

NUNAVUT WATER BOARD

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

PUBLIC HEARING

VOLUME 1

Baker Lake, Nunavut
Baker Lake Community Hall
April 30, 2015

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1 Appearances:

2

3 NUNAVUT WATER BOARD

4 L. Toomasie Chair of Hearing

5 D. Aglukark, Sr. Member

6 R. Mrazek Member

7

8 NUNAVUT WATER BOARD STAFF

9 T. Meadows Legal Counsel

10 D. Hohnstein Director of Technical Services

11 K. Kharatyan Technical Advisor

12 R. Ikkutisluk Licensing Administrator

13 B. Kogvik Board Secretary/Interpreter

14

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

23

24 KIVALLIQ INUIT ASSOCIATION

25 L. Manzo Director of Lands

26 K. Gilson Legal Counsel

1 ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT CANADA

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 ENVIRONMENT CANADA

10 A. Wilson Water Pollution Specialist
11 (Via Teleconference)

12

13 COMMUNITY REPRESENTATIVES

14 L. Autut Elder, Chesterfield Inlet
15 Representative16 E. Elytook Elder, Baker Lake
17 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 9:08 AM)

2 (OPENING REMARKS BY THE CHAIR)

3 THE CHAIR TOOMASIE: Good morning. Welcome to the
4 second day of the public hearing for renewal/amendment
5 application submitted by Agnico Eagle Mines Limited for
6 Water Licence 2AM-MEA0815 that was submitted by
7 Meadowbank Gold Mine. My name is Lootie Toomasie, and
8 I am the vice chair of Nunavut Water Board and the
9 hearing chair for this panel and today's public
10 hearing.

11 Before we proceed with the hearing, let's begin
12 with a prayer. I have asked David Aglukark, the panel
13 member here, to say an opening prayer for the public
14 hearing. Let us stand.

15 (MORNING PRAYER)

16 THE CHAIR: Yeah. Thank you, David, for
17 opening prayer.

18 On behalf of Nunavut Water Board, I welcome you
19 back to the technical session of our public hearing in
20 the community of Baker Lake. As you are aware, the
21 purpose of the public hearing is to review application
22 filed by Agnico Eagle Mines Limited, "Agnico" or "AEM",
23 for the renewal amendment of the Type A water licence
24 in accordance with the Nunavut Water or Nunavut Surface
25 Rights Tribunal Act.

26 As set out in Article 13.3.6 of Nunavut Land

1 Claims Agreement and Section 29 of Nunavut Waters and
2 Nunavut Surface Rights Tribunal Act, the Board has
3 delegated its power to dispose on matters related to
4 the renewal/amendments application for the Type A
5 Licence No. 2AM-MEA0815, including the contact of this
6 public hearing to the panel of the Board.

7 I would also like to introduce the other two panel
8 members responsible for considering this renewal and
9 amendment application. Ross Mrazek is on my right
10 side. On my -- on the left side is David Aglukark, Sr.
11 Several staff members who have contributed to the NWB's
12 administration and technical review of the application
13 also present today: David Hohnstein, director of
14 technical service, acting as director; and Karen
15 Kharatyan -- I couldn't really pronounce that; I'm
16 sorry for that -- technical advisor; and Robin
17 Ikkutisluk down at the front by entrance,
18 administrating -- licence administrator; and Ben Kogvik
19 secretary and interpreter to the Board is at the back
20 up in the interpreter booth up there; and Teresa
21 Meadows with Shores Jardine LLP, legal counsel to NWB,
22 over there.

23 In addition, we have two interpreters for
24 simultaneous interpretation: Ben Kogvik, secretary to
25 the Board, and Alexander Alooq, who is from Baker Lake.
26 For audio support, we have Ryan Dempster from Pido

1 Productions Limited with us. If you experience any
2 difficulty with your headset, he will be able to
3 provide you assistance. To ensure accurate record of
4 the proceeding is kept, we have with us a court
5 reporter, Sara Anderson, from Dicta Court
6 Reporting Incorporated.

7 Before I move on to this application and what is
8 expected today at this public hearing, there are some
9 important housekeeping item for everyone here.
10 Firstly, there will be interpreters available
11 throughout the hearing, and earpieces are available
12 from the table located just by the door as you came in.
13 Channel 2 is in English, and Channel 4 is Inuktitut.
14 When you're speaking to the microphone, please make
15 sure you have turned off your earpiece so that we don't
16 get feedback over the speakers.

17 Secondly, the Board appreciated everyone,
18 including the applicant and interveners, sign in on the
19 sign-in sheets available at the table as you come into
20 the hall. This is an important record of the hearing,
21 and we appreciate your help making sure it is up --
22 complete.

23 The washrooms are located just through the door to
24 the left, and exits are located at the front and back
25 of the hall. There will be coffee, tea, and snacks
26 located at the table along the side of the hall during

1 the breaks. I will also like to remind everyone to
2 please turn off your cell phones before we begin.

3 Finally, to assist both our court reporter and our
4 interpreters, please wait to have a microphone before
5 you speak, then state your name, speak clearly and
6 slowly, and avoid the abbreviation. We appreciate your
7 assistance making sure our record is accurate and
8 complete. I would also like to remind everyone here
9 that in the past, parties and other proceedings have
10 approached the media prior to the release of the
11 Board's decisions to talk about the application, the
12 public hearing, and the Board decision may be (sic).
13 Since the Board cannot comment on pending matters,
14 either by confirming or denying the accuracy of the
15 statements by others to the media, the Board members
16 and staff will not discuss the hearing or the matters
17 before the Board with any of the parties or media.

18 The Board would appreciate it if all parties would
19 not discuss what they think the Board will do or will
20 not do with respect to the application until the
21 decision and recommendation have been released to the
22 minister and are publicly available. As you have
23 questions regarding the Board and this practice and
24 procedures, please speak with David Hohnstein, our
25 acting director and technical -- director of technical
26 services, and he will assist you.

1 Prior to identifying and introducing all the
2 parties in attendance today, I will provide a brief
3 history of licence that have been issued the project,
4 as well as the current renewal/amendment application
5 that is before the Board. Since 2008 to date, the
6 Board has issued the regional licence, two amendments,
7 and one short-term renewal to Agnico Eagle Mines
8 Limited to authorize the use of water and deposit of
9 waste associated with the Meadowbank Gold Project. The
10 regional licence, which is number 2AM-MEA0815, was
11 issued on June 9th, 2008, and was satisfied on
12 May 31st, 2015. The licence allowed for the use of up
13 to 700,000 cubic metres of water per year on the
14 deposit of waste to support the mining undertaking.

15 On May 6th, 2010, the Board issued Amendment 1 to
16 the licence. The amendment was related to the
17 expansion of the Marshalling Area Bulk Fuel Storage
18 Facility in Baker Lake.

19 On June 30th, 2014, the second amendment was
20 issued to allow for increase in the total authorized
21 amount of freshwater that applicant can use. The
22 amount was increased to 1.87 million cubic metre (sic)
23 water for 2013, and 1.15 million cubic metre per year
24 for 2014 and 2015. Because the regional licence was
25 set to expire at the end of May this year, at the end
26 of January, Agnico Eagle applied for a short-term

1 renewal of the licence to extend its expiry date to
2 November 27th, 2015. After 30 days' period for a
3 comment on the short-term renewal, on March 20, 2015,
4 the Board approved the short-term renewal of the
5 licence and sent it to the minister for his
6 consideration.

7 On April 20, 2015, the minister approved the
8 short-term renewal of the licence. Before this renewal
9 and amendment application could be considered by the
10 Board, there were two key pre-licencing conditions that
11 need to be met. On September 30, 2014, Nunavut Impact
12 Review Board, NIRB, issued a screening exemption
13 decision for the application according with the
14 Section 12.4.3 of Nunavut Land Claims Agreement, NLCA.
15 This decision meant that the regional impact assessment
16 decision and project certificate for the project
17 continued to apply, and no further impact assessment
18 was required by the NIRB.

19 On November 28th, 2014, Nunavut Planning
20 Commission, NPC, issued correspondence indicating that
21 the application does not require any further review for
22 conformity by NPC at this time. On this basis, the
23 Board was able to proceed with the renewal and
24 application, amendment application.

25 I'm going to move on to the application that is
26 before the Board. As mentioned it earlier, the

1 application is -- currently before the Board is for
2 renewal/amendment of the Type A water licence, Water
3 Licence Number 2AM-MEA0815 issued to Agnico Eagle Mines
4 Limited for mining undertaking at the Meadowbank Gold
5 Mine. In the renewal and amendment application, Agnico
6 Eagle Mines has applied for the following: Renewal of
7 the licence for 10 years with expiry of June 1, 2025,
8 to allow for continued water use and waste deposit in
9 support of mining undertaking and to bring mine from
10 the operations stage into the closure stage; an
11 increase to water usage volume that is required to
12 re-flood the pits that have been mined during
13 operation. Pit re-flooding is scheduled to begin in
14 2015; removing item that no longer applied, such as
15 item applicable to construction that have been now been
16 completed; items that have been not been relevant since
17 operation commenced, requirements to file updated plan
18 for renewal -- for -- plan for approval that have been
19 approved by the Board, et cetera; simplifying,
20 streamlining the monitoring required of the licence;
21 and changing licence term to reflect recent amendments
22 to the legislation requirement and changes recorded by
23 regulatory authorities, et cetera, Department of
24 Fisheries and Oceans Canada.

25 The application for renewal and amendments of the
26 licence and amendment attachments, including the

1 application fee and water use fees, was received by the
2 Board on August 5, 2014. In addition to the
3 application, the NWB also received the following
4 documents supplementing the information of the
5 application for the licensee: technical memorandum,
6 Meadowbank Gold Project, update to interim closure and
7 reclamation plan cost estimate using RECLAIM 7.0 and
8 then dated December 2, 2014; and water quality and flow
9 managing plan, versions for January '15 -- sorry,
10 January 2015, as recorded by prehearing conference
11 decision, copies of all submissions received for the
12 application, as well as document related to file which
13 form part of the public record available on the NWB's
14 public registry and FTP site.

15 Our licence administrator, Robin Ikkutisluk, can
16 assist you with reviewing any of the documentation
17 associated with this file.

18 Now, I'm going to summarize the key procedural
19 step that have been taken place to get us to the point
20 of today's public hearing. This is a summary of key
21 points only:

22 August 5, 2014, NWB receive application to renew
23 and amend Licence 2AM-AME -- I think this MEA -- MEA
24 there's a typo error here -- MEA0815 from Agnico Eagle
25 Mines Limited.

26 August 29, 2014, the NWB acknowledged receipt of

1 the renewal/amendments application and asked for
2 comments on the scope and the completeness of the
3 information provided.

4 On September 29, 2014, the NWB received comments
5 on the application from Aboriginal Affairs and Northern
6 Development Canada, Environment Canada, Fisheries and
7 Oceans Canada, and Kivalliq Inuit Association.

8 October 14th, 2014, AEM provided response to the
9 comments provided by interveners.

10 November 24, 2014, NWB issued a public notice of
11 this renewal and amendments application and commenced
12 the technical review period with deadline for
13 submission set for December 24, 2014. The week of
14 January 12-16, 2015, was set as a tentative date for
15 technical meeting and prehearing conference in Baker
16 Lake.

17 On December 15, 2014, DFO advised the NWB that
18 AEM's October 14, 2014, responses to interveners'
19 comments addressed DFO general concerns, and so DFO
20 would not submitting further technical review comments
21 and would not (sic) attending in person of -- technical
22 meeting, prehearing conference.

23 December 24, 2014, NWB received technical review
24 comments from Aboriginal Affairs, Environment Canada,
25 and Kivalliq Inuit Association.

26 January 7, 2015, AEM provided responses to the

1 technical review comments received from Aboriginal
2 Affairs, Environment Canada, and Kivalliq Inuit
3 Association, including a listing of the 94 commitments
4 in response to the parties' technical review comments.

5 January 14, 2015, Aboriginal Affairs indicated
6 that due to travel problems, they were unable to attend
7 in person in Baker Lake and would be participating in
8 the technical meeting prehearing conference by
9 teleconference. Technical meeting and community
10 session took place in Baker Lake. In keeping with the
11 Board's practice, technical meeting was conducted by
12 the Board staff, and no Board members were present. At
13 the end of the technical meeting, a commitment list was
14 completed by NWB, AEM, and parties.

15 January 15, 2015, technical meeting was followed
16 by a prehearing conference in Baker Lake.

17 January 23, 2015, as discussed at the technical
18 meeting prehearing conference, AEM submitted a request
19 to the Board for short-term renewal to bridge any gap
20 between the May 2015 expiry on the existing licence and
21 the potential issuance of the renewal and updated
22 Type A licence if the Board and minister approved the
23 grant of the renewed and amended licence.

24 March 20, 2015, NWB issued a short-term renew of
25 licence with expiry date set as November 27, 2015.

26 April (sic) 20, 2015, the minister approved the

1 issuance of the short-term renewal licence with expiry
2 date as is -- set as November 27, 2015. Company
3 details of all submissions received or related to the
4 renewal application on the file are available at the
5 NWB's FTP site.

6 At the technical meeting and prehearing
7 conference, the parties identified the following as
8 issues to be addressed at this public hearing: 1,
9 scope of the licence; 2, annual reporting; 3, security;
10 4, water use and management, confirmation of the water
11 use compensation; 5, waste disposal management,
12 including tailing and waste rock disposal; 6, operation
13 and maintenance planning and procedures; 7, review and
14 comments on updates and revised plans, including all
15 updated plans available for review prior to public
16 hearing; 8, monitoring including aquatic effects
17 monitoring program, core receiving environment
18 monitoring program, detection limits, water quality and
19 flow monitoring plan, groundwater monitoring plan,
20 QA/QC procedures; closure and reclamation plan.

21 There may, of course, be other issues identified
22 during the course of this proceeding, but these issues
23 will provide the basis of this -- basis for much of the
24 discussion today. My throat is getting dry. Sorry
25 about that. With that background to the renewal and
26 amendments application, I would like to move forward to

1 a roll call. I will begin with a roll call with
2 applicant, Agnico Eagle Mines Limited.

3 Roll Call

4 MR. ROBERT: Stephani Robert, Agnico Eagle.

5 MR. CONNELL: Larry Connell with Agnico
6 Eagle.

7 MR. BUCK: Kevin Buck with Agnico Eagle.

8 THE CHAIR: Thank you. I will then go to
9 the local association representative and intervening
10 parties.

11 Kivilliq Inuit Association.

12 MR. MANZO: Thank you, Mr. Chairman. Luis
13 Manzo, director of lands, Kivalliq Inuit Association.

14 MS. GILSON: Good morning. Kimberly
15 Gilson, Kivalliq Inuit Association, legal counsel.

16 THE CHAIR: Thank you.

17 Aboriginal Affairs and Northern Development
18 Canada.

19 MS. COSTELLO: Good morning, Mr. Chair. My
20 name is Karen Costello. I'm with Aboriginal Affairs
21 and Northern Development Canada.

22 MR. ABERNETHY: Good morning. David Abernethy
23 with Aboriginal Affairs and Northern Development.

24 MS. COSTELLO: We're joined by our legal
25 counsel.

26 MR. LANDA: (OTHER LANGUAGE SPOKEN)

1 My name is Ken Landa. I'm legal counsel for the
2 Government of Canada.

3 THE CHAIR: Yeah, thank you.

4 And Environment Canada by teleconference.
5 Environment Canada by teleconference.

6 MS. WILSON: Hello. It's Anne Wilson with
7 Environment Canada. Can you hear me?

8 THE CHAIR: Yeah, we can hear you. Go
9 ahead for your introduction.

10 MS. WILSON: Thank you. It's just Anne
11 Wilson here.

12 THE CHAIR: Okay. Thank you.

13 Okay. If there are any interveners not
14 mentioned that -- okay. Okay. Go ahead, Aboriginal
15 Affairs. Go ahead.

16 MS. COSTELLO: Apologies, Mr. Chair. On the
17 phone we have one of our consultants, and I'll ask him
18 to introduce himself at this time.

19 MR. SETO: Hello. This is Jack Seto with
20 BGC Engineering on behalf of Aboriginal Affairs.

21 THE CHAIR: Yeah, thank you. Thank you
22 very much. Okay.

23 Okay. Continue on. If there are any interveners
24 not mentioned that -- who would like to speak, please
25 identify yourself. Okay. I didn't see hands rise up
26 so I take that ...

1 It is our tradition to give respect to our elders;
2 therefore, at any time during the proceedings, an elder
3 may speak to the application that is before the Board.
4 I just ask that if you wish to speak, please wait until
5 we get a microphone to you, and please state your name
6 before speaking. So there's a few elders here so
7 please feel free to speak.

8 In addition, there are -- any members of the
9 general public who would like to identify themselves to
10 the Board and provide us with comments on this
11 application?

12 Are there any representative from agencies,
13 associations, et cetera, who have not submitted
14 intervention but would like to speak?

15 I would like to remind you that if you haven't
16 already done so, please register and sign in with Robin
17 Ikkutisluk, the NWB licence administrator, at the table
18 located at the entrance at the -- at the entrance over
19 there.

20 I will now proceed with identification of any
21 motions or objection to the application that is before
22 the Board. We will now proceed with Item 8 of the
23 agenda, the presentation by the applicant.

24 Go ahead, applicant. Before we begin, legal
25 counsel will allow you sworn in.

26 STEPHANE ROBERT, LARRY CONNELL, KEVIN BUCK, Sworn

1 MS. MEADOWS: Thank you. You may proceed.

2 And it's my understanding, Mr. Robert, that you have
3 two copies of the PowerPoint presentation that you're
4 about to give that you would like to lead as evidence
5 and mark as the next exhibits in this hearing?

6 MR. ROBERT: Stephani Robert from Agnico
7 Eagle. Only one copy in English.

8 MS. MEADOWS: Thank you, Mr. Chair. I will
9 mark the PowerPoint presentation hard copy, in English
10 only, as the next exhibit in this hearing. It will be
11 Exhibit Number 5 (sic). Thank you. You may proceed.

12 EXHIBIT 6 - Hard copy PowerPoint Presentation
13 of Agnico Eagle Mines Limited for Type A
14 Water Licence Renewal Final Public Hearing
15 Presentation, April 29-30, 2015 (English)
16 (Amended on Page 32)

17 Presentation by Agnico Eagle Mines Limited

18 MR. ROBERT: Stephani Robert from Agnico
19 Eagle. So we will do a presentation about the -- about
20 the -- we will have a Meadowbank overview. We'll talk
21 a little bit about the tailings and the waste
22 management. We'll discuss briefly about the renewal
23 application, the closure and reclamation, the technical
24 comments, and talk about the security.

25 So first of all, very quick fact about the
26 history. So the first application on this project was

1 in 2003. That was applied to NWB and NIRB. In 2006 we
2 received a project certificate that was issued by the
3 Nunavut Impact Review Board, and after that, we -- we
4 were able to ask all the other permits to be able to
5 construct and to operate the Meadowbank Gold Project.

6 In 2008 we receive all the permit, and we started
7 construction of the dyke, and the pit stripping start
8 in 2008. Two years after, in March 2010, we started a
9 commercial production of the Meadowbank Gold Mine, and
10 actually, the expect end of operation is end of 2017.

11 2018 and beyond, it can have the closure, or we
12 look if we're able to continue future plan as it can be
13 extension of Vault and have other satellite pit that
14 can be developed later on. But that will be on amend
15 (sic) licence if we have to have for sure plan.

16 So what is Meadowbank? Meadowbank is three
17 open pit. We have the Portage open pit, the Goose open
18 pit, and the Vault open pit that is at 7 kilometres
19 from the site. So since 2010, we produce 1.8 million
20 ounces of gold, and until the end of 2017, we estimate
21 that we will produce 1 million ounces of gold.

22 Actually, we have 775 employees working for Agnico
23 Eagle; on that, 34 percent of our workforce, 265 Inuit,
24 are working for Agnico Eagle. So they are coming from
25 all the seven communities in the Kivalliq. And the
26 payroll of Inuit is 29 millions (sic) by year that

1 is -- give to the Inuit.

2 So if we come back in 2008 when we started
3 construction, so we can see -- we can see the site
4 located here; that is Third Portage Lake; that is
5 Second Portage Lake. So the first thing we had to
6 build is a dyke, the east dyke that's just located
7 here. To be able, first of all, to do the Portage
8 pit -- because the -- more than 50 percent of the pit
9 is under the lake, and also to dewater all this Second
10 Portage arm, to be able to do ore tailings, to put ore
11 tailings in this area. And we can see where the Goose
12 pit will be located.

13 If we go in September 2014, we can see the Portage
14 pit, the east dyke just -- sorry -- the east dyke just
15 here, the Goose pit just here. So the Portage pit is
16 2.4-kilometres long by 600-metres wide and 130-metres
17 deep, and we can see the principal pit is this one.
18 You can see the Goose pit, smaller pit that is
19 500 metres by 600 metres by 100 metres down deep. Here
20 is where we have the tailing area, the air strip, and
21 the camp facility just here. So what we see here --
22 sorry -- is the Third Portage Lake surrounding by it.

23 We can see another view of the Goose pit, and to
24 be able to build the Goose pit we had to build a dyke
25 of 2.2-kilometres long and to dewater this area of the
26 lake, remove the fish, and after that be able to start

1 our open pit.

2 We can see the infrastructure here, the camp
3 facility, a smaller camp that we call the "Nova Camp",
4 and the kitchen just located here. Here is the mill.
5 So the -- first of all is the rock that is -- that is
6 blast into the pit. We will be bringing in crusher.
7 We have two crusher that will crush the rock to 0-to-1
8 inch, so about this size, 1 inch. And after that, go
9 into the dome, and the dome is for two reason, first of
10 all to minimize the dust, and also to minimize that the
11 snow and the ice going inside. After that, this rock
12 will be sent into the mill, will be crushed again very,
13 very fine, like sand, very, very fine, and after that,
14 we will remove the gold. And to remove the gold, we'll
15 use cyanide. That will dissolve the gold like sugar in
16 the coffee. So that will dissolve the gold, and after
17 that, we'll be able to retrieve the gold. And all the
18 rest of the rock that is not gold will be sent into the
19 tailing storage facility.

20 The Vault pit that is located 7 kilometres north
21 of the site here -- first of all, we had a small dyke
22 to build, the Vault dyke, very small dyke, to make sure
23 that the -- the water from the Wally Lake will not go
24 into the -- the Vault pit. We start the operation in
25 Q1 2014, and the dewatering was complete, 2.7 million
26 cubic metres in total. We had to do the fish-out in

1 September 2013 that will remove 2,800 fish, and
2 54 percent of the fish was transferred from this lake
3 to Wally Lake. The other fish that was killed in the
4 process was sent to the community for their usage. We
5 can see here, the Vault pit in September 2014 that
6 start, you can see some equipment inside and where the
7 lake was located, Wally Lake. And we see the dyke just
8 located here. Make sure that the lake don't go into
9 the pit.

10 So now we'll talk about the tailings and the waste
11 management because the tailings and the waste
12 management are an important part of the mine. So like
13 I said, when -- the rock that contain gold, the ore,
14 this going into the mill that will be crushed very
15 fine. After that, we'll put the cyanide to dissolve
16 the gold, like sugar in a coffee, and after that we'll
17 retrieve this gold, and we'll pour a gold bar, and that
18 is the size of a Kleenex box. And that -- we do around
19 one Kleenex box a day, but Kleenex box of gold. So
20 it's around 80 pounds by Kleenex box; so it's a very
21 heavy Kleenex box.

22 And that -- after that, all the rest that is not
23 gold we have to put somewhere, and -- and what we -- we
24 need, to be able to do our Kleenex box a day, we need
25 to move around 100,000 cubic tonnes of rock by day.
26 Around 10,000 tonnes will -- is ore, and the rest is

1 what we call "waste". It's not garbage. It's really
2 rock that don't contain gold, is the way that miner
3 call this rock. But it's not garbage. It's really
4 rock that don't contain gold. And this rock will be
5 put in a rock storage facility here, and we have to --
6 one is where we have some rock that in the long term
7 can have some acid generation. What it's mean -- and
8 if you let this rock with the air and water, it can
9 have some contamination in the long term. So what we
10 do for that is that we will cover all this rock to
11 maintain it's (sic) frozen and make sure that the
12 water -- that the water will not go inside and to
13 minimize the -- the air going into it.

14 Same thing with the tailings storage facility. So
15 that -- the tailings that's coming from the mill that
16 have -- it's 50 percent solid and 50 percent liquid,
17 and that is going into a pipe, and that -- the tailings
18 going into that -- is what we call the "slurry", so
19 50 percent solid and 50 percent liquid. And you will
20 add the water here. So we have a pump that will pump
21 this water and going back to the mill so that all this
22 water don't go into the receiving end; it's always
23 going back into the mill so we reuse this water.

24 So we start, during the first four years, to put
25 all ore tailings -- is what -- in what we call "the
26 north cell" of the tailings storage facility. So

1 starting in October 2014, November 2014, we start to
2 use the south cell. So the south -- all that was the
3 Second Portage arm; so that was part of this lake. And
4 to have this authorization, we had to ask Environment
5 Canada to put this part of the lake into what we call
6 the Schedule 2 of Metal Mining Effluent Regulations.
7 And that is the long process; it take two years. It's
8 another process separate of the Nunavut Impact Review
9 Board and also on the NWB. It's a separate process.
10 It's another authorization that you need before you can
11 put some -- some tailings in the lake frequent by fish.

12 So -- so this tailing will be used, and at the
13 end, we will cover this tailing with this rock that is
14 not acid generator, so in the long term will not
15 generate any contaminant into the environment. So
16 we'll use this rock that we put aside to be able to do
17 our closure. So that is very important for us to
18 segregate this waste rock to know, Is it acid generator
19 in the long term? Does it have a potential or not? If
20 not, we put aside; if yes, we put here in the middle of
21 this rock storage facility.

22 Now we'll talk about the renewal application, and
23 I think, Mr. Chairman, you -- you did a good resume of
24 what we ask. So what -- we propose to update certain
25 item and condition of the licence, but the majority are
26 administrative in nature, nothing that we ask to change

1 really the condition. It's more to remove items that
2 are not longer applicable, removal of item that was
3 originally made as a condition to update plan, removal
4 of condition related to construction of early
5 operation, removal of item that never exist or are not
6 anticipate to exist, and change that reflect amendment,
7 modification, or discussion at workshop with regulator;
8 as an example, Part E, Item 6 and 7. And the goal of
9 that is to improve the clarity and consistency for both
10 Agnico Eagle and Nunavut Water Board.

11 So the main part of this is water because it's a
12 water licence. And -- and what we ask is a significant
13 amount compared to what we have actually. So what we
14 ask is to be able to -- to have four point -- 9.9 --
15 8 -- sorry, 8.9 millions cubic metre a year to -- of
16 use of water. And why this? Because actually we have
17 in our licence 1.2 -- 1.2 million cubic metres by year.
18 So what we ask is a significant amount, but this, it's
19 only to be able to re-flood the pit. Because part of
20 our closure is to put back water into the pit and come
21 back as a lake at the end. So it's why we ask a lot of
22 water. We need 4.8 million cubic metres by year for
23 Third -- for the Portage and Goose pit, and also for
24 the Vault Lake pit we'll do the same; we'll need
25 4.2 million cubic metres. And that -- it's a -- it's a
26 number that -- that we -- that was calculate to make

1 sure that the lake will not decrease, will stay in the
2 natural variation.

3 So the technical comment. In December 2014, we
4 received technical comment from the KIA, from
5 Aboriginal Affairs Northern Development Canada, from
6 Department Fishery and Ocean (sic), and from
7 Environment Canada. We received a total of 97
8 technical comments, and they were from closure and
9 reclamation, 16 percent; modification, rewording of the
10 draft water licence, 33 percent; freshet action plan,
11 rock storage facility seepage, 7 percent; core
12 receiving environmental monitoring plan, 11 percent;
13 and all the different management plan, 32 percent.
14 During the technical hearing in January, AEM reached an
15 agreement on all the technical comments from the
16 regulators.

17 So now we'll talk about the closure and the
18 reclamation. So closure and reclamation, it's -- it's
19 a big part of this renewal because what we ask is to
20 have a ten-year renewal; so actually we have 2015 to
21 end of 2017 in production and after that will be the
22 closure section.

23 So in part G (sic) of the licence, actual (sic),
24 we require implementation of an approved interim
25 closure and reclamation plan. AEM commit during the
26 technical hearing to revise the interim closure and

1 reclamation plan to reflect issue that was raised and
2 commitment that was made through the Nunavut Water
3 Board review process. And also, we commit to submit 12
4 months, before -- prior to closure, a final closure and
5 reclamation plan. So that is more details, to have all
6 the details to make sure that we don't miss nothing.
7 We commit to comply with all the standard guideline
8 applicable to closure and reclamation.

9 So here is an example of the closure schedule. So
10 what we have, it's a closure, if we don't find more
11 gold and we have to close at the end of 2017. So here
12 is the different step that we will have to take to go
13 to the end. Actually, we will be here until 2040 to
14 make sure that everything was close and meet the
15 expectation because we want to make sure that before we
16 breach the dyke, we rope in the lake, it will meet all
17 the guidelines and all the water quality expected.

18 So if we look at the conceptual open pit
19 re-flooding, so now we see here Goose pit, Portage pit,
20 we see Vault. So the goal is to put back water into
21 the -- into the pit, and that can come back a lake at
22 the end. And -- and we will open this dyke, and we'll
23 open the Vault dyke to let -- the fish can go into this
24 area. But before that, we have to make sure that the
25 water is -- meet the water quality expectation. So
26 that is really important, and it's for that that we

1 will stay as long as -- as we can to make sure that the
2 water will be suitable for fish.

3 And, also, we'll have some fish habitat. That is
4 part of another permit with Department Fishery and
5 Ocean that we have to create more habitat for fish that
6 they can use, and we have to demonstrate to the
7 Department Fishery and Ocean that they will be able to
8 use it, they use it, and we don't have any effect on
9 fish.

10 Now, we will talk about the estimate reclamation
11 liability for Meadowbank, and I will pass the
12 microphone to Larry Connell.

13 MR. CONNELL: Thank you, Stephani. I'm
14 going to speak about the next subject on two parts.
15 One is is when you look at reclamations security, there
16 are two issues at hand for this discussion; one is how
17 much should the security be? Coming up with an
18 agreement on how much is -- money needs to be put aside
19 in order to ensure that the mine site is properly
20 reclaimed; and the other half of that issue -- the
21 second part of that issue is in what form that security
22 should be? Who is going to hold it? Who is going to
23 manage it?

24 In this case here, there was a lot of work prior
25 to this hearing to come to an agreement on how much
26 that reclamation security should be. The parties have

1 worked through that with us, and we've come to an
2 estimate of \$86.5 million, which you heard about last
3 night. So there seems to be a consensus building that
4 86.5 million is currently the best estimate of what it
5 will take to fully reclaim the Meadowbank site on the
6 basis that Agnico is no longer there to do it.

7 This estimate, as you see the second bullet here,
8 represents what we see as a worst-case assumption. In
9 other words, we're no longer on the site. We've
10 somehow gone bankrupt, and we failed as a company,
11 we've abandoned the site, and somebody has to now come
12 forward and pick up the pieces and make the site whole
13 again. So the reclamation estimate was based upon that
14 format.

15 That means that the cost would be higher than if
16 we stayed to do a job, as you would expect. Because if
17 we stay, we're doing it with our own workforce, we're
18 doing it with -- immediately moving into reclamation,
19 and there's no loss of timing, continuity. If we're
20 gone from the site, we leave a mess that someone has to
21 then stand in and pick up, and so the estimate is based
22 upon that worst-case scenario. Obviously if that
23 happens, there's a lag time. Because if a government
24 or the landowner has to step in, they have to pick up
25 the pieces, they have to find out what's important to
26 do first, they have to obtain contractors to go and do

1 the work. And so there is a time lag that we recognize
2 that will take place, and the estimate takes that into
3 consideration.

4 Looking back, that's a significant change from the
5 estimate that we put to you, as a Board, back in 2008.
6 The estimate at that time was we would now be at
7 \$43.9 million. So why has things changed? Why have we
8 seen such a rapid increase? One, there's a larger mine
9 footprint today. As you see in the pictures, we've --
10 we now have -- the mine has advanced so there's more
11 work to be done to close the mine.

12 But what's even higher as a proportion of that is
13 an increase in the unit costs of labour, materials,
14 contracts. You know, since 2008 prices have gone up.
15 We also have a much better understanding today of what
16 it will take to close the mine site, and so there's new
17 materials or new steps required, and those have been
18 reflected in the new estimate that's now in front of
19 the Board.

20 You also see, involved in this estimate, a much
21 larger allowance for what we call "interim care and
22 maintenance". This is the cost that it would take to
23 hold the site just in its current level without causing
24 harm until whatever party comes in to do the work,
25 being a government contractor, being a landowner who is
26 contracting out. They need a period of time to get

1 their permits in place to understand what activities be
2 done first and what -- and to go out and get organized
3 to do that work. So there's a period of time that
4 could be -- even multiple years -- before work would
5 occur in the case of a bankruptcy or a failure. And so
6 that's been reflected in a much higher interim care and
7 maintenance cost built into this 86-and-a-half-million
8 dollar estimate.

9 MR. ROBERT: Stephani Robert from Agnico
10 Eagle. I think the presentation that we have is the
11 one of the community, but if we can put the one -- the
12 other one that -- that was put -- yeah.

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

15 Thank you, Mr. Robert. We had also the wrong
16 presentation marked as an exhibit so I will now mark
17 this as an exhibit instead as an alternative, and I
18 just realized that the number that I had given you was
19 Number 5; it's actually Number 6. So I don't know;
20 it's an early morning or something, but -- so we now
21 have a correct -- we have the correct version, and
22 we'll be marking it as Exhibit 6. Thank you.

23 (EXHIBIT 6 AMENDED)

24 THE CHAIR: Thank you. Maybe we should
25 take a short break for setting up, as well, and then
26 the timing is right time for break now. Ten minutes or

1 so will be good. Thank you.

2 (ADJOURNMENT)

3 THE CHAIR: Before we proceed with the --
4 with our proceeding, I just want to make some -- a
5 little bit of housekeeping, which I made a -- make an
6 error of during my speeches here this morning. I think
7 I have been -- I think I have been mentioning about
8 "NWMB" part of the proceeding here this morning, but I
9 would need to mention that "NWMB", but I tried to say
10 "NWB". Sorry about that. So that's for -- for the
11 reporting as well, yeah -- I mean, the typist. That's
12 the error I make this morning so I apologize for that,
13 but correct that -- correct the wording there. I
14 didn't mean to mention about "NWMB", but I'd be
15 mentioning about that by error.

16 All right. Okay. We shall proceed with the --
17 the proceedings this morning with applicant. Go ahead.

18 MR. CONNELL: Thank you, Mr. Chairman. It's
19 Larry Connell with Agnico Eagle picking off (sic)
20 again.

21 The reclamation estimate that we provided is --
22 we're -- we're -- this here is a guidance, obviously;
23 what we don't just do this out of the air. What we do
24 is we're using RECLAIM, which is a computer-based
25 spreadsheet model that helps us cost out the estimate
26 for reclamation. That is -- we're bound to that under

1 the guidance that's put out by policy by Aboriginal
2 Affairs and Northern Development and hence by the
3 Board. And RECLAIM 7 is -- the 7 refers to the seventh
4 version. This is the seventh update to this model.
5 It's been used for many, many years.

6 And what it does is it -- is it guides us through
7 the process of making sure that we have captured all
8 the steps for each of the components of the mine,
9 what's going to be involved in the reclamation, and
10 guides us through that process of coming up with an
11 estimate. One of the -- this controversial issue of
12 splitting land and water, it's not something we choose
13 to do to. It's not something we want to do. It's
14 something that's there within RECLAIM so we're forced
15 to make that division or estimate based upon the way
16 RECLAIM is structured.

17 So what you see here is the summary. Basically,
18 there's a whole spreadsheet for each of these line
19 items behind each of these summary items. But for
20 example, if I take the tailings facility, you'll see
21 that the tailings facility is by far one of the largest
22 component items. When we estimate or use our
23 professional judgment to decide what's land and what's
24 water-related, we look at the tailings as a combined
25 facility. In other words, if you're going to reclaim
26 the tailings, you don't reclaim 50 percent of all water

1 problems and leave a land problem. You have to reclaim
2 the whole thing in order to solve the problem.

3 So we don't look at where it lies or what sits on
4 top. What we look at, in order to reclaim or make that
5 division, is the -- the function or the activity. So
6 the activity of placing the capping layer, which is by
7 far the biggest single cost item, that was considered a
8 land issue because we're hauling and placing waste rock
9 on top of the tailings. But issues, for example, of
10 removing the water, building berms to divert freshwater
11 away from the tailings, those were considered
12 water-related portions of the activities, and so they
13 went into the water column. So we made the split based
14 upon activity. What was the activity you were doing in
15 making that reclamation activity, and what column would
16 it lie in? And so that's been consistently the
17 approach throughout.

18 When we did the initial estimate, one of the
19 comments that came back through the technical comments
20 was the comment raised by Aboriginal Affairs that we
21 didn't have enough money in there for interim care and
22 maintenance, and that was to reflect AANDC's experience
23 that there is inevitably a period of interim care and
24 maintenance that is required after an operator abandons
25 a site due to financial difficulty. That time is
26 required for legal processes; non-operator reclamation

1 planning, in other words somebody's got to go and find
2 out what the site looks like, decide what has to be
3 done today and then create a new plan for actually
4 getting the work done; and then for service
5 procurement, getting contractors to come back in.
6 Because obviously if we failed and are gone, somebody
7 has to pick up that and move forward.

8 We're frustrated by that, but we recognize that in
9 the event of a case of failure of the company that
10 inevitably does happen. And so while it frustrates us
11 as an extra cost that we have to somehow bear in the
12 reclamation security, we didn't fight that issue. We
13 agreed to include the extra 1.65 million and to raise
14 the estimate up to the 86.5 million that you have in
15 front of you today. So in a nutshell, we haven't
16 contested what AANDC recommended as an increase; we
17 accepted that and adjusted what you see accordingly.

18 So what is -- what -- in summary, when it looks to
19 what is the liability, the -- that third-party
20 liability of -- that liability in the event that we
21 fail to live up to our obligation, I think it's a
22 consensus that it's 86-and-a-half million. The split
23 you see here was based upon the RECLAIM Model. It's
24 not our idea to tell you that we think they should be
25 split. We believe that reclamation is done as a whole,
26 and that if you only take and do 30 percent of the work

1 or 68 percent of the work, you don't get the objective
2 of -- of solving the problem that needs to be solved.
3 So I think our -- our bottom line is that we think the
4 reclamation security amount is appropriate at
5 86.5 million.

6 We should point out to you that this isn't the
7 only security that Meadowbank or Agnico Eagle has
8 posted on this site. We have a number of other
9 agreements where security is posted to the site. We
10 have a series of agreements or authorizations from the
11 Department of Fisheries and Oceans, and under their
12 agreements -- this is for the ultra restoration of the
13 pits, for that recreation of the fish habitat. There's
14 about \$25 million already in security posted for that
15 activity.

16 We have -- we have bonds posted with the
17 Government of Nunavut in the event of an oil spill. We
18 have insurance for an oil spill at the Meadowbank
19 facility, but on top of our insurance, we have a
20 \$5 million bond posted with the Government of Nunavut
21 in case, again, we were not to be there to deal with
22 any kind of spillage from that tank farm. So the point
23 I'm trying to leave you with is that there is a lot of
24 other securities on top of what you see in front of you
25 there outside the water licencing process.

26 The second half of the issue has to deal with how

1 the reclamation security is set, who holds it, how it's
2 managed, and it's proven to be much more difficult than
3 coming up with an agreement on what the total amount
4 should be. I know that doesn't sound logical, but it
5 has proven to be the fact. What is our expectation?
6 For us, our expectation is that there be some kind of a
7 fair process under the Nunavut Waters and Surface
8 Tribunals Act to set a security that is adequate to
9 reclaim and recover the site if we fail to be there to
10 do so. It is not our intent to fail, but we recognize
11 that the citizens and landowner in this case need to
12 have some protection in that event.

13 We think that that security has to be in a form
14 that gives assurance to government or the landowner
15 that they have access to that money in the event of our
16 economic failure as a company, but we also need it in a
17 form that doesn't add additional capital burden to the
18 cost of our projects. By that, we use irrevocable
19 letters of credit on our bank. Our bank -- the
20 irrevocable letters of credit in this project are with
21 the Bank of Nova Scotia. They are pledges that the
22 bank will honour despite us going under.

23 And the last paragraph here is a paragraph taken
24 from the Nunavut Waters and Nunavut Surface Tribunal
25 Act that designates what security should be for, and
26 you see it's in two parts. It talks about

1 compensation, and it talks about closure and
2 reclamation. The form of the security is left to the
3 minister under this Act. So the minister does have a
4 lot of leeway as to how the security ultimately is held
5 and how it's managed. That's our opinion.

6 But our expectation is that the end of the day,
7 there should be one form of security, and that form of
8 security should cover 100 percent of the estimated
9 liability; that's the 86-and-a-half-million dollars.
10 We shouldn't be asked to pay for that twice or to pay
11 for more than that. We shouldn't be in this situation
12 where we're being asked to over-bond or double-bond.
13 We think that that is unfair to industry, and we also
14 think that -- that ultimately that will lead to a
15 situation that impairs the attractiveness of a company
16 coming to Nunavut to want to invest their private money
17 when they see this as another obstacle or another piece
18 of red tape where they have to put up more than
19 100 percent of the security against a project that
20 they're doing in the territory.

21 We are open to how that security could be managed.
22 We are not -- we think that this is an issue that lies
23 between the landowner, the Kivalliq Inuit Association,
24 and the Government of Canada through Aboriginal
25 Affairs. We are not taking a strong position or
26 opposed to them sharing management of it or coming up

1 with some approach. We would gladly enter into any
2 form of an arrangement that's necessary to give both
3 parties the protection they need.

4 This is just a quick review of the current status
5 of security at Meadowbank. Under the existing water
6 licence, the one that's currently running, the water
7 licence sets security at \$43.9 million, and we have a
8 security bond posted -- okay -- we have a security bond
9 currently posted in the form of an irrevocable letter
10 of credit of \$43.9 million that's held or pledged to
11 Aboriginal Affairs and Northern Development Canada. We
12 also have a commercial lease with the KIA because we
13 are -- this mine is solely located on Inuit-owned land.
14 Inuit have both the surface rights and the subsurface
15 rights. So we have a lease for our being there from
16 the Kivalliq Inuit Association, and they too are
17 looking for protection on their rights over that land.
18 They don't want the land to become a problem to them
19 when we leave. And so currently they have a security
20 requirement under the lease of \$14.9 million. Sorry.
21 I'm just letting them catch up. And we have an
22 irrevocable letter of credit, again, drawn on the Bank
23 of Nova Scotia pledged to the Kivalliq Inuit
24 Association for that amount.

25 So our current situation is that there's
26 \$58.8 million of bond pledged against the reclamation

1 security that was in the licence of \$43.9 million. So
2 we have an over-bonding right now of about 14.9 million
3 for 134 percent of the total liability. In all, the
4 company has bonds of security for various permits and
5 applications on the Meadowbank project of getting close
6 to 80, \$85 million. We've mentioned the 25 million
7 with -- with DFO; you see the 58.8 million here; this
8 5 million with the Government of Canada -- or sorry,
9 with the Government of Nunavut. There's a number of
10 smaller bonds as well.

11 So looking at the over-bonding and where are we
12 today, we recognize as a company that we have a
13 responsibility to provide adequate security to ensure
14 that the mine site can be fully reclaimed should we
15 fail to do so, and that would be either as a result of
16 our abandonment of the site or through bankruptcy. It
17 is not our intent to walk away from our responsibility.
18 Agnico has a long history of living up to its
19 obligations. As a company, we've been in business for
20 well over 70 years and are still caring for sites that
21 were -- that were mined in the early life of this
22 operation, but we recognize that that's not always the
23 case, and thus governments have to -- have to protect
24 the citizens, the landowners -- in this case, the
25 private landowner -- from that potentiality of our
26 failing.

1 However, we don't think it's fair that we would be
2 required to provide security against reclamation, both
3 a combination of that under the water licence and under
4 the lease, that is more than 86-and-a-half-million
5 dollars. We know that the KIA and Aboriginal Affairs
6 and Northern Development Canada have been discussing
7 mechanisms by which they can resolve this over-bonding
8 issue for years. I think it's close to ten years that
9 this issue's been going on. It was an issue at the
10 last public hearing on the Meadowbank water licence
11 that was held in 2008. On occasion, we've been invited
12 to be present for those discussions, and we have
13 participated and suggested some solutions over the
14 years, but to date, there has been no positive outcome
15 from that, those initiatives.

16 In all cases, Aboriginal Affairs and Northern
17 Development Canada has told us that they cannot easily
18 resolve this issue because some of the proposed
19 solutions interfere with the powers of their minister.
20 For example, we've asked the question, Well, why not
21 you, Canada, hold all the security and then hold the
22 landowner, the Kivalliq Inuit -- make the promise to
23 them in writing that you will make them good, you won't
24 hold them accountable, and you'll fix the land in
25 accordance with the -- the closure plan. And that
26 promise hasn't been forthcoming. That -- there's a

1 problem that that would interfere with the minister's
2 flexibility. It's our view that when you read the
3 actual Act, that the minister does have a lot of
4 flexibility in how that security could be managed, and
5 thus we think there is room for the parties to find a
6 solution to this.

7 We have to give the KIA their credit. They have
8 looked for ways to resolve this issue. They have made
9 Aboriginal Affairs aware of some of the security
10 requirements and conditions under their leases to help
11 in that process, but still, after eight years, this
12 matter hasn't really been resolved. We spoke about the
13 fact that Canada cannot indemnify the KIA for their
14 land unless that sort of undermines a lot of the
15 efforts to find resolution, and so we understand why
16 the KIA has no other option but to look to seek some
17 protection for themselves on that site to make sure
18 that they are not going to end up being -- with a
19 liability if we do fail as a company.

20 In this round, we could be faced, as you heard
21 last night, and it's even changed from when I wrote
22 this -- we could be now be faced with truly of an
23 over-bonding issue of about 80 -- almost \$80 million on
24 the 86, because we have Canada asking for 86-and-a-half
25 and the Kivalliq Inuit Association asking for
26 78 million. So it is a significant amount of money

1 that we're talking about. And I think this kind of a
2 practice can have a severe impact on how private
3 business sees investment in Nunavut when they want to
4 look at other spots to invest their dollars.

5 In the submission that was made by Aboriginal
6 Affairs and Northern Development Canada to the Water
7 Board on April 8th, the -- it was stated that the
8 double-bonding issue is a matter to be resolved between
9 KIA and Agnico Eagle, which we found to be really just
10 a -- in our opinion, a passing of the buck. The
11 reality is the -- we are responsible for posting
12 security, but I think it has to be a compromise or some
13 technique that's found between the Aboriginal Affairs
14 and Northern Development Canada, the Government of
15 Canada, and Kivalliq Inuit Association on how they can
16 manage that security to ultimately meet the end goals
17 of protecting both the land, the Kivalliq Inuit
18 Association, as the landowner, and the interests of the
19 citizens of Canada.

20 I think that this position is pretty unfair
21 considering that -- the position that was taken just in
22 the recent hearings for Mary River where it was a 90-10
23 split in favour of the private landowner. We seem to
24 be seeing reversal of that in this situation. We know
25 that the projects are different. We know that Mary
26 River does not have a tailings impoundment so we

1 recognize that there is not exactly the same playing
2 field.

3 So where can we go from here? What can we leave
4 you with as a Board? Because you have a tough decision
5 in front of you, we recognize, on this matter. We
6 think there are many or several ways that the solution
7 could be put forward. To us, the fairest one was what
8 was originally, I think, proposed by the Kivalliq Inuit
9 Association, that the two parties basically jointly
10 hold a security, and we would gladly enter into some
11 kind of arrangement that way. We would gladly provide
12 copies or proof of the security being posted to both
13 parties so that there was an equitable distribution
14 of -- of holding of the security, but that needs some
15 form of agreement between Aboriginal Affairs and
16 Northern Development Canada and the KIA on how that can
17 happen.

18 We would be agreeable to spelling out that kind of
19 arrangement within the water licence, and we're not
20 trying to hide behind anything. We would gladly --
21 we're going to -- we know that we have to put forward
22 86-and-a-half-million dollars worth of security, and
23 how that's held, we're gladly willing to enter into an
24 arrangement under the licence. We think that that kind
25 of a split would probably, at this phase, be the most
26 equitable for all parties.

1 Alternatively, what we would -- another solution
2 that could be put forward, although it's not our
3 preference solution, would be the split along the line
4 of the water/land split that was calculated in RECLAIM.
5 That split was put forward before the parties back in
6 the technical meetings. It stirred -- at that time,
7 there was no argument over the split. There's been
8 argument since when we come to managing the security,
9 but I think that has more to do with how -- the fight
10 over how we manage -- what proportion we manage. So
11 you could split it along the line of that water/land
12 reclamation.

13 We know that the Board has in the past and has
14 indicated that it prefers to see a holistic approach to
15 reclamation. We concur with you on that. We think
16 that reclamation has to be seen as the entire package.
17 You can't do part of the job and expect to get the same
18 outcome, but this is one alternative that could work.

19 The last slide -- just to let you know I'm coming
20 to the close here -- this is significant to us as an
21 issue. You know, 86-and-a-half-million dollars is --
22 is a large amount, and if we have to put it up twice,
23 that is a significant amount of money for any company,
24 small or large, and for many small companies, it would
25 actually be beyond their ability. It's also important
26 to note that, you know, we're coming up this year,

1 probably before you again, with the Meliadine project,
2 and this issue's going to come back again on that
3 issue, the same issue. We need it to get resolved. We
4 could be looking at very large dollar amounts in
5 over-bonding, and I think this would be a detriment to
6 attracting business to want to invest in IOL in mineral
7 industry. We think it's an unfair position to have to
8 ask industry to double-bond, and we would look to the
9 Board to take a position that tries to force the
10 parties into an equitable solution.

11 Thank you. And I'll stop at that point.

12 THE CHAIR: Thank you, applicants.

13 Now, questions by parties respecting applicant
14 presentations. Start with KIA.

15 Kivalliq Inuit Association Questions Agnico Mines
16 Limited

17 MR. MANZO: Thank you, Mr. Chairman. Luis
18 Manzo for the Kivalliq Inuit Association. I will ask a
19 few questions to the proponent in regard to the
20 assessment of the security and also the amendments in
21 legislation in regard to the tailing implement area.

22 Under the Slide 3 of your presentation, I was part
23 of the consultation process that the federal government
24 carry out in the time before the session of the MMER
25 Schedule 2 being amended. The Crown consult all the
26 parties in regard -- to make that amendment. This is

1 one -- this is now fully record, as part of the
2 evidence to the Board, that that particular piece of
3 lake is no longer a lake. And there was agreement
4 during the consultation of the minister of environment
5 to make sure the proponent fulfilled their obligations
6 under different pieces of legislation.

7 Before that, just to put it in perspective to the
8 Board, the other piece of evidence -- because yesterday
9 we hear the one evidence. The other piece of
10 legislation that was amended during this -- the surveys
11 of the Inuit-owned lands during the sessions with the
12 Land Claims Agreement, there was -- there was a very
13 important piece of legislation. I'm -- I was new to
14 the table at the time, and I noticed that all the
15 lands -- all the parcels of Inuit-owned lands who
16 contained water in (sic) the time, there was under the
17 authority, and still all the lakes and rivers under the
18 authority of federal government, even though the
19 federal government grant those parcels of land and
20 simple -- tied to -- to Inuit as a part of their
21 rights. In all those lakes, when you actually measure
22 all those lakes inside all the parcels of Inuit-owned
23 lands, when the survey line passed through the parcel,
24 all inside of that specific boundary of that parcel
25 didn't consider the lakes as a part of quantum of lands
26 set on the Supreme Court of Canada that we supposed to

1 get.

2 So what the -- the federal Crown did at the time
3 to avoid going back and resurvey the lands was amend
4 the survey and the legislation act. Why? Because all
5 those lakes wasn't part of the quantum of the land so
6 the parcel in question was less land to put forward.
7 This is another piece of legislation to the Board, that
8 the surveyor general -- the surveyor general of Canada
9 make that amendment, all the lakes, beds and the rivers
10 and beds on the lakes are Inuit-owned lands. If in the
11 case that the water is taken out from the particular
12 lake, that automatically became Inuit-owned lands.
13 This is for the surface parcels.

14 For the subsurface parcels, we also own the
15 minerals and the beds of those lakes by virtue of the
16 Land Claim Agreement and the legislation. It's a very
17 strong basis in the Land Claim Agreement already, as I
18 evidence to you, that those legislations are amended by
19 the Crown to enable -- to hand to us survey -- survey
20 plans who (sic) demonstrate by the boundaries that the
21 Crown handed that responsibility and those lands and
22 the fee simple title to -- to Inuit. It's just a
23 context that I want to put forward before I raise the
24 question to the proponent.

25 In order -- the question will be the MMER. Can
26 you actually elaborate what -- I'm assuming for --

1 I'm -- for what I remember, to require the Order in
2 Council to actually change the legislation and a very
3 long process. Can you elaborate in the MMER Schedule 2
4 to us?

5 THE CHAIR: Thank you.

6 Applicant, go ahead.

7 MR. CONNELL: Thank you, Mr. Chairman. It's
8 Larry Connell with Agnico Eagle.

9 The -- thank you, Mr. Manzo. The MMER process
10 takes place under the -- it's a Metal Mine Effluent
11 Regulation under the Fisheries Act, and we were --
12 because we were -- when we looked for where we were
13 going to place tailings, we did a long alternative
14 assessment that was subject to the NIRB process, and
15 the KIA were very much an active part of that, and came
16 with the conclusion that dewatering the Portage --
17 Second Portage Lake would be the best location to
18 protect the environment for these tailings, and it was
19 supported by the KIA after being involved in a lot of
20 review and discussion of other alternatives.

21 The process itself was we had to submit an
22 application to the Department of Environment. They
23 managed the process of amending this part of the Metal
24 Mine Effluent Regulation. It's an application to
25 remove that portion -- because that lake is an active
26 fish -- a -- a body of water frequented by fish, we are

1 required to apply under that Regulation to certify
2 that -- or to remove that portion as a -- or to get
3 permission to -- to remove that portion and have it
4 listed under Schedule 2 in the Regulation as no
5 longer a fish-bearing water, but now designated as an
6 area that can't be used for the disposal of -- of waste
7 rock. That is a process that goes through -- the --
8 the Department of Environment and ends up -- can only
9 be -- that change to the Schedule 2 can only be made,
10 as Mr. Manzo said, through an Order in Council. So
11 it -- it went to the highest level within Canada to --
12 to get that authorization to do this.

13 Does that -- does that address your question?

14 MR. MANZO: Thank you, Mr. Connell. Yeah,
15 that's -- is the answer I was looking for too.

16 Go then into the section of the project you
17 present during the water licence. During the water
18 licence, you present a model and how you will reclaim
19 that land, and therefore KIA agree with the ministers
20 of the environment and other ministers that was
21 consulted. Because they will use a Bennett Model to
22 reclaim that and became (sic) then a freeze back, and
23 this lake that was used then became land, and that's
24 why they -- they needed a land lease to encompass that
25 portion of land, which the Water Act today would not
26 cover. And that was my point; it's -- to make that as

1 evidence, if they were going to provide those
2 documentations to the Order in Council and the
3 certification granted by the minister of the
4 environment, that that land will be used for the
5 storage facility.

6 The other piece of legislation is the amendment of
7 the Survey Plan Act (sic) in order for us to have the
8 physical title of the beds and rivers, any waters
9 inside or Inuit-owned lands. That's the second piece
10 of evidence of the legislation.

11 Then we come back to the security deposit. In the
12 security deposit calculation you made in regard to the
13 liability, you mentioned 2 percent of -- and one of the
14 -- the biggest part is exactly the tailings facility.
15 The tailing facility that was considered in there is
16 about -- you mentioned there's \$38 million there that
17 was considered part of the water security, and based on
18 those amendments to the legislation to the Survey Act
19 and the right granted to Inuit under the Land Claims
20 Agreement as a fee simple title, that particular
21 location is now part of Inuit-owned lands, and we have
22 the right to encompass that security under the land
23 lease.

24 And then the question is, when you assess the
25 security under the model presented in the -- as a
26 RECLAIM Model, Point 7, is this RECLAIM Model a split

1 to secure a base in the rise granted on the
2 legislation, or that it's only an estimated --
3 professional estimated assessment that the engineers
4 do?

5 MR. CONNELL: Thank you, Mr. Chairman.
6 Larry Connell with Agnico Eagle.

7 No. As I was saying earlier, we did not -- when
8 we do this estimate, the splitting under RECLAIM, we
9 took no consideration of landownership or whether the
10 land underneath was now declared a lake or now a piece
11 of land. That wasn't part of our consideration at all.
12 This was -- we -- we look at the complete reclamation
13 of the tailings pond as a series of activities. We
14 listed out those activities, cost each one of the
15 activities, and then on a professional but fairly
16 arbitrary basis decided whether that activity was more
17 related to land or more related to the water, more the
18 impact.

19 For example, if it had to do with keeping water
20 from running into a tailing, that got declared to be a
21 water-related issue versus something that was a
22 land-related issue. But it had nothing to do with
23 the -- the issues of ultimate bed ownership or that
24 sort of thing involved in this split.

25 MR. MANZO: Thank you, Mr. Connell.
26 Mr. Chairman, Luis Manzo, Kivalliq Inuit Association.

1 Well, that actually raised the point of KIA, the
2 question for the 9 percent security in our presentation
3 you hear yesterday. As legal evidence, the -- we have
4 those rights, and the legal evidence already that the
5 Crown authorized by Schedule 2 that lake to be removed;
6 therefore, we own the beds and the banks of the rivers
7 under the Survey Act, and -- and we believe -- and --
8 and I tried to work out with the federal government and
9 the proponent for ten years, since the grant of the --
10 of the water licence at the time -- we were hoping
11 the -- the federal government would be able to address
12 this issue through legislation, one. This is another
13 piece of evidence that everybody has the comments,
14 submitted by NTI and -- doing the drafting of the
15 legislation to address security, and the Crown didn't
16 address it, and therefore we -- we here today.

17 And we believe that that \$38 million for the
18 tailing disposal is part of plans to make sure, Okay,
19 some -- in relation to the security, that the model, as
20 used, doesn't consider those legislations granted or
21 amended to calculate security deposit. And I believe
22 the legal counsel will have another (sic) question in
23 regard to some of the slides of the proponent.

24 Thank you, Mr. Chairman.

25 THE CHAIR: Go ahead, KIA legal counsel.

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

1 Kimberly Gilson for Kivalliq Inuit Association. I just
2 have one question for the proponent, for Agnico Eagle,
3 and, again, it is with respect to this very difficult
4 question of double-bonding.

5 In the presentation that you've given to the
6 Nunavut Water Board this morning, you have commented
7 that one of the approaches, that you are suggesting
8 that the Water Board could split the security, and
9 without debating at this point in the discussion about
10 the percentage, AEM, you've indicated that it would --
11 would be split with a certain percentage to be held by
12 the Government of Canada and a percentage to be held by
13 the Kivalliq Inuit Association, or alternatively,
14 perhaps, the Water Board would make certain
15 recommendations. But you've indicated that such a
16 split would be spelled out in the water licence.

17 And in your closing comments, Mr. Connell, you --
18 you suggested that -- that because of the difficulties
19 of this issues, that the Water Board could -- or should
20 participate in a process that would force the parties
21 to an equitable result, which I believe were your
22 words. My question for you is, in terms of the
23 proposal that you're suggesting, that the Water Board
24 would spell out in a water licence a percentage that
25 would be held by the Kivalliq Inuit Association, are
26 you somehow suggesting that this Board has the power to

1 indicate in its licence the amount of security that the
2 Kivalliq Inuit Association as a private owner should be
3 holding, which I -- I believe is contrary -- well, I
4 know is contrary to the legislation, and so I'm asking
5 why it is that you're suggesting to the Board that they
6 should issue a licence on such terms that deal with
7 security to be held by Kivalliq Inuit Association?

8 Thank you, Mr. Chair.

9 THE CHAIR: Thank you, legal counsel.

10 KIA.

11 MR. CONNELL: Larry Connell with Agnico
12 Eagle. Thanks for that correction. You're quite
13 right. We have to acknowledge that the Kivalliq Inuit
14 Association, as a landowner, have the complete right to
15 set whatever security they want to set for their land,
16 and we're not -- and I apologize if we've left any
17 indication that we think the Board should tell the KIA
18 how they should deal with that. That wasn't our
19 intent.

20 Our intent is frustration at the double-bonding
21 issue, and we recognize that that's an issue that
22 ultimately falls to the minister. We're just hopeful
23 that as -- you, as a Board, can weigh in to sort of
24 give some input as to what's been an impasse. But we
25 recognize that the Kivalliq Inuit Association, they are
26 responsible for their own issue, their own land, their

1 own security, and that's an issue beyond the Board and
2 beyond the minister.

3 THE CHAIR: Thank you.

4 KIA, you have further question?

5 MR. MANZO: Thank you, Mr. Chairman. Luis
6 Manzo for Kivalliq Inuit Association. No further
7 questions. Thank you.

8 THE CHAIR: Okay. Mr. Manzo, you will
9 have -- you have -- get a chance to lead your evidence.
10 This is your opportunity to question AEM. Thank you.

11 Okay, there's an Elder who wish to speak as well.
12 State your name. (OTHER LANGUAGE SPOKEN)

13 Community Questions Agnico Eagle Mines Limited

14 LOUIS AUTUT: This is -- I hear this -- I
15 would like to ask this question. Here in Nunavut, the
16 health and -- if for the health reasons, health
17 specialists -- this lake -- when the water goes back
18 and the fish are put back into this lake, I would like
19 to ask this question: These transportation loaders, if
20 there was any -- if there was any leaks or -- of oils,
21 diesel or -- this is my question.

22 THE CHAIR: Applicant.

23 MR. ROBERT: Stephani Robert from Agnico
24 Eagle. So -- so what is really important is that we
25 will make -- during the re-flooding, that we'll put
26 back water in. We will make tests of the water, and if

1 the water is not -- sorry, and if the water is not good
2 quality, we'll have to treat the water because it can
3 happen that if we have some leaks that was not seen
4 during operation, it can contaminate the water. So
5 during the re-flooding, we will have to monitor the
6 water and -- and treat it, if we saw that we have
7 contaminant in the water. And the fish will not be
8 able to get back inside that because we will have to
9 breach the dyke, and before we breach the dyke, the
10 water will have to be good quality and have to be
11 approved by all the parties, Environment Canada, KIA,
12 and all the parties. Thank you.

13 THE CHAIR: Thank you.

14 The next is Aboriginal Affairs, if you have
15 questions to the applicant.

16 Aboriginal Affairs and Northern Development Canada
17 Questions Agnico Eagle Mines Limited

18 MS. COSTELLO: Thank you, Mr. Chair. Karen
19 Costello for Aboriginal Affairs and Northern
20 Development Canada.

21 I'd appreciate the clarification and some more
22 detail on the tailings facility, if I could. When --
23 you indicated that approximately \$39 million was the
24 cost for reclaiming the tailings facility. I was just
25 wondering what are the specific activities that are
26 contemplated in the reclamation plan that you

1 mentioned? Because you said you didn't really look on
2 landownership; you -- it was really just looking at the
3 specific activities, and on that basis, you -- you did
4 the split. But I'm just trying to get some details on
5 the specific activities. Thank you.

6 THE CHAIR: Thank you, Aboriginal Affairs.
7 Applicant.

8 MR. CONNELL: Thank you, Mr. Chair. Larry
9 Connell with Agnico Eagle.

10 Yes. When we did that estimate, we looked at all
11 of the activities that are required to completely close
12 out the tailings impoundment. So, for example, there
13 would be the removal of the overlying water that's
14 there, so that's the removal and treatment of that
15 water. There's the -- then the capping, the placing of
16 the waste rock on top to -- to form the sealing layer
17 to allow the freeze back and to keep the tailings
18 frozen. There are diversion works that keep freshwater
19 away from it. There's the monitoring activity, the
20 actual installation of the -- of the thermistors, as
21 they're called, which are to make sure that the
22 tailings underneath do freeze and that they stay
23 frozen. And there's also the monitoring wells to make
24 sure we -- we're keeping a line for seepage from the
25 tailings impoundment.

26 So all of the activity -- there's a long list of

1 them -- are spelled out and then costed. And then
2 after we're done all that, the engineers go back and
3 say, Okay, does this one look like it's more land or
4 more water related? And they come up with a split
5 based on that basis. It had nothing to do with
6 landownership underneath.

7 THE CHAIR: Thank you, applicant.

8 Aboriginal Affairs, any more questions?

9 MS. COSTELLO: Thank you, Mr. Chair. Karen
10 Costello for Aboriginal Affairs. No questions at this
11 time. Thank you.

12 THE CHAIR: Thank you.

13 The next intervener, Anne. Environment Canada, do
14 you have questions to the applicants?

15 MS. WILSON: Thank you, Mr. Chair. Anne
16 Wilson, Environment Canada. We have no questions.

17 THE CHAIR: Okay. Go ahead, Environment
18 Canada. Ask your question. Go ahead with your
19 question to applicant. Thank you.

20 MS. WILSON: Thank you, Mr. Chair. It's
21 Anne Wilson. Actually, I said we don't have any
22 questions, but thank you.

23 THE CHAIR: Sorry. Okay. Thank you.
24 Thank you.

25 The Water Board staff and panel members. Water
26 Board, you have any questions?

1 Nunavut Water Board Staff Questions Agnico Eagles Mines
2 Limited

3 MR. KHARATYAN: Karen Kharatyan, Water Board.

4 A couple general questions, please. Thank you,
5 Mr. Chair.

6 So I think, Stephani, it was in the Slide 17, the
7 scope of renewal application, I guess. Yes. The
8 second item, Removal of item originally made as
9 conditions to update plans. I am assuming the -- this
10 is with respect to specific plans included in original
11 licence, not generally?

12 MR. ROBERT: Stephani Robert from Agnico
13 Eagle. Yes, exactly. Because we had specific plan
14 that we had to update it, like six month after
15 construction or things like that; so it was specific.
16 It was not a general comment. It was specific on
17 certain update plan that was update so we don't have to
18 update again, in -- in a way. So that was specific.

19 MR. KHARATYAN: Okay. Thank you. Karen
20 Kharatyan again. The second -- second question, again,
21 about the updated plans. The -- during the technical
22 meeting, we -- we completed a commitment list that
23 included some plans to be updated and submitted, I
24 think, 60 days prior -- the potential licence or
25 renewal licence issuance. And recently, we did
26 receive the annual report data, included some of --

1 more recent updated plans. I think between those
2 plans, at least a couple, I noticed that tailing
3 storage facility operation maintenance manual, water
4 management report and plan included freshet action plan
5 and management plan; they were updated.

6 So the question would be, could Agnico Eagle
7 confirm that those plans -- are all plans complete --
8 all plans requirement or update requirement included in
9 the commitment list will still be the -- submitted to
10 the Board with potential issuance of licence?

11 MR. ROBERT: Stephani Robert from Agnico
12 Eagle. Yes. Our commitment is to submit 60 days after
13 the issuance of the licence, to -- to submit all the
14 plans that -- it was the annual report, some plans, but
15 some others will have to be update (sic). But -- but
16 that is -- is a commitment that we -- we made, to
17 submit all the plans 60 days after the issuance of the
18 licence. I just --

19 Kevin, can you add?

20 MR. BUCK: Kevin Buck, Agnico Eagle.
21 Yes. Karen, what was submitted with the annual report
22 is there's some revisions to existing plans. I
23 wouldn't call them up "updates". Like specifically
24 water management; there's some revisions to how the
25 water balances. So as you know, the water licence has
26 a condition down there that allows for plan revisions,

1 and we've identified the revisions and the document
2 histories of each of those plans. But they're not
3 updates as per the discussions we had at the technical.
4 We're -- we're still committed to supplying those
5 updated plans, with the exception of the water quality
6 and flow monitoring one, within 60 days; okay?

7 MR. KHARATYAN: Okay. Thank you. I'm just
8 asking because we did receive maybe one week ago, and I
9 believe nobody had a chance to -- to look at the
10 content. Yes, thank you.

11 MS. MEADOWS: Thank you, Mr. Chair. Teresa
12 Meadows, legal counsel for the Nunavut Water Board. I
13 just have one sort of quick question.

14 In looking at the proposal with respect to the
15 potential management of security, I know that this has
16 not been much discussed yet, but I'd like to get sort
17 of Agnico Eagle's position with respect to this. As
18 you're aware, under the Baffinland Iron Mine's Type A
19 licence, there is a provision for a periodic security
20 review. It was the first time that the Board looked at
21 reviewing security over the course of the term of the
22 licence.

23 In your submissions, it looks to me as though
24 there wasn't a periodic review contemplated as an
25 option or an alternative under this licence, and so my
26 question to you is whether or not there had been any

1 thought given to some form of periodic security review
2 or whether you're contemplating just at the outset of
3 the potential issuance of a renewed and amended
4 licence?

5 Thank you, Mr. Chair.

6 THE CHAIR: Thank you, Teresa.

7 Respond to the question, applicant.

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

9 The -- we've seen -- the language that you're talking
10 about -- sorry, Larry Connell with Agnico Eagle Mines.

11 We have seen that language that you've been
12 talking about, the periodic review; it does sound like
13 a very good approach. I'd have to truly fully
14 understand the nature of how it works, but the concept
15 of doing a periodic review is -- to me makes a lot of
16 common sense. We wouldn't want to have to redo the
17 RECLAIM spreadsheet every year, but that, I don't
18 think, is contemplated. It talks about, in that kind
19 of language, that you basically get the parties
20 together to discuss what changes or whether it needs to
21 be updated and when it should be updated, and -- and I
22 think that could work both ways because it's also as
23 reclamation ramps up, but also, as we're doing
24 activity, it gives us an opportunity to put forward
25 that, Hey, we've been doing some of the reclamation,
26 and we should be also moving downwards as we do

1 progressive reclamation.

2 So in principle, no, I think it's a -- it's -- we
3 do support that kind of an approach and just haven't
4 seen it in this past licence, but we would definitely
5 be open to that kind of approach.

6 THE CHAIR: Thank you, applicant.

7 Teresa, you want to ...

8 MS. MEADOWS: Thank you, Mr. Chair. Teresa
9 Meadows, legal counsel for the Nunavut Water Board.
10 Thank you, Mr. Chair. Those are all my questions.

11 THE CHAIR: Thank you, Teresa.

12 Okay. Any more questions from the staff? Okay.

13 Okay. Panel members, you have any questions?

14 Okay. I'll take that there's none.

15 So thank you, applicant, for your presentation.
16 So the next presentation will be from Kivalliq Inuit
17 Association, but that -- before we do -- how long you
18 would have take -- how long it would take to have your
19 presentation?

20 MR. MANZO: Mr. Chairman, if it's in
21 agreement with the proponent and agreement with the
22 other interveners and the Board, I would like only to
23 present issues still on the table which is security.
24 The reasons -- and the base reasons is we already
25 present a technical document to you we present
26 yesterday, and we addressed all the technical issues

1 with the proponent in regard to the concerns we have.

2 We -- we have agreement in each of the 31 issues
3 we present at the beginning of this conference, and
4 they are being addressed. If you give me the
5 opportunity just to present the issue of security, then
6 our presentation will be quick.

7 THE CHAIR: Okay. Thank you.

8 So, legal counsel, do you want -- sworn in or --
9 before they proceed with the presentation?

10 LUIS MANZO, Sworn

11 MS. MEADOWS: Thank you. And it's my
12 understanding that you have a hard copy of the
13 PowerPoint presentation for the Board that you will be
14 presenting today, and I will mark it as -- this is
15 Exhibit 7 in the hearing proceedings.

16 Thank you, Mr. Chair. That's it from me. You may
17 proceed.

18 EXHIBIT 7 - Hard Copy PowerPoint Presentation
19 of the Kivalliq Inuit Association, Meadowbank
20 Water Licence Renewal 2AM-MEA0815,
21 April 29-30, 2015, (English/Inuktitut)

22 THE CHAIR: Thank you. Okay. I think
23 that's the one.

24 Okay. Go ahead, KIA. Interveners, go ahead.
25 Presentation by the Kivalliq Inuit Association

26 MR. MANZO: Thank you, Mr. Chair. Luis

1 Manzo, director of lands, Kivalliq Inuit Association.

2 Like I said before, we will flip over all the
3 issues that we will -- that -- being agreed by the
4 proponent, but I -- we'll just mentioned on the first
5 slide, I think it is. This is the time in which we'll
6 present in September, but is said in October. We
7 receive our response in October -- second submission of
8 responses in December, and then in January again with
9 the proponent, and finally we get into an agreement
10 with the proponent.

11 Overview, generated was 31 issues in -- related to
12 water quality tailing disposal, and I will go to the
13 slide. Our review was based in the freshwater
14 quantity, waste disposal and management, emergency
15 spill contingency planning, monitoring, closure
16 reclamation and planning. All of those issues are
17 being resolved in agreement with the proponent under
18 the NWB licence review. All those issues are being now
19 resolved, and I will go to the outstanding issue of
20 security that is also the outstanding issue.

21 The KIA has the responsibility to safeguard and
22 manage the lands granted by the Crown and fee simple
23 title. In doing that, we need to make the best
24 assessment and the better judgment to assess any
25 activity and grant a security on the release to make
26 sure all the communities -- all the communities of

1 beneficiaries are protected when we manage land.

2 In the -- in the case of the security, the
3 Kivalliq Inuit Association is in agreement with the
4 financial security total amount, which is
5 \$86.5 million. It was assessed -- it was properly, and
6 it was an increase also for getting maintenance and
7 management \$1.5 million, to come to this amount. We
8 requested a -- the total reclamation liability for the
9 Meadowbank Mine project is held under the instruments
10 of Kivalliq Inuit Association Commission land lease and
11 whatever amount for water is being held under the Water
12 Act and Regulations. And the reason for that is -- I
13 already mentioned -- that the land granted to KIA was
14 granted with a -- total to rights, and, therefore, we
15 need to make sure that land is fully reclaimed at the
16 end of the closure.

17 To give you a history, we -- we present a
18 technical report in a -- in a good faith to a split to
19 a 50-50 in the security. Just to give you a rationale,
20 KIA has been very proactive trying to engage the
21 further gold mine to finalize security management
22 agreement. Unfortunately, by the time we get into
23 those eight year later, ten years later, we couldn't
24 get an agreement with -- with the Crown. And just to
25 go back in history, there was mandated in the report
26 the Nunavut Water Board put before, after -- after --

1 the first line says "granted" to Agnico Eagle, the KIA
2 and the Crown stated in the report they should work
3 together to resolve the issue. Therefore, the KIA has
4 been doing, during this time, all the followings: We
5 tried to recommend under -- when the legislation was
6 drafted, we recommend the Crown to address the issue of
7 security. They didn't -- they didn't do it. When the
8 regulation was drafted again, we submit to NTI IRS
9 again, a second time, a proposal as to change the
10 legislations to address this issue and then, again,
11 fell down the table.

12 The third regulation that we tried to address --
13 this is a new part of legislation -- which also didn't
14 address it, by our counsel that put forward the
15 recommendations to the -- during the drafting of those
16 legislations.

17 So to show that is down -- up to date, even though
18 we have committed by the Minister Aglukark and -- and
19 other parties to have a committee to work on the
20 security management agreement, unfortunately, we don't
21 have today a security management agreement; therefore,
22 the 50-50 is -- is no longer on the table after the
23 Crown put forward the report requesting the 100 percent
24 of security. During the first licence, which KIA get
25 14 percent -- I mean, \$14 million for security in the
26 time -- during the hearings, if you remember, we asked

1 the Board in the time to give us a few minutes to
2 resolve some issues to actually have a 50-50 security,
3 and that time, there was too short period of time to
4 actually agree on that when all the time during --
5 before the hearings and before that was working on the
6 basis of 50-50, and the last minute in those hearings,
7 if you read the records, the Crown requested for
8 the full security. We didn't want to damage the
9 process of the investment from the proponent in
10 order -- in -- in good faith will receive only
11 \$14 million for the security.

12 So now during operations, many things happened
13 that we will resolved. When the proponent is here in
14 operations, they've been very proactive in protecting
15 the environment, and we've been proactive with them in
16 doing a lot of scientific research that we carry
17 out and during operations to make sure we protect
18 environment. So at this time, no security management
19 agreement has been reached to resolve the
20 double-bonding issue.

21 KIA mandate requires the use of security for
22 purposes above and beyond the reclamation of the
23 affected waters resources. The Water Act only
24 contemplate water issues. In our case, under Article
25 20, all the water who -- who run through or out
26 Inuit-owned land should be substantially unaffected.

1 And having that big responsibility to grant
2 permission to the proponent to build a mine on
3 Inuit-owned lands granted to the Crown as a fee simple
4 title create a big responsibility to us. And we've
5 been very proactive in resolving all the issues to
6 date, and we don't want -- we want to exercise our
7 rights in that parcel, as granted to all the Inuit,
8 that we should manage the land properly.

9 And it's KIA's responsibility to ensure adequate
10 restoration to the standards required by the applicable
11 Regulations and the production lease, which is the --
12 the lease. In a good faith today, we can disclose the
13 lease as our evidence to you of how we manage and hold
14 the security. In the lease, you can find a section
15 which is security for reclamation purposes, and I spell
16 out that lease in how KIA will have access to the
17 security for the purpose of reclamation. And if the
18 proponent don't have any issue in disclosing that
19 document, I will -- we can give you a copy of the
20 document and also a copy of the letter of credit, give
21 it to KIA. The Meadowbank project is fully on
22 Inuit-owned lands, and KIA requires sufficient funds to
23 ensure all obligations respecting the environment are
24 met, and when we say that, we talking about lands and
25 waters as a whole unit.

26 The KIA is also concerned that the funds held by

1 the minister need to apply to the entire production
2 lease, and only that portion which applies directly to
3 the water resources and the funds held by the minister
4 may be insufficient for the remediation if uses -- if
5 that fund is uses -- will be used for other purposes in
6 the case of the Act for compensation. They give the
7 authority to the minister to use security for other
8 purposes other than reclamation. And we understand --
9 we understand the position with the Crown and
10 protecting the health of all Canadians. But that --
11 that title of property was granted to KIA, fee simple
12 title; therefore, we have the rights of those
13 boundaries for that parcel.

14 For us, compensation and security are separate
15 agreements. We hold a compensation agreement with the
16 proponent which cover all the compensation issues that
17 the proponent will -- may have during and after
18 operations.

19 And security has been assessed differently. The
20 KIA acknowledge the security can be reduced to
21 progressive reclamation in -- during closure, and we
22 proactively support the ongoing reclamation and
23 reduction of security as we move forward to avoid
24 liabilities in time.

25 The other issue in the security is the amendments
26 in that particular licence, in terms of the security.

1 Every time the proponent would -- just to give you an
2 idea what we mean with. If the proponent reclaim
3 50 percent of the lands in question, they would be
4 entitled to apply to get that money back from the
5 security. And we -- we do support that if the
6 restoration of that manner is being carry out properly,
7 the proponent should -- should get that. But under the
8 Act that require hearings like this, which -- which is
9 very expensive for the Kivalliq Inuit Association and
10 all the parties to -- trying to amend it, and -- and we
11 support this recommendation to be streamlined when that
12 licence is going to be amended.

13 And the last -- some of the last sides. The KIA
14 agrees with the final reclamation cost -- or the final
15 total reclamation cost of 86 million point 5. Now, we
16 are identifying the -- KIA has identified reclamation
17 costs estimated is -- and -- and related to lands and
18 water based -- and the rights are granted to us under
19 the Land Titles and the amendments for the Environment
20 Canada under the lake in question, which is the tailing
21 disposal, the split will be 90 percent for land and
22 10 percent from (sic) water.

23 That's the only change in this reclamation
24 assessment that we believe that portion belong to land
25 by virtue of the same legislation's amendments. The
26 land-based direct costs would be 56.5 million; the

1 land-based indirect costs would be 22 million 330;
2 total land costs would be 78.8 million; water-based
3 direct costs would be 5.2 million; water-based indirect
4 costs will be 2.4 million; total water costs would be
5 7.6 million.

6 And then here, as the assessment -- we did base,
7 and the information provided in the Golders' report
8 with the professional assessment was done under the
9 tailing disposal. The RECLAIM Model and how you
10 calculate the security -- no way in that model or
11 software hold by the Crown explain the rights in land
12 or in water, and, therefore, we submit this split to
13 you for the purpose of assessing the security. And we
14 believe that the section of the tailings is now land;
15 therefore -- as in the title of property, and therefore
16 we need to have the money to reclaim it as such.

17 KIA does not wish to double-bonding (sic), and,
18 like we say, we will provide the evidence -- we will
19 provide evidence and convey to you the lease, and we --
20 and how we hold the security, and copy of the letter of
21 credit we hold under that lease, and the terms and
22 conditions in which that security should be
23 administered under that lease, which is a --
24 specifically for abandonment and reclamation.

25 The reclamation security deposit can be accessed
26 by KIA, and anytime the proponent breaches or no --

1 they don't want it to comply -- KIA can have that money
2 to actually enable to remediate the site. The
3 proponent, at that point in time, they have five days
4 to bring that money back into -- into the letter of
5 credit. Up to today, the proponent haven't failed and
6 having not yet breach any of the provisions for
7 security deposit; therefore, we holding less an amount
8 that was set by Nunavut Water Board in 2008 in a
9 letter -- indefinite letter of credit.

10 We believe that the reclamation plan provide that
11 the proponent -- if they have any changes, who increase
12 that security doing operations, that cost of security?
13 Should it be increase or decrease, depend on the case.
14 The security deposit does not form acceptable to the
15 KIA, and holistically, we also in the lease -- we
16 contemplate not just what we want but also all the
17 federal legislation. It's a very standard lease who
18 (sic) contemplated -- any changes in legislations of
19 any kind, the proponent need to comply with. That
20 provisions alone encompasses any territorial, federal,
21 or any change to the amendments in legislations which
22 the proponent need to comply with.

23 And upon receipt of confirmation for regulatory
24 bodies who running the Meadowbank project, AEM has
25 fulfilled a closure and reclamation. KIA will then
26 release the security. This only will happen if all

1 the federal agencies are under their own legislation;
2 they are okay to release the proponent from the site.
3 At that point in time, KIA will consider the release of
4 that security when those legislations are in
5 compliances (sic).

6 We also confirm to the Board that KIA has executed
7 successfully a water compensation agreement for this
8 amendment and renewed a licence successful with the
9 proponent. This compensation agreement contemplate the
10 expanded Portage tailing and storage facility, the
11 expanded Portage waste rock storage facility, airport
12 runway expansion. This also included the Vault dyke
13 addition, loss of Vault Lake with Vault open pit,
14 addition of Vault waste rock storage facility, and
15 inclusion of additional funds for environmental
16 monitoring costs.

17 And that conclude with my presentation. KIA,
18 under -- excuse me -- under the compensation agreement
19 complete with the proponent, all these issues are being
20 tackled successfully, and we hold those funds annually
21 paid by the proponent as the operation are ongoing.
22 And that's the end of my presentation to the Board. If
23 you have any questions, I'm willing to respond to ...

24 THE CHAIR: Thank you, KIA, for your
25 presentation.

26 The time here is almost 12 o'clock here right now.

1 Before we go on to questions to the presentation, maybe
2 we should take a lunch break. How long would that be?
3 One hour. Okay. We'll take one hour. Come back here
4 at 1 o'clock.

5 (LUNCHEON ADJOURNMENT AT 11:51 AM)

6 (PROCEEDINGS RECOMMENCED AT 1:37 PM)

7 THE CHAIR: We shall proceed from the
8 lunch break. We had intervention on the floor with
9 KIA; so we want to start with an applicant to KIA
10 intervention, you may go ahead. Thank you.
11 Agnico Eagle Mines Limited Comments on Kivalliq Inuit
12 Association presentation

13 MR. CONNELL: Thank you, Mr. Chairman. It's
14 Larry Connell with Agnico Eagle. Not really a
15 question, just a confirmation. During Mr. Manzo's
16 presentation he asked if we were okay with the KIA
17 sharing a copy of the production lease, specifically
18 the terms, and also the form of our security with the
19 KIA, and we're -- we're quite happy with that. We can
20 consent to that. Thank you.

21 THE CHAIR: Thank you, applicant.
22 Is there any further question or comments?

23 Aboriginal Affairs, do you have a question?
24 Aboriginal Affairs and Northern Development Canada
25 Questions the Kivalliq Inuit Association

26 MR. LANDA: Hi. I'm Ken Landa from the

1 Government of Canada, legal advisor. My first question
2 is actually based on a question that Ms. Gilson asked
3 to AEM, and I want to confirm something that I think
4 everybody agrees about but want to make sure it's
5 clear.

6 You agree that it's not the Nunavut Water Board
7 that determines how much security the Kivalliq Inuit
8 Association should or ultimately will hold in its
9 private contractual arrangements with Agnico Eagle?

10 MR. MANZO: Luis Manzo, Kivalliq Inuit
11 Association. Yes, that's correct.

12 MR. LANDA: My next question -- Ken Landa,
13 Government of Canada. My next question, Mr. Manzo, is
14 on a similar topic, security, as well. Would you agree
15 that if the Board -- if the Board is going to reduce
16 the amount of security in the licence because of a
17 private security arrangement outside of the licence it
18 would be better if the Board had a good understanding
19 of that private security arrangement in your commercial
20 lease agreement with Agnico Eagle?

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

23 Yes, that's correct.

24 MR. LANDA: Thank you, Mr. Manzo, and
25 thank you, Mr. Chair. Those are my questions.

26 THE CHAIR: Okay. Continue on with the

1 Aboriginal Affairs. Go ahead.

2 MS. COSTELLO: Thank you very much,
3 Mr. Chair. Karen Costello for Aboriginal Affairs and
4 Northern Development Canada.

5 During the presentation by the Kivalliq Inuit
6 Association, a new -- a slide was presented that showed
7 the global estimate using RECLAIM but with a different
8 allocation based on their professional opinions and
9 assumptions on the distribution between land and water.
10 My question for the Kivalliq Inuit Association is will
11 that information be submitted as some form of technical
12 memo signed off by their professional engineer for
13 consideration before the Board in addition to the
14 summary being presented as part of the presentation?

15 Thank you, Mr. Chair.

16 THE CHAIR: Thank you.

17 KIA, respond to the question. Go ahead.

18 MR. MANZO: Thank you, Mr. Chairman. Luis
19 Manzo, Kivalliq Inuit Association. Yes. It's a --
20 it's a technical change in the distribution or the --
21 the total amount of security based in -- two things.
22 When it's legality, which is the title property, and
23 the other one is based on the title of property, as I
24 mentioned, it changed from water to -- to land. So --
25 but I'm willing to put that in a technical memo, if you
26 just wish to -- to explain it or -- I don't know if you

1 want to.

2 MS. COSTELLO: Thank you, Mr. Chair. That's
3 all. Karen Costello, for Aboriginal Affairs. I have
4 no further questions at this time.

5 THE CHAIR: Thank you, Aboriginal Affairs
6 and Northern Development.

7 Is there any questions from Environment Canada who
8 is on the teleconference?

9 MS. WILSON: Good afternoon. It's Anne
10 Wilson with Environment Canada, and we have no
11 questions. Thank you.

12 THE CHAIR: Thank you, Environment Canada.

13 Is there any further questions from the public?

14 Okay. Thank you. There's none.

15 Is there any question from the staff, Nunavut
16 Water Board staff? Okay. There's none.

17 Is there any questions from the panel members?

18 Okay. There is none. Thank you. We take that.

19 Thank you for -- KIA, for your presentation.

20 Legal -- your legal -- go ahead.

21 Discussion

22 MS. GILSON: Thank you, Mr. Chair. A
23 question for the Board, perhaps your legal counsel for
24 the Board. We've had a commitment to disclose the
25 terms of the production lease and a commitment to
26 disclose the letter of credit. I think Mr. Manzo

1 mentioned that this morning. And we've -- he's also
2 just responded to Ms. Costello's question about a
3 technical submission.

4 My question relates to when the Board would want
5 to see that, and -- and it may be a question you want
6 to defer until -- at the end of the today's
7 proceedings. But I just want at some point, if I
8 could, to have some direction as to when you would
9 expect us to make those submissions to you and -- and
10 to ensure that they would form part of the record, if
11 that's what the Board is looking for.

12 So that's my question, and I -- and I leave it to
13 you as to whether you answer it at this moment or
14 whether we wait until closer to the conclusion of
15 today's proceedings. Thank you.

16 THE CHAIR: Thank you.

17 Teresa, go ahead.

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

20 Ms. Gilson, I have those recorded as commitments,
21 but I think there is -- remains to be some discussion
22 with respect to keeping the record open, keeping the
23 record -- whether or not the record can closed without
24 these -- without this evidence, and so we would like to
25 defer that until we have a fuller and more complete
26 discussion of the record in these proceedings, and we'd

1 like to defer that until just before the final closing
2 comments of the parties.

3 So it is duly noted, and I have it written down,
4 but at this point, seeing as you've raised it, I would
5 ask if there are timing restrictions that you have in
6 terms of what would be a reasonable timeline to produce
7 this material, in the event that you have to, for
8 example, go back to your client and get further
9 instructions. Thank you.

10 THE CHAIR: Thank you, Teresa.

11 Go ahead, KIA.

12 MS. GILSON: Thank you, Mr. Chair.

13 Kimberly Gilson for Kivalliq Inuit Association.

14 Thank you, Ms. Meadows. We can provide the
15 production lease and the letter of credit fairly
16 quickly. The technical submission perhaps needs a
17 little longer; so if it's reasonable for the Board, we
18 would propose two weeks.

19 Thank you, Mr. Chair.

20 THE CHAIR: Thank you.

21 Teresa, go ahead and respond.

22 MS. MEADOWS: Teresa Meadows, legal counsel
23 for the Nunavut Water Board.

24 Thank you, Ms. Gilson. We've got that recorded,
25 and we'll have a more complete discussion, I'm sure,
26 when we get to that deferred issue, but thank you very

1 much for that direction.

2 THE CHAIR: Yeah, thank you.

3 So thank you. Thank you, KIA, for your
4 presentation.

5 Now I'd like to call the Aboriginal Affairs and
6 Northern Development Canada to have your intervention.
7 Before we proceed with your presentation, I'd like to
8 call Teresa to have you sworn in.

9 KAREN COSTELLO, Affirmed

10 DAVID ABERNETHY, Sworn

11 MS. MEADOWS: Ms. Costello, I have before me
12 a hard copy of the PowerPoint presentation that you are
13 about to present, and I will enter it as the next
14 exhibit in this hearing. Please proceed.

15 EXHIBIT 8 - Hard Copy PowerPoint Presentation
16 of Aboriginal Affairs and Northern
17 Development Canada Amendment/Renewal
18 Application of Water Licence 2AM-MEA0815
19 Meadowbank Gold Project Agnico Eagle Mines
20 Ltd. (AEM) (English/Inuktitut)
21 Presentation by Aboriginal Affairs and Northern
22 Development Canada

23 MS. COSTELLO: Thank you, Mr. Chair. As I
24 said, my name is Karen Costello. I'm with Aboriginal
25 Affairs and Northern Development Canada in the Iqaluit
26 regional office. I introduced David Abernethy; he's

1 one of our water resources regional coordinators and is
2 one of our technical people on this file. On the
3 phone, we have Jack Seto from BGC Engineering, and on
4 my left is Ken Landa, our legal counsel with Justice
5 Canada.

6 The licence review process is one that wouldn't be
7 possible without the -- the work of the staff but also
8 significant dialogue with the applicant. And at this
9 time, I would like to thank Agnico Eagle for making
10 themselves available for discussions with the
11 departmental staff during the licence renewal process,
12 as well as our thanks to the NIRB -- the Water Board
13 staff -- I see too much of Teresa -- and also thanks
14 for some -- some ongoing dialogue with the Kivalliq
15 Inuit Association.

16 Our presentation will include an overview of the
17 department's position; touch on, briefly, our roles and
18 responsibilities, which I mentioned during the
19 community presentation last night; we'll recap our
20 contributions to the application review process; our
21 final review comments and our conclusions.

22 Overall, Aboriginal Affairs is satisfied with the
23 water licence renewal application, and we recommend it
24 be accepted. The applicant has adequately addressed
25 the department's recommendations and technical comments
26 through clarifications and commitments. As you've

1 already heard, both from the applicant and from the
2 Kivalliq Inuit Association, all parties are in
3 agreement that the 86.5 million is a reasonable
4 estimate of reclamation costs.

5 And as I've mentioned earlier, and as you've
6 heard, one last question remains, and that's how much
7 security you, the Board, should require under the
8 licence, and should you reduce the amount of security
9 under the licence from what the reclamation cost
10 estimate is. The Department's position on discounting
11 of security that's required under the water licence is
12 conditional. We need it to be -- discounting to be
13 based on evidence that the landowner holds security,
14 and they do so that reasonably approximate security if
15 it was held under the water licence.

16 So as I mentioned last night, and as most of you
17 are familiar, Aboriginal Affairs' responsibilities,
18 mandate, and obligations stem from a variety of
19 legislation and policy: the Department of Indian
20 Affairs and Northern Development Act, the Nunavut Land
21 Claims Agreement Act, the Nunavut Waters and Nunavut
22 Surface Rights Tribunal Act and its associated
23 Regulations, Territorial Lands Act and its Regulations,
24 and the Mine Site Reclamation Policy for Nunavut.

25 The Department has been involved in this
26 application review since last year. We have -- we

1 provided a submission regarding -- as a completeness
2 review memo. Once the Board initiated the technical
3 review in November, we provided a technical review memo
4 just before Christmas. We followed that up with
5 participation in the technical meeting and prehearing
6 conference and then our final written submission of
7 April 8th.

8 The Department provided 29 technical comments and
9 recommendations in its technical review memo. Agnico
10 Eagle has provided clarifications and commitments
11 that -- to the Department's satisfaction on all of
12 these comments and recommendations. In the coming
13 slides, I'll discuss reclamation cost estimate
14 considerations that were also covered in the
15 Department's final written submission of April 8th.

16 As I've said, all the parties have agreed that the
17 reclamation cost estimate of 86.5 million is
18 reasonable. And as we've also heard, the estimate is
19 based on the December 2014 estimate that was prepared
20 by Golder Associates on behalf of the Agnico Eagle
21 using the most current version of RECLAIM as required
22 by the Department's Mine Site Reclamation Policy.

23 In addition, 1.6 million, which is a cost for
24 interim care and maintenance was added. As noted in
25 Agnico Eagle's presentation, a provision for interim
26 care and maintenance was not included in their

1 estimate, but they have said they accept including it.

2 At this time, just a recap that we have reached
3 agreement. No one's disputing the 86.5 million. And
4 as Agnico Eagle has already pointed out, under the
5 licence, the existing licence, the security amount that
6 has been set is 43.9 million, and this amount is
7 currently held by the minister as a letter of credit.

8 So under this process, the water licencing
9 process, you, the Board, have three options with
10 respect to security: Option 1, set the licence
11 security as the full amount of the reclamation cost
12 estimate; Option 2, set the licence security at less
13 than the reclamation cost estimate; or Option 3, not
14 require security under the licence.

15 In the last few years, the Department has
16 supported an approach in which the Nunavut Water Board
17 can reduce the amount of security at orders under the
18 water licence on the basis of private security held
19 outside the water licencing regime. The purpose of
20 this is to reduce over-bonding, often called
21 "double-bonding", and this occurs when an operator has
22 to secure the same reclamation activities to two secure
23 parties; in this case, the Crown under the Act and the
24 private landowner under their commercial arrangement.

25 As I said, the Department's support for
26 discounting to avoid over-bonding is conditional, and

1 it is crucial that the Board discount only when there
2 is evidence that the landowner actually holds enough
3 security and where the Board has seen that security
4 arrangement and come to the conclusion that the
5 security held under that instrument is a good
6 replacement for security that otherwise would have been
7 fixed by the Board as a condition of this licence. So
8 unless these conditions are met, the Board should not
9 discount the water licence security. We have just
10 heard of some commitments from Kivalliq Inuit
11 Association to provide some information; so this could
12 be potentially some evidence for the Board to consider.

13 Slides 8 through 14 go into some of the details of
14 some of the technical issues that we have raised with
15 the applicant and that we have resolved. The details
16 are articulated in our various written submissions, and
17 I will just basically read them over. I -- because
18 we've resolved them, I don't really want to take too
19 much of the Board's time by repeating this.

20 So we have reached some -- some agreement on the
21 calculation of indirect costs for final closure and
22 reclamation for the reclamation plan, and this was part
23 of some submissions provided by our consultant. In
24 Slide 9, we had some comments that resulted in
25 commitments from Agnico Eagle to provide some design
26 controls for acid-rock drainage in the tailings storage

1 facility and the waste rock storage facilities and to
2 take into consideration things such as climate change
3 in the final reclamation on closure plan. They've also
4 committed to reporting on progressive closure
5 activities in annual reports.

6 Agnico Eagle has commitment to provide details on
7 water treatment methods that may be required before and
8 during the flooding of pits to meet the Canadian
9 Council of Ministers of the Environment discharge
10 limits; they provided -- committed to provide details
11 on dust-suppression planning during closure; and
12 they've also committed to providing professional
13 engineers design stamp drawings for the till plug
14 adjacent to the Portage waste rock storage facility in
15 its 2014 annual report. This information was included
16 in the Department -- in the company's recent
17 submission, and I'd like to acknowledge that at this
18 time.

19 Slide 11, Agnico also committed to provide monthly
20 climate data in its 2014 annual report and in the --
21 again, in the recent submission, they have submitted
22 information as per their commitment. They've also
23 committed to provide monitoring data and analytical
24 discussions regarding permafrost encapsulation in the
25 waste rock storage and tailings storage facilities in
26 annual report submissions going forward.

1 They've committed to provide more details on
2 geothermal analysis in the final closure and
3 reclamation plan, as well as design details for water
4 management structures around the waste rock storage
5 facility and the tailings storage facility in the final
6 reclamation on closure plan. Another commitment was
7 provided to address specific measures of monitoring for
8 waste rock storage facility seepage in the final
9 reclamation and closure plan and also scoping level
10 costs associated with implementing contingencies to
11 validate that the contingency costs are adequately
12 covered in the reclamation plan cost estimate.

13 And my apologies, Slide 14 is a bit of a
14 duplication of Slide 8, but basically the company has
15 committed to providing updated costs when it does its
16 formal construction plan and construction schedule for
17 its final closure plan.

18 So in summary, the Department's comments are as
19 follows: The water licence renewal application should
20 be accepted. We find the reclamation cost estimate is
21 reasonable, and we're satisfied with the term; we have
22 no issues with a -- with a ten-year licence term. The
23 third bullet, again, is with regard to without evidence
24 on private security, the entire reclamation cost
25 estimate should be secured by the minister under the
26 water licence. As we have heard with the commitments

1 from the Kivalliq Inuit Association, there will be new
2 evidence coming, and the Department would appreciate an
3 opportunity to review it as it may have some impact on
4 our -- on our submission on the comments we provided in
5 our April 8th submission.

6 So that concludes our presentation. Thank you
7 very much, Mr. Chair.

8 THE CHAIR: Thank you. Thank you for the
9 intervention of Aboriginal Affairs.

10 So questions and comments. Start with applicants,
11 if you have a question to the intervention, go ahead.
12 Thank you.

13 MR. CONNELL: Thank you, Mr. Chairman.
14 Larry Connell with Agnico Eagle. I just want to thank
15 AANDC for their hard work on this file, but we have no
16 questions on (sic) them. Thank you.

17 THE CHAIR: Thank you.

18 And then KIA may have a question or comments to
19 the intervention.

20 Kivalliq Inuit Association Questions Aboriginal Affairs
21 and Northern Development Canada

22 MS. GILSON: Thank you, Mr. Chair.
23 Kimberly Gilson, Kivalliq Inuit Association.

24 Thank you, Ms. Costello. A question for
25 clarification: During your presentation, you mentioned
26 that Aboriginal and Northern Affairs Canada (sic) wants

1 evidence of the private security before it would be
2 comfortable that the Board ought the discount the
3 security. You also acknowledged, and we appreciate
4 that, that Kivalliq Inuit Association did commit today
5 to providing evidence for the Board to consider, but
6 you then went on to say that -- that some evidence was
7 committed by Kivalliq Inuit Association. My question
8 for you is, having made a commitment that we would
9 provide a copy of the production lease and the letter
10 of credit and in addition to the extent that it relates
11 to this question, the technical submission, when you
12 say that KIA has provided some evidence, is there
13 additional evidence that you are seeking, or is that
14 the sum of what it was you were looking for?

15 Thank you, Mr. Chair.

16 THE CHAIR: Thank you, KIA.

17 Aboriginal Affairs, do you have a response to the
18 question?

19 MS. COSTELLO: Thank you, Mr. Chair, and
20 thanks to the Kivalliq Inuit Association for that
21 question.

22 What the Department is looking for is some
23 concrete evidence, and until we see the lease in its
24 entirety, I -- I'm unsure if that will meet our needs.
25 From what we have -- understand, it -- it may, probably
26 will meet our needs, but I cannot say with 100 percent

1 certainty. And upon receipt of it, we will -- would
2 like the opportunity to -- to review it, and then we'll
3 provide a statement to the Board to the effect, once we
4 have had a chance to review it.

5 Thank you, Mr. Chair.

6 THE CHAIR: Thank you.

7 Is there any further questions? How about
8 Environment Canada, do you have any questions or
9 comments to the intervention of Aboriginal Affairs?

10 MS. WILSON: Thank you, Mr. Chair. It is
11 Anne Wilson with Environment Canada, and I have no
12 questions.

13 THE CHAIR: Thank you, Environment Canada.

14 Is there any questions from the staff? Okay. I
15 take it that there's none.

16 Is there any questions from the panel members?
17 Okay. I take it there is none.

18 Is there any question or comments from public?
19 Okay. I take it that there's none.

20 Thank you, Aboriginal Affairs And Northern
21 Developmental Canada, for your intervention.
22 Thank you.

23 Okay. The next intervention would take -- will be
24 Environment Canada. So open the floor for you,
25 Environment Canada. Is Environment Canada -- are they
26 still on the -- are they still on mic?

1 MS. WILSON: Hello, can you hear me? It's
2 Anne Wilson.

3 THE CHAIR: Now we can hear you now.
4 Yeah, we didn't hear you at the first place so ...
5 Presentation by Environment Canada

6 MS. WILSON: What I'll do is just give
7 you -- sorry. Anne Wilson, Environment Canada. I will
8 just give a quick summary of how Environment Canada's
9 concerns have been resolved and summarize our
10 intervention to the Water Board on this renewal
11 application. Environment Canada's review encompassed
12 the --

13 THE CHAIR: Excuse me, Environment Canada.
14 Okay. Sorry about that. No, it's -- no slides? Okay.
15 I'm sorry I interrupted you. Go ahead.

16 Environment Canada, I'm sorry for interrupting
17 you. I thought there was some presentation available
18 on the screen here, but there's none so you may go
19 ahead.

20 MS. WILSON: Anne Wilson, Environment
21 Canada. So Environment Canada's review included the
22 Type A water licence renewal application, the main
23 supporting documents, also the draft proposed water
24 licence, and an assortment of management plans which
25 fell under EC's mandate and interest.

26 I'll summarize the results of EC's review of the

1 renewal water licence application noting that this
2 reflects ongoing discussions with Agnico Eagle and
3 includes what we got from them for information and
4 commitments throughout the review process. As a result
5 of these discussions, Environment Canada's pleased to
6 report that there are no outstanding issues from the
7 technical review. Most of the items of concern were
8 addressed in the discussions leading up to and at the
9 technical sessions. Those were very helpful.

10 I'll just review the main items that are resolved;
11 these include the disclosure of the pit lakes and the
12 reconnection to the lakes in the area, as this will
13 have to be very carefully planned for and managed. To
14 prepare for this to happen, AEM has committed to
15 further work on closure water quality objectives and
16 associated action plans for the pit lakes. There will
17 also be ongoing updates to the modeling and the closure
18 predictions. This will inform any requirements for
19 water treatment so that at closure the pit lake water
20 quality can be appropriate for reconnection.

21 Environment Canada had a number of recommendations
22 on the quality assurance/quality control plans and
23 processes, and AEM has committed to addressing these
24 through revisions to the QA/QC plan as appropriate for
25 current requirements. We'd also flagged some concerns
26 with the Ammonia Management Plan; this is to be updated

1 and will include tracking and inspections. AEM has
2 committed to look at options for ammonia treatment for
3 inclusion with the final closure plan.

4 There were two points which required a bit more
5 followup for resolution. Environment Canada learned
6 that high tedious water or high salinity water managed
7 onsite should have an effluent criteria limit just in
8 case AEM would plan to discharge it at any point,
9 acknowledging that this is not the plan currently.
10 Environment Canada made the recommendation for the
11 Nunavut Water Board's consideration to use
12 1,400 milligrams, a conservative discharge limit, for
13 total dissolved solids from the Meadowbank Gold
14 Project. And because of the potential for toxicity
15 above this concentration, this would be both the
16 maximum grab and -- (LOST AUDIO FEED) -- concentration
17 limit. I will note that we did receive confirmation
18 from Stephani Robert of AEM that AEM was comfortable
19 with this proposed limit.

20 The other subject of negotiation with AEM was the
21 wording around the aquatic effects monitoring plan
22 conditions in the draft licence, and agreements were
23 reached with AEM on revised wording, and this was
24 provided to the Board for their consideration in our
25 intervention.

26 So there's a really quick summary of EC's

1 intervention, and if there is any questions on our
2 submission, I would be happy to take those now.

3 THE CHAIR: Thank you.

4 So take the floor for questions or comments.
5 Start with applicants.

6 MR. CONNELL: Thank you, Mr. Chairman.
7 Larry Connell with Agnico Eagle. Thanks to Environment
8 Canada for their work on this file, but we have no
9 questions at this time.

10 THE CHAIR: Thank you, applicant.

11 KIA might have questions or comments?

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

14 Thank you, Environment Canada. No questions at
15 this time.

16 THE CHAIR: Thank you.

17 And then Aboriginal Affairs and Northern
18 Development? No, there's no comments to make.

19 And the staff? Okay. There is nothing from the
20 staff as well.

21 And the Board panels? No, there's none as well.

22 How about from the public? Okay. There's none as
23 well.

24 Thank you, Environment Canada, for your
25 intervention.

26 MS. WILSON: Anne Wilson, thank you very

1 much for the opportunity. I'm sorry I couldn't be in
2 Baker Lake this week.

3 THE CHAIR: Before proceeding on with our
4 agenda, I just need a short clarification on this
5 Item 14 for now, Teresa.

6 Okay. In the agenda, is there any presentation
7 available from other parties or associations, agencies,
8 et cetera, who have advised the chairman -- is there
9 any presentation available? Okay. I take that there's
10 none. Okay. Let's take a short break before
11 proceeding on to Item 17.

12 (ADJOURNMENT)

13 THE CHAIR: Okay, we shall proceed in this
14 hearing. We are getting close to -- getting to closing
15 arguments, but before we do that, I'd like to say it is
16 my understanding that the parties may have motions to
17 present to the Board before we proceed, the -- reply by
18 the applicant. Okay. Let's proceed to the motion.

19 Go ahead.

20 Motion by Aboriginal Affairs and Northern Development
21 Canada (Motion)

22 MR. LANDA: Ken Landa, Justice Canada,
23 Government of Canada's counsel.

24 Aboriginal Affairs does have a motion that I'm
25 going to present. The motion is based on discussions
26 that Aboriginal Affairs has had with both Agnico Eagle,

1 the applicant, and the Kivalliq Inuit Association, the
2 interveners. The motion is based on what we've seen
3 over the last day and the material that the Board has
4 already seen and the material we've been told the Board
5 should expect is yet to be filed. We know there's new
6 information coming.

7 And so the motion is that the Board should please
8 keep the record open for a period of three weeks, and
9 at the end of that three weeks, or within that three
10 weeks, new information, new evidence would be filed,
11 and it would give the opportunity for updating the
12 submissions of potentially each of the parties. And
13 the goal is, having realized that there's one very
14 significant issue on which the Board is getting advice,
15 pushing the Board in different directions, there may
16 well be an opportunity to reduce the issues and to give
17 the Board, if not one single consent set of
18 recommendations, at least recommendations that are
19 updated on the best evidence that's available and have
20 made best efforts to accommodate the views and
21 submissions of the other parties.

22 THE CHAIR: Thank you.

23 Teresa, go ahead.

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

26 Thank you, Mr. Landa. And I would just like to

1 ask that we have Agnico Eagle provide their perspective
2 on the motion as well, and also then I'll ask that the
3 Kivalliq Inuit Association provide us with their
4 submissions on the motion. Thank you.

5 Submissions by Agnico Eagle Mines Limited (Motion)

6 MR. CONNELL: Thank you, Mr. Chairman. It's
7 Larry Connell with Agnico Eagle. We can agree with
8 this -- the motion to extend -- or leave the hearing
9 open for a three-week period. This is obviously a very
10 key issue to us. We want to work hard with the parties
11 to see if we can't find a way through the issue of
12 over-bonding and address it, and so we can agree
13 that -- that this is a logical thing to try and do.

14 We would hope that at the end of that three-week
15 period that whatever we have to do to come back
16 together that we could do it via teleconference, rather
17 than having to -- to come back together because of
18 travel schedules and all the hassles that takes. So we
19 would hope that that would be a consideration.
20 Thank you.

21 THE CHAIR: Thank you, applicant.

22 KIA?

23 Submissions by the Kivalliq Inuit Association (Motion)

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

25 Kimberly Gilson for the Kivalliq Inuit Association.

26 Kivalliq Inuit Association consents to the motion.

1 Thank you.

2 THE CHAIR: Thank you.

3 Teresa.

4 MS. MEADOWS: Thank you, Mr. Chair. Teresa
5 Meadows, legal counsel for the Nunavut Water Board. I
6 do have a followup question for you, Ms. Gilson, and
7 that is with respect to timing. Given that -- it's my
8 understanding that the filing of the technical memo
9 would be probably about two weeks away, whether or not
10 the three-week time window is going to provide everyone
11 with enough time to actually review that technical memo
12 and then be able to reply to it.

13 My understanding is that the lease and the letter
14 of credit are things that could be very easily produced
15 in a short period of time, but that the technical memo
16 may take a little longer?

17 THE CHAIR: Go ahead, KIA.

18 MS. GILSON: Thank you, Mr. Chair.

19 Kimberly Gilson, Kivalliq Inuit Association.

20 Thank you, Ms. Meadows. We struggled in our
21 discussions to find the right amount of time that would
22 allow the parties enough opportunity to see whether we
23 could reach some resolution, as Mr. Landa has proposed,
24 without extending it so long that it puts issues in
25 jeopardy and puts the Board in a difficult position,
26 not to mention the applicant in these proceedings.

1 We will do our best to get the technical
2 submission done sooner than the two weeks. The reason
3 we proposed two weeks is because we don't have the
4 individual in the room who would be tasked, in part,
5 with Mr. Manzo's assistance, to tell us that, yes, he
6 can do it inside of two weeks, and so we've attempted
7 to accommodate his schedule. We will -- I think
8 Mr. Manzo will agree -- encourage our people who are
9 assisting Kivalliq Inuit Association to try and do it
10 as quickly as possible, not use up all of the two weeks
11 if that's possible.

12 So the three weeks is our best estimate as to a
13 reasonably achievable time frame within which we hope
14 to resolve matters in a way satisfactory to all the
15 parties, and if not, to present to the Board whatever
16 it is that we have at that time. Thank you.

17 THE CHAIR: Thank you.

18 Teresa.

19 MS. MEADOWS: Thank you, Mr. Chair.

20 Are there any further comments that anyone would
21 have to the motion before the panel adjourns briefly to
22 have a discussion with respect to motion that's on the
23 floor?

24 THE CHAIR: Yeah, we take that there's no
25 further questions. Okay. I got the direction from the
26 legal counsel that we have -- adjourn for now. Yeah,

1 about, 15 minutes adjourn, and then we'll come back
2 again. Thank you.

3 (ADJOURNMENT)

4 THE CHAIR: Okay. We shall proceed in our
5 setting here. So, okay, we had a short meeting. So I
6 think Teresa will take the floor for us, the Board.
7 Thank you.

8 Response from the Nunavut Water Board (Motion)

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

11 As Mr. Chair indicated, the panel has considered
12 the motion that was before -- put before us by
13 Aboriginal Affairs and Northern Development Canada and
14 essentially by consent with the parties. And so as
15 requested, the panel's considered the request to keep
16 the hearing record open beyond the close of this public
17 hearing today. We understand that the purpose of
18 keeping the record open would be to allow the parties
19 to provide further evidence and an opportunity to reply
20 to further evidence provided and perhaps indicate any
21 changes in position or agreements that the parties may
22 come to in this intervening time period.

23 We also understand that the time period is three
24 weeks. So recognizing the obvious importance of these
25 issues of security to the applicant, to Aboriginal
26 Affairs and Northern Development Canada, and the

1 Kivalliq Inuit Association, as well as to the Board,
2 and to the importance of having a full and complete
3 record before the Board and the panel -- before making
4 this decision, the Board has decided to grant the
5 motion to keep the public hearing record open.

6 And so by way of Motion Number 2015-04-P9-02, the
7 Board made the motion to keep the public hearing record
8 open for purposes of receiving further evidence on
9 security and associated reply submissions by the
10 parties to be filed on or before Friday, May the 22nd,
11 3 PM Mountain Time. And the Board will also be issuing
12 further written direction as of May 4th, so Monday, May
13 4th, this coming Monday. We will issue further written
14 direction to the parties and for the registry purposes
15 with respect to the hearing record remaining open.

16 For all of the parties that are here, I want to
17 advise you as well that on May 22nd, or as soon as
18 possible thereafter, when further and additional
19 information has been received, the panel will then
20 reconvene to consider whether or not to close the
21 record. So it's not an automatic closure of the
22 record. The panel will still reconvene and consider
23 whether or not all evidentiary requirements have been
24 met for the application, and the matter can be remitted
25 to the panel.

26 While the record remains open, the matter is not

1 at all remitted to the panel; so there will be no
2 discussions, no deliberations, on the part of the panel
3 with respect to the application. That does not take
4 place until the record finally closes. And upon the
5 panel reconvening to consider whether or not the record
6 closes, additional correspondence would be issued by
7 the Board to confirm if the record is closed and the
8 matter has been remitted to the panel and to advise
9 everyone with respect to the next steps.

10 So with that, Mr. Chair, that is the disposition
11 of the motion, and my recommendation is now to proceed
12 to Item 17 on the hearing agenda.

13 Thank you, Mr. Chair.

14 THE CHAIR: Thank you, Teresa.

15 As the legal counsel said, Item 17 on the agenda.
16 Upon completion of the presentation by all parties, the
17 parties will have an opportunity to make a final
18 closing statement, taking into account matters raised
19 at the hearing.

20 So I'd like to start with Kivalliq Inuit
21 Association to have a closing statement.

22 Closing Remarks by the Kivalliq Inuit Association

23 MR. MANZO: Thank you, Mr. Chairman and
24 members of the Board. My name is Luis Manzo, director
25 of lands of Kivalliq Inuit Association.

26 First of all, I would like to thank the public

1 here present and take the time to come to the water
2 licence hearings. I also would like to thank the
3 staff of the Nunavut Water Board for their hard work to
4 be able to track all the changes of all the evidence
5 and all the records in place, and also the Board to --
6 for having this hard task too.

7 And also thank you to leave the record open.
8 We're hoping to address the issue that you have in
9 front of you in the next two weeks, and we come with a
10 better position to you and hope -- I'm -- KIA is open
11 to any new models or new agreements that we can
12 address, and they will have a better comfort to set
13 security or recommendations for it.

14 And thank you to the proponent for all the effort
15 and back and forth to KIA. We know sometimes we too
16 tough, but that's the matter of the business.

17 And thank you to Indian (sic) Northern Affairs,
18 Environment Canada, and thank you, Mr. Chairman.

19 THE CHAIR: Thank you, KIA.

20 The next is Aboriginal Affairs; do you have
21 closing statements?

22 Closing Remarks by Aboriginal Affairs and Northern
23 Development Canada

24 MS. COSTELLO: Thank you, Mr. Chair. Karen
25 Costello for Aboriginal Affairs Northern Development
26 Canada. I touched on it briefly in my presentation,

1 but Aboriginal Affairs very much appreciates the
2 efforts of the staff in coordinating the licencing
3 process. I haven't been on one Water Board or NIRB
4 process where we haven't had to deal with something,
5 power failures, water, weather; so really, it's a
6 matter of going with the flow, no pun intended, but
7 thanks for your flexibility. And thanks for the
8 flexibility and willingness to -- to get the job done
9 from our partners in this process.

10 Thanks to Agnico Eagle. We've had lots of
11 dialogue with them, and we expect that in the next
12 three weeks, we'll continue to that dialogue.

13 Thanks to Kivalliq Inuit Association and our
14 colleagues at Environment Canada.

15 I appreciate the community coming out. Had a
16 lovely chat with Theresa (phonetic) from Chesterfield
17 Inlet at the break. I'm happy to see that there's
18 interest in this project from Chesterfield and also the
19 people in Baker Lake. So thank you for your attention
20 and questions during this hearing.

21 As well, there's all of the people that make this
22 look seamless: The staff, whether it be -- including
23 Robin, Ben; the interpreters; the sound technician; and
24 there's no shortage of food thanks to the caterers. So
25 again kudos to everyone's efforts.

26 We appreciate the motion being granted, and we are

1 committed to regular interaction with both Agnico and
2 Kivalliq Inuit Association between now and May 22nd.
3 So thank you for that, and we look forward to the next
4 time we meet. Thank you.

5 THE CHAIR: Thank you, Aboriginal Affairs
6 and Northern Development.

7 The next is Environment Canada. If you have a
8 closing statement to make, you may do so.

9 Closing Remarks by Environment Canada
10 (Via Teleconference)

11 MS. WILSON: Thank you, Mr. Chair. It's
12 Anne Wilson with Environment Canada. I just wanted to
13 say thank you to the Board for the opportunity to
14 present our informal verbal intervention in this
15 hearing. And I'd also like to say a big thank you to
16 the Board staff and to the proponent for a very
17 collaborative and constructive process to get us to
18 this point where we are actually at a hearing where we
19 don't have a long list of concerns. So with that, I'd
20 just like to say we'll look forward to the renewal
21 licence coming out and to continue working on this
22 file. Thank you.

23 THE CHAIR: Thank you, Environment Canada.
24 Thank you.

25 And the next is applicant, make a closing
26 statement. Thank you.

1 Closing Remarks by Agnico Eagle Mines Limited

2 MR. CONNELL: Thank you, Mr. Chairman. It's
3 Larry Connell with Agnico Eagle. I want to start off
4 by echoing what you've already heard. A very special
5 thanks to the Board and their staff. These kinds of
6 events -- there's been -- not just this hearing --
7 there's been a lot of preparatory work, a lot of
8 background work through the technical meeting, and it's
9 been a very professional job done and a lot of hard
10 work, and we appreciate that and thank your staff for
11 you.

12 Also, thank for the community for staying with us,
13 staying -- coming last night. And a special thanks to
14 all the parties who have been involved in this process.
15 As Anne Wilson just said there, it takes time to build
16 consensus. It's -- it's not just us alone. There's
17 been a lot of hard work and willingness to -- to work
18 in a cooperative manner, and we've had good partners
19 throughout this and the parties here.

20 You may think that -- that it's strange that
21 there's not a lot of issues, but those issues -- that
22 comes about from the hard work that was done through
23 the review process, through the technical meetings, to
24 find a method to accommodate and reach a consensus on
25 what was best for the protection of the environment as
26 we move forward through the water licencing process.

1 We do ask the Board to renew the Type A water
2 licence for the Meadowbank Mine, as we've laid out in
3 our application, for a period of ten years. There
4 seems to be consensus, as you've heard, from the
5 parties supporting this application on most of the
6 issues. We do know that there's one outstanding item;
7 it's -- that is the form of the security and hence the
8 proportion that would be held under the water licence
9 of the security. But there is agreement on the amount
10 of that security; the 86.5 million is an agreed-upon
11 amount.

12 From our perspective, we have been frustrated by
13 the issue of over-bonding, and we hope that an
14 equitable solution can be found to minimize that amount
15 of over-bonding, and we do thank the Board for giving
16 us this period of time to continue that dialogue and
17 discussions and see if we cannot find an equitable way
18 through this issue.

19 I just want to end off by -- we've had a lot of
20 talk during this past day, day and a half, over closure
21 of Meadowbank, and it's all doom and gloom that
22 Meadowbank is coming to a close in 2017. I just wanted
23 to end on a bit an optimistic or more optimistic note.
24 At Meadowbank, and at AEM, we have not given up on
25 Meadowbank and extending that mine life. We currently
26 are working through the NIRB process on the -- an

1 extension of the Vault deposit. That will be a subject
2 of future water licence hearings, we hope, down the
3 road. And so that -- and -- and you've heard through
4 the press that we've had some exciting exploration
5 finds at another satellite deposit 50 kilometres from
6 Meadowbank called "Amarok", and while we don't know
7 whether there's going to be a mine or a reserve there,
8 it definitely seems to fall within the capacity that we
9 can haul that material and successfully use that
10 material to extend the -- the mine life at Meadowbank.

11 We're in the process of continuing to do
12 exploration. We're putting a lot of funding and energy
13 in that so that we're -- we want to leave with some
14 optimism that we will be coming back to the Board after
15 the -- through the NIRB process to try to find ways to
16 extend the life of the Meadowbank operation.

17 On that basis, thank you very much.

18 Closing Remarks by the Chair

19 THE CHAIR: Thank you, applicant.

20 Okay. The chairman shall do the last closing
21 statements here. Okay. Pleased to -- to the public
22 hearing -- sorry. The Board takes this opportunity to
23 thank the parties, especially the applicants, Agnico
24 Eagle Mines Limited; interveners, NWB -- sorry, NWB
25 staff -- sorry, trying to make it very -- trying to say
26 right one this time -- okay -- interpreters, Ben Kogvik

1 and Alexander Alooq; court reporter, Sara Anderson; and
2 Pido Productions, Ryan Dempster; all the community
3 members and the elders for their valued participation
4 in this hearing.

5 Thanks also to the Hamlet of Baker Lake for this
6 outstanding hospitality and patience with the Board, as
7 we had delayed start to the hearing due to weather and
8 now the flight delays.

9 As we are at the close of the hearing, I will make
10 some comments to let the parties know that -- know what
11 happens next to the application. The Board has granted
12 a request to keep the record open. As this additional
13 information is required by the Board to consider the
14 application, the Board will keep the record open until
15 additional information has been received by -- on
16 May 22nd, 2015. Only after the Board has received this
17 information and has indicated that the record for this
18 hearing is closed will this matter be remitted to the
19 panel to make a decision. Within about 30 to 45 days
20 of hearing record closing and application being
21 remitted to the panel, the panel will issue a decision
22 report to the minister of Aboriginal Affairs and
23 Northern Development Canada regarding whether to issue
24 a renewal/amended Type A licence to the applicant. If
25 the Board decision is to recommend that a Type A
26 licence be issued, the Board will also attach the copy

1 of the licence to the decision report to the review of
2 the minister. The Board reasons for decision and
3 attachments will also be provided, the distribution
4 list for the file, and will be publicly available for
5 the NWB's public registry as well.

6 I would encourage everyone interested in receiving
7 a copy of the Board's reason for decision to get with
8 the Board, and the staff can make sure you are on the
9 list -- on distribution list.

10 Thank you, everyone. The concludes the public
11 hearing for the renewal/amendment for Type A Water
12 Licence 2AM-MEA0815. We are now adjourned, and have a
13 good afternoon and evening. Safe travel home to all
14 visitor and -- to Baker Lake.

15 Now I'd like to call David Aglukark, the panel
16 member, to say closing prayer for us.

17 (CLOSING PRAYER)

18

19 PROCEEDINGS CONCLUDED

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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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8	for Type A Water Licence Renewal Final	
9	Public Hearing Presentation, April 29-30,	
10	2015 (English) (Amended on Page 32)	
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12	EXHIBIT 7 - Hard Copy PowerPoint	150
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18	EXHIBIT 8 - Hard Copy PowerPoint	167
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