

NUNAVUT WATER BOARD

License No. 2AM-MEA0815 Type A
Renewal/Amendment Application

COMMUNITY SESSION

Baker Lake, Nunavut
Baker Lake Community Hall
April 29, 2015

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2

3 NUNAVUT WATER BOARD

4 L. Toomasie Chair of Hearing

5 D. Aglukark, Sr. Member

6 R. Mrazek Member

7

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9 T. Meadows Legal Counsel

10 D. Hohnstein Director of Technical Services

11 K. Kharatyan Technical Advisor

12 R. Ikkutisluk Licensing Administrator

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15 AGNICO EAGLE MINES LIMITED/LICENSEE

16 S. Robert Manager of Regulatory Affairs

17 L. Connell Corporate Director of

18 Regulatory Affairs

19 K. Buck Environmental Superintendent

20 E. Voier Geotechnical Engineer

21 J. Brazeau Manager, Environment and

22 Sustainable Development

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24 KIVALLIQ INUIT ASSOCIATION

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2 K. Costello Director of Resource

3 Management

4 D. Abernethy Regional Coordinator, Water

5 Resources

6 K. Landa Legal Counsel, Justice Canada

7 J. Seto BGC Engineering (Via

8 Teleconference)

9

10 ENVIRONMENT CANADA

11 A. Wilson Water Pollution Specialist

12 (Via Teleconference)

13

14 COMMUNITY REPRESENTATIVES

15 L. Autut Chesterfield Inlet

16 Representative

17 E. Elytook Baker Lake Representative

18

19 INTERPRETERS/TRANSLATORS

20 A. Alooq Inuktitut Language Interpreter

21 R. Dempster Sound Technician

22 S. Anderson, CSR(A) Official Court Reporter

23

24

25

26

1 (PROCEEDINGS COMMENCED AT 7:27 PM)

2 MR. ROSS: Good evening, and welcome to
3 the community session for renewal/amendment application
4 submitted by Agnico Eagle Mines Limited for Water
5 Licence 2AM-MEA0815 that was issued for the Meadowbank
6 Gold Mine.

7 I am sharing this part of the hearing this evening
8 as my colleague, the chairman of this, Lootie Toomasie,
9 and another member, David Aglukark, are underway to
10 come to the community. We're expecting them shortly.
11 As I've said before, I hope our Chair will be able to
12 join us tonight.

13 Before we proceed with this hearing, please let us
14 begin with a prayer.

15 LOUIS AUTUT: My name is Louis Autut. I
16 will be opening with the prayer.

17 (OPENING PRAYER)

18 (OPENING REMARKS)

19 MR. ROSS: Thank you.

20 On behalf of Nunavut Water Board, I welcome
21 everybody to the community of Baker Lake. Now, to
22 provide some background and set the stage for the
23 hearing. The Nunavut Water Board, which I shall refer
24 to "the Board" or "the NWB", is an institution of
25 public government created under Article 13 of Nunavut
26 Land Claims Agreement. The NWB is responsible for the

1 use, management, and regulation of freshwater in the
2 Nunavut settlement area.

3 The purpose of this hearing is to review an
4 application filed by the Agnico Eagle Mines Limited,
5 whom I shall refer to as "Agnico Eagle" or "AEM", for
6 the renewal/amendment of a Type A water licence in
7 accordance with the Nunavut Waters and Nunavut Surface
8 Rights Tribunal Act.

9 According to Section 13.3.6 of the Nunavut Land
10 Claims Agreement and Section 29 of the Nunavut Waters
11 and Nunavut Surface Rights Tribunal Act, the Board has
12 delegated its power to dispose all of matters related
13 to the renewal/amendment application for the Type A
14 Licence No. 2AM-MEA0815, including the conduct of this
15 hearing to a panel of the Board, which is referred to
16 as the "P9 Meadowbank panel".

17 Before I will be chairing this panel for short
18 time until the vice president -- vice chair will come,
19 which we're expecting probably within the half an hour
20 or so. On my left side, on far left side will be David
21 Aglukark, and the vice chair will sit in the middle.

22 Several staff members who have contributed to the
23 NWB administration and technical review of the
24 application are present, and along with the legal
25 counsel of the Water Board, and I will introduce the
26 individuals in attendance: David Hohnstein, director

1 of technical services and acting executive director;
2 Karen Kharatyan, technical advisor; Robin Ikkutisluk,
3 licencing administrator, in that front desk; Ben
4 Kogvik, secretary/interpreter for the Board; and Teresa
5 Meadows with Shores Jardine LLP, legal counsel to the
6 Water Board.

7 In addition, we have two interpreters available
8 for simultaneous translation: Ben Kogvik, secretary to
9 the Board, and Alexander Alooq, who is from Baker Lake.
10 For audio support, we have Ryan Dempster from Pido
11 Productions Limited with us. If you have experience or
12 any difficulties with your headset, you will be able --
13 he would be able to provide assistance. To ensure an
14 accurate record of the proceeding is kept, we have with
15 us a court reporter, Sara Anderson, from Dicta Court
16 Reporting Incorporation (sic). To assist Sara, I ask
17 that all parties please state their name prior to
18 speaking.

19 As many of you may notice, we are a bit delayed in
20 our start to do this hearing with -- due to the -- some
21 weather and flight delays keeping all participants from
22 starting up this morning -- or this evening. Tonight's
23 session is the community session part of our hearing
24 process, and I want to encourage everyone to ask
25 questions and identify the comments and contents for
26 the Board to consider.

1 We are keeping a record of tonight's proceeding;
2 so before you speak, if you can please wait, have a
3 microphone, then state your name and speak slowly and
4 clearly so -- we would like to appreciate. We want to
5 ensure that we have a clear and accurate record of our
6 proceeding and also helps our interpreters.

7 Now we would like to turn the Board to the Nunavut
8 Water Board presentation for the community to help
9 explain our role, the application before us, and to the
10 Board decision-making process. We will then take
11 questions to the Board staff from the community. If
12 you would like to see agenda for session, please get
13 one from Robin at the front door as you come in.
14 Please also sign with Robin for our records.
15 Thank you.

16 So now we can proceed.
17 Presentation by the Nunavut Water Board Staff
18 MR. HOHNSTEIN: Thank you very much,
19 Mr. Chair. It's David Hohnstein, Nunavut Water Board.
20 Thanks everybody for coming out this evening, and we
21 apologize for the delay in our meeting start,
22 especially as we are supposed to start this morning
23 already, and we're still waiting for two of our Board
24 members to arrive in -- in Baker Lake. And as Ross had
25 mentioned in his opening, we're hoping they will be
26 arriving within the next half hour on a regular

1 scheduled flight.

2 So in keeping with our agenda for this evening's
3 community meeting, we'd like to start off with a bit of
4 a presentation from the Nunavut Water Board and just
5 explain our -- our roles in this process and how the
6 process actually works and through -- you know, through
7 the application, through the technical meeting process,
8 and through the hearing process, which we're into today
9 and -- and tonight and tomorrow again. So I'd like to
10 turn things over to our technical advisor on the file,
11 Karen Kharatyan, and he'll go through our presentation
12 and welcome any -- any questions from members of our --
13 our community. And, you know, if -- if at any time
14 during the presentation you've got questions you'd like
15 to ask, by all means indicate, and there -- there's a
16 microphone that's available for -- for the -- for the
17 audience, and, you know, please make sure any -- any
18 questions are asked, and we'll try and answer them to
19 our best abilities.

20 So I'll pass it over to Karen for -- for our
21 presentation. Thanks.

22 MR. KHARATYAN: Thank you. Good evening,
23 everyone. Good evening again. My name is Karen
24 Kharatyan. I am with the Nunavut Water Board. So as
25 it was stated, we are here for the renewal of Type A
26 water licence Meadowbank Gold Mine project for Agnico

1 Eagle Mines. And from -- before starting, I'd like to
2 just clarify that this presentation is not necessarily
3 about the -- the Meadowbank mining activities, but just
4 about Water Board's regulatory role in their
5 activities.

6 So those are the topics that we will go -- very
7 quickly: background information about Nunavut Water
8 Board; authorization that the Board may generally
9 issue; Water Board Type A licencing process; licences
10 issued to this project, to Meadowbank Gold Mine; scope
11 of current application; application procedural history;
12 Agnico Eagle and the interveners' participation in the
13 process; public participation. The next topic would be
14 next steps for the Type A licence application; then
15 Water Board staff contact information and Water Board's
16 contact information; then questions and comments.

17 So it was just stated that Nunavut Water Board is
18 an institutional public government established under
19 Article 13 of Nunavut Land Claims Agreement. Water
20 Board has responsibilities and powers over the
21 regulation, use, and management of freshwater in the
22 Nunavut settlement area.

23 So the -- the object of the Board is to provide
24 for the conservation and utilization of waters in
25 Nunavut, except in national park, in a manner that will
26 provide benefits from these waters for Nunavut

1 residents, and generally Canadians.

2 Based on its mandate, Water Boards (sic) may issue
3 different type of authorization or approvals for
4 different type of undertakings in Nunavut that involve
5 the use of water and deposit of waste. So the first
6 type -- I can just list: approval without licence, its
7 authorization by Board without licence; Type B water
8 licence; and Type A water licence.

9 So this week's public hearing is for a Type A
10 water licence application filed by Agnico Eagle. So
11 the next two, three slides will describe the general
12 process for general Type A licencing processing with
13 the Board. So once the Board receives an application
14 and confirms the classification of undertaking as being
15 Type A licence application, the Board conducts
16 concordance review or information-completeness review.
17 At this stage, the -- the applicant may be requested to
18 provide additional information or different
19 clarification, technical clarification.

20 The next stage is Board issuing notice of
21 application, and for the full technical review and
22 the -- the -- that will happen at least 30 days after
23 notice of application. Then during this time,
24 parties -- interested parties are submitting their --
25 their representation or the results of their review.
26 And, again, the -- the applicant may be required to

1 provide additional technical information to complete
2 the application.

3 The next stage would be holding a technical
4 meeting and prehearing conference. So for this
5 application, I can just inform that a technical meeting
6 and prehearing conference was held in January, January
7 14th, '15. So we are back again to community for a
8 public hearing now.

9 So after technical meeting and prehearing
10 conference, the Board issues a prehearing conference
11 decision. It also provides the -- the action about the
12 public hearing. So the conference decision --
13 prehearing conference decision for this application was
14 issued. You -- you'll be seeing next slides that in
15 February it was issued, and the -- the timing for
16 public hearing was already provided for -- for today,
17 for this week's public hearing.

18 So the notice of public hearing would be at least
19 60 days prior to actual public hearing. So during
20 these 60 days, again, parties submit, you know, written
21 intervention and prepare for public hearing, and the
22 Boards hold public hearing, which is the current
23 stage -- okay -- which is the current stage.

24 The next steps would be Board issuing decision to
25 approve the application and the -- for -- for AANDC
26 minister approval, and the -- or the Board not

1 approving the -- the application, and the decision goes
2 again to AANDC minister. So for each cases -- we have
3 two options for each cases, possible again, minister
4 approves the -- the issuance of the licence by Board or
5 minister doesn't -- does not approve the issuance of
6 licence, or minister approves of the Board decision to
7 not approve the licence or approves -- the minister
8 does not approve Board decision to -- to not again
9 issue the licence.

10 So as I said, we are still in the stage of public
11 hearing. The next couple of -- or two, three slides
12 would be just to provide information about Type A
13 licences, previous licences issued for this project,
14 issued to Agnico Eagle for this project. The -- the
15 original Licence 2AM-MEA0815 was issued in June 2008
16 expiring in May 2015. So we are close to expiry date.

17 So the original licence allowed for water use of
18 up to 700,000 cubic metres per year and water disposal
19 also to mining project and mining -- mining
20 undertaking. This licence was amended twice, first
21 time in May 2010; an amendment was granted by the Board
22 relating to Marshalling Area Bulk Fuel Storage Facility
23 Expansion in Baker Lake.

24 The second amendment was issued very recently to
25 allow the -- the Agnico Eagle for -- for an increase of
26 water use up to 1,870,000 cubic metres for 2013 and to

1 1 million -- I am sorry -- yes, just -- just one
2 minute, please.

3 I would like to interrupt you and provide a
4 five-minutes break in view that our staff arrive. Let
5 them get settled down, and we will continue in five
6 minutes. Thank you.

7 (ADJOURNMENT)

8 THE CHAIR TOOMASIE: Welcome back. We'll continue
9 on. We proceed with the -- continue with the
10 presentation that was already taking place with the NWB
11 presentation. Thank you.

12 Go ahead, Karen.

13 MR. KHARATYAN: Thank you, Mr. Chair.

14 So I was just saying before the short break that
15 the second amendment was issued to allow the -- the
16 company to increase the -- or to use the -- more
17 freshwater use in 2013, 2014, and until the -- the
18 expiry of the licence.

19 Also, the Water Board granted very recently a
20 short-term renewal of licence in March 2015 with an
21 expiry date set as November 27, 2015. So with this
22 short-term renewal, not any licence terms and
23 conditions were changed. So original licence
24 conditions are still applied, applying to the -- to the
25 undertaking.

26 So the application before the Board is by -- like

1 it was said a couple of times by Agnico Eagle Mines
2 requesting the following: They are asking a
3 renewal/amendment of the licence for a ten years' term
4 to allow for a -- continuing mining activities. There
5 are some proposed changes with respect to freshwater,
6 more freshwater to be used just for pits re-flooding
7 during mine closure. I had that -- these ten-years --
8 or requested ten-years term is for continuing --
9 continues mining and for closure of project. The
10 second portion of ten years would be closure of
11 project, and during the closure, the -- they will be
12 required to -- to use more water to -- to re-flood the
13 pits in the end of mining activities.

14 So there are also some proposed changes to some
15 conditions in the licence that are related to the fact
16 that many construction activity (sic) happened already
17 so they don't need these construction-related
18 conditions in the licence.

19 So the next few slides will describe the -- the --
20 briefly the procedure of history of the application.
21 So you can see that the -- the renewal application was
22 received in the beginning August. So it takes time.
23 Licencing Type A application takes time; it's a time
24 consuming and thorough process.

25 So in the end of August 2014, the -- the
26 application was distributed for completeness check and

1 initial technical assessment. By September 29th, Water
2 Board received comments and initial technical
3 assessment from Aboriginal Affairs and Northern
4 Development Canada, Environment Canada, Fisheries and
5 Oceans Canada, and Kivalliq Inuit Association. Some
6 additional information was requested, and the -- the
7 applicant provided this information in August -- in
8 October '14.

9 In the end of November, November 24th, the Water
10 Board distributed the application for -- for full
11 technical review for 1 month, 30 days, a full technical
12 review, and by December 24th received the technical
13 review comments, again from Aboriginal Affairs and
14 Northern Development Canada, Environment Canada, and
15 Kivalliq Inuit Association.

16 Like I said, in January 14/15, we had technical
17 meeting prehearing conference in Baker Lake, and in
18 February 20, the Water Board issued technical meeting
19 prehearing-conference decision with the notice of
20 application to be heard in April 29, 30th -- or the
21 week of April 27th.

22 So in -- in April 8, the Board received Aboriginal
23 Affairs Northern Development Canada, Environment
24 Canada, and Kivilliq Inuit Association final
25 submissions for public hearing, and, I guess, you can
26 find these submissions on the desk in the -- in the

1 entrance.

2 In April 16, the company provided their final
3 submissions for public hearing, and April 22nd, 23rd,
4 the Water Board received copies of public hearing
5 presentation from, again, AANDC, KivIA and company, and
6 the Board distributed the public hearing agenda. And
7 you can -- you can also find the presentation on the
8 entrance.

9 So the -- during the renewal application
10 processing, the applicant, AANDC, Fisheries and Oceans
11 Canada, Environment Canada, and Kivalliq Inuit
12 Association have all contributed to the review, and
13 Water Board recognizes and appreciates their
14 participation of the various stages and tasks that they
15 continue to do so for the remaining stages of the
16 licencing process.

17 I have to add that during the technical meeting
18 and prehearing conference, the Board -- held in Baker
19 Lake, the Board received very good feedback from
20 community members in -- community members from Baker
21 Lake and also, I guess, from Chesterfield Inlet. I --
22 I think that they didn't have anybody coming from
23 Rankin Inlet unfortunately -- are also encouraged to
24 provide additional feedback that they may have for the
25 project, generally.

26 Interested persons can also contact Robin

1 Ikkutisluk -- Robin, who is in the entrance, to
2 provide -- she -- she may provide written comments and
3 any other document included with the application.

4 So it was stated already that this week public
5 hearing is chaired by the Board panel and led by the
6 Board's vice chair and that, fortunately, they just
7 joined us. And the panel will consider the evidence
8 provided during the hearing before issuing their
9 decision in about 30, 45 days, and the -- the Water
10 Board will inform the -- the public of the Board's
11 decision once this decision is rendered.

12 So these slides provides the -- the contact
13 information of Board involved with this project
14 licencing process: David Hohnstein, Ben Kogvik, Karen
15 Kharatyan, and Robin Ikkutisluk, and this is the
16 contact information for any general inquiry related to
17 the application to -- to the Nunavut Water Board.

18 Any question, comments? Thank you very much.
19 Matna.

20 THE CHAIR: Yeah, thank you, Karen.

21 Go ahead. Come to the microphone.

22 Community Questions the Nunavut Water Board Staff

23 LOUIS AUTUT: Good evening, Nunavut Water
24 Board, staff, Agnico Eagle, and KIA, and all of the
25 other participants. There are three that I don't --
26 (LOST AUDIO FEED) -- approval without a licence and

1 Type B and Type A are my questions. Thank you.

2 THE CHAIR: Thank you.

3 Karen, are you -- you can take that.

4 MR. KHARATYAN: Karen Kharatyan from Nunavut
5 Water Board. If you are looking for differences
6 between without licence Type B, Type A. Yes.

7 So the difference -- we have some water -- Nunavut
8 Water Regulation provides some criteria qualifying for
9 Type A, Type B -- and we talked -- licence. So those
10 are based on the water use amount. For example, what's
11 disposal type, for example? I can just say, for
12 example, if you -- we compare it with water usage, up
13 to 50 cubic metres per day water usage is qualified to
14 be considered as authorization without licence. They
15 don't need licence for up to 50 cubic metres per day
16 usage. Between 50 cubic metres and 300 cubic metres
17 per day is for Type B licence, and Type A is above
18 300 cubic metres per day and because Type A project is
19 more bigger with more potential adverse effects or
20 effect on to environment. So this process -- or
21 licencing process is more thorough and longer, much
22 longer than Type B processing or without-licence
23 processing. Thank you.

24 THE CHAIR: Thank you.

25 Any more questions from the public?

26 Teresa ...

1 MS. MEADOWS: Thank you, Mr. Chair. Teresa
2 Meadows, legal counsel for the Nunavut Water Board.

3 Mr. Chair, we always advise people when they're
4 going to provide us with presentation materials that we
5 want to enter it as an exhibit in the public hearing
6 for the public hearing record, and then I did not
7 require my colleague to file his written submissions.

8 So, Mr. Chair, I would -- with that, I would like
9 to mark, as the first exhibit in this public hearing,
10 the Nunavut Water Board presentation, the hard copy of
11 what was just presented. Thank you, Mr. Chair.

12 EXHIBIT 1 - Hard copy PowerPoint Presentation
13 of the Nunavut Water Board Community Session
14 Presentation for Type A Water Licence
15 2AM-MEA0815 Renewal Application Meadowbank
16 Gold Mine Project (English/Inuktitut)

17 THE CHAIR: Thank you.

18 Any more questions from public? Okay.

19 Can I get a guideline -- directions at the moment?
20 Because I just -- I just came in just a little while
21 ago, and I'm just trying to get things organized at
22 this same time, and then -- and see -- and to carry out
23 as well.

24 Okay. The directions is -- I've just got it. So
25 go on to Item 5 now in this community sessions. Item 5
26 is presentation by Agnico Eagle Mines Limited.

1 Thank you.

2 Presentation by Agnico Eagle Mines Limited

3 MR. ROBERT: Hello. So Stephani Robert
4 from Agnico Eagle. So thank you to be here tonight.
5 Just before we start, I just want to introduce the team
6 that we have tonight from Agnico Eagle. First, I want
7 to introduce you Larry Connell, corporate director
8 of -- manager regulatory affairs; we have also
9 Kevin Buck as the environmental superintendant at
10 Meadowbank; we have also Erika Voier that is
11 environmental Coordinator; and we have Josee Brazeau,
12 the technical services for Agnico Eagle.

13 So I will do a quick presentation to show you a --
14 a quick overview of Meadowbank, talking about the
15 tailing, then the waste management, the
16 renewal/application, the closure and reclamation,
17 technical comments, the estimated reclamation ability,
18 and the setting reclamation security.

19 So first of all, a quick history. So in 2003 is
20 when -- the first time we -- we submit an application
21 to the Nunavut Water Board and Nunavut Impact Review
22 Board. In 2006 we receive the project certificate for
23 this project by Nunavut Impact Review Board, and in
24 2008, we receive all the permit to be -- to be able to
25 construct and also to operate the Meadowbank Gold Mine.

26 So we add the water licence, Amendment Number 1

1 for the tank farm expansion, and Amendment Number 2 for
2 the freshwater use; the DFO -- the DFO is Department
3 Fishery (sic) and Ocean for the habitat loss of fish;
4 and also the Metal Mining Effluent Regulations Schedule
5 2, to be able to place our tailing in a section of the
6 lake of Second Portage lake.

7 In 2008 we started the construction of dykes and
8 the pit stripping. In 2010 we start (sic) the
9 commercial operation. So we start to process some rock
10 that contained gold into the mill to be able to make
11 some gold.

12 So actually, at end of 2017, we expected the end
13 of operation, but we continued to work to try to extend
14 the mine life of Meadowbank. It's very important for
15 us, and we -- we continue to look to potential future
16 plans to keep -- continue, but also we prepare for
17 closure. If we cannot continue, we will be prepared
18 for closure, but we look to potential future to extend
19 the mine life.

20 So Meadowbank, what is Meadowbank? It's pits, the
21 Portage pit, this pit here; Goose pit, and Vault pit
22 that is at 7 kilometres. So our gold production during
23 2010 to 2014, we produced 1.8 million ounce (sic) of
24 gold; 2015 to 2017, we have 1 million ounces estimated
25 that we will produce during this time.

26 We have at the site 775 employees that work for

1 Agnico Eagle; on that, 34 percent are Inuit workers.
2 So 265 Inuits are working at the mine, and on that, for
3 the Inuit payroll, is 29 million that go by year to
4 Inuit. And these Inuit come from all the seven
5 communities, particularly in Baker Lake for sure, but
6 we have some from all the different communities. As I
7 said, our estimate life of mine is 2010 to 2017, but we
8 look to potential -- to expand this mine life trying to
9 continue because we don't want to close this mine. We
10 want to continue as more (sic) as we can because it's
11 very important for us to keep the job and also to keep
12 all the -- all -- all this to be able to make this a
13 long mine life.

14 So when we start in 2008 -- so that is (LOST AUDIO
15 FEED) -- 2008. We can see here the road going to the
16 site. You can see here Second Portage arm to the
17 Second Portage Lake just here. First thing we did is a
18 dyke to cut the lake into the Second Portage because we
19 will have to build to do the mine that -- (LOST AUDIO
20 FEED) underwater. So for that we need to remove the
21 water so we had to build this dyke. And also the other
22 pit, is Goose pit, is also underwater; so we'll have
23 another dyke to build here to remove the water, and
24 we'll see another slide after.

25 So here is a mapping at the Portage pit. This pit
26 is 2.4-kilometres long by 600-metres wide and

1 130-metres deep. This pit is the size of Baker Lake.
2 If you take the hamlet, you can put it in the pit; so
3 just that you can imagine how big is the pit. Also, we
4 have another smaller pit, Goose pit, that is 600 metres
5 by 500 metres by 100 metres down. We see here the
6 site, the airstrip just here, and where we have the --
7 that we will see just after. That is another angle of
8 Goose pit, the dykes, because before all that was a
9 lake, was part of Third Portage Lake, so we had to
10 build this dyke, the big Goose dyke, that is
11 2.2-kilometres long, and -- and after that, to remove
12 all the fish inside that and to remove all the water
13 and, after that, be able to mine it and to remove the
14 rock that contained gold. And you see Portage pit, and
15 you see Vault just here at 7 kilometres from the site.

16 So that is the installation. So we can see here
17 the camp facilities, the kitchen just here. And we
18 have a big problem at the kitchen because we eat too
19 much; so that is bad, and Kevin is here to -- and we
20 have the mill just here. So -- so what we do is all
21 the rock coming from the pit, so the rock that
22 contained gold, is what we call the "ore". That is the
23 rock that contain gold, and that will go in a crusher,
24 will grind the material very fine to zero six inch, and
25 after that, will go another crusher, will go into the
26 dome, and that will be 0-to-1 inch from that rock size.

1 And after that, it will be sent into the mill. And
2 that -- what we want is to remove the gold that is in
3 the rock. We want to remove this gold, and after that
4 do a gold bar. So a gold bar, it's the size of a
5 Kleenex box. So that is what we produce, around one
6 Kleenex box a day, but it's not Kleenex; it's gold.
7 And that is what we produce every day is one Kleenex
8 box; it's around this size.

9 So the Vault pit, that is at 7 kilometres from the
10 mine, so just located here. So again, we had the lake;
11 that was at Vault Lake. The first thing is that we
12 build a small dyke just here, and we remove the fish,
13 and we remove the water. So the water has to be sent
14 to Wally Lake just here, and the fish, some was
15 transferred into Wally Lake, and the other fish was
16 sent to the community. We can see here in September
17 2014 that the pit was starting. You can see that the
18 pit start, and we go in bench like that, and we go
19 down, down, down like that to remove the rock that
20 contained gold.

21 So we'll talk now about the tailings and the waste
22 management because it's a big part of our mining.
23 Because when we do our pit, we need to segregate the --
24 the rock that contain gold, and the rock that don't
25 contain gold, or very, very small that we cannot
26 retrieve this gold. So the rock that contain gold is

1 what we call the "ore" that's going into the mill. And
2 after that, when we are able to retrieve the gold from
3 that -- so we do our Kleenex box. But after that, what
4 happened is the reject is -- is the rock without the
5 gold, and that is very fine material, like sand,
6 more -- more finer than sand, and that is going -- is
7 the tailings. That is the tailings. It's very,
8 very -- some people's lime (phonetic) is very, very --
9 like sand, very fine. And that will be sent into the
10 tailings area here, the north cell and the south cell,
11 and that is -- it's with 50 percent solid and 50
12 percent liquid, and that is sent into this area.

13 So all the water that is with this tailing is sent
14 back into the mill, and we reuse this water into the
15 mill. And -- and the rock that we bring from the pit
16 here that don't contain gold is what we call the "waste
17 rock". It's not waste, but it's what the -- the miner
18 call it because, for them, if it don't have gold, it's
19 a waste.

20 So we put this rock into a rock storage facility
21 just here and here. So we have, like, two different
22 piles. One pile is what we call the potential acid
23 generator. What is mean (sic) that? It's mean that if
24 you let the rock into the air, in contact with air and
25 water, in long term you can have some contaminants; so
26 it's very important to manage it very correctly. And

1 the way that we manage it is to make sure that we put
2 it in the centre of this pile, and all -- all beside we
3 put the rock that don't have this acid -- this
4 potential of acid generator. It's what we call the
5 "nonacid generator". And this rock, we'll make sure
6 that will be capped and will be keep safe for the long
7 term that enclosure -- after we are gone, everything
8 will stay there stable, and we will not have release of
9 any contaminant. So that is very important.

10 So on the tailings from 2010 to 2017, we will
11 generate around 13.6 million cubic metres of tailings.
12 These tailings will be in these two cell (sic), the
13 north cell that we start and the south cell that is --
14 sorry -- I touched too much bottom -- and -- and that
15 we start -- just here in October, we start to deposit
16 in the south cell. So we'll continue here in the south
17 cell until 2017.

18 So now we'll talk briefly about the renewal
19 application. Because our permit was for seven years,
20 two years of -- of construction and five years of
21 operation, and now we have to go back to ask to
22 finalize the mine and also prepare the closure. So
23 what we ask is to have a renewal of ten years to make
24 sure that we will be able to finalize the mine and also
25 start the -- the closure of the mine.

26 So what we propose is to have -- to update and --

1 certain item and condition of the licence, but the
2 majority are administration -- administrative in
3 nature, so nothing major; we don't ask to change
4 anything. And -- and as an example, removal of items
5 that no longer are applicable, removal of item
6 originally made as a condition to update plan, things
7 like that. And what is important also, we propose to
8 improve some clarity and consistency for both Agnico
9 Eagle and Nunavut Water Board.

10 And because it's a water licence, the water that
11 we ask is very important. So what we ask is to be able
12 to use the water to process this ore, the rock that
13 contain gold, and also, at the end of closure, we need
14 water. Why we need water is because we will fill the
15 pit, and under the definition, it's like a use of water
16 to take the water -- if we go back to this slide, we'll
17 take water from the Third Portage Lake, and we'll put
18 this water into the pit because we want to have a lake
19 again. So we want to flood the pit to -- at the end,
20 all that will be flood and will be part of the lake
21 after closure and post-closure and make sure that --
22 that it will be the same quality of all the lake.

23 So it's for that that we ask this amount to flood
24 for Third Portage Lake and also to flood Vault Lake
25 because we'll do the same with Vault pit. We will
26 re-flood this; so it's why we ask for 9.9 million cubic

1 metres of water by year to be able to re-flood our pit.
2 So it's why we ask a big quantity of water, but this
3 water is only to re-flood the pit.

4 So technical comment. During this renewal
5 process, we receive comments from KIA, AANDC, DFO,
6 Environment Canada, and we receive a total of 97
7 technical comments. And these comments was for the
8 closure and reclamation, around 16 percent of the --
9 these comments; modification rewording of draft water
10 licence, 33 percent; freshet action plan, RSF seepage,
11 7 percent; the core receiving of management program,
12 11 percent; and the different management plan, 32
13 percent.

14 So the -- during the -- the hearing that we had in
15 January, we were able to have an agreement on all these
16 technical comments. So one of the big part of this
17 renewal is closure, because after 2017 (LOST AUDIO
18 FEED) for now -- sorry -- microphone just -- okay --
19 because after 2017, the majority will be during
20 closure. So closure, it's important.

21 So for -- in the Part G of the licence, we require
22 an implementation of the approved interim closure and
23 reclamation plan, and AEM commitment was to revise this
24 interim closure reclamation plan to reflect the issue
25 that was raised and -- and the commitment that was made
26 through this review process. Also, we have to submit

1 12 month before the -- the -- prior to closure. So in
2 end of 2017 -- end of 2016, we have to submit a final
3 closure plan so that -- we commit to comply with that
4 and submit a final closure plan. And we commit to
5 comply with all the standard and guideline applicable
6 to closure and reclamation. So we have already a
7 schedule for closure, if we're not able to continue to
8 mine after, and we -- you can see the different things
9 that we will do over time.

10 So for us, if we start the closure at the end of
11 2017, we will still be there until two thousand -- two
12 hundred -- 2040. Sorry. So you will see me again for
13 too long, 33 years, because we will be there to make
14 sure that everything is fine, everything is closed
15 properly, and all -- all the things are safe for the
16 environment. That is really the goal of all that.

17 So what is the concept? As -- as I said, it's the
18 pit re-flooding. So if you look here at the map, that
19 is the Goose pit, the Portage Pit. So what it will
20 look like -- it's like that. So what we'll do is that
21 we will flood all this that will be part of -- of the
22 Third Portage Lake here, and we will breach this dyke
23 that the fish can pass, and we will have some fish
24 habitat that will be created in this lake that will
25 help to add fish again in the old pit. Same thing here
26 at Vault. You can see the Vault pit, and that -- this

1 dyke will breached, and the water will be able to go
2 into the Vault pit just here.

3 So one part of the closure plan is the costs,
4 how -- how (sic) it will cost to reclaim it. So all
5 the parties in this process agree on the amount. So we
6 add what we call a "reclaim" that we use to make this
7 estimate, and we arrive with an estimate of \$86 million
8 to reclaim the site. And that is -- represent estimate
9 cost of reclaiming the site at the end of the expect
10 mine life in 2017, and it's based on the worst-case
11 scenario. But we -- it's -- is if AEM is unable to
12 meet its obligation, either through bankruptcy or other
13 cause, and the government or the landowner has to step
14 in and take over reclamation to the site using outside
15 contractor, and also there is a period of time before
16 the government start cleaning up the site.

17 So if we compare with the first licence in 2008,
18 the amount was 43.9 million, and now we arrive with
19 86 million. You say, Wow, it's a double. Why it's a
20 double? It's because we grow in the size of the mine
21 from the start in 2008 to today. We increase the unit
22 costs of all labour, material, and service because in
23 2008 it was an assumption, and now all the price going
24 up. We have also a better understanding of how the
25 site can be reclaim, and we have a much larger
26 allowance for interim care and maintenance before the

1 government start work.

2 So the way that have to be done, we have to
3 separate on the reclaim, part -- what is the water
4 liability and the land liability, and we have
5 68 percent is the water, 58.8 million; and
6 27.8 million, 32 percent of the total closure cost.
7 What is really important is how we set -- setting the
8 reclamation security. So if AEM do bankruptcy tomorrow
9 and the landowner and AANDC have to reclaim the site,
10 how we will make things -- who owe -- will owe the
11 security and -- to make sure that if something happened
12 this site can be reclaim.

13 So the first -- in the first licence, the Type A
14 actually -- actual have 43.9 million in security. We
15 have a letter of credit that is posted to Government of
16 Canada AANDC of 43.9 million. But also, we have
17 forty -- 14.9 million under the KIA commercial lease
18 security requirement under also a letter of credit of
19 14.9 million. So what we mean is that we have what we
20 call our over-bonding of 14.9 million, so 134 percent
21 of this cost.

22 So what is important for Agnico Eagle is to have
23 the good amount of money that we will put aside if
24 something happened that we are not able to fulfil our
25 obligation, we are not there anymore, and somebody have
26 to reclaim the site, and we don't want to have double

1 of our bonding. So that all the security be held or
2 managed in the -- in the event that the company has
3 failed to meet these requirements is in some
4 agreed-upon agreement between the Government of Canada
5 and the landowner, the Kivilliq Inuit Association.

6 And remember, if the security has been assessed,
7 then it's likely that AEM has some from fail or is
8 likely unable to meet its obligation; so this amount is
9 only if we are not there, and I tell you I will be
10 there for 23 years to reclaim this site. So we
11 will not -- we will not have to touch this security.
12 That is the goal.

13 So that's conclude my presentation, and if you
14 have any question, feel free to ask. Thank you.

15 THE CHAIR: Thank you.

16 So any questions or comments from the community
17 members or participants?

18 Teresa ...

19 MS. MEADOWS: Thank you, Mr. Chair. Teresa
20 Meadows, legal counsel for the Nunavut Water Board.
21 Mr. Chair, my understanding is that there are two
22 versions of this presentation, one in English and one
23 in Inuktitut, and I would like to let the record show
24 that we'll be marking them as Exhibits 2 and 3 in this
25 hearing. Thank you, Mr. Chair.

26 EXHIBIT 2 - Hard copy PowerPoint Presentation

1 of Agnico Eagle Mines Limited Meadowbank
2 Type A Licence Renewal, Final Public Hearing
3 Community Presentation, April 29-30, 2015,
4 (Inuktitut)
5 EXHIBIT 3 - Hard copy PowerPoint Presentation
6 of Agnico Eagle Mines Limited Meadowbank
7 Type A Licence Renewal, Final Public Hearing
8 Community Presentation, April 29-30, 2015,
9 (English)

10 THE CHAIR: Thank you, Teresa.

11 Once again, any questions or comments? KIA?

12 Okay. KIA, the member -- let the community go first.

13 Okay. Yeah, that -- wearing green, that -- green.

14 Right there. Yeah. Go ahead.

15 Community Questions Agnico Eagle Mines Limited

16 EVA ELYTOOK: Thank you for coming to the
17 meetings, Agnico Eagle Mines. This is my question: As
18 he said that -- the one that they took the water away
19 from, if they're going to return the water, he said --
20 he says -- he claims that there will be fish returning
21 to that lake. When the fish first returns to that
22 lake, are they going to monitor the fish that has
23 returned to the lake?

24 THE CHAIR: Agnico Eagle Mines Limited,
25 response to question.

26 MR. CONNELL: Larry Connell with Agnico

1 Eagle Mines. Thanks for that question; it's a very
2 good question. The -- the principle is that we would
3 first put water by pumping into the open pits, and we
4 would let that water stay there and monitor the water
5 quality. We wouldn't open it up and allow fish to
6 enter that until we -- we knew that the water quality
7 was -- was sufficient to keep and sustain fish life.
8 We -- that may take many years till we reprove that.

9 Once we have proved that the water quality within
10 the lake meets all of the standards for fish to
11 survive, then we would breach the -- the dyke and allow
12 that the -- the pit, the flooded pit, to connect to the
13 lake to allow fish to come into that lake, if they so
14 choose.

15 And the next part of your question was will there
16 be monitoring after that? Yes, there would be. There
17 would be monitoring of both water quality and of the
18 fish themselves to ensure that -- that there isn't
19 contamination occurring from allowing the fish to enter
20 that new portion of the lake.

21 THE CHAIR: Yeah, thank you.

22 And that -- wearing blue hat ...

23 ABNER KALURAQ: Hi. I need a -- is there any
24 available job?

25 MR. CONNELL: Larry Connell with Agnico
26 Eagle Mines. The three of us aren't part of the

1 HR department or the personnel department so we don't
2 deal with the job applications, but, you know, there is
3 a process here in town to actually put your name
4 forward for application for jobs. There are
5 continually jobs coming open at the mine.

6 And if your question is will there be jobs during
7 the reclamation period? Yes. The intent is that
8 Agnico is still going to be very much here during
9 reclamation, and that we are going to continue to do
10 this reclamation using our own workforce. The security
11 is there in case we have, for whatever reason, gone
12 under, we failed, and so that allows somebody else to
13 step in. But if we do the reclamation, we'll be doing
14 it with our own workforce, and there would be --
15 continue to be jobs at the mine site to do that work.
16 There wouldn't be as many jobs. The -- the numbers
17 will drop down, but there would still be people working
18 at the mine doing the reclamation and the closure work.

19 ABNER KALURAQ: Okay. Thank you.

20 THE CHAIR: Yeah, thank you.

21 Any more questions from the public?

22 LOUIS AUTUT: My name is Louis Autut from
23 Chesterfield Inlet. I would like to ask -- I would
24 like clarification on this lake. When the water is
25 returned into the lake and when the fish return, about
26 the water -- when the water first returns, maybe

1 this -- when the first water returns and the fish is
2 going to stay, is there going to be vegetation for the
3 fish to feast on? Has the -- vegetation rules for the
4 fish we eat -- was there gonna -- is there -- when
5 they're -- fish returns and -- is there going to go
6 vegetation? I think -- I think there won't be any
7 vegetation. I would like clarification on that.

8 THE CHAIR: AEM ...

9 MR. CONNELL: Thank you, Mr. Chairman.

10 Larry Connell with Agnico Eagle.

11 The -- when we talked about creating the fish
12 habitat, there's two types of the habitat in the pit.
13 There's the deep hole, which is only good for fish to
14 get below ice for over winter. But in the zones around
15 the edge of the lake, we're going to create habitat
16 there, and we have an authorization from DFO, the
17 Department of Fisheries and Oceans, to go back and
18 place clean material to create the soils, to create
19 a -- a place for that vegetation to grow, so there can
20 be a sustaining fish habitat. So part of what we're
21 talking about here is creating the -- the setting to
22 have that fish habitat created.

23 DFO -- there aren't -- there are currently
24 regulations in place that cover this activity, and we
25 have an authorization under the Fisheries Act from the
26 Department of Fisheries and Oceans, and in that

1 authorization it spells out the -- the details as to
2 what we have to do and -- and also sets aside security
3 as well that's in addition to the security that
4 Stephani talked about to ensure that that work gets
5 done at the end of the mine life.

6 And then the -- the Department of Fisheries and
7 Oceans has a requirement that we continue to monitor,
8 both water quality and the quality of the fish, during
9 that period to ensure that the fish re-enter the system
10 and utilize that habitat, are doing so safely, and if
11 they could be, then, continue to be viable fish for
12 consumption by the public.

13 THE CHAIR: Thank you.

14 Any more questions or comments? KIA also had the
15 question or comments to the presentation.
16 Kivalliq Inuit Association Questions Agnico Eagle Mines
17 Limited

18 MR. MANZO: Thank you, Mr. Chairman. Luis
19 Manzo, director of lands, Kivilliq Inuit Association.
20 I have a few questions for the proponent, and I will
21 start to have -- to have some clarification. For --
22 for the public, for the Board, and to be part of the
23 evidence of this hearing, can you explain -- can you
24 explain in your Slide Number 2 what's the process of
25 the MMER Schedule 2 that you went through to get up to
26 the session to have the tailing and storage facility?

1 MR. CONNELL: Thank you, Mr. Chairman.

2 Larry Connell with Agnico Eagle.

3 The Metal Mine -- or the MMER, as it refers to --
4 it refers to a Metal Mine Effluent Regulation -- it's a
5 regulation under the Fisheries Act that if you want to
6 use a body of water to ultimately put a waste in it,
7 like a tailings in it, you have to go through a process
8 to get authorization to do that, and the authorization
9 essentially is a very detailed process. Takes -- it
10 took something like two to three years to complete,
11 where they -- they look at all the alternatives, look
12 at whether this is the best solution to what you're
13 proposing or whether there wasn't a better solution,
14 and ultimately what they declared was that that portion
15 of the Second -- Third -- the Second Portage Lake, that
16 arm that we dyked off for use of tailings, was actually
17 delisted by the Government of Canada as a lake.
18 It went right through to a -- what's called an "Order
19 in Council" where the -- the government actually issues
20 an edict under the Regulation, taking that portion of
21 the lake and no longer declaring a portion of the lake.
22 So that actually been listed by the Government of
23 Canada as no longer being a lake. That gave us
24 permission, then, to dewater it, remove the fish, and
25 actually use it as part of the waste.
26 They didn't do that lightly. They did that only

1 after we had presented many years of evidence looking
2 at other ways to have stored those tailings, and we
3 came to conclusion with all the parties involvement
4 that that was what was best for the environmental
5 protection, the best way forward. Does that answer
6 what you were trying to achieve?

7 MR. MANZO: Thank you, Mr. Chairman.

8 Yes. That's -- thank you for the clarification
9 and for -- members of the Board.

10 Second question will be, it's not true that the
11 reason to change that schedule under the MMER is based
12 of the model of Bennett used to have freeze back the
13 tailing disposal?

14 MR. CONNELL: Yes. As part -- sorry.

15 Thank you, Mr. Chairman. Larry --

16 THE CHAIR: Yeah, go ahead. Thank you.

17 MR. CONNELL: -- Connell for Agnico Eagle.

18 THE CHAIR: Yeah.

19 MR. CONNELL: As part of our plan for how
20 we -- we ultimately deal with those tailings, by using
21 a depression in the ground, the tailings will then be
22 placed in it. They freeze over the winter. The
23 concept is that we'll end up with a frozen mass of
24 tailing which we would then cap with a waste rock -- a
25 clean waste rock on top of it.

26 So the tailings are no longer -- and that depth --

1 sorry. That depth of waste rock will be sufficient
2 that it doesn't fall back into the tailings every
3 summer. The concept being, in that way, any water
4 trapped within the tailings remains within the tailings
5 and can't escape the basin, and water coming across the
6 cover can only penetrate down and hit the frozen layer
7 and will not pass into the tailings and migrate
8 contaminants away from the tailing.

9 So we're relying upon this freezing as part of our
10 closure concept. It's not necessary that it be frozen,
11 but it was a safety factor that we've implied to
12 utilize in this case in order to ensure that the
13 tailings do not become a source of contaminants in the
14 future.

15 MR. MANZO: Thank you.

16 THE CHAIR: Thank you. Go ahead, KIA.

17 MR. MANZO: Thank you, Mr. Chairman. Luis
18 Manzo, Kivalliq Inuit Association.

19 Based on your calculation of security, you use the
20 RECLAIM Model to assess the security in between land
21 and water. It's not fair to say -- it is fair to say
22 that the RECLAIM Model used a professional assessment
23 in -- in some of the areas of that calculation. Based
24 on that and based on the other consult provided by
25 Environment Canada, it is fair to say that it's no
26 longer a lake, and it will become (sic) land, the

1 portion that will be now a storage facility?

2 THE CHAIR: Go ahead.

3 MR. CONNELL: Thank you, Mr. Chairman.

4 Larry Connell, again, with Agnico Eagle.

5 Yes. It -- we -- the RECLAIM Model that
6 everyone's referring to is a -- is a computer -- or
7 it's basically a spreadsheet created by the Government
8 of Canada to force us to use one kind of process to
9 calculate how that estimate of reliability of the
10 reclamation costs will come forward; so we have done
11 that. But I think what Luis is -- and that -- that was
12 done by professional people in the -- in the field. A
13 lot of people have reviewed it and agreed with it and
14 gone through it.

15 And I think what Luis is saying is because of the
16 Schedule 2, technically that portion of Second Portage
17 Lake is no longer declared by the government to be a
18 lake. It has been removed under the Schedule 2 listing
19 in the MMER and is now certified as actually on-land
20 deposit.

21 MR. MANZO: Thank you, Mr. Chairman. Luis
22 Manzo, Kivalliq Inuit Association.

23 Then going to the Slide 29, which you mentioned
24 there the land level will be 32 percent, I'm assuming
25 the tailing and storage facility is being considered
26 under the water liability and no land liability? It --

1 it is what I'm reading in the -- based on this
2 percentage. So it's not true that if we take that part
3 of the storage facility under now land, will be
4 90 percent of the liability; 98 percent will be now
5 land and no water?

6 THE CHAIR: Go ahead.

7 MR. CONNELL: Larry Connell with Agnico
8 Eagle. Just checking the numbers on that, the full
9 spreadsheet. There was a split. Basically, in doing
10 the reclaims spreadsheet, when we try and separate
11 what's land and what's water -- and we've had this
12 discussion eight years ago in front of the Board --
13 it's very difficult. It's a professional judgment as
14 to what portion is related to land and what portion is
15 related to water. It's very easy when you're talking
16 about a building that's on the land; you know that's a
17 land issue.

18 When you're talking about a tailings, whether it
19 be placed on land or -- or in water, the -- the issue
20 is -- is the liability all land, or are you focusing on
21 some of that contaminant may move to the lake? So a
22 portion of it is water-related, a portion of it's
23 land-related, and it's very much a judgment call when
24 you make that. In this case here, under the tailings
25 facility and the reclaim 7 spreadsheet, the total cost
26 for the tailings reclamation was thirty point --

1 38.7 million. 9.7 million of that was declared to be a
2 land liability, and 29.01 -- or 05, sorry, was declared
3 to be a water liability. That was the professional
4 judgment applied. I'm sure if you got 20 professionals
5 in this room, you would get about -- probably 15 or --
6 different splits of that. You wouldn't get consensus
7 because there is judgment involved in making that kind
8 of a call.

9 THE CHAIR: Thank you.

10 KIA ...

11 MR. MANZO: Thank you, Mr. Chairman. Luis
12 Manzo, Kivalliq Inuit Association.

13 You just mentioned that, by ordering consult, that
14 lake is no longer a lake; therefore, you're using the
15 Bennett Model, which was approved during the NIRB
16 hearings during -- during the licence of the mine to
17 actually proceed with your project, which otherwise we
18 couldn't proceed without that certification by
19 Environment Canada.

20 THE CHAIR: Thank you.

21 Go ahead.

22 MR. CONNELL: Larry Connell with Agnico
23 Eagle.

24 Yes. The -- as we said already, the -- the -- the
25 lake received a Schedule 2, was placed there, but the
26 issue of whether you're capping it to strictly reclaim

1 land or are you capping it to prevent contaminants
2 leaving it and going into water, that's a split. It
3 can't -- now, if you don't do one, it becomes a problem
4 to the other. So if you -- if you did nothing and it
5 released contaminants, the contaminants would all be on
6 the land, but they would end up draining towards water
7 over time.

8 So is the cost of doing the reclamation strictly
9 to reclaim the land and prevent that happening, or are
10 you doing a portion of it to prevent water? It becomes
11 this judgment call. I -- sorry. Just -- I think
12 what's more important is that we captured the cost of
13 doing a holistic basis, doing the entire thing. That's
14 what's important from our perspective.

15 THE CHAIR: Thank you.

16 KIA ...

17 MR. MANZO: Thank you, Mr. Chairman. It's
18 just to -- to make sure that that 30 percent could be a
19 mislead (sic) number to the Board. And by mutual
20 legislation that lake is no longer a lake; it is part
21 of land have been covered by tailing disposals and
22 being treated as -- as such using a Bennett Model.

23 Under the NIRB hearings and under the Water Board
24 hearings, there was the consideration for all the
25 professionals at that system -- that that model will be
26 used in -- enclosure of the tailing disposal. So

1 therefore, KIA thinks that that number is misleading,
2 and it need to be recalculated as such, based in --
3 in -- in the overdraw of that water part of the lake
4 under -- under the Environment Canada MMER legislation.

5 Thank you, Mr. Chairman, and you will see more
6 evidence during our presentation. Thank you.

7 THE CHAIR: Thank you.

8 Any more comments or -- questions or comments
9 before we go onto the -- okay. I didn't see any hands
10 now so -- oh, okay. Go ahead.

11 Community Questions Agnico Eagle Mines Limited

12 BASIL KAYAVINIK: Thank you, Chairman. This is
13 my question, that as he spoke -- when the mine is
14 closing, when the cleaning -- cleaning starts, how many
15 years in the process would it be closing, and how
16 many -- how long would it take and how many years would
17 it take to clean that area? This is my question.

18 THE CHAIR: Go ahead. Respond to the
19 question.

20 MR. ROBERT: Stephani Robert from Agnico
21 Eagle. So it will take, in fact, 2 years to reclaim
22 the site, but because we have to monitor it and make
23 sure that it will do what it -- it take, it will take
24 20 years. So we'll stay there for 20 years, but, in
25 fact, it will only take 2 years to reclaim the site,
26 the majority of the tailings, but after that, we'll

1 have to monitor with -- with some temperature monitor
2 inside the tailings to make sure that it will do what
3 it's supposed to do. Thank you.

4 THE CHAIR: Thank you.

5 Any more questions or comments? So I didn't see
6 any hands anymore.

7 On the agenda, I -- we -- I'd like to move on to
8 Item 7, the presentation from each intervening parties.
9 So start with Kivilliq Inuit Association, if you're
10 ready to.

11 MR. MANZO: Thank you, Mr. Chairman.

12 We -- we're ready for our presentation.

13 THE CHAIR: Okay. Short break, about five
14 minutes, while one of the Board member -- we still
15 have -- at least five minutes' break. Okay. Take
16 about a five-minute break.

17 (ADJOURNMENT)

18 THE CHAIR: Go ahead.

19 Presentation by the Kivalliq Inuit Association

20 MR. MANZO: Thank you, Mr. Chairman, and
21 my name is -- for the Board -- for the purpose of this
22 hearing, my name is Luis Manzo, director of lands of
23 Kivilliq Inuit Association.

24 I will make a presentation on behalf of the DIO,
25 Designated Inuit Organization, Kivalliq Inuit
26 Association, and our mandate is to protect practically

1 the rights of Inuit under the Land Claim. Just -- just
2 in the first one. Go back now. So as overview --
3 next -- yeah, maybe they have the wrong one.

4 Just for the Board purposes, we send the note
5 to -- but -- it may be there, but we can continue with
6 that. It's Inuktitut versions in the -- in the front.
7 Yeah, it's electronically as well, but that's okay. We
8 send the translator version. It's okay.

9 So as a overview ...

10 MS. MEADOWS: Mr. Chair, Teresa Meadows,
11 legal counsel for the Nunavut Water Board.

12 Mr. Manzo, maybe we'll just wait until we can get
13 the correct electronic copy up on the screen so that
14 the Inuktitut text can also be shown at the same time.

15 THE CHAIR: Okay. Thank you. Thank you
16 for -- go ahead, KIA.

17 MR. MANZO: Thank you, Mr. Chairman.
18 Sorry for the technical difficulties there. I will ask
19 the Chairman that -- we have several slides, but as you
20 know -- you hear the proponent, and in my -- my
21 evidence in the presentation already says that we agree
22 in all the requests submitted to the proponent due to
23 the technical -- the pre-hearings and the technical
24 hearings. I will pass very quickly those issues and
25 the highlights of it to get to the main issue we're
26 just defending, and is that okay with the Board?

1 Then I will proceed. As an overview, KIA present
2 35 separate information requests as technical comments
3 to the Nunavut Water Board and the interveners. All of
4 these 31 issues we presented during this time has been
5 resolved in the benefit of all parties. Resolutions
6 have been tracked in the Nunavut Water Board Excel
7 spreadsheets Number 150114 2AM-MEA0815 preliminary, AEM
8 response to technical comments revised ILAE file.

9 This -- all comments are now on record, and now we
10 will summarize the requests by Nunavut Water Board
11 doing the review to KIA, the topics in which KIA, by --
12 by a technical intervener, was the freshwater quality,
13 waste disposal and management, emergency and spill
14 contingency planning, monitoring closure and
15 reclamation planning.

16 Something very important is how we proceed to do
17 this review. It was guided by Nunavut Water Board
18 water quality framework: Protect, manage, and regulate
19 freshwater in Nunavut in a manner that will provide the
20 optimum benefits for the residents of the territory in
21 particular and Canadians in general, the Nunavut Land
22 Claims Agreement, and the Kivalliq Inuit Association's
23 interests and long-term environmental protection for
24 beneficiaries.

25 Guidance principles of this review: Our
26 presentation accompanied our intervener submissions to

1 the NWB, Kivalliq Inuit Association, intervener
2 submissions for 2AM-MEA0815 Meadowbank water licence
3 renewal application public hearings.

4 Freshwater and quality: All the concerns are
5 being addressed by the proponent. All the concerns
6 that KIA presented are being addressed by the
7 proponent. AEM and KIA have resolved the issues, and
8 it -- and it has been agreed to stage annual water
9 usage and water licence to reflect anticipated
10 freshwater uses. Demonstrated water uses will have no
11 negative impact into the Portage Lake.

12 Waste disposal management: KIA has -- is
13 satisfied with the AEM response. AEM will update
14 the fresh -- the freshet action plan to the KIA's
15 agreed satisfaction. This includes continuing
16 monitoring of the receiving environment and mitigation
17 actions to prevent further seepage from the tailing and
18 storage facility to the rock storage facility.

19 Emergency and spill contingency plan: Also in
20 agreement, AEM has amended the licence wording to
21 include seepage as a spill. AEM has also provide a
22 greater clarity for emergencies and spill monitoring,
23 as well as the associated adaptive respond framework.

24 In the section of monitoring, the KIA will watch
25 to ensure the receiving environment was sufficiently
26 protected. Our comments were focused in aquatic

1 effects monitoring program and the core receiving
2 environment monitoring program, which were modified.
3 KIA emphasized the need for KIA review of annual boards
4 and prompt notifications of events.

5 Technical comments addressed a variety of issues,
6 including water and sediments quality monitoring
7 results, monitoring parameters including biological
8 indicators, the suite of assessed chemical parameters
9 in water quality, detection limits, modeling results in
10 comparison to measured values, data quality objectives
11 to ensure accuracy of report data, water licence
12 wording for clarity and precision.

13 Technical comments also addressed conditions to
14 require the collection of water quality samples at
15 depth, requirements to discuss any elevated water and
16 sediment chemistry results in the body of reports,
17 photographic records of pre-construction conditions, a
18 reference site for Wally Lake, capacity to -- for
19 statistical detect changes in the receiving
20 environment. AEM has addressed all KIA concerns in the
21 monitoring.

22 Closure and reclamation planning: AEM has assumed
23 that KIA of its long-term monitoring activities and is
24 conducting focus research to ensure installation of
25 potential chemical hazards associated with the tailing
26 and storage facility and potential acid-generated rock

1 is being addressed.

2 And now we come to the area of security. We'll
3 slowly go through this slide, which is still an issue
4 on the table. The KIA acknowledged security can be
5 reduced through progressive closure and reclamation.
6 Successful reclamation decreases the potential
7 liability of AEM and the risk to KIA and AANDC.
8 Security amendments generally require a full amendment
9 to the water licence with attendants hearings. The KIA
10 and the AANDC have discussed a process to amend
11 security through a streamlined hearing process, such as
12 a teleconference and seeking guidance from the Nunavut
13 Water Board before an -- before amendment is put
14 forward.

15 As you well know, KIA -- one of the submissions --
16 the initial submissions of KIA proposed equal
17 distribution of security -- fifty -- we call it a
18 "50/50" -- between the minister of AANDC and Kivalliq
19 Inuit Association. These are no longer the case after
20 receiving the AANDC letter of April 8th, '15, to NWB.
21 KIA intends now to hold 78,834 -- \$78,834,710 under the
22 KIA lease for three basic reasons:

23 No security management agreement has been reached
24 since the date that Nunavut Water Board send AANDC and
25 KIA to address the security management agreement for
26 the split of 50-50. Unfortunately, there's no security

1 management agreement in place to manage to do a 50-50
2 split avoiding the double-bonding issue.

3 Two, the KIA mandate requires the use of security
4 for purpose of -- for purposes about and beyond the
5 reclamation of the affected waters and resources. It
6 is KIA responsibility to ensure adequate restoration to
7 the standard required by applicable regulations and the
8 production lease. With that say (sic), I will clarify
9 that we not just look after the water; we also look
10 after the land and the environment surrounding the
11 site. It's a greater responsibility that we have,
12 which is not covered in the Water Act.

13 And, three, the Meadowbank Project is fully on
14 Inuit-owned land. The KIA requires sufficient funds to
15 ensure all obligations respecting the environment are
16 met. The KIA is concerned funds held by the minister
17 need not apply to the entire production lease, only
18 that portion which applies directly to the water
19 resources; and funds held by the minister may
20 be insufficient for remediation if used for
21 compensation.

22 In clarifying those two sentences, the obligation
23 of AANDC minister is only in responsibility of water.
24 KIA, by virtue of the Land Claim Agreement, hold the
25 title of property of the land in question granted under
26 the Land Claim Agreement by the -- by -- by the Canada,

1 and, therefore, the responsibility since the signature
2 of the agreement is in KIA hands under the title of
3 property. In continue (sic) with that, the minister
4 also have full access to a security in terms of
5 compensation, which no -- it's no frame to ensure the
6 lands in questions because he no longer have that
7 responsibility under the Land Titles.

8 And to continue with my presentation, compensation
9 and security under our lease is a complete -- two
10 different issues under the Act as under the same
11 security, and I'll address in different processes. We
12 address compensation under Article 20. The minister
13 address compensations under the same security, which
14 that portion is not assessed in the RECLAIM Model. The
15 RECLAIM Model will not take in consideration any
16 compensation that the minister overdraw for a total
17 amount of the security. And that is evidence in the
18 RECLAIM Model. The RECLAIM Model is there, and you can
19 go to it. They don't have a section for compensation.
20 The KIA acknowledges security can be reduced to
21 progress (sic) closure and reclamation. Successful
22 reclamation decrease the potential liability of AEM,
23 the KIA, and AANDC.

24 And I will go, then, to -- to follow in a slide.
25 We hear the proponent, in a slide -- I will leave this
26 one. The -- isn't right. We hear the proponent saying

1 the split of the security is based on 68 percent and
2 32 percent for land. So we present to the Board the
3 following evidence based on the provisional assessment
4 of KIA. The KIA agrees with the final reclamation cost
5 estimated. We don't have a problem with the total
6 amount, just to be clear, of the 86 million proposed by
7 the proponent. Then as a summary of the following,
8 land-based direct cost based on the RECLAIM Model is
9 56,503,981; land-based indirect cost, 22,330,729; total
10 land cost, 78,834,710; water-based direct cost, five
11 thousand -- 5,203,711; water-based indirect cost,
12 \$2,481,193; and total water costs of \$7,684,904.

13 This assessment is based on two main factors: One
14 is the minister of environment overdraw the lake
15 specifically to use the Bennett Model to then reclaim
16 the mine site and closure. With doing that, that part
17 of the lake is no longer a lake by law, as being
18 overdraw from the watershed and out. By the model of
19 the proponent, this will become (sic) freeze back
20 Bennett, a land base and no lake. And that's basically
21 the percentage missing in the proponent presentation,
22 but like the proponent says, We have been holistic
23 at seeing this, and we believe that we hold the title
24 of property over that land, we believe we have a right
25 in that land, and we believe we have a right to protect
26 Inuit of Baker Lake and the rest of the communities to

1 make sure it's enough funding to come and clean the
2 site if the proponent is no longer in the picture.

3 I present this table to you as our evidence and --
4 and the breakdown for the rest of the interveners. I
5 don't want to go through line by line. I already went
6 through the totals. This is a completed split for each
7 of the base on the RECLAIM Model and based that this
8 Schedule 2 is already amended by law.

9 The KIA doesn't wish to over-bond on this project;
10 however -- however, the KIA is required to hold
11 adequate security to protect its interests. This
12 protection will be based on the following provisions
13 with the production list: One, AEM must deposit a
14 reclamation security deposit with the KIA. The final
15 amount is based in the RECLAIM Model plan -- in the
16 reclamation plan. Two, the reclamation security
17 deposit can be accessed by the KIA if AEM breaches any
18 material -- any material term, covenant, of the
19 conditions of the lease pertaining to its obligations
20 relating to the environment or abandonment of the
21 Meadowbank Project -- environment of the -- of the
22 Meadowbank Project of -- and it -- and fails to remedy
23 such a breach with time permitting under the lease. If
24 KIA draws on the reclamation security deposit, AEM must
25 be between five days, business days, of receipt of its
26 notice from KIA to put that money back in the security

1 if that's the case.

2 If any time the reclamation plan identifies an
3 increase in costs for reclamation of the project, AEM
4 must, between five days, be -- five business days --
5 receive written notice from KIA and increase
6 reclamation security deposit by the amount of such
7 increase of cost. Five, the reclamation security
8 deposit must be -- must be in a form and content
9 acceptable to the KIA. In the normal course of the --
10 of the KIA will require a letter of credit which will
11 ensure it may be accessed by the KIA regardless of AEM
12 financial circumstances. Upon receipt of confirmation
13 for all regulatory bodies governing the Meadowbank
14 Project that AEM has fulfilled all project closures and
15 reclamations requirements, the KIA will release the
16 reclamation security deposits at that point in time.

17 And we also are prepared to disclose to the Board
18 our lease as our evidence and also the letter of credit
19 would hold to today as part of this proceeding if it's
20 necessary, if that's -- if -- if they require it to set
21 the security. We also open to different model venues
22 that can avoid double-bonding of their security and the
23 manner of the Meadowbank renewal water licence.

24 We try for ten years to do that. The last meeting
25 with AANDC in Ottawa was hold (sic) in April 27 --
26 May 27 of this year, unsuccessful. We couldn't reach

1 the particular agreement to be 50-50, as a -- if you
2 read my first -- my first technical report, we will
3 work -- we work with the Board, we work with the
4 proponent, we work for -- with AANDC for ten years in a
5 good faith to reach a 50-50 split security with the
6 management agreement in place, but we couldn't (sic)
7 been able to reach it. So it's now in front of the
8 Board to make the best judgment of how security should
9 be capped and the instruments which exist today; one is
10 the independent regulations of the minister and KIA
11 lease.

12 With that saying, I thank you, the Board, for the
13 opportunity, and if you have any questions, I'm happy
14 to answer them.

15 THE CHAIR: Thank you, KIA, for the
16 presentation.

17 Questions? Any questions or comments from the
18 community members or participants?

19 Okay. I take that as there's none. So the next
20 interveners have a presentation. Aboriginal Affairs
21 and Northern Development Canada, you may come forward
22 to -- if you have -- if you need to set up a few
23 minutes, we could take a short break.

24 (ADJOURNMENT)

25 THE CHAIR: So we shall proceed. Before
26 we have Aboriginal Affairs take the floor,

1 Teresa mentioned -- go ahead, Teresa.

2 MS. MEADOWS: Thank you, Mr. Chair. Teresa
3 Meadows, legal counsel for the Nunavut Water Board. I
4 have the presentation from the Kivalliq Inuit
5 Association that was just presented that I'll be
6 marking as Exhibit 4 in these proceedings. And then I
7 have the hard copy presentation from Aboriginal Affairs
8 and Northern Development Canada that they will just be
9 presenting, and I will be marking that as Exhibit 5.
10 Thank you, Mr. Chair.

11 EXHIBIT 4 - Hard Copy PowerPoint Presentation
12 of the Kivalliq Inuit Association NWB
13 2AM-MEA0815 Community Session April 29, 2015,
14 Baker Lake, Nunavut, (English/Inuktitut)
15 EXHIBIT 5 - Hard copy PowerPoint Presentation
16 of the Aboriginal Affairs and Northern
17 Development Canada Amendment/Renewal of Water
18 Licence 2AM-MEA0815 Meadowbank Gold Project
19 Community Presentation Agnico Eagle Mines
20 Ltd. (English/Inuktitut)

21 THE CHAIR: Yeah, thank you, Teresa.

22 Okay. Take the floor now, Aboriginal Affairs. Go
23 ahead.

24 Presentation by Aboriginal Affairs and Northern
25 Development Canada

26 MS. COSTELLO: Thank you, Mr. Chair.

1 Good evening, ladies and gentlemen. Thank you for
2 sticking around for -- I know it's approaching
3 10 o'clock. I -- my name is Karen Costello, and I am
4 the director of resource management with Aboriginal
5 Affairs Northern Development Canada with the Nunavut
6 regional office. I live and work in Iqaluit. I'm
7 joined by David Abernethy who is one of our regional
8 coordinators in the water resources department, and he
9 has been working on this file.

10 I'm going to give you a very brief overview of our
11 presentation. I'll start off with an overview of the
12 department's position with respect to this licence
13 renewal application. I'll touch briefly on our roles
14 and responsibilities. I'll give you some information
15 about the inspections that the department conducts, as
16 well as some information on baseline and
17 cumulative-effects monitoring. I'll explain some of
18 our contributions to the water licence application
19 review process and just wrap it up with some final
20 review comments and a summary.

21 Aboriginal Affairs is recommending that Agnico
22 Eagle's water licence renewal application be accepted.
23 The department's technical review of the application
24 that was submitted to the Board in December 2013 -- or
25 December 2014 included 29 recommendations. The
26 department is satisfied with the commitments and

1 clarifications provided by Agnico Eagle both prior to
2 and during the January technical meeting and prehearing
3 conference.

4 The \$86.5 million estimate the department believes
5 is a reasonable estimate of the reclamation cost. One
6 last significant question remains, and that is how much
7 security should the Board require under the licence?
8 And we -- we know that the Board will be looking at the
9 amount that it will consider to set under the licence
10 for security or possibly how much it might discount.

11 Aboriginal Affairs and Northern Development Canada
12 has a position on the discounting of security. It
13 believes that discounting of security should be based
14 on evidence that the landowner holds security that
15 reasonably approximates what the -- if the Crown were
16 to hold it under the water licence.

17 Some of you may be familiar with Aboriginal
18 Affairs and what we do, but our responsibilities, our
19 mandate, and obligations come from some very
20 significant pieces of legislation and policy: the
21 Department of Indian Affairs and Northern Development
22 Act, the Nunavut Land Claims Agreement Act, the Nunavut
23 Waters and Nunavut Surface Rights Tribunal Act and the
24 associated regulations, the Territorial Lands Act and
25 its regulations, and the Mine Site Reclamation Policy
26 for Nunavut.

1 So the department is responsible for inspections
2 both of water licences and of land-use permits and
3 related authorizations. But specifically, our water
4 resource officers will monitor sites to verify that the
5 licence holder is doing what they said they were going
6 to do; in other words, that they're complying with the
7 terms and conditions of the water licences.

8 Meadowbank is inspected four times a year or more,
9 depending on the circumstances. Starting June 1st the
10 department will have a water resource officer stationed
11 in Rankin Inlet along with a resource management
12 officer. So these officers will be responsible for
13 conducting reviews and regulatory inspections of
14 activities that affect freshwater in Kivalliq, as well
15 as elsewhere in the territory.

16 The water resource officers will also work with
17 licence holders to ensure they meet the terms and
18 conditions of their authorizations. They'll do this by
19 providing information and support to ensure compliance
20 with the Board's authorizations, as well as information
21 on applicable Acts and Regulations. And if necessary,
22 if there is an issue of noncompliance, they will take
23 steps to ensure compliance through various mechanisms,
24 including directions, but ultimately, they will take
25 actions deemed necessary to prevent or minimize danger
26 to the environment and the public and to prevent the

1 misuse of natural resources.

2 Meadowbank was last inspected the week of
3 March 22nd, so basically five weeks ago. At that time,
4 the inspector noted that Agnico is in compliance with
5 the water licence, with the terms and conditions of its
6 water licence, and a followup inspection is planned for
7 later this year in the spring during the time when all
8 the melting occurs, so basically in the spring freshet.

9 It's a little hard to -- to see in this picture,
10 but this is a view of the Portage waste rock storage
11 facility, and over to the side you will see the
12 tailings storage facility. And then just in the upper
13 back where you see the buildings, that's where the mill
14 and camp is. On the next slide, this is just --
15 it's -- it's somewhat buried by shadow so work with me
16 on this. It is basically a view of the Portage waste
17 rock storage facility just taken from one of the access
18 roads. And this picture was taken when departmental
19 officials were onsite in August 2014.

20 So in addition to the inspections of water
21 licences, the department is also involved in baseline
22 and cumulatives-effects monitoring. Aboriginal Affairs
23 and Northern Development and the Kivalliq Inuit
24 Association are partners in a water-quality monitoring
25 program where water samples are collected and analyzed
26 at major resource development sites in the region.

1 Water-quality samples are collected twice a year during
2 the summer months; this is typically in early July and
3 early September. This monitoring program has 17
4 stations; 3 of these locations are in the Meadowbank
5 area, and on the following slide, I'll show you a map
6 that indicates the station locations.

7 So this monitoring program ties into another
8 program that the department is working with the -- with
9 the Kivalliq Inuit Association, and that's the
10 Baker Lake Aquatic cumulative-effects monitoring
11 program. And this is formed by several organizations
12 who share a -- a common interest in understanding the
13 Baker Lake watershed; these include the Hamlet of Baker
14 Lake; the Kivalliq Inuit Association, as I mentioned;
15 the Water Resources Division of the Aboriginal Affairs
16 and Northern Development office in Nunavut; the Nunavut
17 General Monitoring Program Secretariat; the Nunavut
18 Water Board; the Nunavut Planning Commission;
19 Agnico Eagle Mines; and AREVA Resources.

20 A workshop was held last September here in Baker
21 Lake to discuss the development of the Baker Lake
22 Aquatic cumulative-effects monitoring program, and a
23 followup workshop is planned for later this year that
24 will focus on the incorporation of traditional
25 knowledge into the program.

26 So just to give you an idea about what's involved

1 in water sampling; yes, sometimes you have to get
2 sometimes your feet wet. So this is one of our
3 partners at the Kivalliq Inuit Association helping
4 collect a sample for water quality purposes at the
5 Meadowbank camp location. So this is the map I
6 mentioned just a few moments ago that shows the
7 areas -- the three sites that are in the Meadowbank
8 area. So the Meadowbank River is the top of the page.
9 The Meadowbank camp is the middle of the page on the
10 left side. And I know I'll pronounce this wrong; so
11 forgive me. The Tehert River, which is to the right,
12 and that's downstream of the mine site. So really that
13 tells you a little bit about what we're doing as far as
14 inspections and monitoring in the -- in the immediate
15 area.

16 So getting back to our contributions to the water
17 licence application review, the department has been
18 involved for several months in the review, as many of
19 the other parties have been. We did the completeness
20 review in September, and once the Water Board started
21 the technical review process in November, we completed
22 our own technical review and submitted that document to
23 the Water Board on the 24th of December. We
24 participated in the technical meeting and prehearing
25 conference on January 14 th and 15th and provided our
26 final written submission on April 8th.

1 As I mentioned earlier in the presentation, the
2 department recommends that Agnico Eagle's licence
3 renewal and amendment application be accepted. The
4 department made 29 comments, including recommendations,
5 in their technical review, and the company has provided
6 satisfactory clarifications and commitments on all of
7 the recommendations either before or during the January
8 technical meeting and prehearing conference.

9 Overall, the commitments have been made to include
10 information in the final closure plan that will be
11 required to be submitted at least one year before the
12 mine enters its closure phase, and annual reports will
13 now contain some information on the management of mine
14 waste and additional monitoring.

15 I'll now take a moment or two just to discuss the
16 reclamation cost estimate considerations that were also
17 covered in the department's final written submission.
18 As you have already heard from Agnico and from the
19 Kivalliq Inuit Association, the parties have all agreed
20 that the reclamation cost estimate of 86.5 million is
21 reasonable. This was an estimate that was prepared by
22 the company and includes an addition of 1.6 million for
23 interim care and maintenance.

24 What you may not be aware of is that in the last
25 few years, the department has supported an approach in
26 which the Nunavut Water Board can reduce the amount of

1 security it orders under the water licence on the basis
2 of private security that could be held outside the
3 water licence regime. The purpose of this approach is
4 to reduce over-bonding, and that occurs when an
5 operator has to secure the same reclamation activities
6 to two different parties; in this case, the Crown, so
7 the minister of Aboriginal Affairs under the Act, and
8 the private landowner under their contractual
9 arrangements.

10 But the department's support for discounting to
11 avoid over-bonding is conditional. It is crucial that
12 the Board discount only when there is evidence that the
13 landowner actually holds security and where the Board
14 has seen the security arrangement and come to the
15 conclusion that security is a good replacement for
16 security that would otherwise be fixed by the Board as
17 a condition of the licence, and it is the department's
18 recommendation that unless these conditions are met,
19 the Board should not discount the water licence
20 security.

21 So to summarize, Agnico Eagle has adequately
22 addressed the department's recommendations through
23 clarifications and commitments, and we're recommending
24 the renewal application be accepted. As I said, the
25 reclamation cost estimate of 86.5 million is
26 reasonable, and also without evidence on the matter of

1 the private security, the entire reclamation cost
2 estimate should be secured by the minister of
3 Aboriginal Affairs and Northern Development under the
4 water licence.

5 That concludes the presentation, and I'm happy to
6 take any questions. Thank you. Matna.

7 THE CHAIR: Thank you, Aboriginal Affairs
8 and Northern Development Canada.

9 Is there any questions or comments from the public
10 and other participants?

11 KIA had a comment -- or question or comments. Go
12 ahead.

13 Kivalliq Inuit Association Questions Aboriginal Affairs
14 and Northern Development Canada

15 MR. MANZO: Kivalliq Inuit Association,
16 Luis Manzo, director of lands. Just a few questions to
17 AANDC. Just to clarify the security portion with ...

18 It's not true the Indian (sic) Northern Affairs
19 was part of the NIRB hearings during the Meadowbank and
20 their mental (sic) assessment in which all the
21 proponents or interveners agree in the freeze back
22 Bennett Model established under the proposed project.
23 And we all agree that it was the best -- the best model
24 to be used in terms of the reclamation.

25 THE CHAIR: Thank you.

26 Go ahead, Aboriginal Affairs.

1 MS. COSTELLO: Thank you, Mr. Chair.

2 Just to confirm, I'm just being asked to -- to
3 clarify a commitment or the record from the NIRB
4 hearing. I was not present at the NIRB hearing so I
5 would be relying on the record, and if that's what the
6 record says, that's what the record says. So thank
7 you.

8 MR. MANZO: Thank you, Mr. Chairman. Luis
9 Manzo, Kivalliq Inuit Association.

10 It's not true that the assessment of security is
11 based in a model which in both are professional
12 assessment at the end of the day. At the end of the
13 assessment -- and the -- the end of the calculation is
14 based in a professional assessment estimate.

15 THE CHAIR: Thank you.

16 Answer to the question.

17 MS. COSTELLO: Thank you, Mr. Chair.

18 I'm not sure what the question is.

19 MR. MANZO: When the assessment of
20 securities --

21 THE CHAIR: State your name before you
22 speak up.

23 MR. MANZO: Sorry, Mr. Chairman. Luis
24 Manzo, Kivalliq Inuit Association.

25 When the calculation of security is brought in
26 the -- the AANDC developed for security deposit, it's

1 not true that most of that numbers, when it come to
2 land and water, has been based in professional
3 assessment, other than water and land are splitting.

4 THE CHAIR: Thank you.

5 Aboriginal Affairs, go ahead.

6 MS. COSTELLO: Thank you, Mr. Chair. My
7 apologies for not mentioning my name earlier. Karen
8 Costello on behalf of the Aboriginal Affairs and
9 Northern Development.

10 The reclaim estimate that was provided and that
11 was deemed acceptable was in a December 2014 memo by
12 Golder Associates, a company acting on behalf of the --
13 the applicant, and it was signed and stamped by a
14 professional engineer. Thank you. I think -- I trust
15 that answers the question.

16 THE CHAIR: Go ahead, KIA.

17 MR. MANZO: Thank you, Mr. Chairman. To
18 follow -- follow that, it's not true that that lake has
19 been actually amended by Schedule 2 for the -- it --
20 it -- the MMER legislation don't consider that as a
21 lake anymore and now became land.

22 To refresh my question, Mr. Chairman, in order to
23 the -- the project to proceed in construction,
24 development, and closure, as presented by the
25 proponent, the minister of environment needed to amend
26 the Schedule 2 to enable to use that clean lake in

1 question, which is the tailing storage facility, in
2 order for the proponent to use for the purpose of
3 storing the waste and then freeze back that base in the
4 Bennett Model. That been done, as mentioned by the
5 proponent and affirmed by them that that's really --
6 does AANDC take that portion in consideration when you
7 do the security assessment, that there's no longer
8 water?

9 THE CHAIR: Thank you, KIA.

10 Aboriginal Affairs, answer to the question.

11 MS. COSTELLO: Karen Costello for Aboriginal
12 Affairs and Northern Development Canada.

13 As we indicated in our submission, the department
14 reviewed the estimate that was provided as part of the
15 application, and we found the amount acceptable,
16 reasonable, as a reclamation cost estimate. Within
17 that amount, there was -- there was provided, as
18 reclaim allows, a breakdown in -- in costs. That
19 estimate was found acceptable by all the parties, and
20 that estimate, as provided in the submission, provided
21 the breakdown, and our -- our review found the
22 breakdown to be acceptable.

23 THE CHAIR: Thank you, Aboriginal Affairs.

24 KIA, you have further questions?

25 MR. MANZO: Just the last question. Luis
26 Manzo, Kivalliq Inuit Association. She just mentioned

1 that as being accepted by all parties, but it's -- it's
2 certainly not true. The estimate was provided on the
3 basis of land and water splitting, which our
4 professionals see it differently based in the
5 amendments of the legislation for that lake no longer
6 be part of the lake (sic). Therefore, the assessment
7 presented, which do not consider that amendment, like I
8 said in my presentation, is just misleading.

9 Thank you, Mr. Chairman. There's no further
10 question.

11 THE CHAIR: Thank you.

12 Aboriginal Affairs ...

13 MS. COSTELLO: Thank you, Mr. Chair. I
14 actually did not hear a question there. I just heard a
15 statement by the representative from the Kivalliq Inuit
16 Association. Thank you, Mr. Chair.

17 THE CHAIR: Thank you.

18 Any more questions or comments from the public or
19 other parties?

20 Okay. Need a mic. So before you speak, state
21 your name for the record. Thank you.

22 Community Questions Agnico Eagle Mines Limited

23 EVA ELYTOOK: Thank you. I'm Eva Elytook
24 from Baker Lake. This is my question: The ones that
25 spoke earlier, I would like to ask them a question
26 and -- Agnico Eagle Mines, the one that -- the one --

1 when they remove water; there is no longer water there.
2 Why do they want the licence? I would like this
3 clarification, why they are applying for a licence even
4 though their water has been removed in that old lake.

5 There is no longer water in that lake. I -- I am
6 wondering why they are asking for a licence, or is it
7 because they're going to put the water back in that
8 area where they removed the water from?

9 THE CHAIR: Okay. Maybe, Agnico Eagle,
10 respond to the question.

11 MR. CONNELL: Thank you, Mr. Chairman.
12 Larry Connell with Agnico Eagle.

13 You're correct. When there -- the water has been
14 removed from the lake prior to us using it for open-pit
15 mining or for tailings deposition, the need for the
16 licence is because we're going to require to use water
17 to refill those open-pit areas at the end of mining as
18 part of the reclamation. Because that water is being
19 taken from another lake adjoining it, that's a use of
20 water, and so we have to apply to the Water Board for
21 the permission to use that water.

22 THE CHAIR: Thank you.

23 Any more questions from the public? Okay.
24 There's no more raised hands so I take it that there's
25 no further questions or comments.

26 Thank you, Aboriginal Affairs and Northern

1 Development Canada.

2 So the next intervenor will be Environment Canada,
3 but they are -- they -- I think they are on the phone;
4 so take a short break to prepare for a presentation.

5 (ADJOURNMENT)

6 THE CHAIR: We shall proceed with --
7 continue on with the presentation. This time it's
8 the Environment Canada, which is on the phone. I
9 believe it's going to be brief so ...

10 Okay. Go ahead, Environment Canada. Go ahead.
11 Presentation by Environment Canada (Via Teleconference)

12 MS. WILSON: Thank you to the Chair and the
13 Nunavut Water Board. It's Anne Wilson here. I work
14 with water quality with Environment Canada and just
15 wanted to summarize our intervention briefly and answer
16 any questions that might come out of it.

17 Environment Canada reviewed the application, the
18 draft water licence, and various management plans which
19 fell under Environment Canada's mandate, and as a
20 result of the technical sessions and ongoing
21 discussions with Agnico Eagle, along with the
22 commitments and information provided by the proponent,
23 we found that most of our concerns were addressed by
24 the technical sessions.

25 Subsequent discussions and commitments meant that
26 there are no outstanding issues from the technical

1 review, and our main issues, like we've heard from
2 other people, were around the closure of the pits and
3 connection of the pit lakes to the natural lakes. This
4 will have to be carefully planned for and managed, and
5 Agnico Eagle has committed to further work on the
6 closure water quality objectives and to the action
7 plans for the pit lakes, along with upgoing -- sorry,
8 ongoing updates to modeling the closure predictions.
9 This will help them know if any treatment is going to
10 have to be planned for and ensure that the final
11 closure water quality is acceptable.

12 Other recommendations from Environment Canada on
13 their quality-control, quality-assurance plan and
14 practices are being addressed. They have committed to
15 updates to the Ammonia Management Plan and to review
16 options for ammonia treatment for inclusion with the
17 final closure plan.

18 There were two points which required a little bit
19 of followup work to reach resolution. One of those was
20 doing an effluent quality criteria for the licence for
21 the total dissolved solids, and Agnico Eagle had
22 accepted the recommendation by Environment Canada of
23 1,400 milligrams per litre, and we put that forward for
24 the Board's consideration. We had also raised
25 suggestions around rewording the aquatic effects
26 monitoring conditions in the licence and were able to

1 provide a wording for the Board's consideration that
2 Agnico Eagle had also agreed to.

3 And that is the quick version of Environment
4 Canada's submissions. So if there are questions, I
5 would be happy to take those now.

6 THE CHAIR: Thank you, Environment Canada.

7 So, Teresa, is this -- you take that as an
8 exhibit?

9 MS. MEADOWS: Thank you, Mr. Chair. Teresa
10 Meadows, legal counsel for the Nunavut Water Board.
11 Thank you, Mr. Chair. Yeah, there were no -- there was
12 no formal written presentation provided by Environment
13 Canada; so those remarks will be part of the record,
14 but we don't have an exhibit to file with them. Thank
15 you.

16 THE CHAIR: Thank you, Teresa. Yeah,
17 okay.

18 So any questions from community members or -- and
19 other participants to the Environment Canada? So I
20 didn't see hands rise up so I take it there's no
21 questions or comments to what the -- Environment
22 Canada.

23 Thank you, Environment Canada, for giving us your
24 presentation.

25 MS. WILSON: Thank you.

26 THE CHAIR: The agenda, so we go to Item 9

1 and the closing remarks for tonight's community
2 session. I would like to thank everyone for attending
3 tonight's community session. We'll be back here
4 tomorrow morning at 9 AM, but the Board panels and the
5 staff, Water Board, will be here 8:30, but the rest of
6 them will be coming in at 9 in the morning.

7 Okay. This will be starting in the morning -- at
8 9 in the morning, the technical session of the hearing,
9 and the presentation or the application by Agnico Eagle
10 Mines and technical review comments of the interveners,
11 Kivalliq Inuit Association, Aboriginal Affairs, and
12 Northern Development Canada, and Environment Canada.
13 Environment Canada will be on the telephone.

14 Well, thank you for joining us here tonight. It's
15 adjourned for now, for tonight, and come back here,
16 reconvene in the morning at 9 o'clock. Thank you.

17 _____

18 PROCEEDINGS ADJOURNED UNTIL 9:00 AM, APRIL 30, 2015

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1 CERTIFICATE OF TRANSCRIPT:

2

3 I, Sara Anderson, 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 12th day of May 2015.

10

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12

13

Sara Anderson



14 Sara Anderson, CSR(A)

15 Official Court Reporter

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1 EXHIBITS ENTERED

2 APRIL 29, 2015

3

4 PAGE NUMBER:

5

6 EXHIBIT 1 - Hard copy PowerPoint 21

7 Presentation of the Nunavut Water Board

8 Community Session Presentation for Type A

9 Water Licence 2AM-MEA0815 Renewal

10 Application Meadowbank Gold Mine Project

11 (English/Inuktitut)

12

13 EXHIBIT 2 - Hard copy PowerPoint 34

14 Presentation of Agnico Eagle Mines Limited

15 Meadowbank Type A Licence Renewal, Final

16 Public Hearing Community Presentation,

17 April 29-30, 2015, (Inuktitut)

18

19 EXHIBIT 3 - Hard copy PowerPoint 35

20 Presentation of Agnico Eagle Mines Limited

21 Meadowbank Type A Licence Renewal, Final

22 Public Hearing Community Presentation,

23 April 29-30, 2015, (English)

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1	EXHIBIT 4 - Hard Copy PowerPoint	60
2	Presentation of the Kivalliq Inuit	
3	Association NWB 2AM-MEA0815 Community	
4	Session April 29, 2015, Baker Lake,	
5	Nunavut, (English/Inuktitut)	
6		
7	EXHIBIT 5 - Hard copy PowerPoint	60
8	Presentation of the Aboriginal Affairs and	
9	Northern Development Canada	
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