b> 218:5	<b>communicate (2)</b> 195:23 202:15 <b>communication...</b> 176:2 206:11 <b>communication...</b> 170:17 195:25 206:9,21 <b>communities (2)</b> 195:5 197:19 <b>community (36)</b> 167:16 168:5,10 169:5,10 170:4 173:10 175:8 189:15 190:9,11 190:16 192:4,16 196:21,22,25 205:22 207:2 208:6,16 211:21 212:2,17 216:15 220:21 221:3,20 222:6 224:17,21 224:26 225:7,10 225:12,14 <b>companies (1)</b> 178:22 <b>company (25)</b> 192:8,11,19,25 193:18,23 194:4 194:12,12,26 195:2,11 196:5 196:20 197:2 198:4,6 199:8,9 200:9 201:13 203:9,10 207:9 214:19 <b>complete (8)</b> 174:23 186:9,21 198:12 199:1 205:1 219:5 226:4 <b>completed (3)</b> 201:9 205:2 212:20 <b>completely (3)</b> 210:22 212:25 213:9	<b>completeness (2)</b> 187:16,18 <b>completing (1)</b> 202:26 <b>Complex (1)</b> 170:1 <b>compliance (1)</b> 209:13 <b>concern (1)</b> 217:25 <b>concerned (1)</b> 209:1 <b>concerns (1)</b> 217:25 <b>concluded (1)</b> 207:20 <b>concludes (1)</b> 224:8 <b>concrete (1)</b> 203:13 <b>condition (1)</b> 196:11 <b>conduct (2)</b> 180:26 197:13 <b>conducted (4)</b> 173:17 178:9 200:13,16 <b>conference (4)</b> 182:17,20 188:7 189:3 <b>confirm (2)</b> 211:4 216:23 <b>confirmation (1)</b> 219:9 <b>confirmed (1)</b> 216:20 <b>connected (1)</b> 219:2 <b>conservation (1)</b> 180:16 <b>consider (5)</b> 173:18 216:1,24 219:10,26 <b>consideration (1)</b> 214:5 <b>considers (1)</b>
--	---	---	---	--

223:14 <b>constructing (1)</b> 203:22 <b>construction (4)</b> 171:18 202:22 215:18,19 <b>consultant (2)</b> 171:8 212:11 <b>consultants (1)</b> 206:22 <b>Consulting (3)</b> 171:12,14,16 <b>containers (1)</b> 192:16 <b>containment (1)</b> 223:25 <b>contaminate (2)</b> 204:6,8 <b>contaminated (2)</b> 186:15 204:3 <b>contamination (...)</b> 215:17 217:4 <b>content (1)</b> 201:3 <b>CONTENTS (1)</b> 168:1 <b>continued (4)</b> 200:20,22 201:9 202:2 <b>continuous (1)</b> 206:11 <b>contractor (3)</b> 195:18 202:7 206:20 <b>contributed (2)</b> 175:17 213:5 <b>contributing (1)</b> 225:10 <b>control (2)</b> 173:6 216:24 <b>controlling (1)</b> 173:7 <b>Contwoyto (1)</b> 173:24 <b>Convention (1)</b> 223:8 <b>coordination (1)</b>	222:25 <b>coordinator (2)</b> 172:15 222:9 <b>copies (1)</b> 189:10 <b>copy (5)</b> 169:4,8 211:20,26 221:17 <b>corporate (1)</b> 197:26 <b>Corporation (4)</b> 169:5 184:19,24 212:1 <b>cost (4)</b> 213:13 218:14,14,17 <b>Costerfield (1)</b> 193:14 <b>counsel (9)</b> 170:12 171:7 175:20 176:6 191:20 211:17 220:19 221:10 221:13 <b>couple (5)</b> 185:23 190:24 202:26 204:25 220:12 <b>course (1)</b> 179:24 <b>court (5)</b> 172:26 176:16,17 178:2 226:15 <b>cover (13)</b> 200:25 205:4,8 210:1 210:17,18,20 211:3 216:21,22 219:14 223:19 223:23 <b>coverage (1)</b> 201:25 <b>covered (2)</b> 210:22,23 <b>covering (3)</b> 204:21 209:16 216:6 <b>create (1)</b> 196:18 <b>creating (1)</b> 204:15 <b>crisis (1)</b> 197:17	<b>criteria (1)</b> 219:24 <b>crowd (1)</b> 190:12 <b>crown (6)</b> 203:26 213:15,26 218:23,25 219:19 <b>Crown-Indigen...</b> 168:12 172:3 177:4,21 179:12 183:15 187:19 188:20 211:10 212:5,9 213:1 213:17 220:23 <b>CSR(A) (2)</b> 172:26 226:14 <b>cubic (10)</b> 174:1,3 181:4,8 184:20 185:3,17,20 186:7,9 <b>current (2)</b> 185:9 188:22 <b>currently (5)</b> 184:14 194:5 218:18,21 219:21 <b>customers (1)</b> 197:23	201:21 <b>deal (2)</b> 209:15 216:14 <b>dealing (1)</b> 193:2 <b>December (5)</b> 188:15,18,18 214:15,16 <b>decided (2)</b> 195:7 217:22 <b>decision (11)</b> 175:1 182:20 183:11,12,16,18 188:7 193:20 196:3 198:23 202:5 <b>decision-makin...</b> 175:14 <b>deconstructing ...</b> 204:11 <b>define (1)</b> 217:10 <b>Delighted (1)</b> 192:2 <b>demolishing (1)</b> 204:12 <b>demolition (2)</b> 186:18 205:2 <b>department (6)</b> 172:10 213:17 213:24 214:6 222:20 223:5 <b>department's (1)</b> 222:12 <b>deposit (3)</b> 174:5 180:23 184:20 <b>Derek (5)</b> 176:3 178:14,18 191:6 191:10 <b>Derek's (1)</b> 191:7 <b>derive (1)</b> 217:8 <b>describe (1)</b> 179:2 <b>described (1)</b> 187:16 <b>Description (2)</b> 168:3 169:2 <b>design (3)</b> 216:3 216:22 217:21	<b>detail (2)</b> 184:17 210:11 <b>detailed (2)</b> 215:12 216:8 <b>details (13)</b> 179:8 183:9 186:2 187:6 210:12 216:22 217:17 217:20 218:4,5 218:17 223:21 224:1 <b>determine (1)</b> 219:4 <b>developed (1)</b> 195:4 <b>Development (1)</b> 171:5 <b>Dewar (1)</b> 172:8 <b>diamond (2)</b> 208:24 224:8 <b>Dicta (1)</b> 176:17 <b>died (1)</b> 180:14 <b>diesel (1)</b> 200:14 <b>different (8)</b> 179:3,4,5 181:23 184:10 185:17 208:24 221:14 <b>difficult (1)</b> 193:1 <b>difficulties (2)</b> 176:13 180:13 <b>direct (2)</b> 177:18 205:14 <b>directly (1)</b> 178:4 <b>director (11)</b> 170:13,14,15 172:7,8 174:13 175:24,26 176:1 176:21 192:5 <b>directors (3)</b> 194:8,17 202:5 <b>disagree (1)</b> 183:17 <b>discharge (1)</b> 185:7 <b>discharging (1)</b>
--	---	---	---	---



<b>discuss (4)</b> 182:18 187:1 189:4 214:20	<b>drink (1)</b> 220:6	215:13	179:13 181:24	222:8 224:11
<b>discussed (1)</b> 186:4	<b>Duffy (1)</b> 194:20	<b>email (2)</b> 190:18 190:20	187:26 188:16	<b>evaluate (2)</b> 217:3 217:21
<b>discussing (3)</b> 181:10 186:1 216:7	<b>dumps (1)</b> 198:17	<b>emails (1)</b> 190:26	188:17 190:4	<b>evaluated (1)</b> 181:22
<b>discussion (4)</b> 168:11 188:22 211:12 217:14	<b>duration (1)</b> 223:21	<b>emergency (1)</b> 185:6	196:9,15 198:21 199:18 200:10 204:6,16,24 206:25 217:4,23 218:3 220:13,17 220:26 221:19 222:1,2,9,15,20 222:22 223:4,4 223:6,10,13,17 224:4,12	<b>evening (8)</b> 173:9 192:1,3,6 207:3 212:7,18 222:5
<b>discussions (3)</b> 183:21 212:21 223:13	<b>duties (1)</b> 222:21	<b>employees (4)</b> 196:20 197:1,14 203:21	<b>encapsulated (1)</b> 215:23	<b>everybody (5)</b> 189:5 196:12 200:3 206:17 210:13
<b>dismantling (1)</b> 198:16	<b>Dwyer (2)</b> 170:18 176:4	<b>encourage (2)</b> 177:16 190:13	<b>ended (1)</b> 185:16	<b>everybody's (1)</b> 196:7
<b>disposal (4)</b> 186:11,19 201:7 224:2	<b>Dwyer's (1)</b> 190:18	<b>enforced (1)</b> 185:16	<b>enforcement (1)</b> 223:3	<b>everything's (1)</b> 203:6
<b>distributed (2)</b> 187:15 189:11	<hr/>	<b>enforces (1)</b> 213:25	<b>environmental ...</b> 172:14 189:21 197:20 200:13 200:16,22 201:12 206:23 207:26 215:14 216:9 219:9,26 222:9,24 223:6	<b>evidence (2)</b> 219:25 220:26
<b>diversified (1)</b> 197:23	<b>E</b>	<b>engage (1)</b> 206:26	<b>engineer (2)</b> 171:13 219:7	<b>exactly (1)</b> 188:24
<b>division (1)</b> 212:12	<b>E (1)</b> 172:14	<b>engineer (2)</b> 171:13 219:7	<b>engineered (1)</b> 217:18	<b>example (1)</b> 198:10
<b>documents (1)</b> 187:13	<b>E-V-A (1)</b> 221:6	<b>engineering (1)</b> 206:24	<b>environmentall...</b> 199:9	<b>Exchange (1)</b> 192:19
<b>doing (10)</b> 185:16 195:21,22 202:20 204:2,24 205:11 207:4 208:4 210:2	<b>earlier (4)</b> 187:16 201:18 209:20 220:22	<b>engineers (1)</b> 206:22	<b>equipment (5)</b> 203:24 205:13 205:13,14 210:23	<b>executive (4)</b> 170:13 174:13 175:24 176:21
<b>dome (1)</b> 216:3	<b>early (1)</b> 208:22	<b>English (3)</b> 169:6 174:20 212:2	<b>erosion (1)</b> 216:23	<b>exhibit (8)</b> 169:4 169:8 211:19,22 211:24,26 221:16,17
<b>dome-shaped (1)</b> 216:6	<b>earpieces (1)</b> 174:18	<b>English/Inuinn...</b> 169:11 221:21	<b>esker (8)</b> 200:24 201:25 204:13 204:13,19 205:8 209:17 210:18	<b>EXHIBITS (1)</b> 169:1
<b>Dominic (1)</b> 194:20	<b>ECCC (2)</b> 177:6 179:14	<b>enhancement (1)</b> 222:23	<b>essentially (5)</b> 183:17 188:9 204:15,18 205:8	<b>existence (1)</b> 193:14
<b>Donald (8)</b> 170:19 176:3 178:17,18 179:22,24 180:3 180:5	<b>Ecological (2)</b> 217:1,2	<b>enjoy (1)</b> 194:24	<b>established (1)</b> 180:8	<b>existing (2)</b> 173:13 215:7
<b>draft (1)</b> 224:5	<b>effectiveness (1)</b> 223:22	<b>ensure (4)</b> 174:23 176:15 177:14 206:22	<b>estimate (7)</b> 213:13 218:14 218:15,17,18,19 218:21	<b>expects (1)</b> 199:11 199:11
<b>drainage (2)</b> 223:24,26	<b>effects (2)</b> 200:13 200:22	<b>entire (2)</b> 205:5 218:25	<b>et (1)</b> 210:1	<b>expected (1)</b> 218:1
<b>drilling (1)</b> 192:15	<b>efficient (2)</b> 196:9 202:7	<b>entrance (1)</b> 176:5	<b>estimation (1)</b> 219:18	<b>experiences (1)</b> 199:11
	<b>effluent (2)</b> 185:7 224:8	<b>environment (41)</b> 168:15 169:10 172:13 177:5,22	<b>Eva (6)</b> 168:14 221:6,11 222:2	<b>experience (4)</b> 176:13 194:18 194:21 197:15
	<b>either (1)</b> 183:19			<b>expert (2)</b> 172:16 222:11
	<b>elaborate (1)</b> 210:8			
	<b>Elder (2)</b> 177:10 209:3			
	<b>Elders (3)</b> 209:4 222:5 225:7			
	<b>electronics (1)</b> 201:4			
	<b>Elgin (3)</b> 193:17 198:5 207:9			
	<b>eliminate (1)</b>			

<b>expertise (3)</b> 200:4 203:19 214:5	201:11 202:21 214:16 215:8,11 217:19 218:9 222:13,18	182:19 183:5,10 186:5,23 187:15 213:16 217:14	<b>G (2)</b> 172:4,7	202:22,23,25,25
<b>expires (1)</b> 184:16		<b>footprint (1)</b> 216:4	<b>gathered (1)</b> 189:20	204:3,3,6,7,10 204:21,24
<b>exploration (2)</b> 181:6 207:23	<b>finally (6)</b> 181:8 184:25 197:23 202:20 218:13 224:2	<b>foregoing (1)</b> 226:3	<b>general (2)</b> 180:20 195:13	205:19,19 206:16 208:4 209:19 210:10 210:17,22 211:3 211:14 212:23 216:8 219:4 220:4,16 221:2 224:15
<b>explore (1)</b> 207:25	<b>financial (1)</b> 184:22	<b>forgot (1)</b> 211:18	<b>generate (1)</b> 223:26	<b>gold (14)</b> 167:10 184:4,19,23 193:11 195:11 198:11 207:18 207:21 208:23 208:26,26 209:10 215:3
<b>exposed (3)</b> 216:16,18 219:15	<b>finding (1)</b> 196:26	<b>Fortunately (1)</b> 193:2	<b>geochemical (1)</b> 215:21	<b>Golder (1)</b> 171:10
<b>extend (2)</b> 184:25 222:22	<b>fine (1)</b> 207:5	<b>forward (5)</b> 200:19 201:22 208:4,7 225:13	<b>geochemistry (1)</b> 201:26	<b>good (5)</b> 173:9 192:1 200:26 212:7 222:5
<b>extra (2)</b> 218:9,12	<b>finer (1)</b> 183:9	<b>forward-lookin...</b> 192:22	<b>geotechnical (3)</b> 171:13 217:17 217:20	<b>Gordon (1)</b> 203:17
<b>extract (1)</b> 208:25	<b>finish (2)</b> 189:17 200:26	<b>found (1)</b> 207:19	<b>Gerd (1)</b> 212:11	<b>gotten (1)</b> 183:9
<hr/> <b>F</b> <hr/>	<b>finished (1)</b> 223:22	<b>framework (1)</b> 219:3	<b>getting (5)</b> 201:10 204:4,17,17 211:13	<b>governed (1)</b> 223:5
<b>face (1)</b> 203:3	<b>finishing (1)</b> 210:2	<b>freshwater (3)</b> 180:11 213:15 213:26	<b>giant (1)</b> 203:18	<b>government (5)</b> 180:8 198:7 199:4 206:25 222:26
<b>facilities (1)</b> 185:8	<b>fire (1)</b> 193:3	<b>front (1)</b> 179:18	<b>give (7)</b> 176:21 178:14 179:1,14 214:24 220:5,25	<b>grab (1)</b> 220:6
<b>fact (2)</b> 187:2 199:16	<b>fires (1)</b> 193:2	<b>frozen (2)</b> 210:19 210:24	<b>gives (1)</b> 207:14	<b>gravel (1)</b> 223:23
<b>fair (1)</b> 186:17	<b>first (17)</b> 174:2 179:1 181:1 183:13 184:12 184:18 193:13 194:14 195:11 195:18 203:9 209:18 213:8,10 215:16 219:12 219:14	<b>FTP (2)</b> 189:19,23	<b>go (23)</b> 178:6,23 178:26 179:4 182:7 183:11 184:16 186:2 189:24 192:18 195:14,16 199:21 200:8,19 202:6,24 205:24 206:8,21 209:23 211:14 222:15	<b>great (5)</b> 200:25 207:3 209:12,15 211:5
<b>fairly (2)</b> 205:12 210:18	<b>Fisheries (1)</b> 223:8	<b>fuel-tank (1)</b> 201:1	<b>Godwin (5)</b> 211:13 212:3,8 220:3,14	<b>grew (1)</b> 194:2
<b>fall (1)</b> 181:7	<b>floor (2)</b> 174:19 212:3	<b>fuelling (1)</b> 205:17	<b>goes (1)</b> 200:4	<b>group (1)</b> 194:3
<b>family (1)</b> 194:6	<b>flora (1)</b> 223:2	<b>fulfilled (1)</b> 188:14	<b>going (44)</b> 182:7 184:9 186:13 188:24 191:14 194:11,23 195:24 199:22 201:22,22 202:9 202:10,11,19,20	<b>groups (4)</b> 180:26 195:4 200:21 206:25
<b>far (5)</b> 191:2 193:6,7 206:4 218:15	<b>focus (2)</b> 196:17 198:6	<b>fund (4)</b> 219:1,5 219:11,23		<b>guess (6)</b> 182:22 183:18 184:11 185:23 191:4 203:14
<b>farm (1)</b> 201:2	<b>focues (1)</b> 178:20	<b>Furioso (1)</b> 198:22		<b>guys (1)</b> 206:6
<b>fauna (1)</b> 223:2	<b>folks (1)</b> 210:8	<b>furniture (1)</b> 201:4		
<b>feedback (1)</b> 190:11	<b>follow (2)</b> 175:9 195:24	<b>further (1)</b> 183:20		
<b>feel (1)</b> 217:16	<b>followed (3)</b> 174:3 177:1 181:19	<b>future (3)</b> 192:20 192:21 215:15		
<b>feels (1)</b> 190:16	<b>following (12)</b> 177:2 180:22 181:26 182:16	<hr/> <b>G</b> <hr/>		
<b>field (1)</b> 200:5				
<b>file (4)</b> 173:11 175:2,15 221:15				
<b>filed (2)</b> 173:11 197:21				
<b>fill (2)</b> 175:2 205:23				
<b>filled (1)</b> 206:1				
<b>final (16)</b> 173:22 186:12 187:13 188:16 189:12 193:22 197:21				

<p><b>H</b></p> <p><b>half (1)</b> 188:12</p> <p><b>hand (4)</b> 177:12 202:11 211:15 224:15</p> <p><b>handing (1)</b> 191:22</p> <p><b>handling (1)</b> 223:25</p> <p><b>hands (2)</b> 191:11 224:14</p> <p><b>Hanson (3)</b> 170:8 175:15 224:24</p> <p><b>happen (2)</b> 192:21 215:17</p> <p><b>happening (1)</b> 193:5</p> <p><b>happy (3)</b> 206:1,2 207:19</p> <p><b>hard (6)</b> 169:4,8 175:25 211:19 211:26 221:17</p> <p><b>harm (1)</b> 197:21</p> <p><b>hazardous (4)</b> 186:16 200:18 201:5,6</p> <p><b>heads-up (1)</b> 179:15</p> <p><b>headsets (1)</b> 176:14</p> <p><b>health (3)</b> 217:1,2 217:4</p> <p><b>hear (5)</b> 177:26 179:25 190:15 191:5 210:13</p> <p><b>heard (4)</b> 178:8 192:6 209:20 216:15</p> <p><b>hearing (30)</b> 173:10,16,16,17 174:11,17,25 175:7 177:24 178:1,9,9 183:1 183:5,10 188:10 189:5,10,12,14 189:17 190:10</p>	<p>211:22,25 212:15,18 221:16 224:16 224:17 225:2</p> <p><b>heavily (2)</b> 203:17 204:2</p> <p><b>held (3)</b> 188:4,10 189:3</p> <p><b>Helen (2)</b> 205:18 205:20</p> <p><b>hello (2)</b> 192:4 208:18</p> <p><b>help (3)</b> 175:6 190:8 202:7</p> <p><b>helped (2)</b> 190:4 201:19</p> <p><b>helping (1)</b> 202:22</p> <p><b>helps (1)</b> 201:21</p> <p><b>Hi (2)</b> 202:17 203:1</p> <p><b>high (3)</b> 197:15 205:11 206:4</p> <p><b>historical (1)</b> 217:5</p> <p><b>history (3)</b> 184:4 187:6 192:11</p> <p><b>Hohnstein (1)</b> 171:8</p> <p><b>hold (7)</b> 182:11 182:16 183:5 188:23 218:18 218:19,21</p> <p><b>holding (1)</b> 219:21</p> <p><b>holds (3)</b> 180:9 188:23 197:18</p> <p><b>hosted (1)</b> 189:14</p> <p><b>housekeeping (1)</b> 174:12</p> <p><b>human (3)</b> 217:1 217:2,3</p> <p><b>hundred (1)</b> 199:14</p> <p><b>hydrocarbon (1)</b> 186:15</p>	<p><b>Hydrogeologist ...</b> 171:15</p> <p><b>hydrology (1)</b> 202:1</p> <p><b>I</b></p> <p><b>ice (2)</b> 202:21 203:23</p> <p><b>idea (2)</b> 199:20 217:18</p> <p><b>ideas (1)</b> 207:25</p> <p><b>identified (1)</b> 216:13</p> <p><b>imagine (1)</b> 201:4</p> <p><b>impact (3)</b> 197:20 201:24 216:9</p> <p><b>important (5)</b> 177:24 202:3,16 206:10 208:25</p> <p><b>in-house (2)</b> 176:8 203:19</p> <p><b>include (1)</b> 201:23</p> <p><b>included (3)</b> 177:15 198:15 218:9</p> <p><b>including (7)</b> 186:16 194:9 196:26 198:26 200:14 222:24 223:1</p> <p><b>incomplete (1)</b> 187:11</p> <p><b>Incorporated (1...</b> 168:8,9 171:3,9 173:12 177:2,20 179:9,11 181:12 184:24 191:26 208:16 212:15 223:12 224:6</p> <p><b>indicate (1)</b> 211:18</p> <p><b>indicated (2)</b> 215:22 216:3</p> <p><b>indicating (1)</b> 217:12</p> <p><b>indirect (2)</b> 205:15,16</p>	<p><b>individuals (3)</b> 175:20 195:2 200:2</p> <p><b>industrial (1)</b> 186:8</p> <p><b>info (1)</b> 179:2</p> <p><b>information (17)</b> 177:25 181:22 182:1,21,22 183:8 188:9,13 189:20,21,25 206:18 214:10 218:9,12 219:17 225:9</p> <p><b>infrastructure (5)</b> 193:3 198:17 199:15 205:7 215:20</p> <p><b>initial (2)</b> 181:20 187:18</p> <p><b>initially (2)</b> 181:18 187:10</p> <p><b>initiative (1)</b> 198:13</p> <p><b>innovation (1)</b> 196:16</p> <p><b>institute (1)</b> 180:7</p> <p><b>instrumental (1)</b> 199:24</p> <p><b>instruments (2)</b> 210:24 211:2</p> <p><b>insufficient (1)</b> 219:17</p> <p><b>Integrity (1)</b> 195:21</p> <p><b>intend (2)</b> 195:16 205:25</p> <p><b>intention (2)</b> 206:5 210:18</p> <p><b>intentions (1)</b> 185:14</p> <p><b>interested (1)</b> 214:4</p> <p><b>interesting (1)</b> 207:24</p> <p><b>international (2)</b></p>	<p>192:25 194:3</p> <p><b>internet (1)</b> 189:22</p> <p><b>interpretation (1)</b> 174:17</p> <p><b>interpreter (1)</b> 176:9</p> <p><b>interpreters (4)</b> 176:7 178:1,5 179:23</p> <p><b>INTERPRETE...</b> 172:19</p> <p><b>interpreting (1)</b> 176:3</p> <p><b>intervening (3)</b> 181:24 188:1 190:7</p> <p><b>Intervenors (5)</b> 172:1 174:15 177:21 211:9 225:4</p> <p><b>Intervenors' (1)</b> 188:3</p> <p><b>intervention (1)</b> 198:7</p> <p><b>interventions (1)</b> 182:10</p> <p><b>introduce (2)</b> 175:11,20</p> <p><b>introductory (1)</b> 174:12</p> <p><b>Inuinnaqtun (3)</b> 172:20,23 174:20</p> <p><b>investment (1)</b> 197:25</p> <p><b>investors (2)</b> 196:19 199:11</p> <p><b>invite (1)</b> 177:7</p> <p><b>invited (1)</b> 187:23</p> <p><b>involved (3)</b> 191:2 203:12,18</p> <p><b>Iqaluit (2)</b> 212:10 212:12</p> <p><b>issuance (1)</b> 217:15</p>
---	---	---	---	---

<b>issue (20)</b> 173:19 179:4 180:22,25 183:12 198:24 212:24 215:16 216:1,2,11,12 216:13,25,26 217:16,17 218:13 219:17 219:18	171:4,10,17 202:2 <b>Kaiyogana (2)</b> 208:18,19 <b>Karén (2)</b> 175:24 182:7 <b>Karyn (12)</b> 191:17 199:24 200:2,11 202:12 202:12,12,17 206:7,15 209:23 209:24 <b>keep (4)</b> 173:8 179:15 215:25 218:1 <b>keeping (1)</b> 206:16 <b>Kenny (8)</b> 202:3,8 202:13,24 203:4 206:7 210:15,16 <b>kept (1)</b> 176:16 <b>key (2)</b> 195:25 206:16 <b>Kharatyan (3)</b> 170:14 175:25 180:2 <b>KIA (1)</b> 207:15 <b>kids (2)</b> 173:6,7 <b>kilograms (1)</b> 201:6 <b>kilometres (5)</b> 173:24 183:25 207:11 215:1,2 <b>kind (8)</b> 182:18 183:10 185:13 186:4,13 189:5 203:7 209:4 <b>kinds (1)</b> 201:3 <b>Kinross (2)</b> 184:19,23 <b>Kitchen (1)</b> 205:16 <b>Kitikmeot (2)</b> 207:16 215:1 <b>knew (1)</b> 189:6 <b>know (21)</b> 175:22	187:1 189:6,20 190:16 194:15 200:5,6 203:3,5 206:5 207:24 209:26 211:3 214:23,24 215:18,20 216:14,16 225:1 <b>knows (2)</b> 202:13 205:22 <b>Koana (1)</b> 220:2 <b>Kogvik (4)</b> 170:15 172:20 176:1,8 <b>Kohlenberg (1)</b> 172:10 <b>Kowbel (3)</b> 171:7 191:19,19 <b>Kugluktuk (15)</b> 167:25 168:10 170:1,2 173:24 182:15 183:26 188:5 192:3 193:7 212:17 214:12 215:2 224:22 225:8	191:3 <b>late (1)</b> 207:20 <b>latest (1)</b> 212:20 <b>Law (1)</b> 176:6 <b>laws (1)</b> 213:16 <b>Lawson (1)</b> 171:7 <b>layer (1)</b> 199:1 <b>layers (2)</b> 198:26 199:12 <b>leach (1)</b> 223:26 <b>leaching (1)</b> 223:24 <b>lead (2)</b> 172:16 222:11 <b>leadership (1)</b> 206:13 <b>leading (1)</b> 199:25 <b>learn (2)</b> 193:18 193:19 <b>learning (1)</b> 200:10 <b>leave (2)</b> 179:7 186:14 <b>left (2)</b> 175:16 186:13 <b>legal (11)</b> 170:12 171:7 175:19 176:6,6 191:19 211:14,17 220:19 221:10 221:13 <b>legibly (1)</b> 175:2 <b>legislation (1)</b> 222:17 <b>Let's (2)</b> 174:7 225:15 <b>level (4)</b> 205:11 206:4 217:9,10 <b>levels (2)</b> 201:26 219:15 <b>Lewis (5)</b> 171:4 202:12,17,17 209:24 <b>liabilities (2)</b> 207:26 215:14 <b>liability (5)</b>	201:12 218:24 219:10,20,26 <b>licence (28)</b> 167:10 173:14 173:20 178:23 178:25 181:2,5 181:9,14 183:20 184:12,15,26 185:1,8,9,16,22 186:4 195:17 207:22 212:16 213:6 214:9 215:8 217:15 222:14 224:5 <b>licenced (1)</b> 185:10 <b>licences (4)</b> 179:5 180:25 184:10 214:2 <b>licencing (5)</b> 170:18 176:4 179:5 216:24 218:6 <b>lifecycle (1)</b> 194:10 <b>likelihood (1)</b> 223:20 <b>list (2)</b> 190:26 205:13 <b>listed (1)</b> 192:19 <b>listening (1)</b> 195:23 <b>little (14)</b> 179:6 180:12 181:16 183:23 184:6,16 184:17 185:17 187:5 202:8 203:9,15 210:9 210:20 <b>live (1)</b> 197:14 <b>living (2)</b> 176:10 194:26 <b>LMI (27)</b> 173:12 173:18 179:8,11 184:24 187:10 188:8,12,22
<b>J</b> <b>J (3)</b> 171:15 172:23,26 <b>January (11)</b> 167:26 168:5 170:4 189:1,2,8 189:8,9,11 225:18 226:9 <b>job (2)</b> 205:12,21 <b>jobs (2)</b> 205:22,23 <b>Joe (1)</b> 176:9 <b>joined (2)</b> 212:10 222:7 <b>joining (1)</b> 175:12 <b>Jones (2)</b> 194:18 194:21 <b>Julie (4)</b> 176:16 176:18 226:3,14 <b>July (1)</b> 187:10 <b>June (6)</b> 182:14 183:4 188:3,6 214:12,13 <b>Justice (1)</b> 172:10 <b>justify (1)</b> 218:17	<b>K</b> <b>K (5)</b> 170:14	<b>L</b> <b>L (1)</b> 170:7 <b>La (1)</b> 198:10 <b>Labatte (6)</b> 171:5 191:21 192:1,4 206:7 209:9 <b>Lake (2)</b> 173:24 203:17 <b>land (5)</b> 172:5 201:2 213:15,19 213:26 <b>landfill (1)</b> 204:12 <b>lands (2)</b> 212:12 213:22 <b>Language (2)</b> 172:20,23 <b>large (3)</b> 181:10 190:12 197:23 <b>largest (1)</b> 194:14 <b>lasting (1)</b> 204:26 <b>lastly (2)</b> 190:26		

201:19 202:10 202:17 209:24 214:19,19 215:22,23 216:3 216:7,14,20 217:12 218:4,21 219:1,4 220:22 <b>LMI's (5)</b> 187:21 188:2,23 216:11 224:22 <b>local (1)</b> 198:17 <b>located (4)</b> 174:18 174:22 175:4 207:11 <b>location (1)</b> 183:24 <b>long (3)</b> 207:15 216:10 217:23 <b>long-term (2)</b> 217:26 219:14 <b>longer (1)</b> 204:26 <b>look (10)</b> 179:1 189:25,25 196:11,16 197:12 202:10 208:6 210:10 225:12 <b>looking (6)</b> 180:26 182:5 190:15 195:22 205:22 210:4 <b>looks (3)</b> 198:20 199:17 206:12 <b>Lootie (3)</b> 173:14 224:16,18 <b>lot (10)</b> 179:15 181:6 193:2,3,8 200:10 201:10 201:20 210:11 214:21 <b>lots (3)</b> 187:1 205:26,26 <b>loud (1)</b> 179:20 <b>love (1)</b> 191:5 <b>lowered (1)</b> 219:16	<b>Lundell (1)</b> 171:7 <b>Lupin (54)</b> 167:10 168:8,9 169:9 171:3,8 173:11 173:23 177:2,20 178:25 179:9,11 181:12 183:22 184:1,24 185:2 186:2 189:21 191:12,20,26 192:5,12 193:9 193:19 195:17 196:1,3 198:2 199:19 201:8 206:13,15 208:4 208:11,16,20,21 209:7,14 212:15 212:21 214:8,24 214:26 215:3 217:18 221:18 222:13 223:12 223:13 224:6 <b>Lupin's (1)</b> 215:6  <b>M</b> <b>magnitude (1)</b> 202:16 <b>main (6)</b> 170:8 175:15 204:9 209:1 217:25 224:24 <b>maintenance (15)</b> 173:26 184:6,8 185:14,19 193:21 195:15 197:18 200:9,20 201:8,15 205:17 207:17 215:4 <b>maintenances (1)</b> 205:17 <b>major (6)</b> 172:5 181:11 182:5,5 213:8 219:12 <b>majority (1)</b> 188:13 <b>making (2)</b> 178:8 210:4	<b>manage (3)</b> 209:13,16 213:15 <b>managed (3)</b> 186:14 216:17 216:19 <b>management (7)</b> 172:8 180:10 210:9 216:19 217:11 218:1 219:15 <b>manager (6)</b> 170:18 171:4,11 172:4 176:4 212:8 <b>managers (1)</b> 195:13 <b>Mandalay (8)</b> 169:5 171:6 192:4,10 193:13 194:9 211:20 212:1 <b>mandate (4)</b> 180:21 213:14 222:16 223:5 <b>manner (2)</b> 178:10 180:18 <b>March (4)</b> 187:17 187:21,22 214:10 <b>marked (1)</b> 211:19 <b>marking (1)</b> 211:22 <b>material (2)</b> 200:24 215:18 <b>materials (5)</b> 186:16 201:5,6 203:24 221:15 <b>matters (4)</b> 182:18 195:19 221:23 222:22 <b>McKinley (1)</b> 171:15 <b>Meadows (15)</b> 170:12 176:5,5	179:21,23,25 211:16,17 220:18,19 221:9 221:9,12,12,22 <b>means (5)</b> 189:19 189:24 195:7,8 195:9 <b>meant (1)</b> 217:22 <b>medium-sized (1)</b> 181:5 <b>meet (1)</b> 195:13 <b>meeting (13)</b> 182:12,13,16,23 186:5 188:4 191:8 195:14 197:5 201:18 206:2 214:12,15 <b>meetings (1)</b> 214:19 <b>member (3)</b> 170:9 199:25 216:15 <b>members (15)</b> 175:11,14,15,17 177:13 191:22 192:3 196:22 220:21 222:5,6 224:24,26 225:6 225:7 <b>memos (1)</b> 218:5 <b>mention (3)</b> 185:11 194:15 213:5 <b>mentioned (5)</b> 178:20 184:3 190:3 201:18 219:24 <b>mentioning (1)</b> 213:3 <b>met (2)</b> 185:8 202:12 <b>metal (3)</b> 193:12 223:24 224:7 <b>metals (1)</b> 223:26 <b>meteorology (1)</b> 223:2 <b>metres (10)</b> 174:2	174:4 181:4,8 184:20 185:3,18 185:20 186:7,10 <b>mic (3)</b> 180:4 208:13 211:15 <b>microphone (11)</b> 174:13 176:20 177:9,14,18 178:3,5,11 179:26 190:22 224:15 <b>midnight (1)</b> 212:22 <b>migratory (2)</b> 223:1,8 <b>milestone (1)</b> 199:26 <b>mill-site (1)</b> 216:4 <b>million (6)</b> 184:20 185:2 193:24 218:21,22,26 <b>mind (2)</b> 191:16 197:10 <b>mindful (1)</b> 178:5 <b>mine (48)</b> 167:10 169:9 173:23,25 178:25 181:13 184:1 185:21 186:12 189:21 193:5,13,14,17 194:4,18,20 197:16 198:10 198:11,12,13,22 198:23 199:3,5 199:19 200:7,12 201:15 203:16 203:17,18 204:10 205:2,5 207:10 208:24 209:20 214:24 214:25,26 215:3 215:6,9,11 217:19 221:18 <b>mines (42)</b> 168:8 168:9 171:3,8 173:11 177:2,20
--	--	---	---	---

179:9,11 181:12 183:22 184:24 185:2 186:2 191:12,20,26 192:5,12,13 193:9,11,25 194:13 195:18 196:1,3 198:2 203:20 206:15 208:4,11,16,21 209:10,14 212:15,21 222:13 223:12 223:13 224:6	<b>month (1)</b> 188:11 <b>Montreal (2)</b> 194:3 207:13 <b>morning (6)</b> 174:10 177:24 189:15,16 210:14 225:14 <b>move (5)</b> 190:4 191:11 193:21 211:8 220:13 <b>moved (1)</b> 194:6 <b>moving (3)</b> 180:6 197:3 201:11	<b>Norbert (2)</b> 176:12,14 <b>north (7)</b> 193:6,7 203:10,11,13,14 207:11 <b>Northern (13)</b> 168:13 172:3 177:4,21 179:12 187:19 188:20 211:10 212:5,9 213:1,17 220:24 <b>note (2)</b> 174:16 209:25 <b>notes (1)</b> 226:6 <b>notice (4)</b> 182:2 183:1,2 187:23 <b>November (1)</b> 188:11 <b>number (7)</b> 173:14 184:10 188:7 193:20 195:12 197:2 210:4 <b>numerous (1)</b> 200:14 <b>Nunavut (55)</b> 167:3,25 168:7 169:9 170:2,6 170:11 173:10 173:15,18,19 174:14 176:26 177:19 178:16 178:18 179:10 180:7,8,11,15 180:17,19,24,26 187:25 189:13 189:18 192:2,6 192:7 194:16 195:26 197:8 206:26 207:16 211:17 212:13 213:15,18,18,19 213:20,21 214:3 214:7,26 215:7 220:20 221:10 221:13,19	223:11 224:6 225:3 <b>Nunavut's (1)</b> 213:26 <b>NWB (4)</b> 175:20 179:11 183:11 189:11 <b>NWB's (1)</b> 175:18 <b>NWT (1)</b> 203:16	<b>one-metre (1)</b> 223:23 <b>open (3)</b> 198:25 203:26 204:1 <b>open-pit/under...</b> 199:3 <b>Opening (3)</b> 168:6 173:4 174:8 <b>operate (3)</b> 193:5 196:24 197:19 <b>operated (6)</b> 173:25 198:11 198:24 199:8 215:3 217:6 <b>operating (6)</b> 193:25 194:5 197:16 198:6 205:13 206:15 <b>operation (1)</b> 193:19 <b>operational (1)</b> 181:12 <b>operations (1)</b> 217:5 <b>operators (1)</b> 205:14 <b>opportunities (1)</b> 205:12 <b>opportunity (5)</b> 207:3 209:7 210:21 212:14 220:5 <b>opposed (1)</b> 204:19 <b>optimum (1)</b> 180:18 <b>option (1)</b> 190:22 <b>options (1)</b> 201:14 <b>order (2)</b> 217:7,7 <b>originally (2)</b> 176:10 186:4 <b>Otokiak (2)</b> 172:23 176:9 <b>ounces (1)</b> 193:11 <b>outline (1)</b> 213:2
<b>Mines' (1)</b> 206:13 <b>minimized (1)</b> 197:20 <b>minimum (1)</b> 183:2 <b>mining (12)</b> 172:7 178:22 181:6,7 184:4,21 185:3 192:25 196:5 208:23,24 224:8 <b>Minister (2)</b> 183:15 222:21 <b>minutes (2)</b> 220:7 220:12 <b>Miranda (1)</b> 205:20 <b>modelling (1)</b> 223:18 <b>moment (1)</b> 207:7 <b>money (4)</b> 188:25 198:9 218:19 219:21 <b>monitor (1)</b> 210:24 <b>monitoring (15)</b> 185:5 186:10,23 186:24 187:2 200:14,22 209:26 210:4 211:3 215:25,26 217:13 223:21 224:1	<b>N</b> <b>N (2)</b> 172:5 173:1 <b>Nahanni (7)</b> 171:17 202:22 203:5,12 205:18 206:20 210:15 <b>name (12)</b> 173:14 175:21,23,26 176:19 178:3,18 205:19 208:18 212:8 221:5 222:8 <b>national (1)</b> 180:17 <b>natural (1)</b> 222:24 <b>need (4)</b> 173:6,7 201:25 215:20 <b>needed (4)</b> 187:2 199:16 200:12 202:7 <b>never (3)</b> 175:26 185:16 199:8 <b>new (1)</b> 201:17 <b>nice (1)</b> 190:12 <b>nine (1)</b> 203:17 <b>Ningark (3)</b> 170:9 175:16 224:25 <b>Noah (3)</b> 172:5 212:11,11 <b>Noise (1)</b> 192:17 <b>non-domestic (1)</b> 223:2		<b>O</b> <b>objective (2)</b> 196:7 217:2 <b>objectives (1)</b> 180:15 <b>obligated (1)</b> 192:20 <b>obtain (2)</b> 190:11 208:3 <b>obviously (4)</b> 181:13 185:16 186:12 189:16 <b>occurring (1)</b> 180:24 <b>office (1)</b> 213:1 <b>Officer (1)</b> 171:5 <b>Official (2)</b> 172:26 226:15 <b>oh (5)</b> 179:24 180:2,5 182:7 183:24 <b>okay (17)</b> 173:9 179:22 180:3,6 180:14 185:24 187:4 191:6,11 206:6 208:9 211:8 212:3 220:7,16 221:14 221:24 <b>Okonkwo (3)</b> 172:4 212:7,8 <b>old (4)</b> 201:25 204:15,19 205:7 <b>on-site (1)</b> 207:23 <b>once (4)</b> 174:9 186:8 203:25 204:23	

<b>outlined (1)</b> 188:7	<b>performance (4)</b> 196:16,18 197:16 210:1	<b>plan (5)</b> 197:22 215:11 217:13 218:10,11	<b>postings (1)</b> 205:21	<b>presenting (1)</b> 191:17
<b>oversee (1)</b> 194:8	<b>performing (3)</b> 187:3 207:17 210:5	<b>planned (1)</b> 187:3	<b>potential (3)</b> 215:16 217:3,9	<b>presently (1)</b> 215:5
<b>overtop (1)</b> 205:5		<b>planning (2)</b> 213:12,21	<b>potentially (2)</b> 185:15 186:17	<b>preservation (1)</b> 222:23
<b>overview (3)</b> 176:22 178:14 214:25	<b>perimeter (1)</b> 223:20	<b>please (15)</b> 174:6 174:16 175:2,6 175:9,21 176:19 178:2,5,14 206:8 211:11 221:5,25 224:26	<b>PowerPoint (5)</b> 169:4,8 211:20 211:26 221:17	<b>pretty (3)</b> 179:20 185:4 194:3
<b>owners (1)</b> 198:25	<b>period (1)</b> 182:3	<b>PM (1)</b> 173:3	<b>powers (2)</b> 180:10 222:21	<b>prevent (1)</b> 223:23
<b>P</b>	<b>permafrost (3)</b> 201:24 210:19 215:23	<b>point (14)</b> 178:13 182:23 183:19 183:24 187:1 188:21 191:13 199:25 200:17 201:10 202:11 208:10 215:10 224:15	<b>prayer (5)</b> 174:7,7 174:8 225:15,16	<b>Prevention (2)</b> 213:23 223:7
<b>page (5)</b> 168:3 169:2 189:6 196:12 209:18	<b>permanent (2)</b> 174:5 197:21	<b>poitras (3)</b> 173:1 176:12 180:4	<b>pre-hearing (3)</b> 182:17,20 188:6	<b>Principal (1)</b> 171:10
<b>pages (1)</b> 226:3	<b>permits (1)</b> 180:25	<b>policies (1)</b> 222:25	<b>prefer (2)</b> 190:21 207:5	<b>prior (2)</b> 176:19 198:24
<b>paints (1)</b> 201:5	<b>permitted (1)</b> 184:14	<b>Pollution (2)</b> 213:23 223:7	<b>preliminary (1)</b> 181:21	<b>priority (1)</b> 209:15
<b>panel (6)</b> 170:9 175:13,14 177:8 224:24 225:9	<b>person (2)</b> 188:4 197:4	<b>ponds (1)</b> 204:14	<b>presence (2)</b> 196:22 197:19	<b>proactively (2)</b> 198:9 199:6
<b>parks (1)</b> 180:17	<b>personally (1)</b> 197:1	<b>portal (2)</b> 199:2 199:13	<b>present (5)</b> 175:19 208:1 212:23 221:2,3	<b>probably (1)</b> 208:21
<b>part (6)</b> 174:24,25 192:26 196:5 198:2 219:11	<b>perspective (2)</b> 206:24,24	<b>portfolio (1)</b> 209:11	<b>presentation (41)</b> 168:7,8,12,15 169:4,8,9 175:10 176:26 177:1,7 178:15 178:16,20,24 179:1 191:12,13 191:22,26 192:23 203:6 210:12,13 211:20 212:1,5 212:14,20,26 213:3 214:11 220:15 221:14 221:15,18,18 222:1,12 224:9 225:5	<b>procedural (3)</b> 182:18 187:6 221:23
<b>participated (2)</b> 174:24 214:6	<b>Peter (2)</b> 194:18 194:21	<b>portion (1)</b> 224:17	<b>proceedings (7)</b> 170:1 173:3 175:1 177:11 211:15 225:18 226:5	<b>proceed (3)</b> 174:6 175:10 221:26
<b>participates (1)</b> 214:2	<b>petroleum (1)</b> 186:15	<b>position (4)</b> 200:26 218:23 219:6,19	<b>process (23)</b> 179:5 181:16 187:8 190:2,5 191:2,8,10 192:7,14 193:16 193:21 194:23 195:15 196:13 197:5 199:17 201:20 203:8 210:10 213:6	<b>proceeding (1)</b> 176:15
<b>participating (1)</b> 225:9	<b>phase (2)</b> 185:12 200:16	<b>positions (1)</b> 205:26		
<b>participation (3)</b> 178:7 190:3,6	<b>philosophy (1)</b> 195:19	<b>positive (1)</b> 201:13		
<b>particular (1)</b> 180:19	<b>photo (1)</b> 198:20	<b>possible (1)</b> 215:13		
<b>parties (10)</b> 176:18 181:24 182:9 187:23 188:1 189:11 190:7 191:15 214:4 222:6	<b>photograph (1)</b> 183:23	<b>post-closure (4)</b> 174:4 186:22 215:24 217:13		
<b>parts (1)</b> 200:7	<b>pick (1)</b> 175:9			
<b>pass (1)</b> 208:5	<b>picture (3)</b> 192:13 199:17 214:22			
<b>people (12)</b> 175:22 180:25 181:3 195:1,4 195:20 196:26 200:5,6 205:25 220:5 222:4	<b>pictures (2)</b> 196:11 199:7			
<b>percent (1)</b> 199:14	<b>PIDO (1)</b> 176:13			
	<b>pillar (2)</b> 203:26 203:26			
	<b>pit (2)</b> 198:25,26			
	<b>placement (1)</b> 205:21			

216:24 218:6	186:14 197:6	189:23,24 190:9	<b>ran (1)</b> 221:1	<b>Recreation (1)</b>
<b>processes (1)</b>	203:20	190:16 191:9	<b>read (1)</b> 197:12	170:1
214:2	<b>property (2)</b>	192:18 196:20	<b>ready (2)</b> 191:25	<b>red (2)</b> 176:18
<b>produce (2)</b>	207:22 208:1	208:11 211:7,22	221:25	183:14
193:10 195:11	<b>Proponent (4)</b>	211:25 212:14	<b>real (3)</b> 181:10	<b>reduce (1)</b> 216:9
<b>produced (1)</b>	181:20 182:1,24	212:17 221:16	203:3 225:8	<b>reduced (1)</b>
195:12	182:24	224:16,17 225:1	<b>realize (3)</b> 197:24	219:10
<b>production (5)</b>	<b>Proponents (4)</b>	225:6	203:1 205:10	<b>reducing (2)</b>
184:5,7 185:15	178:22 179:4	<b>pulling (2)</b> 204:13	<b>realized (1)</b>	201:11 216:18
185:21 208:20	181:17 183:7	216:4	206:10	<b>reduction (2)</b>
<b>productive (2)</b>	<b>proposed (1)</b>	<b>purposely (1)</b>	<b>really (12)</b> 182:4	186:9 219:25
178:10 225:10	217:21	195:6	183:8 185:13,26	<b>refer (2)</b> 173:12
<b>profiling (1)</b>	<b>proposes (1)</b>	<b>put (7)</b> 190:21	187:24 190:10	212:26
198:17	215:8	192:23 196:9	190:15 194:24	<b>reference (1)</b>
<b>program (1)</b>	<b>Protection (1)</b>	204:7,23 205:4	196:2 199:26	184:2
200:22	223:7	210:24	200:26 206:10	<b>refreshments (1)</b>
<b>programs (1)</b>	<b>protective (1)</b>	<b>puts (1)</b> 200:25	<b>reason (1)</b> 204:1	175:7
222:26	217:23	<b>putting (2)</b> 204:12	<b>receive (3)</b> 181:18	<b>refund (1)</b> 220:1
<b>progressed (1)</b>	<b>provide (12)</b>	204:14	183:19 190:3	<b>regarding (2)</b>
178:13	177:8 178:19		<b>received (8)</b>	212:15 214:8
<b>progressive (3)</b>	180:16 182:1,2	<b>Q</b>	187:17,21,25	<b>region (2)</b> 207:25
200:23 219:22	182:19 183:1,7	<b>quality (5)</b> 172:16	188:2,15,19	215:1
219:22	188:9 190:17	210:26 222:11	189:2,9	<b>Registry (1)</b>
<b>project (26)</b> 171:4	216:22 222:17	222:23,25	<b>reclaimed (2)</b>	189:23
171:11 173:23	<b>provided (9)</b>	<b>question (1)</b> 218:8	218:20,26	<b>regular (1)</b>
178:26 179:7,8	183:3,3 187:11	<b>questions (24)</b>	<b>reclamation (13)</b>	206:20
180:26 181:13	188:13 190:8	168:9 177:8,17	173:22 174:3	<b>regulate (1)</b>
181:18 182:5	218:4,15,17	177:19,26	186:21,23	180:22
183:9,22,24	220:24	190:14,17 191:4	197:22 200:23	<b>regulation (1)</b>
184:1,3,11	<b>provides (2)</b>	191:9,14,14	200:24 213:11	180:10
186:2 190:17	180:18 182:24	206:1,3 207:4	213:12 215:9	<b>regulations (5)</b>
203:22 207:2,8	<b>providing (2)</b>	208:6,10,12,16	218:13,14	213:20,22
207:17,18,20	214:4 218:5	211:6 220:4,14	219:22	222:17 223:3
208:12 213:21	<b>Province (1)</b>	224:12,22 225:5	<b>recognize (2)</b>	224:8
<b>projects (12)</b>	226:8	<b>quick (2)</b> 203:3	190:6 202:18	<b>regulator (1)</b>
171:17 172:6	<b>provision (1)</b>	204:5	<b>recognized (2)</b>	198:19
181:2,5,7,11	217:13	<b>quickly (1)</b> 185:4	177:12 199:8	<b>regulatory (1)</b>
192:26 194:9	<b>Provisions (1)</b>	<b>quiet (1)</b> 173:8	<b>recognizing (1)</b>	213:25
198:1,5,8	223:7	<b>quite (7)</b> 181:10	210:11	<b>rehabilitate (1)</b>
206:14	<b>public (37)</b>	181:14 183:3	<b>recommending ...</b>	198:14
<b>pronounce (1)</b>	173:10,16,17	184:3 186:1	218:25	<b>rehabilitation (1)</b>
175:23	174:11,25,25	189:26 190:12	<b>record (9)</b> 174:23	198:12
<b>pronouncing (1)</b>	177:23,26 180:7		175:1 176:15	<b>reinforce (1)</b>
175:25	183:1,5,10	<b>R</b>	177:10,15,25	196:23
<b>properly (5)</b>	188:10 189:5,10	<b>R (1)</b> 170:18	208:14 211:24	<b>reinforcing (1)</b>
175:23 181:23	189:12,14,17,22	<b>raise (1)</b> 177:12	221:5	204:25
		<b>raised (1)</b> 203:10		



<b>related (6)</b> 185:5 185:23 191:9 213:26 220:14 223:18	<b>reporter (4)</b> 172:26 176:16 178:2 226:15	<b>response (5)</b> 187:21 188:3 189:2 216:11 218:7	196:4,8 201:12 202:4 206:3,17 216:16 220:10	<b>second (4)</b> 183:14 184:13 198:23 213:11
<b>Relations (14)</b> 168:12 172:3 177:4,21 179:12 183:15 187:19 188:20 211:10 212:5,9 213:1 213:17 220:23	<b>Reporting (1)</b> 176:17	<b>responses (1)</b> 223:12	<b>Rights (1)</b> 213:20	<b>security (13)</b> 184:22 185:23 188:22,25 189:4 198:13 199:5 213:13 218:14 218:18,19 219:3 219:18
<b>relative (1)</b> 208:12	<b>representations...</b> 182:10	<b>responsibilities ...</b> 180:9	<b>risk (7)</b> 202:1 217:1,2,3,9,11 223:9	<b>see (11)</b> 181:15 190:12 192:15 193:6 199:11,16 200:2,17 201:14 203:2,3
<b>release (3)</b> 219:1 219:3,22	<b>representatives ...</b> 208:17 220:22 220:23	<b>responsibility (5)</b> 196:2,14,14 213:4 218:24	<b>road (3)</b> 202:21 203:23 205:17	<b>seeing (3)</b> 191:11 224:14 225:13
<b>releasing (2)</b> 219:5,11	<b>request (1)</b> 214:10	<b>responsible (6)</b> 175:14 194:12 194:20 196:5 199:9 206:14	<b>robust (1)</b> 204:26	<b>seen (1)</b> 191:7
<b>relevant (2)</b> 207:14 222:25	<b>requested (2)</b> 182:1 201:17	<b>restart (1)</b> 201:14	<b>rock (12)</b> 186:17 198:24 204:1,3 204:5,6 213:11 215:17,19,23 216:2 223:25	<b>seep (1)</b> 224:1
<b>relocated (1)</b> 199:14	<b>requesting (1)</b> 195:17	<b>responsive (2)</b> 197:4,6	<b>rules (1)</b> 223:3	<b>seepage (2)</b> 216:3 223:21
<b>remarks (5)</b> 168:6 168:17 173:4 174:12 224:19	<b>requests (1)</b> 174:1	<b>restated (1)</b> 215:24	<b>running (1)</b> 185:19	<b>send (4)</b> 181:20 181:23 182:19 190:20
<b>remediation (4)</b> 186:8 202:2 203:16 217:11	<b>require (1)</b> 217:11	<b>retain (2)</b> 218:25 219:20	<b>Ruptash (6)</b> 171:17 202:24 203:1,4 210:15 210:16	<b>senior (4)</b> 171:13 171:15 172:14 222:8
<b>remind (1)</b> 174:21	<b>required (3)</b> 192:22 200:21 207:2	<b>return (1)</b> 197:24	<b>S</b>	<b>sense (2)</b> 187:7 207:14
<b>remove (2)</b> 200:18 201:3	<b>requirements (1)</b> 185:8	<b>returning (1)</b> 188:24	<b>S (3)</b> 170:13 171:11 172:8	<b>separate (1)</b> 188:19
<b>removed (2)</b> 199:15 201:7	<b>residents (1)</b> 180:18	<b>revenue (1)</b> 196:6	<b>safely (3)</b> 195:12 195:20 197:14	<b>services (3)</b> 170:14 176:1 205:16
<b>removing (1)</b> 198:16	<b>resolved (11)</b> 212:24,25 213:9 213:10 214:21 216:1,12,25 217:16 219:13 223:15	<b>review (9)</b> 175:18 181:21 182:3,5 182:26 187:18 187:24 213:5,7	<b>safety (3)</b> 195:10 195:11,18	<b>session (21)</b> 167:16 168:5 169:5,11 170:4 173:10 174:6 175:8 176:22,25 189:15 190:9 211:21 212:2 221:3,20 224:17 224:21 225:11 225:12,14
<b>renew (2)</b> 173:13 214:8	<b>Resource (1)</b> 172:8	<b>reviewed (1)</b> 214:13	<b>sampling (2)</b> 200:15 201:2	<b>sessions (1)</b> 220:25
<b>renewable (1)</b> 222:26	<b>resources (11)</b> 169:5 171:6,12 172:4 192:5,10 212:1,9 213:15 214:1 223:1	<b>revising (1)</b> 218:11	<b>satisfaction (1)</b> 197:15	
<b>renewal (6)</b> 167:9 178:13 186:3,26 215:6 224:23	<b>respect (2)</b> 188:8 209:14	<b>Richard (4)</b> 176:4 190:18 208:18 209:6	<b>satisfied (6)</b> 215:26 216:11 216:20 217:7,15 218:6	
<b>renewed (1)</b> 173:19	<b>respectful (2)</b> 178:10 225:10	<b>Richard's (1)</b> 190:18	<b>says (1)</b> 189:8	
<b>repairs (1)</b> 202:2	<b>respond (1)</b> 209:7	<b>right (23)</b> 175:16 179:19 181:10 181:18 182:4 184:2 185:26 186:19,22,23 189:16 190:9 191:11,24 193:1	<b>schedule (1)</b> 216:8	
<b>report (3)</b> 175:1 182:20 188:7	<b>responded (2)</b> 212:23 217:12		<b>scope (1)</b> 185:25	
			<b>seats (1)</b> 220:11	

<b>set (3)</b> 197:11,23 211:14	186:13,17,25 188:26 189:19	<b>snacks (1)</b> 175:4	210:12	<b>stay (1)</b> 210:19
<b>Settlement (3)</b> 180:11,24 207:16	189:21,23 198:12 200:16 201:7,13,24 202:9,13,16,18 202:20 203:25 204:10,10 205:2 205:5,16,25 207:25 210:6	<b>snow's (1)</b> 204:17	<b>specifics (1)</b> 182:6	<b>step (2)</b> 177:9 183:13
<b>seven (1)</b> 223:11	214:23,25,26 215:9,11,15 216:21 217:5,19 218:20,24,26 219:20	<b>soil (3)</b> 201:1 216:6 222:24	<b>spell (1)</b> 221:4	<b>Stephanie (8)</b> 175:24 176:21 176:23 178:18 178:20 211:16 220:18 224:20
<b>share (6)</b> 177:17 192:8 194:11,25 195:1 199:7	<b>site-specific (2)</b> 217:8,10	<b>soils (2)</b> 186:15 204:3	<b>spent (1)</b> 198:9	<b>stepping (1)</b> 177:18
<b>shared (1)</b> 208:2	<b>sites (2)</b> 194:21 203:17	<b>solution (1)</b> 207:19	<b>spoke (1)</b> 211:24	<b>steps (1)</b> 187:8
<b>shareholders (1)</b> 197:24	<b>sits (1)</b> 173:23	<b>somebody (1)</b> 219:8	<b>stability (4)</b> 216:23 217:26 219:14 223:20	<b>Stock (1)</b> 192:19
<b>sharing (2)</b> 196:7 225:8	<b>sitting (2)</b> 173:26 202:4	<b>somewhat (1)</b> 173:7	<b>stable (1)</b> 216:10	<b>storage (1)</b> 216:2
<b>sheet (2)</b> 174:22 175:2	<b>situated (1)</b> 214:26	<b>sorry (5)</b> 176:6 180:12 182:7,19 203:4	<b>staff (14)</b> 168:7 170:11 174:14 175:12,17 177:1 177:13,19 178:12,16 191:1 205:16 214:22 222:6	<b>stories (2)</b> 194:11 225:8
<b>sheets (1)</b> 174:26	<b>situation (1)</b> 197:17	<b>sort (20)</b> 178:21 178:22 179:2 181:20 182:20 182:24 183:6,23 185:20 186:10 187:7 188:12,14 189:3 190:4,7 190:20,25 191:1 222:4	<b>stage (3)</b> 182:4 183:6 190:5	<b>story (4)</b> 192:8,9 198:3 199:20
<b>shelter (1)</b> 193:3	<b>skill (1)</b> 226:7	<b>sound (2)</b> 173:1 206:23	<b>stakeholders (2)</b> 196:19 217:14	<b>streams (1)</b> 204:9
<b>sheltering (1)</b> 192:16	<b>skip (1)</b> 190:24	<b>source (1)</b> 204:13	<b>stamp (1)</b> 219:8	<b>stretch (1)</b> 220:5
<b>short (2)</b> 173:13 220:5	<b>slide (26)</b> 181:15 183:4,25 184:2 184:8,17,26 185:8,24 187:4 188:5 189:7 190:8,24 192:17 193:26 194:23 197:11,26 198:22 199:6,13 199:22 200:18 206:8 207:6	<b>south (1)</b> 173:24	<b>stand (4)</b> 174:7 179:17 203:2 225:15	<b>stronger (1)</b> 204:26
<b>shorter (1)</b> 192:11	<b>slides (1)</b> 190:25	<b>southeast (2)</b> 183:25 215:2	<b>Stantec (3)</b> 171:12,14,15	<b>structure (2)</b> 216:7 217:18
<b>shorthand (2)</b> 226:5,6	<b>slow (1)</b> 182:8	<b>southern (1)</b> 192:26	<b>Star (2)</b> 207:21,24	<b>stuck (1)</b> 203:13
<b>show (2)</b> 197:5 200:4	<b>slowly (1)</b> 178:4	<b>speak (12)</b> 177:9 177:10,13 178:3 178:4 190:19 195:23 202:8 205:24 207:1,23 209:4	<b>start (7)</b> 173:6 176:25 177:23 185:12 208:21 213:3 222:15	<b>studies (7)</b> 200:14 201:9,17,19,23 201:23 202:1
<b>showed (1)</b> 190:13	<b>small (1)</b> 216:4	<b>speaking (4)</b> 176:19 190:22 205:18,24	<b>started (8)</b> 174:11 184:4 192:11 200:18,23 203:11 208:21 220:11	<b>submission (2)</b> 214:16 222:13
<b>shown (1)</b> 197:9	<b>smallest (1)</b> 181:2	<b>speaks (1)</b> 197:22	<b>starting (3)</b> 182:3 185:15 203:22	<b>submissions (7)</b> 188:16,19 189:18 212:21 214:7,14 222:19
<b>shows (1)</b> 198:20	<b>snack (1)</b> 220:6	<b>Special (1)</b> 225:6	<b>state (5)</b> 176:19 178:3 188:21 212:19 221:4	<b>submit (1)</b> 182:9
<b>side (2)</b> 175:5,5		<b>Species (1)</b> 223:9	<b>statement (1)</b> 190:21	<b>submitted (3)</b> 214:15 223:10 224:5
<b>sign (3)</b> 174:21,26 219:8		<b>specific (4)</b> 185:7 200:7 205:22	<b>statements (1)</b> 192:22	<b>subsequently (1)</b> 173:21
<b>sign-in (2)</b> 174:22 174:26			<b>States (1)</b> 194:19	<b>substantial (1)</b> 187:24
<b>significant (2)</b> 194:18 196:25				<b>successfully (1)</b> 219:13
<b>silver (1)</b> 198:11				<b>summaries (2)</b> 182:21 187:14
<b>similar (3)</b> 195:5 198:4 205:4				<b>summarize (2)</b>
<b>simultaneous (1)</b> 176:8				
<b>single (1)</b> 181:3				
<b>Sir (1)</b> 208:13				
<b>site (40)</b> 186:11				

222:12 223:16 <b>summarizes (1)</b> 182:21 <b>summary (1)</b> 222:18 <b>superior (1)</b> 197:24 <b>supplied (1)</b> 187:13 <b>support (8)</b> 172:17 176:12 193:24 194:22 197:25 202:5 206:22 219:22 <b>supposed (2)</b> 189:9 211:1 <b>sure (7)</b> 175:22 178:8 181:21 189:4 209:26 210:5 218:20 <b>Surface (1)</b> 213:20 <b>surprises (1)</b> 215:14 <b>surveys (1)</b> 196:26 <b>swear (2)</b> 220:16 221:2 <b>Sweden (2)</b> 193:6 196:24 <b>sworn (3)</b> 168:14 220:25 221:11	218:2 219:15 223:19,23,25 <b>take (6)</b> 181:17 207:7 209:12 220:4,4,11 <b>taken (4)</b> 170:1 196:25 214:22 226:5 <b>talk (11)</b> 179:6 192:20 195:7 196:1 198:2 203:4,5 206:2 207:7 213:6 216:15 <b>talking (6)</b> 186:20 193:25 194:25 199:19 202:19 204:5 <b>target (2)</b> 217:8 217:10 <b>tea (1)</b> 175:4 <b>team (4)</b> 191:23 199:24 202:25 206:13 <b>technical (32)</b> 170:14,19 175:18 176:1,3 176:26 178:12 180:12 182:3,6 182:11,12,13,16 182:23,26 183:8 186:5 187:18,24 187:25 188:4 201:18 213:7 214:4,12,15 220:24 222:18 223:11,15,17 <b>Technician (1)</b> 173:1 <b>Teleconference ...</b> 172:9,11 <b>tell (6)</b> 179:17 192:8,21 195:8 205:20 208:14 <b>telling (1)</b> 198:8 <b>ten (5)</b> 186:22,22	186:24,24 203:14 <b>Teresa (8)</b> 176:5 211:15,16 220:16,19 221:9 221:12,24 <b>term (4)</b> 184:26 186:25 216:10 217:24 <b>terms (3)</b> 173:20 193:23 206:9 <b>Territorial (1)</b> 213:22 <b>Terry (1)</b> 194:17 <b>testing (2)</b> 210:2 215:21 <b>thank (33)</b> 174:9 176:24 178:17 180:14 187:4 191:3 192:1 197:7 206:7 208:8,9 209:5,6 209:9,22,24 211:5,16 212:13 212:16 220:3,8 220:18,19 221:9 221:12,22,24 224:10,11,14,20 225:4 <b>thanks (3)</b> 191:6 191:24 225:6 <b>they'd (1)</b> 188:9 <b>thick (1)</b> 210:18 <b>thing (8)</b> 188:12 196:4,8 201:12 201:13 202:3 208:25 209:1 <b>things (3)</b> 192:17 201:3 209:19 <b>think (8)</b> 173:6 196:26 197:9 202:11 209:3,17 216:12 219:13 <b>thinking (2)</b> 180:13 218:11 <b>third (1)</b> 213:12	<b>thought (2)</b> 217:20 218:16 <b>three (4)</b> 184:10 185:22 213:8 219:12 <b>three-year (1)</b> 199:17 <b>throw (1)</b> 179:9 <b>time (17)</b> 175:23 175:25,26 177:10 185:14 187:1 193:1,18 196:25 200:12 204:13 205:26 206:16,25 212:19 218:10 221:1 <b>timeline (1)</b> 209:19 <b>times (2)</b> 185:22 197:2 <b>today (13)</b> 175:12 175:13,21 189:13 193:26 194:23 199:26 200:3 210:13 215:6 220:22 222:7,10 <b>Tologonak (1)</b> 205:20 <b>tomorrow (4)</b> 189:13,16 225:2 225:13 <b>Tong (1)</b> 171:13 <b>tonight (4)</b> 173:7 177:16 221:4 225:6 <b>tonight's (4)</b> 174:6 176:22,25 224:21 <b>Toomasie (3)</b> 170:7 173:15 224:16 <b>top (2)</b> 204:14 210:17 <b>Top-left (1)</b>	195:10 <b>Toronto (5)</b> 192:19 194:2,2 194:6 207:13 <b>total (1)</b> 197:24 <b>touch (1)</b> 222:16 <b>track (1)</b> 179:15 <b>train (1)</b> 203:20 <b>transcribed (1)</b> 226:6 <b>transcript (3)</b> 168:18 226:1,4 <b>transition (1)</b> 185:21 <b>translated (1)</b> 187:14 <b>translation (1)</b> 176:8 <b>Translator (2)</b> 172:21,24 <b>transparent (1)</b> 196:13 <b>treating (1)</b> 204:22 <b>tremendous (1)</b> 200:1 <b>Tribunal (1)</b> 213:20 <b>true (1)</b> 197:18 <b>tundra (2)</b> 203:16 205:9 <b>turn (4)</b> 174:13 176:20 178:11 206:6 <b>two (16)</b> 174:2 176:7 177:3 183:11 188:19 192:16 193:11 193:24 194:20 201:1 202:10,23 204:9 213:8 219:13,14 <b>type (8)</b> 167:9 173:13 178:24 180:25 181:4,9 181:13 215:7
--	---	---	--	--

<b>typically (1)</b> 182:17	<b>various (3)</b> 191:22 200:21 218:4	186:11,13,17,18 198:17 200:18 213:10 215:17 215:19,23 216:2 223:25	205:17	<b>weren't (2)</b> 210:11 221:2
<hr/> <b>U</b> <hr/>	<b>vast (1)</b> 188:13	<b>Wastes (1)</b> 199:14	<b>waters (3)</b> 180:17 213:19,23	<b>west (1)</b> 215:1
<b>Ulu (3)</b> 207:8,21 208:1	<b>vegetation (1)</b> 198:18	<b>wastewater (1)</b> 186:19	<b>wave (1)</b> 175:21	<b>Wiatzka (1)</b> 172:7
<b>underground (7)</b> 192:15 198:16 199:2,13 204:1 204:4,7	<b>Vice-Chair (1)</b> 170:8	<b>watching (1)</b> 193:4	<b>way (8)</b> 184:9 196:9,17 197:3 197:8 202:7 203:21 217:22	<b>wildlife (3)</b> 209:3 209:3 210:21
<b>understands (1)</b> 195:18	<b>vicinity (1)</b> 207:8	<b>water (85)</b> 167:3 167:9 168:7 169:9 170:6,11 171:11 172:4,16 173:10,13,15,18 173:19,20 174:2 174:14 176:26 177:19 178:16 178:19,21,23,25 179:3,10 180:7 180:15,21,23 181:4,5,8,9,14 183:20 184:9,10 184:12,20 185:3 185:18 186:7 187:25 189:14 189:19 190:10 191:1,8,10 192:2,7 194:17 195:26 197:8 204:23 205:7 206:26 210:21 210:25,26 211:17 212:8,13 212:16 214:2,3 214:7,9 215:7,8 216:18 219:15 220:20 221:10 221:13,19 222:11,13,24 223:11 224:1,5 224:6 225:3	<b>ways (1)</b> 183:11	<b>Wilkins (1)</b> 171:11
<b>understood (1)</b> 178:8	<b>voice (1)</b> 179:20	<b>water's (1)</b> 204:16	<b>we'll (11)</b> 181:14 189:17 191:11 203:22,26 204:13,22,23 211:8 220:6,11	<b>Wilson (6)</b> 168:14 172:16 221:7,7 221:11 222:11
<b>undertaking (2)</b> 184:21 185:4	<b>VOLUME (1)</b> 167:17	<b>water-quality (1)</b> 201:26	<b>we're (32)</b> 181:9 183:6 186:1 189:15 191:14 193:4,25 194:23 195:24 199:19 200:6 201:22 202:19,19 203:9 204:1,10,24 205:11,22 207:19 209:17 209:19 210:2,6 211:13,14 212:23 218:19 218:25 219:4 220:4	<b>wildlife (3)</b> 209:3 209:3 210:21
<b>underway (1)</b> 221:25	<b>VP (2)</b> 171:17 172:7	<b>watering (1)</b>	<b>we've (12)</b> 183:8 186:20 187:8 191:7 197:9 199:23 203:13 203:14,19 213:5 214:18 219:3	<b>Wishes (1)</b> 177:8
<b>United (1)</b> 194:19	<hr/> <b>W</b> <hr/>		<b>wearing (1)</b> 176:18	<b>witnesses (1)</b> 221:4
<b>unknowns (1)</b> 215:14	<b>W-A-L-K-E-R ...</b> 221:6		<b>weather (1)</b> 193:7	<b>word (1)</b> 195:7
<b>updated (1)</b> 173:20	<b>W-I-L-S-O-N (1)</b> 221:8		<b>welcome (3)</b> 173:5,9 225:1	<b>words (2)</b> 195:3 202:15
<b>updating (1)</b> 218:11	<b>wait (2)</b> 177:13 178:2		<b>well-financed (1)</b> 193:23	<b>work (47)</b> 179:19 192:24 193:25 194:8,24 195:20 195:20 196:21 196:25 197:1,10 197:13,13,14 198:15 199:20 199:23 200:1,20 200:26 201:3,20 202:9 203:13 204:9 205:14,15 205:16 206:4,12 206:12 207:4,21 208:3 209:15,21 210:3 215:12 216:8 218:22 219:6,6,8,11,23 219:25 223:22
<b>use (12)</b> 174:1,3 178:6 180:10,23 181:3,8 184:20 185:11,18 186:7 217:9	<b>walk (4)</b> 178:12 198:1 199:22 203:7		<b>well-integrated ...</b> 198:21 199:18	<b>workable (1)</b> 197:10
<b>uses (1)</b> 186:8	<b>walked (1)</b> 191:7		<b>went (4)</b> 184:6,12 184:13 185:13	<b>worked (2)</b> 195:4 200:12
<b>usually (1)</b> 181:2	<b>Walker (8)</b> 168:14 172:14 221:6,6,11 222:2,2,8			<b>working (15)</b> 180:2,3,5 194:21 197:8 200:10 202:18 206:19 208:7,20 211:4,4 217:19 219:4 223:19
<b>utilization (1)</b> 180:16	<b>walking (2)</b> 204:19 210:3			
<hr/> <b>V</b> <hr/>	<b>want (15)</b> 174:21 180:4 194:25 196:3,16 197:4 197:5 208:13,23 209:7 210:10 216:10 218:23 219:19,20			
<b>validated (2)</b> 219:7,25	<b>wanted (6)</b> 209:25 210:8 215:18 216:14,16 217:20			
<b>value (4)</b> 196:18 196:22 197:19 200:4	<b>washed (1)</b> 218:2			
<b>valued (1)</b> 199:24	<b>waste (15)</b> 174:5 180:23 184:21			
<b>values (5)</b> 194:26 195:1,3 197:9 197:26				
<b>values-based (1)</b> 194:26				

<b>works (3)</b> 202:2 206:15 212:12	<b>youth (1)</b> 225:7	<b>2000 (3)</b> 184:11 184:12,18	<b>26th (1)</b> 226:9	<b>9</b>
<b>worried (1)</b> 216:26	<b>Z</b>	<b>2001 (1)</b> 184:22	<b>27th (2)</b> 187:10 189:2	<b>9 (1)</b> 225:13
<b>worthwhile (1)</b> 190:1	<b>0</b>	<b>2005 (4)</b> 173:25 184:7 201:16 215:4	<b>285 (3)</b> 173:23 183:25 215:2	<b>9:00 (1)</b> 225:18
<b>wouldn't (1)</b> 183:20	<b>1</b>	<b>2007 (1)</b> 184:23	<b>29th (1)</b> 187:22	<b>90 (2)</b> 193:11 203:11
<b>writing (3)</b> 190:18 190:21 207:5	<b>1 (6)</b> 174:19 195:12 200:16 204:22 205:1,2	<b>2008 (2)</b> 184:12 184:25	<b>2AM-LUP1520 ...</b> 167:10 173:14 178:25	
<b>written (7)</b> 182:9 182:10 188:16 188:19 190:20 222:13,19	<b>1.7 (2)</b> 184:19 185:2	<b>2009 (5)</b> 184:13 185:2,4 192:10 193:15	<b>3</b>	
<b>wrong (1)</b> 205:19	<b>100 (1)</b> 186:7	<b>2014 (5)</b> 184:13 185:6 193:17 198:19 200:12	<b>3 (1)</b> 174:20	
<b>X</b>	<b>100,000 (1)</b> 193:11	<b>2015 (2)</b> 184:15 185:10	<b>30-day (2)</b> 182:3 187:24	
<b>Y</b>	<b>10th (2)</b> 189:8,9	<b>2017 (2)</b> 200:8,14	<b>300 (1)</b> 181:8	
<b>yeah (7)</b> 180:14 182:22 187:4 208:13,15 209:18 210:15	<b>12 (3)</b> 173:21 186:6 203:15	<b>2018 (2)</b> 200:8,14 200:19	<b>32,000 (1)</b> 201:6	
<b>year (21)</b> 174:2,4 181:3 182:14 184:15,20 185:3 185:18,20 186:10 187:17 189:1 200:19 201:6 204:2,22 205:1,2,4 207:20 217:14	<b>12-year (2)</b> 186:3 186:26	<b>2019 (7)</b> 187:12 187:12 201:8 214:10,13,16,17	<b>3rd (1)</b> 189:1	
<b>years (23)</b> 173:20 173:21,26 174:2 181:14 184:6 185:23 186:6,20 186:22,24 193:20,20 195:6 199:23 201:1 202:10,23,26 203:14,15 209:26 210:4	<b>13 (1)</b> 180:8	<b>2020 (8)</b> 167:26 168:5 170:4 184:15 189:1 202:20 225:18 226:9	<b>4</b>	
<b>Yellowknife (4)</b> 176:11 184:1 203:23 207:12	<b>13th (2)</b> 188:15 189:11	<b>2021 (1)</b> 202:20	<b>4th (2)</b> 187:17 214:10	
<b>yesterday (1)</b> 212:22	<b>15 (5)</b> 167:26 168:5 170:4 173:26 220:7	<b>2022 (1)</b> 202:21	<b>5</b>	
	<b>15th (1)</b> 188:11	<b>208 (1)</b> 168:9	<b>5 (1)</b> 200:23	
	<b>16 (1)</b> 225:18	<b>20th (1)</b> 189:8	<b>5,000 (3)</b> 174:3 185:17 186:9	
	<b>170 (1)</b> 168:5	<b>21 (2)</b> 169:8 221:17	<b>50 (2)</b> 181:4,7	
	<b>173 (1)</b> 168:6	<b>211 (2)</b> 168:11 169:4	<b>500,000 (1)</b> 185:20	
	<b>178 (1)</b> 168:7	<b>212 (1)</b> 168:12	<b>523 (1)</b> 207:11	
	<b>17th (1)</b> 188:2	<b>221 (2)</b> 168:14 169:8	<b>585 (1)</b> 186:8	
	<b>18th (2)</b> 188:6,18	<b>222 (1)</b> 168:15	<b>6</b>	
	<b>191 (1)</b> 168:8	<b>224 (1)</b> 168:17	<b>60 (2)</b> 183:2,2	
	<b>1980s (1)</b> 215:3	<b>226 (1)</b> 168:18	<b>685 (1)</b> 186:7	
	<b>1981 (1)</b> 208:21	<b>23 (1)</b> 218:22	<b>6th (4)</b> 188:3,18 214:13,16	
	<b>1982 (1)</b> 184:5	<b>250 (1)</b> 215:1	<b>7</b>	
	<b>19th (1)</b> 187:21	<b>250,000 (1)</b> 174:1	<b>7 (1)</b> 173:20	
	<b>2</b>	<b>26.1 (2)</b> 218:21,26	<b>7:03 (1)</b> 173:3	
	<b>2 (5)</b> 167:17 174:19 200:16 204:2 205:4		<b>70 (1)</b> 205:25	
	<b>2.5 (1)</b> 186:20		<b>7th (2)</b> 188:4 214:13	
	<b>20 (6)</b> 169:4 184:5 184:23 185:1 193:24 211:26		<b>8</b>	
			<b>8 (1)</b> 214:17	
			<b>86 (1)</b> 203:10	