

<p style="text-align: right;">1</p> <p style="text-align: center;">NUNAVUT WATER BOARD</p> <p>Water License Amendment Application No: 2AM-MEL1631</p> <hr/> <p style="text-align: center;">HEARING VOLUME 1</p> <hr/> <p style="text-align: center;">Rankin Inlet, Nunavut September 11, 2024</p>	<p style="text-align: right;">2</p> <p style="text-align: center;">TABLE OF CONTENTS</p> <p>1</p> <p>2</p> <p>3 Description Page</p> <p>4</p> <p>5 September 11, 2024 Morning Session 8</p> <p>6 Opening Remarks 12</p> <p>7 Roll Call 25</p> <p>8 Procedural Matters by Nunavut Water Board 30</p> <p>9 Legal Counsel</p> <p>10 JAMIE QUESNEL, COLLEEN PRATHER, AND PUJJUUT 32</p> <p>11 KUSUGAK, Affirmed</p> <p>12 Presentation by Agnico Eagle Mines Limited 33</p> <p>13 Nunavut Tunngavik Incorporated Questions 53</p> <p>14 Agnico Eagle Mines Limited</p> <p>15</p> <p>16 September 11, 2024 Afternoon Session 54</p> <p>17 Environment and Climate Change Canada 55</p> <p>18 Questions Agnico Eagle Mines Limited</p> <p>19 Fisheries and Oceans Canada Questions Agnico 61</p> <p>20 Eagle Mines Limited</p> <p>21 Nunavut Water Board Staff Questions Agnico 64</p> <p>22 Eagle Mines Limited</p> <p>23 LUIS MANZO, MATT MCDOUGALL, AND ALAN SEXTON, 69</p> <p>24 Affirmed</p> <p>25 Presentation by Kivalliq Inuit Association 70</p> <p>26 Agnico Eagle Mines Limited Questions Kivalliq 78</p>
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<p>9</p> <p>1 C. Prather Permitting and Regulatory 2 Affairs Superintendent 3 J. Range Regulatory Specialist 4 E. Malindzak Permitting Specialist, 5 Fisheries 6 S. Savoie Meliadine Environmental 7 Superintendent 8 L. Chouinard Project Manager, Meliadine 9 J. Haloui Meliadine Project Lead 10 P. Kusugak Director of Nunavut 11 Affairs 12 D. Kritterdlik IQ and Wildlife Advisor, 13 Whale Cove 14 M. Turmel Public Affairs 15 Superintendant 16 B. Doroudiani Permitting Specialist, 17 Water 18 J.C. Blais Meliadine General Manager 19 D. Rodrigue Meliadine General 20 Superintendant 21 S. Jackson Consultant Senior 22 Hydrologist 23 C. Kowbel Legal Counsel 24 J. Aggark Community Liaison Officer, 25 Chesterfield 26 D. Aglukark Kivalliq Elder, Arviat</p>	<p>10</p> <p>1 L. Ramilo Permitting Specialist, 2 Water 3 L. Mah Permitting Specialist, 4 Water 5 6 INTERVENORS 7 8 NUNAVUT TUNNGAVIK INCORPORATED 9 E. Greene Acting Senior Advisor, 10 Land-Use Planning and 11 Regulatory Reviews 12 R. Mercer Resource Management 13 Coordinator, Department 14 of Wildlife and Environment 15 D. Fredlund Chief Operating Officer 16 A. Yuan Legal Counsel 17 G. Nirlungayuk Director of Wildlife and 18 Environment 19 20 KIVALLIQ INUIT ASSOCIATION 21 L. Manzo Director of Lands 22 J. Katz Legal Counsel 23 M. McDougall Water Quality and Fish 24 Habitat 25 A. Sexton Geology Engineer 26 J. Tulugak Wildlife and Traditional</p>
<p>11</p> <p>1 Knowledge 2 A. Aupaluktuq-Burton Lands Admin Coordinator 3 4 CROWN-INDIGENOUS RELATIONS AND NORTHERN AFFAIRS 5 CANADA 6 J. Hart Acting Director of 7 Resource Management 8 A. Haque Water Management 9 Coordinator 10 S. Tielesh Legal Counsel 11 T. Brown Consultant 12 G. Wiatzka Consultant 13 14 ENVIRONMENT AND CLIMATE CHANGE CANADA 15 R. Wykes Senior Environmental 16 Assessment Coordinator 17 S. Forte Water Quality Analyst 18 S. Mallon Environmental Assessment 19 Officer 20 21 FISHERIES AND OCEANS CANADA 22 J. Audet-Lecouffe Acting Team Leader, Fish 23 and Fish Habitat Protection 24 Program 25 D. Donald Fish Biologist 26 J. Loughery Senior Fish Biologist</p>	<p>12</p> <p>1 INTERPRETERS/TRANSLATORS 2 M. Angoshadluk Inuktitut Language 3 Translator 4 5 A. Vidal, CSR(A), RMR Official Court Reporter 6 7 R. Dempster Sound Technician 8 9 (PROCEEDINGS COMMENCED AT 10:05 AM) 10 Opening Remarks 11 THE CHAIR: Good morning and welcome 12 to the public hearing associated with the 13 application filed by Agnico Eagle Mines Limited 14 seeking amendments to the Type 'A' water 15 licence Number 2AM-MEL1631 for the continued 16 use of water and deposit of waste associated 17 with the Meliadine Gold Mine defined as the 18 "mining undertaking" under the Nunavut Waters 19 Regulations. 20 My name is Elizabeth Copland, and due to 21 some vacancies and scheduling conflicts for 22 Board members, I am acting as the chairperson 23 for this decision-making panel of the board so 24 that Lootie Toomasie, the Board's chairperson, 25 can participate as a decision-maker for this 26 panel, which is necessary for the Board to</p>

<p style="text-align: right;">13</p> <p>1 comply with the panel membership requirement</p> <p>2 under the Nunavut Agreement.</p> <p>3 So before we proceed, we're going to give</p> <p>4 the opening prayer. Lootie will give the</p> <p>5 opening prayer.</p> <p>6 Opening Prayer</p> <p>7 THE CHAIR: Ma'tna, Lootie.</p> <p>8 Okay. On behalf of the Nunavut Water</p> <p>9 Board, I would like to welcome you to this</p> <p>10 public hearing in Rankin Inlet.</p> <p>11 Now, to provide some background and set the</p> <p>12 stage for the public hearing for the Nunavut</p> <p>13 Water Board, which I shall refer to the "Board"</p> <p>14 or the "NWB".</p> <p>15 It's an institution of public government</p> <p>16 created under Article 13 of the Nunavut</p> <p>17 Agreement and the Nunavut Waters and Nunavut</p> <p>18 Surface Rights Tribunal Act. The NWB is</p> <p>19 responsible for the use, management, and</p> <p>20 regulation of freshwater in the Nunavut</p> <p>21 settlement area.</p> <p>22 The purpose of this public hearing is to</p> <p>23 review an application filed by Agnico Eagle</p> <p>24 Mines. I may refer to them as "Agnico Eagle"</p> <p>25 or the "applicant". This is to amend the</p> <p>26 existing Type 'A' water licence for the use of</p>	<p style="text-align: right;">14</p> <p>1 water and deposit of waste associated with the</p> <p>2 mining undertaking for the Meliadine Gold Mine</p> <p>3 or Meliadine gold project.</p> <p>4 In this amendment application, Agnico Eagle</p> <p>5 proposes to expand the scope of the existing</p> <p>6 water licence to include mining of four</p> <p>7 additional deposits and to add additional</p> <p>8 project infrastructure to service the</p> <p>9 additional mining activity.</p> <p>10 The amendment application also seeks an</p> <p>11 increase to the amount of freshwater that</p> <p>12 Agnico Eagle is authorized to use under the</p> <p>13 water licence. All of these proposed changes</p> <p>14 were previously assessed by the Nunavut</p> <p>15 Planning Commission and the Nunavut Impact</p> <p>16 Review Board in 2014 and were approved to</p> <p>17 proceed to the Nunavut Water Board licencing</p> <p>18 process at this time.</p> <p>19 Agnico Eagle Mines operates the Meliadine</p> <p>20 mine located approximately 25 kilometres north</p> <p>21 of Rankin Inlet. The use of water and deposit</p> <p>22 of waste for this project is licenced under the</p> <p>23 Type 'A' water licence 2AM-MEL1631, which was</p> <p>24 originally issued on April 15, 2016, and</p> <p>25 expires on March 31, 2031. The Nunavut Water</p> <p>26 Board has amended the water licence two times</p>
<p style="text-align: right;">15</p> <p>1 in 2020 and 2021 since it was first issued to</p> <p>2 Agnico Eagle in 2016.</p> <p>3 As set out in Section 13.3.6 of the Nunavut</p> <p>4 Agreement and Section 29 of the Nunavut Waters</p> <p>5 and Nunavut Surface Rights Tribunal Act, the</p> <p>6 Board has delegated its power to dispose of all</p> <p>7 matters related to the processing of the</p> <p>8 application to the Type 'A' licence 2AM-MEL1631,</p> <p>9 including the conduct of this public hearing to</p> <p>10 a panel of the Board, which is referred to as</p> <p>11 the "Meliadine panel" or "P15 panel".</p> <p>12 I will be chairing this panel. With me</p> <p>13 today as members of the P15 panel, we have</p> <p>14 Uriash Puqignak and Lootie Toomasie, the</p> <p>15 Board's chair with me on the right.</p> <p>16 Several NWB staff members who have</p> <p>17 contributed to administration and technical</p> <p>18 review of this application are present along</p> <p>19 with the legal counsel to the NWB, and I will</p> <p>20 introduce the individuals in attendance. We</p> <p>21 have Stephanie Autut, our executive director;</p> <p>22 Ben Kogvik, director of board administration</p> <p>23 and communications in the back; Richard Dwyer,</p> <p>24 licencing administrator in the front; Mohammad</p> <p>25 Ali Shaikh, technical advisor; Teresa Meadows</p> <p>26 from Meadows Law, legal counsel of the board;</p>	<p style="text-align: right;">16</p> <p>1 and Nidhi Singh, technical advisor. I think</p> <p>2 she's in the front too.</p> <p>3 In addition, we have interpreters. We have</p> <p>4 Mary Rose Angoshadluk. Sikati is not here but</p> <p>5 helping her is Ben Kogvik right at the front</p> <p>6 over here.</p> <p>7 For audio support, we have Ryan Dempster</p> <p>8 from PIDO Productions. If you have any</p> <p>9 experience -- if you experience any</p> <p>10 difficulties with your earpiece, please let</p> <p>11 Ryan know.</p> <p>12 To ensure we have accurate records, record</p> <p>13 of the proceedings, we have with us court</p> <p>14 reporter Andres Vidal from Dicta Court</p> <p>15 Reporting.</p> <p>16 And before I move on to overview of this</p> <p>17 application and what to expect today during</p> <p>18 this public hearing, there are some important</p> <p>19 housekeeping issues, items for everyone here,</p> <p>20 and, first, as indicated, there is</p> <p>21 interpretation available. Channel Number 2 is</p> <p>22 English. Channel Number 3 is Inuktitut.</p> <p>23 And, second, the Board appreciates if</p> <p>24 everyone, including the applicant, intervenors,</p> <p>25 and members of the public, sign in on the</p> <p>26 sheets located at the table as you come in.</p>

<p style="text-align: right;">17</p> <p>1 This is an important record of the public 2 hearing, and we appreciate your help in making 3 sure it's complete. 4 Thirdly, the agendas for the public hearing 5 and the community session are available at the 6 back. Please pick one up and follow along as 7 we proceed. 8 The washrooms are located near the entrance 9 to the hall, and the exits are in the front and 10 back of the hall. There will be coffee, tea, 11 and snacks brought in during the breaks 12 throughout the hearing, and you are welcome to 13 help yourself. 14 And I would like to also remind everyone to 15 please turn off your cell phones or put them to 16 silent mode before we begin. Thank you. 17 Finally, to assist both our interpreters 18 and the court reporter, please wait to have a 19 microphone before you speak. Then state your 20 name, speak clearly and slowly, and avoid the 21 use of abbreviations. We appreciate your 22 assistance in making sure your comments are 23 recorded and the Board's record of proceedings 24 is accurate and complete. 25 If the media is present today, I would like 26 to notify everyone that the media might be</p>	<p style="text-align: right;">18</p> <p>1 present and may be reporting on this public 2 hearing. For the benefit of all participants, 3 the Board asks that members of the media sign 4 in with the Board and wear a press badge or 5 other identification so that all parties know 6 that you are a member of the media and who you 7 represent. 8 I would just like to remind parties that 9 while these proceedings are public, the Board 10 reminds everyone that the Nunavut Water Board 11 prohibits recordings of the audio, video, and 12 images of this public hearing unless the Board 13 has given prior written consent. 14 The Board also asks all parties to refrain 15 from making any comments that may imply a 16 certain action or decision of the Board because 17 the Board cannot comment on this amendment 18 application while the application is before the 19 Board. Following the close of the record for 20 this public hearing, the Board's decision and 21 recommendations will be -- with respect to the 22 amendment application will be communicated in a 23 publicly available decision report. 24 Until that time, the Board reminds everyone 25 that the panel members and the Board staff will 26 not discuss the substance of the hearing or the</p>
<p style="text-align: right;">19</p> <p>1 matters before the Board with any of the 2 parties or the media. 3 If you have any questions regarding the 4 Board and its practices or procedures, please 5 speak with the Board's executive director, 6 Stephanie Autut, and she will assist you. 7 I will give a brief history of the 8 application which is before the Board. The 9 scope of the proposed amendments include the 10 following: an increase to the amount of 11 freshwater used each year for the operations 12 stage. The requested increase is from the 13 current licenced amount of approximately 14 740,000 cubic metres per year to 1.1 million 15 cubic metres per year. For the project closure 16 stage, the requested increase is from the 17 current licenced amount of approximately 18 4 million cubic metres per year to 8.7 million 19 cubic metres per year. 20 And the addition of open-pit mining of 21 Pump, F Zone, Wesmeg, and Discovery deposits 22 and associated infrastructure; the construction 23 of temporary ore stockpiles, three facilities 24 located near Pump, F Zone, and Discovery; an 25 increase to the tailings storage facility 26 capacity to increase capacity to 20.6 million</p>	<p style="text-align: right;">20</p> <p>1 cubic metres; the addition of three additional 2 waste rock storage facilities; the addition of 3 a saline pond, SP6; the addition of contact 4 water infrastructure for mining of Pump, 5 F Zone, Wesmeg, and Discovery deposits; the 6 dewatering of the lakes or ponds to support 7 mining at Pump, F Zone, Wesmeg, and Discovery; 8 and an increase to the bulk fuel storage at 9 Rankin Inlet from the current volume of 10 37.5 million litres to 80 million litres. 11 I will now provide a summary of the main 12 documents that Agnico Eagle provided to the 13 Board in support of the application to amend 14 the water licence. The application included 15 the following documents: the water licence 16 application document, a cover letter, Nunavut 17 Planning Commission conformity determinations, 18 various new and updated management plans, and 19 appendices with additional information. 20 Agnico Eagle also filed revised documents 21 in response to technical comment submissions 22 from the intervenors and the Board. 23 Copies of all the materials filed by the 24 applicant in support of its amendment 25 application are available on the Nunavut Water 26 Board's public registry and the FTP site.</p>

<p style="text-align: right;">21</p> <p>1 In addition, our licencing administrator,  2 Richard Dwyer, can make them available for  3 public viewing at this public hearing and the  4 electronic copies of the public registry for  5 the application and key documents for the  6 application received to date. So if you are  7 interested in reviewing any of the documents,  8 please see Richard. He's in the front.  9 Now I am going to give or provide you with  10 a brief overview of the key steps in the  11 procedural history of this amendment  12 application that outlines how we got to this  13 public hearing stage.  14 January 26th of 2024, the Nunavut Water  15 Board received the Type 'A' water licence  16 amendment application and supporting  17 documentation.  18 January 29 of this year, after an initial  19 review, the Nunavut Water Board commenced the  20 completeness check.  21 February 16, 2024, submissions and  22 information requests were received from the  23 Kivalliq Inuit Association, from the  24 Crown-Indigenous Relations and Northern  25 Affairs, from Environment and Climate Change  26 Canada, and Fisheries and Oceans Canada.</p>	<p style="text-align: right;">22</p> <p>1 The applicant provided -- in March 1st,  2 2024, the applicant provided a response to  3 intervenors' information requests.  4 March 26th, 2024, the Nunavut Water Board  5 gave notice of the amendment application and  6 invited parties to conduct a full technical  7 review and provide their comments or  8 recommendations by April 26, 2024. This  9 correspondence also included tentative  10 timelines for the in-person technical meeting  11 and prehearing conference for the file.  12 April 26, 2024, technical comments were  13 received from Kivalliq Inuit Association,  14 Crown-Indigenous Relations and Northern  15 Affairs, Climate Change Canada, and the  16 Fisheries and Oceans Canada.  17 Then in May 10, 2024, Agnico Eagle  18 responded to the intervenors' comments.  19 June 5 and 6 of this year, the Nunavut  20 Water Board hosted the technical meeting in  21 person in Rankin Inlet followed by a community  22 session held on the evening of June 5 with the  23 prehearing conference held on June 6th, 2024.  24 June 26th, the Nunavut Water Board issued  25 the prehearing conference decision for the  26 file, including a list of commitments,</p>
<p style="text-align: right;">23</p> <p>1 identifying issues to be addressed by the  2 public hearing and proposing tentative  3 timelines for this public hearing.  4 July 4, 2024, the Nunavut Water Board  5 published a notice of public hearing to be held  6 in Rankin Inlet in the week of September 9,  7 2024.  8 July 25, 2024, intervenors filed final  9 written submissions.  10 August 15, 2024, Agnico Eagle provided  11 responses to final written submissions.  12 August 29, 2024, parties filed their public  13 hearing presentation materials.  14 Complete details on all procedural steps  15 and all submissions received in relation to the  16 application are available on the Nunavut Water  17 Board's FTP site. If you have questions or  18 would like to see any materials, please see  19 Richard as you enter the hall.  20 I will now move on to read a list of issues  21 that the Board expects to be discussed on  22 this -- at this public hearing. This list was  23 prepared during the Board's technical meeting  24 and prehearing conference held on June 5 and 6:  25 changes to the scope of the Type 'A' water  26 licence, as I've described; changes to water</p>	<p style="text-align: right;">24</p> <p>1 use and management, including increases to the  2 amount of approved water use during operations  3 and closure, dewatering of lakes and ponds to  4 support mining at Pump, F Zone, Wesmeg, and  5 Discovery, updates to water balance/water  6 quality modelling.  7 Wastewater management and treatment, using  8 of Lake B7 as a Saline Pond 6, SP6, limits on  9 the volume of effluent discharged into  10 Meliadine Lake.  11 On waste management, increase in tailings  12 storage capacity, as I've described, updated  13 waste management plan associated with proposed  14 new infrastructure at the Discovery site.  15 On closure and reclamation planning,  16 updates to interim closure and reclamation  17 plan, inclusion/exclusion of updated flow rates  18 associated with pit refilling during closure,  19 and associated updates to reclamation security  20 requirements under water licence.  21 Under updates to existing management and  22 monitoring plans, aquatic effects monitoring  23 plan; water management plan; freshet management  24 plan, waste management plan, mine waste  25 management plan; a spill contingency plan; and  26 emergency response plan; and an adaptive</p>

<p style="text-align: right;">25</p> <p>1 management plan.</p> <p>2 There was also a draft licence framework.</p> <p>3 A water usage compensation agreement</p> <p>4 negotiated between Agnico Eagle and the</p> <p>5 Kivalliq Inuit Association.</p> <p>6 I will now turn to Item 4, which is the</p> <p>7 roll call. I will begin with the roll call</p> <p>8 with the applicant, Agnico Eagle, and its</p> <p>9 representatives. You can proceed to introduce</p> <p>10 your participants.</p> <p>11 Roll Call</p> <p>12 J. QUESNEL: Thank you, Madam Chair.</p> <p>13 It's good to be here in Rankin. My name is</p> <p>14 Jamie Quesnel, director of permitting and</p> <p>15 regulatory affairs.</p> <p>16 I'll name the -- our team, if they -- if</p> <p>17 our team could just do a raise of hand when</p> <p>18 your name is mentioned. We have Colleen</p> <p>19 Prather, permitting and regulatory affairs</p> <p>20 superintendent; Jennifer Range, regulatory</p> <p>21 specialist; Edward Malindzak, permitting</p> <p>22 specialist, fisheries; Sara Savoie, Meliadine</p> <p>23 environmental superintendent; Luc Chouinard,</p> <p>24 project manager, Meliadine; Jawad Haloui,</p> <p>25 Meliadine project lead; Pujjuut Kusugak,</p> <p>26 director of Nunavut affairs; David Kritterdlik,</p>	<p style="text-align: right;">26</p> <p>1 IQ and wildlife advisor; Manon Turmel, public</p> <p>2 affairs superintendent; Bobby Doroudiani,</p> <p>3 permitting specialist, water; Jean-Claude</p> <p>4 Blais, Meliadine general manager; Dany</p> <p>5 Rodrigue, Meliadine general superintendent;</p> <p>6 Scott Jackson, consultant senior hydrologist;</p> <p>7 Christine Kowbel, legal counsel; Janice Aggark,</p> <p>8 community liaison officer in Chesterfield.</p> <p>9 Also, we have Elders from our Kivalliq</p> <p>10 Elders Advisory Committee, David and Dorothy,</p> <p>11 and Janice is helping to coordinate their</p> <p>12 activities during the hearing.</p> <p>13 And on the phone, we have Lisa Ramilo,</p> <p>14 permitting specialist, water; and Lisa Mah,</p> <p>15 permitting specialist, water. And that's</p> <p>16 everybody. Thank you.</p> <p>17 THE CHAIR: That's Dorothy Aglukark,</p> <p>18 Arviat; David Kritterdlik, Whale Cove. Just to</p> <p>19 correct, there's no David and Dorothy. Just</p> <p>20 Dorothy.</p> <p>21 I will now go to the intervening parties,</p> <p>22 the Nunavut Tunngavik Incorporated.</p> <p>23 E. GREENE: Good morning.</p> <p>24 Yeah. So I am from Nunavut Tunngavik</p> <p>25 Incorporated. My name is Ezra Greene. I'm</p> <p>26 acting senior advisor on land-use planning and</p>
<p style="text-align: right;">27</p> <p>1 regulatory reviews. We also have here sitting</p> <p>2 next to me is Raymond Mercer, who is the</p> <p>3 resource management coordinator for the</p> <p>4 department of wildlife and environment. Behind</p> <p>5 me is Dustin Fredlund, the chief operating</p> <p>6 officer of NTI. Online we have Arthur Yuan,</p> <p>7 who is legal counsel for NTI, and not in</p> <p>8 attendance but he may come tomorrow is Gabriel</p> <p>9 Nirlungayuk, director of wildlife and</p> <p>10 environment. He's ill today, so we hope he</p> <p>11 makes it tomorrow. Thank you.</p> <p>12 THE CHAIR: Thank you.</p> <p>13 The Kivalliq Inuit Association.</p> <p>14 L. MANZO: Thank you, Madam</p> <p>15 Chairman. My name is Luis Manzo, director of</p> <p>16 lands on behalf of the Kivalliq Inuit</p> <p>17 Association.</p> <p>18 For these proceedings, with me are Jonathan</p> <p>19 Katz, our legal counsel; Dr. Matthew McDougall</p> <p>20 in charge of water quality and fish habitat;</p> <p>21 Alan Sexton in charge of geology and</p> <p>22 engineering; and Jeff Tulugak, wildlife and</p> <p>23 traditional knowledge; and Ashley Aupaluktuq,</p> <p>24 coordinator of the administration affairs of</p> <p>25 KIA in these proceedings. Thanks.</p> <p>26 THE CHAIR: Thank you.</p>	<p style="text-align: right;">28</p> <p>1 How about the Crown-Indigenous Relations</p> <p>2 and Northern Affairs.</p> <p>3 J. HART: Good morning, Madam</p> <p>4 Chair. My name is Jeff Hart. I'm the acting</p> <p>5 director of resource management.</p> <p>6 With us today, we have Aminul Haque, water</p> <p>7 management coordinator; and Simone Tieleish,</p> <p>8 legal counsel, sitting in the back; and then</p> <p>9 online we have Tony Brown and Gerd Wiatzka,</p> <p>10 consultants to the Crown-Indigenous and</p> <p>11 affairs -- and Northern Affairs Canada. Thank</p> <p>12 you.</p> <p>13 THE CHAIR: Environment and Climate</p> <p>14 Change Canada.</p> <p>15 R. WYKES: Good morning, everybody.</p> <p>16 My name is Russell Wykes. I'm a senior</p> <p>17 environmental assessment coordinator with</p> <p>18 Environment and Climate Change Canada.</p> <p>19 And with me today I have Sarah Forte, water</p> <p>20 quality analyst, and on the line we have</p> <p>21 Stephinie Mallon, an environmental assessment</p> <p>22 officer.</p> <p>23 THE CHAIR: Thank you.</p> <p>24 Fisheries and Oceans Canada.</p> <p>25 J. AUDET-LECOUFFE: Good morning, everyone.</p> <p>26 My name is Jose Audet-Lecouffe. I am the</p>

<p style="text-align: right;">29</p> <p>1 acting team leader with the fish and fish 2 habitat protection program at Fisheries and 3 Oceans. And with me I have Derek Donald, fish 4 biologist, and online we have Jen Loughery, 5 senior fish biologist. Thank you. 6 THE CHAIR: Thank you. 7 If there are any intervenors that I have 8 not mentioned who would like to speak, please 9 identify yourself. Seeing none. 10 It is our tradition to give respect to our 11 Elders. Therefore, at any time during the 12 proceedings, an Elder may speak about the 13 amendment application that is before the Board. 14 All that we ask is that when an Elder wishes to 15 speak that they let me or any of our staff 16 know. Then we'll hand that microphone to you 17 so you can ensure your comments are recorded in 18 the transcript. 19 I now turn to any representatives from 20 agencies, associations who have not submitted 21 interventions but would like to make a formal 22 presentation or share their views with the 23 Board about the amendment application during 24 this public hearing. 25 Are there any members of an organization or 26 general public who would like to make a formal</p>	<p style="text-align: right;">30</p> <p>1 request to make a presentation or speak to the 2 Board during this public hearing? 3 Martha Hickes. 4 Legal counsel or Stephanie. 5 Procedural Matters by Nunavut Water Board Legal 6 Counsel 7 T. MEADOWS: Thank you, Madam Chair. 8 So I'm just going to clarify with Martha. 9 Martha, do you want to make a formal 10 presentation? You will have an opportunity to 11 ask questions throughout, but did you want to 12 make a formal presentation to the Board? We 13 can put you on the list of the -- when the 14 intervenors provide their presentations, if 15 you'd like. 16 M. HICKES: Hi. Yes. Put me on the 17 list, and I'm here on behalf of hamlet. Thank 18 you. 19 T. MEADOWS: Thank you, Madam Chair. 20 Teresa Meadows, legal counsel for the Nunavut 21 Water Board. 22 So, Madam Chair, we will add Martha to the 23 list of presenters so that the hamlet can make 24 a presentation. Thank you, Madam Chair. 25 THE CHAIR: Okay. Thank you. 26 I also want to mention that the Board will</p>
<p style="text-align: right;">31</p> <p>1 also give opportunities to members of the 2 public who may have questions for Agnico Eagle 3 or intervenors throughout the public hearing to 4 ask their questions or make comments at the end 5 of the technical presentation of each party and 6 during the community session that will be 7 taking place tonight at 7:00. 8 And now I will turn to the identification 9 of any motions or objections to the amendment 10 application that are before the Board. 11 Item Number 8, the applicant is requested 12 to make a brief presentation on the amendment 13 application before the Board. 14 Agnico Eagle, how much time will you and 15 your representatives require? 16 J. QUESNEL: Thank you, Madam Chair. 17 With translation, probably it's going to be 18 35 to 45 minutes. We have about 25 slides. 19 THE CHAIR: Thank you. 20 And, Teresa, please swear in or affirm the 21 witnesses. 22 T. MEADOWS: Thank you, Madam Chair. 23 Teresa Meadows, legal counsel for the Nunavut 24 Water Board. 25 Do the witnesses wish to be sworn or 26 affirmed?</p>	<p style="text-align: right;">32</p> <p>1 J. QUESNEL: Affirmed. 2 C. PRATHER: Affirmed. 3 JAMIE QUESNEL, COLLEEN PRATHER, AND PUJJUUT 4 KUSUGAK, Affirmed 5 T. MEADOWS: Thank you, Madam Chair. 6 Teresa Meadows, legal counsel for the Nunavut 7 Water Board. 8 So, Madam Chair, it's my understanding that 9 there are hard copies of the presentation 10 materials at the table, and I will be marking 11 those as exhibits in the public hearing, and I 12 did have a question for legal counsel for 13 Agnico Eagle. 14 I see that the CVs for members of your team 15 have been provided to the Board and have been 16 filed in advance of the public hearing. Did 17 you wish me to mark those as exhibits as well? 18 C. KOWBEL: Christine Kowbel, legal 19 counsel, Agnico Eagle. 20 I think that that's a good idea just for 21 the Board's convenient reference. 22 T. MEADOWS: Thank you, Madam Chair. 23 Teresa Meadows, legal counsel for the Nunavut 24 Water Board. 25 So, Madam Chair, I will mark the CVs 26 received yesterday and the hard copies of the</p>



<p style="text-align: right;">33</p> <p>1 presentation materials as the first exhibits in  2 the public hearing. Thank you, Madam Chair.  3 Those are my procedural matters.  4 EXHIBIT 1 - Hard Copy PowerPoint  5 Presentation, Meliadine Water Licence  6 Amendment, Nunavut Water Board Final  7 Hearing, Sept. 11-12, 2024 (English  8 and Inuktitut)  9 EXHIBIT 2 - Electronic Copy  10 Curriculum Vitae, Scott Jackson  11 (English)  12 THE CHAIR: Thank you.  13 And, Agnico Eagle, please go ahead with  14 your presentation.  15 Presentation by Agnico Eagle Mines Limited  16 J. QUESNEL: Thank you, Madam Chair.  17 Good morning. My name is Jamie Quesnel,  18 director of permitting and regulatory affairs  19 with Agnico Eagle. We introduced our team. So  20 I won't go through that again.  21 I have not prepared long opening remarks,  22 but I would like to say a few things in this  23 introduction. First of all, thank you, again,  24 to Rankin Inlet for hosting us in the community  25 and to the Nunavut Water Board and its staff  26 for organizing these meetings. I would like to</p>	<p style="text-align: right;">34</p> <p>1 say as a company we have learned a lot since we  2 started construction of the Meliadine mine,  3 operating the mine -- shall I stop, or ...  4 T. MEADOWS: Thank you, Madam Chair.  5 Teresa Meadows, legal counsel for the Nunavut  6 Water Board.  7 So for the benefit of the people online, we  8 are pausing right now to be able to project the  9 presentation in the hall. I'm not sure if  10 we're going to be able to broadcast it but --  11 across the Zoom link, but if you just bear with  12 us for just a couple minutes. Thank you.  13 THE CHAIR: Let's take a few-minute  14 break, and then we'll go on with the  15 presentation.  16 (ADJOURNMENT)  17 THE CHAIR: Agnico Eagle, you may  18 proceed.  19 J. QUESNEL: Thank you, Madam Chair.  20 I guess I'll start from the start.  21 Good morning. My name is Jamie Quesnel,  22 director of permitting and regulatory affairs  23 with Agnico Eagle. We introduced our -- our  24 team earlier. So I won't do that again.  25 I have not prepared long opening remarks,  26 but I would like to say a few things in this</p>
<p style="text-align: right;">35</p> <p>1 introduction. First, thank you, again, to  2 Rankin Inlet for hosting us in the community  3 and to the Nunavut Water Board and its staff  4 for organizing these meetings.  5 As a company, we have learned a lot since  6 we started construction of the Meliadine mine,  7 operating the mine, and we continuously  8 incorporate community feedback into our  9 project. We will keep doing this as we  10 continue the operations.  11 Madam Chair, I am pleased to report that  12 we've been able to -- to work very  13 collaboratively with all the participants in  14 this water licence process, and we have been  15 able to achieve a very high degree of agreement  16 on this application.  17 There are a few items to discuss. We feel  18 we may be able to reach further agreement over  19 the next few days, but on these outstanding  20 items, we believe we have presented a  21 reasonable path forward based on the existing  22 licence, applicable legislation, and evidence  23 shared through the Nunavut Water Board process.  24 But overall we would like to emphasize to  25 the Board that all participants appear  26 supportive of the issuance of the amendment</p>	<p style="text-align: right;">36</p> <p>1 and, as -- as I said, narrowing down the issues  2 for this hearing to just a few items.  3 We want to extend our thanks for the many  4 hours of meetings, review of materials, and  5 regulatory discussions that have allowed this  6 to happen. We look forward to productive  7 discussions over the next few days, and we will  8 now begin our presentation.  9 Colleen. Thank you.  10 C. PRATHER: Thank you, Madam Chair,  11 Colleen Prather with Agnico Eagle.  12 Next slide, please. In this presentation,  13 we will summarize the amendment application,  14 provide an engagement update, discuss where we  15 stand with technical comments, and present  16 status of reclamation security and water  17 management agree -- or water compensation  18 agreement discussions.  19 The next slide, please. In 2015, Project  20 Certificate Number 6 was issued by the Nunavut  21 Impact Review Board for the construction and  22 operation of the Meliadine mine and all-weather  23 access road and the five deposits in a  24 multi-phased approach.  25 These deposits include Tiriganiaq, Wesmeg,  26 Pump, F Zone, and Discovery. Since then, two</p>

<p style="text-align: right;">37</p> <p>1 project certificate amendments were completed 2 in 2018 and 2022 for the discharge of treated 3 saline effluent to Itivia Harbour completed by 4 truck and water line respectively. 5 In the initial water licence application in 6 2015, the Tiriganiaq deposit, including both 7 underground and open-pit mining, was the only 8 deposit included and approved in the water 9 licence issued in 2016. 10 Agnico Eagle did not apply for all of the 11 approved components in the 2014 assessment. 12 The decision at that time was to support a 13 streamlined water licencing process. It was 14 always planned to include the rest of the 15 approved project components in future 16 amendments to the water licence. 17 In 2021, we amended the licence to include 18 Contact -- Contact Water Pond 1 and Meliadine 19 Lake discharge criteria, updated waste 20 management strategy, water use, and 21 construction of site access roads. In January 22 of this year, we submitted this water licence 23 amendment application. 24 Next slide, please. The scope of this 25 water licence amendment is to amend the licence 26 to complete licencing for already-approved</p>	<p style="text-align: right;">38</p> <p>1 activities under the project certificate. So 2 this amendment includes open-pit mining at 3 Wesmeg, Pump, F Zone, and Discovery, waste rock 4 storage at Pump, F Zone, and Discovery, diesel 5 fuel storage at Itivia fuel farm, additional 6 tailings capacity, an increase in the water use 7 within the limits from the 2014 assessment, 8 dewatering of lakes and ponds to support 9 mining, use of Lake B7 for Saline Pond 6, and 10 construction and operation of water management 11 infrastructure at Pump, F Zone, Wesmeg, and 12 Discovery. 13 Next slide, please. This map outlines the 14 layout of the water licence amendment 15 application. The yellow represents the waste 16 rock storage facilities. The brown represents 17 the open pits. The solid blue represents water 18 collection ponds. The hatched blue represents 19 dewatered lakes and ponds, and the solid black 20 line represent roads. 21 I will now pass the presentation over to 22 Pujjuut. Thank you. 23 P. KUSUGAK: Ma'tna, Colleen. Pujjuut 24 Kusugak, Agnico Eagle. 25 The next few slides summarize engagement 26 activities over the course of 2023 and 2024.</p>
<p style="text-align: right;">39</p> <p>1 Next slide, please. Agnico Eagle continues 2 to put focus on engagement, and as of 3 August 16, 2024, Agnico Eagle has had 4 124 engagements for the Meliadine site in 2024, 5 and this consists of group meetings, events, 6 site tours, and open houses. 7 Engagement discussions include a variety of 8 topics, and these range from information 9 sessions to project updates to discussing 10 community concerns and more, and these meetings 11 are held -- these meetings are typically led by 12 our community relations department, and this 13 fosters regular and meaningful engagement with 14 community stakeholders. 15 Next slide. So more specifically regarding 16 this application, site visits and the tea 17 colour activity were held with Elders, the 18 Kaniqiniq Hunters and Trappers Organization, 19 and with the hamlet, and this was to enhance 20 project understanding of the Meliadine site and 21 answer questions and address concerns about 22 water quality. 23 The following organizations provided -- 24 provided to the Nunavut Water Board letters of 25 support for the current Meliadine water licence 26 amendment, and these letters were -- were</p>	<p style="text-align: right;">40</p> <p>1 members of the Rankin Inlet Kivalliq Elders 2 Advisory Committee, the mayor of Rankin Inlet, 3 the mayor of Baker Lake, and the mayor of 4 Arviat. And their words are encouraging, 5 citing how the project would positively 6 contribute to the Kivalliq region, and Agnico 7 Eagle is of the same opinion and appreciate the 8 community support on this application. 9 Colleen. 10 C. PRATHER: Thank you. Colleen 11 Prather with Agnico Eagle. 12 Next slide, please. We'll now present an 13 overview of the technical comments that have 14 been received. 15 Next slide, please. This slide reflects 16 the total number of comments received from 17 parties through the entire review process 18 starting in February, including technical 19 comments in May and final written submissions 20 in August. 21 In total, we received 91 comments, 11 from 22 the Kivalliq Inuit Association, 16 from 23 Crown-Indigenous Relations and Northern 24 Affairs, 54 from Environment and Climate Change 25 Canada, and 10 from Fisheries and Oceans 26 Canada.</p>

<p style="text-align: right;">41</p> <p>1 In the final written submissions, the</p> <p>2 Kivalliq Inuit Association had six comments,</p> <p>3 Crown-Indigenous Relations had five comments,</p> <p>4 and all have been resolved.</p> <p>5 Agnico Eagle considers comments on the</p> <p>6 draft water licence to be resolved as a</p> <p>7 response was provided to the Nunavut Water</p> <p>8 Board and is now before the Board to decide on</p> <p>9 the wording.</p> <p>10 Environment and Climate Change Canada had</p> <p>11 four comments. Two were carried forward from</p> <p>12 technical comments and are unresolved.</p> <p>13 Environment and Climate Change Canada requested</p> <p>14 additional details on one comment, which we</p> <p>15 consider resolved.</p> <p>16 And the fourth comment remains unresolved</p> <p>17 and is tied to a similar comment with Fisheries</p> <p>18 and Oceans Canada. I will discuss these</p> <p>19 unresolved topics in the upcoming slides.</p> <p>20 In addition, commitments have been made</p> <p>21 through the technical comments and at the</p> <p>22 technical meeting and prehearing conference.</p> <p>23 In total, 18 commitments were made. Three have</p> <p>24 been completed. Of the 15 remaining, some will</p> <p>25 continue throughout mine life operations,</p> <p>26 through additional studies, or will be</p>	<p style="text-align: right;">42</p> <p>1 addressed at closure.</p> <p>2 Next slide, please. The three outstanding</p> <p>3 technical comments are related to flooding of</p> <p>4 pits at closure, water quality criteria, and</p> <p>5 the aquatic effects monitoring program.</p> <p>6 Next slide. Just another figure to</p> <p>7 represent the full potential build-out of the</p> <p>8 Meliadine mine. This is shown for context as</p> <p>9 it represents the overall footprint that has</p> <p>10 been discussed, assessed, and approved through</p> <p>11 the project certificate.</p> <p>12 As noted, for this water licence amendment,</p> <p>13 Agnico Eagle is seeking approval to complete</p> <p>14 licencing for already-approved activities under</p> <p>15 the project certificate.</p> <p>16 Next slide, please. Based on our review of</p> <p>17 Environment and Climate Change and Fisheries</p> <p>18 and Oceans' presentations, they recommend that</p> <p>19 the Nunavut Water Board not include an</p> <p>20 authorized water withdrawal rate from Meliadine</p> <p>21 Lake during closure in the amended licence.</p> <p>22 Agnico Eagle strongly disagrees with this</p> <p>23 recommendation. The water licence already</p> <p>24 includes an authorized closure withdraw rate.</p> <p>25 This is in Part E, Item 2. Therefore, we</p> <p>26 request the Nunavut Water Board to retain the</p>
<p style="text-align: right;">43</p> <p>1 condition for closure water withdrawal in this</p> <p>2 amendment.</p> <p>3 It is a requirement of the proponent under</p> <p>4 the Nunavut Water Board process to provide a</p> <p>5 conceptual closure plan and calculate</p> <p>6 associated security and post it under the water</p> <p>7 licence. This was done in 2014 and continues</p> <p>8 to be updated within the application, including</p> <p>9 this application, and has been done in</p> <p>10 collaboration with the Kivalliq Inuit</p> <p>11 Association and Crown-Indigenous Relations.</p> <p>12 Through the regulatory process, Agnico</p> <p>13 Eagle has received approval of a conceptual</p> <p>14 closure plan that includes flooding of pits</p> <p>15 using water from Meliadine Lake. Agnico Eagle</p> <p>16 requires certainty for closure prior to</p> <p>17 initiating construction.</p> <p>18 As stated in our application and provided</p> <p>19 in response to Technical Comment Environment</p> <p>20 and Climate Change Canada Number 30, Agnico</p> <p>21 Eagle states the 2014 assessment included the</p> <p>22 assessment to pump from Meliadine Lake a total</p> <p>23 of 170 million cubic metres of water. This</p> <p>24 would occur over roughly a ten-year period.</p> <p>25 For this application, we're asking for</p> <p>26 31 percent of that value or 52 million cubic</p>	<p style="text-align: right;">44</p> <p>1 metres.</p> <p>2 Furthermore, there is another condition in</p> <p>3 the licence, Part J, Item 3, where we are</p> <p>4 required to submit at least 12 months prior to</p> <p>5 the expected end of mining, a final closure and</p> <p>6 reclamation plan. This plan is subject to</p> <p>7 public review allowing for further evaluation</p> <p>8 of water for closure.</p> <p>9 This final closure plan would also include</p> <p>10 an updated water balance model. The model will</p> <p>11 validate the volumes expected to be required to</p> <p>12 fill the pits. We feel this is an appropriate</p> <p>13 and reasonable approach for the closure</p> <p>14 activities at Meliadine mine, and we request</p> <p>15 the Nunavut Water Board to -- to continue to</p> <p>16 include these volumes in our water licence.</p> <p>17 Next slide, please. Based on our review of</p> <p>18 Environment and Climate Change Canada's</p> <p>19 presentation, they recommend that the interim</p> <p>20 closure and reclamation plan be updated to</p> <p>21 specify water quality criteria that will be</p> <p>22 protective of aquatic life in all water bodies,</p> <p>23 in particular, Lake B7.</p> <p>24 Agnico Eagle disagrees with this based on</p> <p>25 the following: Schedule 2 and the metal and</p> <p>26 diamond mining effluent recommendations. For</p>

<p style="text-align: right;">45</p> <p>1 clarity, Lake B7 will be listed under  2 Schedule 2 of those regulations. Agnico Eagle  3 is proposing to add water bodies to Schedule 2  4 to facilitate mine waste management. Listing  5 of water bodies on Schedule 2 is a parallel  6 regulatory process. It is not new to Agnico  7 Eagle as we have completed this for the  8 Meadowbank complex and Hope Bay.  9 When a water body is added to Schedule 2,  10 it is no longer considered a receiving water  11 body. It is a mine facility. In addition, the  12 proponent is required to get an approved  13 fisheries offsetting plan through Fisheries and  14 Oceans as part of Section 36 of the Fisheries  15 Act. Agnico Eagle has to replace that lost  16 habitat in a ratio of one unit lost to  17 1.7 units gained, and there's a cost to  18 replacing that lost habitat which ranges in the  19 millions.  20 As part of the application, we have also  21 provided a water quality and water balance  22 model. The model covers operations, closure,  23 and post-closure. The results were compared to  24 various guidelines. In response to technical  25 comments from Environment Canada, predictions  26 for all water bodies, even including those</p>	<p style="text-align: right;">46</p> <p>1 listed for Schedule 2, were compared to aquatic  2 guidelines. This comparison was provided to  3 the Nunavut Water Board and all parties in May  4 of this year and before the technical meeting.  5 We feel there are current conditions in the  6 licence to address this concern raised by  7 Environment Canada. During the operational  8 phase of the mine, the water model predictions  9 are updated annually as Condition Part E,  10 Item 13. So based on the existing licence,  11 that means six more years of updates for  12 predictions.  13 There's also another condition, Part J,  14 Item 3. This is about submitting the closure  15 plan at least 12 months prior to the end of  16 operations. This plan will include an updated  17 water balance and water quality model which  18 will benefit from these additional six years of  19 monitoring.  20 Also, Agnico Eagle provided potential  21 mitigation options for Lake B7. These were  22 provided at the technical meeting and -- and  23 repeated in the final written submission in  24 response to Environment and Climate Change  25 Canada Number 11. These options could be  26 included in the final closure plan, if</p>
<p style="text-align: right;">47</p> <p>1 required.  2 Agnico Eagle notes there are existing  3 discharge criteria under the metal and diamond  4 mining effluent regulations. These would apply  5 at the point where B7 discharges to water  6 bodies. So to conclude, there is a  7 recommendation that the closure plan should be  8 updated to specify water quality criteria for  9 Lake B7.  10 Based on the summary just provided, the  11 metal and diamond mining regulations, existing  12 licence conditions, and information provided  13 to -- by Agnico Eagle to Environment and  14 Climate Change Canada through this process, we  15 believe this concern has been fully addressed,  16 and the Nunavut Water Board should not accept  17 the recommendation by Environment and Climate  18 Change Canada.  19 Next slide. The aquatic effects monitoring  20 program is one of many programs conducted  21 annually at the mine. There are five main  22 components of this, water quality being a main  23 component. Based on our review of Environment  24 and Climate Change Canada's presentation, they  25 have recommended a reevaluation of baseline  26 water quality data in order to establish</p>	<p style="text-align: right;">48</p> <p>1 pre-mining normal range conditions.  2 It's important to note normal ranges are  3 used as one step to evaluate water, and normal  4 ranges are defined as the range of baseline  5 conditions within the study lakes. For water  6 quality, those ranges are used to identify  7 parameters that may have increased in  8 concentration due to mining.  9 Through the environmental assessment, it  10 was always expected water quality in the east  11 basin of Meliadine Lake would change as treated  12 water was discharged, but water quality would  13 return to baseline through closure. These  14 normal ranges and evaluation of water quality  15 data are presented annually in the report.  16 These normal ranges were first presented in  17 2016. Updates were presented in the 2019  18 report. No comments were received at that  19 time.  20 The aquatic effects design report was  21 updated in 2021, but important to note is the  22 revised normal ranges have been used since  23 2019. As noted, looking at current water  24 quality data, they're always compared to  25 baseline. That's one step. But the other step  26 is also to look at parameters that have</p>

<p style="text-align: right;">49</p> <p>1 increased over time and to focus the review on 2 those parameters that have changed. 3 So based on the history of our normal 4 ranges, the number of years that have passed 5 since revised normal ranges were presented -- 6 and remember those were reviewed by various 7 parties, including Environment and Climate 8 Change Canada -- plus the thorough evaluation 9 of data that is done every year, Agnico Eagle 10 is of the view that Environment and Climate 11 Change comments and recommendations on normal 12 ranges have been fully addressed. 13 Next slide, please. This slide here shows 14 an example of water quality monitoring that we 15 do every year and how it is evaluated. We look 16 at various parameters. We compare it to our 17 benchmarks or protective guidelines. That's 18 the red line. We have an action level, which 19 is the orange line, and we have the normal 20 ranges or baseline conditions in green. 21 As you can note, concentrations remain well 22 below the benchmark or the guidelines to 23 protect both aquatic life and human health. 24 Since 2018, there have been no exceedances in 25 Health Canada drinking water guidelines in 26 Meliadine Lake. There have been no exceedances</p>	<p style="text-align: right;">50</p> <p>1 of the benchmark or action levels attributed to 2 mining activities. 3 Next slide. The Meliadine Lake aquatic 4 program includes three in-lake reference areas, 5 one located in the northeast part of the lake, 6 one in the north towards the outlet to Peter 7 Lake, and one in the southwest toward the 8 outlet to Meliadine River. 9 In addition, we also sample other lakes, 10 external lakes, Peter and Atulik Lake. To 11 address comments raised earlier by Environment 12 and Climate Change Canada and the Kivalliq 13 Inuit Association, Agnico Eagle agreed to a 14 commitment to include these external reference 15 lakes, so Peter Lake and Atulik Lake, and that 16 we would sample those for water, plankton, and 17 sediments in addition to already sampling those 18 lakes for fish. 19 Next slide, please. 20 J. QUESNEL: Thank you, Colleen. 21 Jamie Quesnel, Agnico Eagle. 22 Next slide, please. I'm just going to 23 briefly talk about the security and water 24 compensation. Agnico Eagle has worked in 25 collaboration with the Kivalliq Inuit 26 Association and Crown-Indigenous Relations and</p>
<p style="text-align: right;">51</p> <p>1 Northern Affairs Canada and is pleased to 2 provide confirmation to the Nunavut Water Board 3 that all three parties have mutually agreed on 4 the security associated with the Meliadine 5 water licence 2AM-MEL1631 amendment. 6 The global security that we have agreed on 7 is \$158,450,658. That's 158,450,658. In 8 addition, all three parties have agreed the 9 global security amount to be split into three 10 tranches, three payments, which has been 11 provided as Schedule C to be amended to the 12 water licence amendment, and this morning we -- 13 we sent an electronic copy of the agreed 14 wording and also Schedule C to the Nunavut 15 Water Board. 16 In addition, Agnico Eagle and the Kivalliq 17 Inuit Association has agreed on the water 18 compensation agreement. We provided a 19 signature -- a signed document to the Kivalliq 20 Inuit Association, and we're just waiting for 21 signature, and our understanding is the 22 Kivalliq Inuit Association will be submitting a 23 formal letter to the Nunavut Water Board in the 24 coming hours or within a couple days. 25 In addition, we have a security management 26 agreement, and we're still discussing that, and</p>	<p style="text-align: right;">52</p> <p>1 we're hoping to have that finalized by the end 2 of this public hearing. 3 Next slide. And I'll pass this back to my 4 colleague, Colleen. Thank you. 5 C. PRATHER: Thank you. Colleen 6 Prather with Agnico Eagle. 7 Next slide. The draft water licence 8 framework. The slide here shows a timeline of 9 activities for the framework. As was agreed 10 during the technical meeting in June, Agnico 11 Eagle provided our suggested amendments to the 12 water licence. This was provided June 7th to 13 the Nunavut Water Board. 14 Comments were provided by the Kivalliq 15 Inuit Association and Crown Indigenous-Relations. 16 Agnico Eagle provided a response to those 17 comments to the Nunavut Water Board on 18 August 28th. We thank the Board for the 19 opportunity to provide our recommendations to 20 the amended licence for the Board's approval. 21 Next slide. And in conclusion. Next 22 slide, please. This water licence amendment is 23 necessary for the continuation of the Meliadine 24 mine operations. This has also been reflected 25 in the letters of support submitted to the 26 Nunavut Water Board. The amendment is the</p>

<p style="text-align: right;">53</p> <p>1 completion of licencing based on the approval  2 of all activities in the 2014 assessment and  3 approval in the project certificate.  4 Agnico Eagle appreciates the collaboration  5 that has been made with all parties. For  6 example, we reached agreement with the Kivalliq  7 Inuit Association with respect to discharge to  8 Meliadine Lake. This is an important milestone  9 by both the Kivalliq Inuit Association and  10 Agnico Eagle.  11 Agnico Eagle asks the Nunavut Water Board  12 to approve this licence application with the  13 conditions put forward and agreed upon in this  14 presentation and our final written submission.  15 Thank you.  16 THE CHAIR: Thank you for your  17 presentation. Now we turn to Item 9 of the  18 agenda.  19 Any questions for Agnico Eagle from the  20 Nunavut Tunngavik Incorporated?  21 Nunavut Tunngavik Incorporated Questions Agnico  22 Eagle Mines Limited  23 E. GREENE: Hi. Ezra Greene, Nunavut  24 Tunngavik Incorporated.  25 Just one question for clarification. I'm  26 just trying to find the actual slide that it</p>	<p style="text-align: right;">54</p> <p>1 was on. On Slide 14, pit flooding at closure,  2 there was one -- the second bullet point said  3 the annual withdrawal from Meliadine Lake for  4 pit filling was assessed in the 2014 impact  5 assessment at 17,060,000 cubic metres over ten  6 years. I think verbally you might've said  7 170 million. I just want to confirm which  8 number it is.  9 THE CHAIR: Go ahead.  10 U. PUQIQNAK: Colleen Prather, Agnico  11 Eagle. Thank you for the question.  12 So the 2014 assessment said 17 million  13 cubic metres per year over ten years or  14 170 million cubic metres total. Thank you.  15 E. GREENE: Thank you.  16 No further questions from NTI.  17 THE CHAIR: Okay. Thank you.  18 It is already close to 12:00. We'll break  19 for lunch and go back to questions from  20 Kivalliq Inuit Association. Let's come back  21 at -- about 1:15 we'll be back. Thank you.  22 (PROCEEDINGS ADJOURNED AT 11:47 AM)  23 (PROCEEDINGS RECOMMENCED AT 1:15 PM)  24 THE CHAIR: Good afternoon.  25 The next item we're on is: Any questions  26 from intervenors -- any questions from the</p>
<p style="text-align: right;">55</p> <p>1 Kivalliq Inuit Association to Agnico Eagle  2 Mines?  3 L. MANZO: Chairman. Luis Manzo,  4 director of lands, Kivalliq Inuit Association.  5 No questions at this time.  6 THE CHAIR: Okay. Any questions from  7 Crown-Indigenous Relations and Northern  8 Affairs?  9 A. HAQUE: Thank you, Madam Chair.  10 Aminul Haque, Crown-Indigenous Relations and  11 Northern Affairs Canada.  12 No questions at this time. Thank you.  13 THE CHAIR: Any questions from  14 Environment and Climate Change Canada?  15 Environment and Climate Change Canada Questions  16 Agnico Eagle Mines Limited  17 R. WYKES: Thank you, Madam Chair.  18 Russell Wykes with Environment and Climate  19 Change Canada. We have one question.  20 In your presentation, you stated that the  21 outflow from Lake B7 will have to respect the  22 metal and diamond mining effluent regulations.  23 Environment and Climate Change Canada  24 understands that Agnico Eagle's mining proposal  25 is to have Lake B7 reconnected to the receiving  26 environment as part of its closure plan.</p>	<p style="text-align: right;">56</p> <p>1 How do you intend to control the deposition  2 of waste from Lake B7 after the removal of  3 control structures as stated in Section 49 of  4 the interim closure and reclamation plan?  5 Correction. Table 49.  6 C. PRATHER: Colleen Prather with  7 Agnico Eagle.  8 I just need a couple of minutes to find the  9 document. Thank you.  10 Colleen Prather with Agnico Eagle.  11 Can you just please clarify which line in  12 Table 49 you were speaking to. Thanks.  13 R. WYKES: Russell Wykes from  14 Environment and Climate Change Canada.  15 Just give us a second here.  16 S. AUTUT: What page of the  17 presentation was that table?  18 R. WYKES: Russell Wykes,  19 Environment and Climate Change Canada.  20 That's from Slide 15 of Agnico Eagle's  21 presentation.  22 And if we can just clarify a little more.  23 Table 4.9 states it'll dismantle all water  24 management systems, and the water management  25 infrastructure is listed in Table 4-8,  26 including dikes DSP6 north and DSP6 west.</p>

<p style="text-align: right;">57</p> <p>1 C. PRATHER: Colleen Prather with 2 Agnico Eagle. 3 So regarding the specific dikes or berms 4 that you were talking about in dismantling and 5 timing for that, those details will be in the 6 final closure and reclamation plan. Thank you. 7 THE CHAIR: Environment and Climate 8 Change. 9 R. WYKES: Thank you, Madam Chair. 10 Russell Wykes, Environment and Climate Change 11 Canada. 12 Can we have a minute to consider this. 13 S. AUTUT: Sorry. Are you waiting 14 for us to put the presentation or the table up? 15 No. Okay. 16 R. WYKES: Russell Wykes, 17 Environment and Climate Change Canada. 18 No. We're just -- we're trying to come up 19 with a response. 20 THE CHAIR: Can we get your response, 21 please. 22 R. WYKES: Thank you, Madam Chair. 23 Russell Wykes, Environment and Climate Change 24 Canada. 25 We understand that there is not a 26 comprehensive plan yet at this point, but our</p>	<p style="text-align: right;">58</p> <p>1 point is is that -- our understanding of the 2 situation is that without those control 3 structures, there would be no mechanism to 4 control release from Lake B7, and we would like 5 to see something -- a preliminary plan of some 6 sort included in this licence so that we have a 7 better understanding of how that -- how that 8 outflow from Lake B7 will happen at closure. 9 THE CHAIR: Agnico. 10 J. QUESNEL: Thank you, Madam Chair. 11 Jamie Quesnel, Agnico Eagle. 12 All the details of -- of the closure will 13 be in the final closure plan. There's 14 conceptual aspects related to closure in what 15 we submitted. Prior to us constructing water 16 management infrastructure, as per our licence, 17 we have a 60-day notice for that construction 18 of that infrastructure that is submitted to the 19 water board. Then once that facility is 20 constructed, we have 90 days to provide the 21 as-built of that infrastructure. 22 So there's a process that's already within 23 our licence to provide all those details when 24 that event's going to occur. So all those 25 components and details related to the 26 infrastructure will be provided at that time.</p>
<p style="text-align: right;">59</p> <p>1 However, in stating that, we do have, like, 2 typical cross-sections of our typical berms and 3 dikes that we do construct at our operations, 4 and that would be basically a typical design 5 that we would use around B7. 6 Dealing with closure, all those details, 7 again, will be in the final closure plan as 8 those details have to be reflective of the 9 situation at the mine site at that time, and, 10 again, our obligation as a mining company is to 11 provide a conceptual plan for closure with the 12 associated security that we have in place right 13 now and agreed upon. 14 So that's -- that's what we're typically -- 15 that's what we typically do for these type of 16 aspects of the mine site. So hopefully that's 17 helpful for you to consider. Thank you. 18 THE CHAIR: Environment and Climate 19 Change. 20 R. WYKES: Russell Wykes, 21 Environment and Climate Change Canada. Just 22 one follow up to that, then. 23 Do you see Lake B7 requiring long-term 24 active care as we come towards closure of the 25 mine? 26 THE CHAIR: Agnico.</p>	<p style="text-align: right;">60</p> <p>1 J. QUESNEL: Thank you, Madam Chair. 2 Jamie Quesnel, Agnico Eagle. 3 Long-term active care on -- on water -- 4 like, chemical or physical stability? Like, 5 can you just clarify what you're asking. 6 R. WYKES: Russell Wykes, 7 Environment and Climate Change Canada. 8 Environment Canada is concerned about 9 the -- the long-term monitoring of that saline 10 effluent in closure because we have read in the 11 interim closure and reclamation plan that all 12 management structures are going to be removed. 13 So that's where -- that's where we have run 14 into an issue. If there's no water management 15 structures there, how is that water going to be 16 managed? 17 J. QUESNEL: Thank you, Madam Chair. 18 Jamie Quesnel, Agnico Eagle. 19 Yeah. So based on the sequence of 20 activities, those structures would not be 21 dismantled until we met the obligations. So we 22 have that type of criteria, say, in Meadowbank, 23 and also in this licence we would -- say, B7, 24 there's some concern related to water quality, 25 the structures would -- would remain until we 26 met whatever that objective is at that time.</p>

<p style="text-align: right;">61</p> <p>1 And then sequentially, once we agree to  2 reconnect to the regional watershed to -- to --  3 to reconnect to the -- the flooded pit lakes,  4 then the infrastructure would be removed.  5 So the -- the sequential piece would be  6 based on that. So that's basically in our  7 licence now, and that's a typical condition we  8 have in our licence, say, at Meadowbank. We  9 will not reconnect to the regional watershed  10 until we met the conditions of the licence at  11 that time.  12 THE CHAIR: Environment and Climate  13 Change Canada.  14 R. WYKES: Thank you, Madam Chair.  15 Russell Wykes, Environment and Climate Change  16 Canada.  17 Thank you, Jamie, for that response.  18 THE CHAIR: Thank you.  19 Fisheries and Oceans Canada.  20 Fisheries and Oceans Canada Questions Agnico  21 Eagle Mines Limited  22 J. AUDET-LECOUFFE: Thank you, Madam Chair.  23 Jose Audet-Lecouffe, Fisheries and Oceans  24 Canada. We do have one question.  25 Does Agnico Eagle monitor water levels in  26 Meliadine Lake and flow in Meliadine River and</p>	<p style="text-align: right;">62</p> <p>1 Diane River?  2 C. PRATHER: Colleen Prather with  3 Agnico Eagle.  4 So I can confirm that water levels are  5 continuously recorded at the water intake for  6 the Meliadine camp and the two outflows of  7 Meliadine Lake. Thank you.  8 THE CHAIR: Fisheries and Oceans.  9 J. AUDET-LECOUFFE: Thank you, Madam Chair.  10 Can you confirm -- Jose Audet-Lecouffe with  11 Fisheries and Oceans Canada.  12 Can you confirm how many years of data you  13 have on this?  14 C. PRATHER: Colleen Prather with  15 Agnico Eagle.  16 I can confirm the monitoring program was  17 initiated in 2024 with plans to continue the  18 program in 2025 and 2026. Thank you.  19 J. AUDET-LECOUFFE: Thank you, Colleen, for  20 that answer. Jose Audet-Lecouffe, Fisheries  21 and Oceans Canada.  22 Can you confirm that we would have three  23 years of monitoring for water levels?  24 THE CHAIR: Agnico.  25 C. PRATHER: Colleen Prather with  26 Agnico Eagle.</p>
<p style="text-align: right;">63</p> <p>1 I can confirm that we started the program  2 in 2024. We'll continue for '25 and '26. So  3 there will be three years of monitoring. The  4 results will be included in the annual report  5 with results for this year starting in the 2024  6 annual report. Thank you.  7 J. AUDET-LECOUFFE: Jose Audet-Lecouffe,  8 Fisheries and Oceans Canada.  9 I would just like to point to the framework  10 for assessing the ecological flow requirements  11 that DFO uses for standard thresholds for water  12 levels. It states that to assess the impacts  13 of flow, alteration on fisheries, a minimum of  14 20 years of river flow data is recommended.  15 Three years of data is not even close to  16 20 years. Thank you.  17 THE CHAIR: Agnico Eagle.  18 C. PRATHER: Colleen Prather with  19 Agnico Eagle.  20 Thank you for the comment.  21 THE CHAIR: Fisheries and Oceans.  22 J. AUDET-LECOUFFE: Thank you, Madam Chair.  23 Thank you, Colleen.  24 No further questions.  25 THE CHAIR: Thank you.  26 Any questions from the members of the</p>	<p style="text-align: right;">64</p> <p>1 public for Agnico Eagle Mines?  2 Okay. Seeing none, does the Board staff  3 have any questions for Agnico Eagle?  4 Nunavut Water Board Staff Questions Agnico  5 Eagle Mines Limited  6 S. AUTUT: Thank you, Madam Chair.  7 Stephanie Autut, Nunavut Water Board.  8 The staff do have a couple questions at  9 this time.  10 K. KHARATYAN: Thank you, Madam Chair.  11 Karen Kharatyan from water board.  12 Just a few clarification regarding  13 Schedule 2 or B Lake -- B7 Lake listed under  14 Schedule 2. From our understanding, even  15 during the closure phase, the -- this lake or  16 water body or facility will be listed under  17 Schedule 2.  18 As you mentioned, there is not any, yes,  19 water body that was delisted from Schedule 2 up  20 to now. From our understanding at closure  21 phase, there won't be any saline water. So  22 it's kind of follow-up to -- this is a question  23 to have a confirmation that because we had a  24 commitment from Agnico Eagle that saline water  25 will not be discharging to a receiving  26 environment. So at the closure stage, there</p>



<p style="text-align: right;">65</p> <p>1 won't be any saline water within the facility?</p> <p>2 J. QUESNEL: Thank you, Madam Chair.</p> <p>3 Jamie Quesnel, Agnico Eagle.</p> <p>4 That's correct. Any -- any storage of</p> <p>5 saline water in Saline Pond 6, Lake B7, would</p> <p>6 be discharged through the waterline to Itivia.</p> <p>7 So at the time of closure, there would be no</p> <p>8 saline water within that infrastructure.</p> <p>9 K. KHARATYAN: Thank you, Madam Chair.</p> <p>10 Thank you, Jamie. Karen Kharatyan from water</p> <p>11 board.</p> <p>12 Yes. Just wondering whether there are some</p> <p>13 specific requirement under MDMER for water</p> <p>14 bodies or facilities listed under Schedule 2.</p> <p>15 Maybe specific monitoring requirement just for</p> <p>16 our information.</p> <p>17 THE CHAIR: Agnico Eagle.</p> <p>18 C. PRATHER: Colleen Prather with</p> <p>19 Agnico Eagle. Thank you for the question.</p> <p>20 So there are specific monitoring</p> <p>21 requirements as part of the regulation. Any</p> <p>22 water that is managed on-site and then</p> <p>23 discharged from the final discharge point has</p> <p>24 to be studied and sampled for chemistry and</p> <p>25 toxicity, likewise of the receiving</p> <p>26 environment. There's specific studies listed</p>	<p style="text-align: right;">66</p> <p>1 within the regulations about water and</p> <p>2 biological studies that have to be completed.</p> <p>3 And -- yeah. And the -- any of the</p> <p>4 discharge from -- from the site from the final</p> <p>5 discharge point has to meet the criteria of</p> <p>6 Schedule 4 in the regulations. Thank you.</p> <p>7 K. KHARATYAN: Karen Kharatyan from</p> <p>8 water board. Thank you, Madam Chair.</p> <p>9 Yes. Another maybe follow-up question.</p> <p>10 Very likely this is for Environment and Climate</p> <p>11 Change Canada. Yes.</p> <p>12 Agnico Eagle stated in their presentation</p> <p>13 that no water body was taken out from</p> <p>14 Schedule 2. I'm just wondering whether there</p> <p>15 is a mechanism of taking of water body from</p> <p>16 Schedule 2 and, if there is, how this happens</p> <p>17 generally.</p> <p>18 R. WYKES: Russell Wykes,</p> <p>19 Environment and Climate Change Canada.</p> <p>20 At this point, no, there is not. There is</p> <p>21 not a mechanism for taking a mine out of</p> <p>22 Schedule 2. However, if a mine becomes a</p> <p>23 recognized closed mine, then the authority to</p> <p>24 deposit waste under Sections 4 and 5</p> <p>25 respectively would no longer apply, and the</p> <p>26 general prohibitions of -- under the Fisheries</p>
<p style="text-align: right;">67</p> <p>1 Act would apply.</p> <p>2 K. KHARATYAN: Thank you. Karen</p> <p>3 Kharatyan from water board.</p> <p>4 No more questions. Thank you, Madam Chair.</p> <p>5 THE CHAIR: Thank you.</p> <p>6 Any questions from the Panel?</p> <p>7 Sorry. Agnico Eagle.</p> <p>8 J. QUESNEL: Thank you, Madam Chair.</p> <p>9 Jamie Quesnel, Agnico Eagle.</p> <p>10 From our understanding, what was just</p> <p>11 mentioned by Environment Canada is not totally</p> <p>12 accurate. So I think from our perspective and</p> <p>13 our understanding of completing these</p> <p>14 activities, whatever is listed as Schedule 2 in</p> <p>15 the federal regulation remains as that. Even</p> <p>16 if we go through a closed mine status, that --</p> <p>17 the scheduled item remains as a facility of</p> <p>18 infrastructure for that operation.</p> <p>19 So there's no process to return it to</p> <p>20 delist it from the meadow and diamond mining</p> <p>21 effluent regulation. So it would still be a</p> <p>22 listed facility on the federal regulation, and</p> <p>23 we've -- we've gone through a legal review,</p> <p>24 Mining Association of Canada, our experience.</p> <p>25 So we just have to be very careful on the</p> <p>26 language related to when closure does occur</p>	<p style="text-align: right;">68</p> <p>1 related to a listed facility.</p> <p>2 THE CHAIR: Staff. You're okay?</p> <p>3 Good?</p> <p>4 K. KHARATYAN: Good for now. Thank you,</p> <p>5 Madam Chair.</p> <p>6 THE CHAIR: Thank you.</p> <p>7 Any questions from the Panel?</p> <p>8 L. TOOMASIE: (NO ENGLISH FEED)</p> <p>9 THE CHAIR: Thank you.</p> <p>10 Okay. That's all for our questions. Thank</p> <p>11 you, Agnico Eagle.</p> <p>12 Our next presentation by intervenors, we</p> <p>13 have the Nunavut Tunngavik -- no -- Kivalliq</p> <p>14 Inuit Association.</p> <p>15 T. MEADOWS: Thank you, Madam Chair.</p> <p>16 Teresa Meadows, legal counsel for the Nunavut</p> <p>17 Water Board.</p> <p>18 So if I can have the witnesses state and</p> <p>19 spell their name for the record, please.</p> <p>20 L. MANZO: Thank you, Madam</p> <p>21 Chairman.</p> <p>22 T. MEADOWS: Thank you, Madam Chair.</p> <p>23 Teresa Meadows, legal counsel for the Nunavut</p> <p>24 Water Board. So I have confused the witnesses.</p> <p>25 Do you wish to be sworn or affirmed?</p> <p>26 L. MANZO: Affirmed. Thank you,</p>

<p style="text-align: right;">69</p> <p>1 Madam Chairman. My name is Luis Manzo, L-U-I-S  2 M-A-N-Z-O, and I affirm.  3 M. MCDUGALL: I am Matt McDougall,  4 M-A-T-T M-C-D-O-U-G-A-L-L.  5 A. SEXTON: Alan Sexton, A-L-A-N  6 S-E-X-T-O-N, and I so affirm.  7 LUIS MANZO, MATT MCDUGALL, AND ALAN SEXTON,  8 Affirmed  9 T. MEADOWS: Thank you. Teresa  10 Meadows, legal counsel for the Nunavut Water  11 Board.  12 So it's my understanding that I have two  13 CVs from Matt and from Alan, and I also have  14 the presentation -- hard copy presentation  15 materials that are about to be presented by the  16 Kivalliq Inuit Association, and I will mark  17 those as the next exhibits in this public  18 hearing. And thank you, Madam Chair. Those  19 are my procedural matters.  20 EXHIBIT 3 - Hard Copy PowerPoint  21 Presentation, NWB Water Licence  22 2AM-MEL1631 Amendment of the  23 Meliadine Extension Proposal Final  24 Presentation of Meliadine Extension  25 Proposal Water Licence Amendment  26 (English and Inuktitut)</p>	<p style="text-align: right;">70</p> <p>1 EXHIBIT 4 - Electronic Copy  2 Curriculum Vitae, Matt McDougall  3 (English)  4 EXHIBIT 5 - Electronic Copy  5 Curriculum Vitae, Alan Sexton  6 THE CHAIR: Thank you.  7 Kivalliq Inuit Association, go ahead with  8 your presentation.  9 Presentation by Kivalliq Inuit Association  10 L. MANZO: Thank you, Madam  11 Chairman. My name is Luis Manzo, director of  12 lands, Kivalliq Inuit Association.  13 With me for the technical component of this  14 presentation, Dr. Matt McDougall will intervene  15 half of the presentation to address the  16 technical issues related to water management.  17 Kivalliq Inuit Association is a designated  18 Inuit organization under Article 39 of the  19 Nunavut Agreement and represent Inuit  20 beneficiaries of the Nunavut Agreement in the  21 Kivalliq region. KIA holds titles to manage  22 surface Inuit-owned lands in the Kivalliq  23 region. The primary purpose of Inuit-owned  24 lands is to provide Inuit with rights in lands  25 that promote economic self-sufficiency in a  26 manner consistent with the cultural and social</p>
<p style="text-align: right;">71</p> <p>1 well-being of Inuit now and in the future.  2 Next slide, please. Our mandate: Manage  3 surface Inuit-owned lands in a manner that  4 supports sustainable economic development  5 opportunities for Inuit, ensure that any  6 economic development is done in an  7 environmental and a socially responsible manner  8 that protects Inuit rights guaranteed under the  9 Nunavut Agreement.  10 Next slide, please. The water -- the  11 amendment for the water licence 2AM-MEL1631  12 amendment of the Meliadine project is to ensure  13 that the potential impacts and benefits are  14 comprehensively assessed and ensure that Inuit  15 Qaujimajatuqangit values are incorporated into  16 impact determination, mitigation, project  17 design, and monitoring; ensure that the voices  18 of Inuit are heard; ensure that the rights of  19 Inuit are paramount and that they are respected  20 now and in the future.  21 KIA had one information request prior to  22 the technical meeting, which was resolved. KIA  23 had three technical comments, Meliadine charge  24 quality and quantity, AEM reference areas, Lake  25 B7 remediation, which has been substantially  26 resolved by commitment or term and condition.</p>	<p style="text-align: right;">72</p> <p>1 KIA provided eight comments on Agnico Eagle  2 draft water licence framework, two of which are  3 resolved and six which remain to be in  4 discussion.  5 Next slide, please. The proponent has made  6 the following commitments in response to the  7 Kivalliq Inuit Association technical comments:  8 the setting of an upper-bound discharge limit  9 of a total authorized volume of 2,600,000 cubic  10 metres per year to the Meliadine Lake.  11 Throughout mine operations, under no  12 circumstances will be -- will the proponent  13 discharge underground saline water to the  14 Meliadine Lake.  15 Three, throughout mine operation, the  16 proponent will continue to monitor Lake B7 to  17 access the potential requirements to remediate  18 Lake B7 at closure.  19 Updating the adaptive management plan to  20 integrate the prioritization of discharge  21 strategy and the completion of a reference lake  22 monitoring program which shall be included in  23 the 2025, 2026, and 2027 annual report.  24 Outstanding comments. The remaining  25 Kivalliq Inuit Association comments/concern:  26 Ensure -- ensuring the commitments made by the</p>

<p style="text-align: right;">73</p> <p>1 proponent to the Kivalliq Inuit Association  2 remain -- remain binding and enforced by the  3 Nunavut Water Board; the finalization of the  4 security management agreement and water  5 compensation agreement is now completed and the  6 global number. We -- we are now confirming  7 with the officials of that agreement; the draft  8 water licence framework.  9 Article 20 of the Nunavut Agreement  10 requires a compensation agreement to be in  11 place before to -- the Nunavut Water Board  12 approving a licence. The amendment application  13 will substantially affect the quality,  14 quantity, and flow of water flowing through  15 IOL.  16 As such, a compensation agreement must be  17 in place to compensate KIA for any potential  18 losses or changes caused by the change in  19 quality and quantity of flow of that water.  20 The -- the Kivalliq Inuit Association is  21 working -- has already worked the water  22 compensation agreement with the proponent  23 reflecting the -- those requirements under  24 Article 20, pending a letter to Nunavut Water  25 Board to be sent from Kivalliq Inuit  26 Association.</p>	<p style="text-align: right;">74</p> <p>1 Security management agreement. The  2 Kivalliq Inuit Association received a draft  3 proposed amendment to the security management  4 agreement from Crown-Indigenous Relations and  5 Northern Affairs Canada on Thursday, May 5  6 and -- and has since been working hard with the  7 Crown-Indigenous Relations Northern Affairs --  8 Northern Affairs Canada to understand the  9 proposed amendment.  10 At this time, no agreement has been reached  11 for an amendment, but discussions continue to  12 move forward in part with the resolution. We  13 will update the Nunavut Water Board upon  14 finalization and amending the security  15 management agreement during this week.  16 M. MCDOUGALL: Matt McDougall for the  17 Kivalliq Inuit Association.  18 Before I go through our technical comments,  19 the KIA, the Kivalliq Inuit Association, has  20 reviewed outstanding comments from Environment  21 Canada and Fisheries and Oceans related to  22 withdrawal volumes from Meliadine Lake at  23 closure. Specifically, we agree that further  24 information is required to assess the impacts  25 to Meliadine Lake and downstream watersheds  26 with the water -- apologies. We agree that</p>
<p style="text-align: right;">75</p> <p>1 there's further information required to assess  2 the impacts to Meliadine Lake and downstream  3 watersheds with the withdrawal rates present in  4 this amendment.  5 To move on, the Kivalliq Inuit Association  6 has requested that the proponent incorporate  7 additional reference lakes in the monitoring  8 program. The purpose of this request was to  9 allow for the ability to better distinguish  10 between mine-related impacts and local  11 variability in the watershed. The proponent  12 has committed to completing a three-year  13 reference lake monitoring program which will  14 begin in 2025 with the results reported in  15 2025, 2026, and 2027.  16 The Kivalliq Inuit Association requested  17 that the proponent include further detail on  18 Lake B7 remediation in the interim closure and  19 reclamation plan. The purpose of this request  20 stemmed from the concern that storage of saline  21 groundwater in Lake B7 raises the possibility  22 of remediating B7 to sustain aquatic life and  23 be connected to local watershed during closure  24 and post-closure.  25 In response, the proponent committed to  26 monitoring Lake B7 during operations to assess</p>	<p style="text-align: right;">76</p> <p>1 the potential requirements of remediation of B7  2 at closure.  3 The Kivalliq Inuit Association and Agnico  4 Eagle have recognized the need for saline  5 groundwater to be managed separately from  6 surface contact water that is discharged to  7 Meliadine Lake. The proponent committed to  8 separate management of the saline groundwater  9 and surface contact water and that under no  10 circumstances will the proponent discharge  11 underground saline groundwater to Meliadine  12 Lake.  13 The KIA has requested that -- the  14 proponent's commitment to be incorporated as a  15 new licence term and condition as the  16 protection of water quality of Meliadine Lake  17 is fundamental. The Kivalliq Inuit Association  18 does not believe that incorporating the  19 commitment list into the annual report  20 adequately reflects the importance of  21 maintaining the separation of saline  22 groundwater in Meliadine Lake which local Inuit  23 rely on for drinking, fishing, and access to  24 hunting grounds.  25 J. KATZ: Okay. I'm just going to  26 be brief and just deliver some -- oh, yeah.</p>

<p style="text-align: right;">77</p> <p>1 Sorry. Jonathan Katz, legal counsel to the 2 Kivalliq Inuit Association. 3 I'm going to be brief and just highlight a 4 few of the remaining comments on the draft 5 water licence framework. I'm not going to go 6 through all of them in detail because the Board 7 has them and is -- is going to consider those 8 comments at the end of this proceeding, but I 9 just want to highlight a few important points. 10 Number 1, the Kivalliq Inuit Association 11 supports the recommendation of CIRNAC to amend 12 wording of Part 4 -- Part F, Number 4, to just 13 add some more clarity to the term and condition 14 with respect to the discharge of effluent from 15 the final discharge point relating to the 16 2.6 million. 17 The Kivalliq Inuit Association appreciates 18 Canada's requested amendment and believes it 19 will add strength to a provision that is of 20 utmost importance to Inuit. 21 Second, there must be a term and condition 22 with respect to Agnico Eagle's commitment to 23 not discharge saline groundwater into Meliadine 24 Lake. And before I go on, I just want to 25 correct one point that Luis made. The date 26 that we received the security management</p>	<p style="text-align: right;">78</p> <p>1 amendment was not May 5th. It was 2 September 5th. So I just wanted to make that 3 note. 4 And I think that will be all. If the Board 5 has any questions on the Kivalliq Inuit 6 Association's comments on the draft water 7 licence, you can ask, and we will answer those 8 questions. Thank you. 9 THE CHAIR: Thank you. 10 Any questions from Agnico Eagle for the 11 Kivalliq Inuit Association? 12 Agnico Eagle Mines Limited Questions Kivalliq 13 Inuit Association 14 C. PRATHER: Colleen Prather with 15 Agnico Eagle. Thank you for the presentation. 16 We would just like to ask a question about 17 the water compensation. Does the Kivalliq 18 Inuit Association agree that the water 19 compensation has been agreed upon and it is 20 currently with the Kivalliq Inuit Association 21 for signature? Thanks. 22 L. MANZO: Thank you, Madam 23 Chairman. Luis Manzo, Kivalliq Inuit 24 Association. 25 We're waiting for confirmation with the 26 Board. As -- as we informed you this morning,</p>
<p style="text-align: right;">79</p> <p>1 the numbers are being accounted and sended. 2 We're waiting for the Board to respond at that 3 point. In time, we formally will send a letter 4 to Nunavut Water Board as required. Until 5 then, I will leave that for the end of the last 6 day or tomorrow when we have a response from 7 the Board. Thank you. 8 THE CHAIR: Any other questions from 9 Agnico? 10 J. QUESNEL: Thank you, Madam Chair. 11 Jamie Quesnel, Agnico Eagle. 12 Just with Part F, Item 4, with the -- with 13 the language related to the discharge of 14 Meliadine Lake. Because original wording, 15 Agnico Eagle and the Kivalliq Inuit Association 16 agreed to that. So we just don't know how the 17 additional wording will be incorporated into 18 the agreed wording. 19 So maybe we can talk about that a little 20 bit later today 'cause we don't -- we just 21 don't understand how it's all going to come 22 together with all the wording. 23 J. KATZ: Jonathan Katz, legal 24 counsel, Kivalliq Inuit Association. 25 I'd be happy to work offline to address 26 what the wording will look like. I believe</p>	<p style="text-align: right;">80</p> <p>1 CIRNAC proposed in the terms and conditions of 2 the licence some wording, and so we could look 3 at that after and -- and put it together. 4 Thank you. 5 THE CHAIR: Any other questions from 6 Agnico Eagle? Thank you. 7 Any questions from the Nunavut Tunngavik 8 Incorporated to Kivalliq Inuit Association? 9 E. GREENE: No questions from Nunavut 10 Tunngavik. Thank you. 11 THE COURT: Any questions from 12 Crown-Indigenous Relations and Northern 13 Affairs? 14 A. HAQUE: Thank you, Madam Chair. 15 Aminul Haque, Crown-Indigenous Relations and 16 Northern Affairs Canada. 17 No questions. 18 THE CHAIR: Any questions from 19 Environment and Climate Change? 20 R. WYKES: Thank you, Madam Chair. 21 Russell Wykes, Environment and Climate Change 22 Canada. 23 We have no questions at this time. 24 THE CHAIR: Fisheries and Oceans? 25 J. AUDET-LECOUFFE: Thank you, Madam Chair. 26 Jose Audet-Lecouffe, Fisheries and Oceans.</p>

<p style="text-align: right;">81</p> <p>1 We don't have any questions at this time.</p> <p>2 Thank you.</p> <p>3 THE CHAIR: Thank you.</p> <p>4 Any questions from the members of the</p> <p>5 public?</p> <p>6 Seeing none, any questions from the Board</p> <p>7 staff? Go ahead.</p> <p>8 Nunavut Water Board Staff Questions Kivalliq</p> <p>9 Inuit Association</p> <p>10 K. KHARATYAN: Karen Kharatyan, water</p> <p>11 board. Thank you, Madam Chair.</p> <p>12 One comment and one question maybe, a</p> <p>13 comment regarding the draft for the licence</p> <p>14 framework. The Board acknowledges that there</p> <p>15 were some proposed changes by Agnico Eagle for</p> <p>16 existing licence terms and conditions, and we</p> <p>17 are also mindful that there were some comments</p> <p>18 or disagreements or, yes, concerns raised by</p> <p>19 intervenors.</p> <p>20 Just for your information, yes, although</p> <p>21 the Board didn't raise any question -- didn't</p> <p>22 ask any question about these changes and about</p> <p>23 the proposed agreement or disagreement by</p> <p>24 parties, we will consider all submissions</p> <p>25 before making a decision about any licence</p> <p>26 terms and conditions.</p>	<p style="text-align: right;">82</p> <p>1 And the question is for Kivalliq Inuit</p> <p>2 Association regarding security management</p> <p>3 agreement. You mentioned that you are working</p> <p>4 on this. Just be -- you know, that before the</p> <p>5 public hearing record is closed, we need a</p> <p>6 confirmation about security management</p> <p>7 agreement and water usage compensation. Just</p> <p>8 to get Kivalliq confirmation, whether they</p> <p>9 agree with the number -- global number Agnico</p> <p>10 Eagle provided this morning and also with the</p> <p>11 breakdown of tranches or three phases for the</p> <p>12 security and also the -- the proportion, a</p> <p>13 50-50 percent split of the security. Thank</p> <p>14 you.</p> <p>15 L. MANZO: Thank you, Madam</p> <p>16 Chairman. Luis Manzo, Kivalliq Inuit</p> <p>17 Association.</p> <p>18 Regarding the compensation, we do agree on</p> <p>19 the number. We are expecting confirmation from</p> <p>20 the Board in the -- in the next two -- two</p> <p>21 days.</p> <p>22 And for the security management agreement,</p> <p>23 we did -- or the security itself, we did --</p> <p>24 there's two things. One is we do agree in the</p> <p>25 global number based in the reclaim model</p> <p>26 presented. That number is between the three</p>
<p style="text-align: right;">83</p> <p>1 parties, security agreement.</p> <p>2 Now, the security management agreement,</p> <p>3 which is a subcontract to our base, to split</p> <p>4 that security 50-50, Canada raised some legal</p> <p>5 issues to address in the security management</p> <p>6 agreement. We have retained explanations. So</p> <p>7 those -- and we're working with CIRNAC and the</p> <p>8 proponent to address those once they -- once</p> <p>9 the legal counsel's able to resolve that, we</p> <p>10 will go back to the Board and -- and report to</p> <p>11 it.</p> <p>12 But I would like to say as a comment</p> <p>13 there's an existing management agreement signed</p> <p>14 at this point in time. So it's only an</p> <p>15 amendment. The agreement should be accounted</p> <p>16 for at the last minute, if it's -- if that is</p> <p>17 the case, but we received that, like I said,</p> <p>18 late last week and tried to yesterday make it</p> <p>19 better clarity for that security management</p> <p>20 agreement, but we're still working on it.</p> <p>21 So I hope that's addressing the concerns,</p> <p>22 two things, security management agreement and</p> <p>23 how that one is split, which is a private</p> <p>24 contract between the proponent, CIRNAC and KIA.</p> <p>25 We do agree in the global numbers that we work</p> <p>26 with the proponent, which is 140 million using</p>	<p style="text-align: right;">84</p> <p>1 for that. Thanks, Mr. Chairman -- Madam</p> <p>2 Chairman.</p> <p>3 K. KHARATYAN: Nothing more. Karen</p> <p>4 Kharatyan, water board.</p> <p>5 Thank you, Madam Chair. Good for now.</p> <p>6 THE CHAIR: Thank you.</p> <p>7 Any questions from the Board panel members?</p> <p>8 L. TOOMASIE: No question. Thank you.</p> <p>9 THE CHAIR: Thank you.</p> <p>10 Thank you, Kivalliq Inuit Association.</p> <p>11 Presentation by the Nunavut Tunngavik</p> <p>12 Incorporated.</p> <p>13 T. MEADOWS: Thank you, Madam Chair.</p> <p>14 Teresa Meadows, legal counsel for the Nunavut</p> <p>15 Water Board.</p> <p>16 Do the witnesses wish to be sworn or</p> <p>17 affirmed?</p> <p>18 E. GREENE: Affirmed.</p> <p>19 R. MERCER: Affirmed.</p> <p>20 E. GREENE: And we also have Arthur</p> <p>21 online who might speak too.</p> <p>22 T. MEADOWS: Thank you. Teresa</p> <p>23 Meadows, legal counsel for the Nunavut Water</p> <p>24 Board.</p> <p>25 Arthur is your legal counsel, so we don't</p> <p>26 need to swear or affirm him.</p>

<p style="text-align: right;">85</p> <p>1 So if I can get the witnesses to state and 2 spell their name for the record, please. 3 E. GREENE: Ezra Greene, E-Z-R-A; 4 last name, G-R-E-E-N-E. 5 R. MERCER: Raymond Mercer, 6 R-A-Y-M-O-N-D M-E-R-C-E-R. 7 EZRA GREENE, RAYMOND MERCER, Affirmed 8 T. MEADOWS: Teresa Meadows, legal 9 counsel for the Nunavut Water Board. 10 So, Madam Chair, I have a presentation -- a 11 hard copy of the presentation about to be 12 provided by Nunavut Tunngavik Incorporated, and 13 I propose to mark that as the next exhibit in 14 this public hearing. And that concludes my 15 procedural matters, Madam Chair. 16 EXHIBIT 6 - Hard Copy PowerPoint 17 Presentation, NTI Presentation For 18 Nunavut Water Board's Public Hearing 19 on Agnico Eagle Mines Ltd.'s 20 Application to Amend its Type A Water 21 Licence for the Meliadine Mine 22 (English and Inuktitut) 23 THE CHAIR: Okay. Thank you. 24 Nunavut Tunngavik Incorporated, go ahead 25 with your presentation. 26 Presentation by Nunavut Tunngavik Incorporated</p>	<p style="text-align: right;">86</p> <p>1 E. GREENE: Thank you, Madam Chair. 2 Ezra Greene, Nunavut Tunngavik Incorporated. 3 You can go to the next slide here. So the 4 role of Nunavut Tunngavik Incorporated is to 5 represent the Inuit of Nunavut for the purpose 6 of ensuring that Inuit rights are fully 7 respected, including Aboriginal rights such as 8 the duty to consult under Section 35 of the 9 Canadian constitution and treaty rights, 10 meaning the Nunavut Agreement rights and 11 obligations. 12 NTI's role extends to ensuring that the 13 processes of the institutions of public 14 government are in keeping with the Nunavut 15 Agreement, the Nunavut Waters and Surface 16 Rights Tribunal Act, and upholding Inuit 17 participation and consultation requirements. 18 In this review process, NTI supports the 19 Kivalliq Inuit Association, the Kivalliq 20 Wildlife Board, hunters and trappers 21 organizations, and communities generally in 22 addressing issues that are of concern to all 23 Inuit in Nunavut, including the promotion of 24 Inuit culture and the safeguarding of Inuit's 25 wildlife, environment, culture, lands, and 26 economy.</p>
<p style="text-align: right;">87</p> <p>1 So in our presentation, we will be 2 supporting the Kivalliq Inuit Association's 3 submissions. We support their final written 4 submission, and we have additional comments on 5 three of the Kivalliq Inuit Association's 6 proposed amendments to the Agnico Eagle Mine 7 Meliadine water licence. 8 So regarding Kivalliq Inuit Association's 9 Comment 6, NTI appreciates Agnico Eagle Mines' 10 new proposed commitment in the draft water 11 licence in Part 4 [sic], Section 4, to limit 12 the annual discharge of treated effluent into 13 Meliadine Lake. 14 Similarly, NTI supports Kivalliq Inuit 15 Association's call for a new licence term that 16 Agnico Eagle Mines will under no circumstances 17 discharge underground saline groundwater to 18 Meliadine Lake. This Agnico Eagle Mine 19 commitment to Kivalliq Inuit Association 20 related to protecting water quality in 21 Meliadine Lake is fundamental. It should be an 22 explicit obligation in the Nunavut Water 23 Board's main authorization for Meliadine mine. 24 As a licenced term, it will be legally 25 enforceable, less easily amended than a 26 management plan commitment and prominent for</p>	<p style="text-align: right;">88</p> <p>1 Inuit and the public to see. 2 So regarding Kivalliq Inuit Association's 3 Comment 7 regarding draft water licence Part B, 4 Section 10, NTI shares the Kivalliq Inuit 5 Association's concern that under Agnico Eagle 6 Mines' new proposed wording for Part B, 7 Section 10, a management plan could be deemed 8 approved despite Inuit or others having 9 expressed legitimate, unresolved concerns with 10 the plan. 11 Therefore, the NTI urges the Nunavut Water 12 Board not to accept the wording Agnico Eagle 13 Mine proposed in the June 2024 -- in June 2024 14 or in its final submission. The water 15 licence's original wording should continue. 16 So on Kivalliq Inuit Association's 17 Comment 7 regarding the draft water licence, 18 Part B, Section 10 -- oh, sorry. Next slide. 19 So regarding Kivalliq Inuit Association's 20 Comment 7 on the draft water licence Part C, 21 Section 7, NTI agrees that the water licence 22 should require Agnico Eagle Mine to file an 23 updated cost estimate for reclamation along 24 with its final reclamation and closure plan and 25 therefore supports Kivalliq Inuit Association's 26 proposed amendment to the existing Section 7</p>

<p style="text-align: right;">89</p> <p>1 and Part C of the water licence.</p> <p>2 At the same time, NTI sees value in AEM's</p> <p>3 proposed new Section 7 whereby the Nunavut</p> <p>4 Water Board, the licensee, the Crown, and/or</p> <p>5 Kivalliq Inuit Association could review the</p> <p>6 liability reclamation requirements and seek to</p> <p>7 revise the amount of security that Agnico Eagle</p> <p>8 Mines must hold in light of changed</p> <p>9 circumstances.</p> <p>10 Should the cost of security increase</p> <p>11 significantly, revising Agnico Eagle Mines'</p> <p>12 legal obligations in a timely way confirms that</p> <p>13 the proponent is positioned to meet all their</p> <p>14 closure obligations. Therefore, Nunavut</p> <p>15 Tunngavik recommends including the amended</p> <p>16 water licence, both the current Part C,</p> <p>17 Section 7, as edited by the Kivalliq Inuit</p> <p>18 Association as well as the proposed new term by</p> <p>19 Agnico Eagle Mines.</p> <p>20 So NTI's comments on submissions by CIRNAC,</p> <p>21 the Department of Fisheries and Oceans, and</p> <p>22 Environment and Climate Change Canada. The</p> <p>23 outstanding technical comments raised by the</p> <p>24 Department of Fisheries and Oceans and</p> <p>25 Environment and Climate Change Canada as the</p> <p>26 well -- as well as the comments on security by</p>	<p style="text-align: right;">90</p> <p>1 Crown-Indigenous Relations and Northern Affairs</p> <p>2 all relate to the environmental protection and</p> <p>3 by extension to the long-term ability of Inuit</p> <p>4 to meaningfully harvest and enjoy the lands and</p> <p>5 waters affected by the Meliadine mine.</p> <p>6 Nunavut Tunngavik agrees with CIRNAC's</p> <p>7 proposal to update the Nunavut Water Board on</p> <p>8 the issue of security before and at the public</p> <p>9 hearing, and I believe this has been provided</p> <p>10 now. But, yeah, CIRNAC, Kivalliq Inuit</p> <p>11 Association, and Agnico should provide this</p> <p>12 update.</p> <p>13 Next slide. So commenting on draft</p> <p>14 water -- or draft water licence Part E,</p> <p>15 Section 2, NTI shares the Department of</p> <p>16 Fisheries and Oceans and Environment and</p> <p>17 Climate Change Canada's concerns with the</p> <p>18 Agnico Eagle Mine proposal to more than double</p> <p>19 the authorized volume of water that Agnico</p> <p>20 Eagle Mines may take from the Meliadine Lake to</p> <p>21 flood the pits upon closure of Meliadine mine</p> <p>22 from 4 to 8.7 million cubic metres.</p> <p>23 An authorized volume should be based on</p> <p>24 reliable predictions about what amount of water</p> <p>25 is needed to reflood the pits and how much</p> <p>26 volume can be withdrawn without jeopardizing</p>
<p style="text-align: right;">91</p> <p>1 the quality of Meliadine Lake's aquatic</p> <p>2 environment.</p> <p>3 NTI recommends that planning for this</p> <p>4 aspect of the Meliadine mine's closure happen</p> <p>5 as soon as possible and in time for Agnico</p> <p>6 Eagle Mines to adjust its operations if it</p> <p>7 turns out that the volume of water needed would</p> <p>8 compromise the aquatic environment in Meliadine</p> <p>9 Lake. It would be unacceptable to Inuit to</p> <p>10 discover that the plan to draw water from</p> <p>11 Meliadine Lake jeopardizes the lake's health or</p> <p>12 downstream watersheds and that there is no</p> <p>13 sound alternative to completing closure for the</p> <p>14 mine.</p> <p>15 And a comment on Environment and Climate</p> <p>16 Change Canada's Comment 19, closure criteria</p> <p>17 for surface water quality. So NTI supports the</p> <p>18 ECCC recommendation that the water quality</p> <p>19 criteria for closure of Meliadine mine and</p> <p>20 Agnico Eagle Mines' interim closure and</p> <p>21 reclamation plan be protective of aquatic life</p> <p>22 for all water bodies if, as -- as Environment</p> <p>23 and Climate Change Canada predicts, all of the</p> <p>24 water bodies will be reconnected to -- or</p> <p>25 facilities will be reconnected to the regional</p> <p>26 surface water network post-closure and fish</p>	<p style="text-align: right;">92</p> <p>1 would eventually be able to populate these</p> <p>2 water bodies.</p> <p>3 It's a very important issue because fishing</p> <p>4 edible and healthy fish is essential to the</p> <p>5 Inuit way of life, and post-closure the water</p> <p>6 must be safe for fish and for Inuit.</p> <p>7 Qujannamiik.</p> <p>8 THE CHAIR: Thank you.</p> <p>9 Any questions to the Nunavut Tunngavik</p> <p>10 Incorporated from the Agnico Eagle Mine?</p> <p>11 Agnico Eagle Mines Limited Questions Nunavut</p> <p>12 Tunngavik Incorporated</p> <p>13 J. QUESNEL: Thank you, Madam Chair.</p> <p>14 Jamie Quesnel, Agnico Eagle.</p> <p>15 Just -- I just need some clarification,</p> <p>16 Slide 6, related to the last paragraph,</p> <p>17 "therefore, NTI recommends including" -- like,</p> <p>18 once you get to as well as -- Agnico Eagle's</p> <p>19 proposed new term, can you just clarify what --</p> <p>20 what you're referencing.</p> <p>21 E. GREENE: I will turn this one to</p> <p>22 Arthur Yuan, who is online.</p> <p>23 A. YUAN: Arthur Yuan, legal</p> <p>24 counsel for NTI.</p> <p>25 Could you please reframe the question</p> <p>26 again. I'm not sure I understand the question.</p>

<p style="text-align: right;">93</p> <p>1 J. QUESNEL: Jamie Quesnel, Agnico 2 Eagle. 3 Slide 6, the last paragraph, it says: 4 (as read) 5 Therefore, NTI recommends including in 6 the amended water licence both the 7 current Part C, Section 7, as edited 8 by Kivalliq Inuit Association as well 9 as Agnico Eagle's proposed new term. 10 So my question is: For Agnico Eagle's proposed 11 new term, what are you referring to? What's -- 12 what -- what are you referencing? 13 A. YUAN: Okay. I believe we -- we 14 are talking about the proposed -- that -- the 15 language or the concept that all the party will 16 review the liability requirement and seek to 17 advise the amount of security based on any 18 changing circumstance. I believe that -- that 19 language has value. It could be added to the 20 Kivalliq Inuit Association's proposed 21 amendment. 22 Is that clear? 23 J. QUESNEL: Jamie Quesnel, Agnico 24 Eagle. 25 So we just want to make sure we're on the 26 same page because we understand KIA, Kivalliq</p>	<p style="text-align: right;">94</p> <p>1 Inuit Association, provided new wording for 2 Part C, Item 7, and we stated we agree with 3 that revised wording. So is that what you're 4 referring to? It's that we agree to Kivalliq 5 Inuit Association's recommended change to 6 Part C, Item 7? I just want to make sure we're 7 aligned on this. 8 A. YUAN: Okay. Yeah. So it would 9 appear that in NTI's presentation that 10 we paraphrased or rephrased your changes. It's 11 our understanding that you also proposed the 12 flexible language, the -- basically, the review 13 requirements based on any changing circumstance 14 after this proceeding. I'm not sure that's the 15 correct phrasing of your -- part of your 16 proposal. 17 So that's -- that's our understanding of 18 part of your proposal, that the security be -- 19 be reviewed based on any changing circumstance. 20 So that -- you know, it might be easier to -- 21 for parties to make -- to reach agreement at 22 this point with the understanding that this 23 amount could be reviewed down the road based on 24 changing circumstance. 25 Perhaps we will look into that to make -- 26 just to identify and see whether we have</p>
<p style="text-align: right;">95</p> <p>1 misunderstood your position. If that's the 2 case, we will perhaps provide a clarification 3 at a later part of this proceeding. 4 THE CHAIR: Agnico Eagle. 5 J. QUESNEL: Jamie Quesnel, Agnico 6 Eagle. 7 We're still not following this -- this 8 component of their presentation. However, we 9 will talk to them offline so we don't delay the 10 conversation right now, but we'll talk to NTI 11 at -- at the break so we understand what they 12 are referring too because right at this moment 13 we don't understand. Thank you. 14 THE CHAIR: Okay. Thank you. 15 A. YUAN: Okay. That makes sense. 16 THE CHAIR: Kivalliq Inuit 17 Association, go ahead. 18 J. KATZ: Okay. I think -- 19 Jonathan Katz, legal counsel, Kivalliq Inuit 20 Association. 21 Am I correct here that -- so in the 22 original licence amendment that Agnico Eagle 23 put forward, there is originally paragraph 7 24 under that section, which was stricken out, and 25 that started with: (as read) 26 The licensee shall within six months</p>	<p style="text-align: right;">96</p> <p>1 following commencement of commercial 2 operations. 3 And so KIA -- the Kivalliq Inuit Association's 4 recommendation was to not strike out the 5 entirety of that paragraph 7, and I think the 6 provision that NTI might be looking at is 7 the -- the new written paragraph 7. And so I 8 think that might be the confusion, but we could 9 talk about it offline if that hasn't clarified 10 it. Thank you. 11 THE CHAIR: Is that good with Agnico 12 Eagle? Okay. Thank you. 13 Any questions -- sorry. Board staff. 14 T. MEADOWS: Thank you, Madam Chair. 15 Teresa Meadows, legal counsel for the Nunavut 16 Water Board. 17 I'm assuming that once you have had those 18 offline discussions and have clarity for 19 yourselves you will report back to the Board? 20 Because I, similarly, am having difficulty 21 following this through because in terms of the 22 ability of the Board to be -- trigger an 23 amendment to the security amount, those 24 provisions are currently contained in Item 9. 25 And so when we start to cross-reference -- 26 so Item C -- or Part C, Item 9 gives the Board</p>



<p style="text-align: right;">97</p> <p>1 the ability to trigger an amendment either on  2 application of any of the parties to the  3 security management agreement or on the Board's  4 own initiative. So 8 and 9 have those. So  5 changes to Item 7 would also have to be sort of  6 thought about in the context of Item 8 and 9.  7 So come back to me with maybe some clarity  8 on what the parties are agreeing to because,  9 again, I remind the parties the Board's focus  10 in terms of the security management agreement  11 is not on the details. That is a private  12 agreement between landowners and the proponent.  13 The Board's focus is on understanding what is  14 the global security amount, total security,  15 held by both landowners, and then what is the  16 security amount that needs to be held by the  17 Board under the water licence by the Minister.  18 So it's those two key components. Any of  19 the other changes or revisions to the security  20 management agreement, it's not filed with the  21 Board. The Board does not expect to be kept  22 apprised of those -- of those details. What  23 the Board is looking for is the -- do the  24 parties have agreement under the security  25 management agreement, how much security needs  26 to be held by both landowners, and then what is</p>	<p style="text-align: right;">98</p> <p>1 the security amount that needs to be held under  2 the water licence.  3 So that's the Board's focus. All the other  4 details are not things that would trigger  5 amendments to the water licence. Thank you.  6 THE CHAIR: Thank you. So both  7 parties will get back to Board staff.  8 Any questions from the Crown-Indigenous  9 Relations and Northern Affairs to the Nunavut  10 Tunngavik Incorporated?  11 A. HAQUE: Thank you, Madam Chair.  12 Aminul Haque, Crown-Indigenous Relations and  13 Northern Affairs Canada.  14 No questions at this time. Thank you.  15 THE CHAIR: Thank you.  16 Any questions from Environment and Climate  17 Change Canada?  18 R. WYKES: Thank you, Madam Chair.  19 Russell Wykes, Environment and Climate Change  20 Canada.  21 We have no questions for NTI at this time.  22 THE CHAIR: Any questions from  23 Fisheries and Oceans Canada?  24 J. AUDET-LECOUFFE: Thank you, Madam Chair.  25 Jose Audet-Lecouffe, Fisheries and Oceans  26 Canada.</p>
<p style="text-align: right;">99</p> <p>1 We don't have any questions at this time.  2 Thank you.  3 THE CHAIR: Any questions from the  4 public for Nunavut Tunngavik Incorporated?  5 Seeing none, any questions from the Board  6 staff?  7 S. AUTUT: Stephanie Autut, Nunavut  8 Water Board.  9 We have no questions, Madam Chair.  10 THE CHAIR: Any questions from the  11 Panel?  12 L. TOOMASIE: No questions from Panel.  13 Thank you.  14 THE CHAIR: Okay. Thank you for your  15 presentation.  16 Let's take a few-minute break. We'll be  17 right back.  18 (ADJOURNMENT)  19 THE CHAIR: Okay. Next we have a  20 presentation by the Crown-Indigenous Relations  21 and Northern Affairs.  22 Legal counsel.  23 T. MEADOWS: Thank you, Madam Chair.  24 Teresa Meadows, legal counsel for the Nunavut  25 Water Board.  26 Do the witnesses wish to be affirmed or</p>	<p style="text-align: right;">100</p> <p>1 sworn?  2 A. HAQUE: Thank you, Madam Chair.  3 Affirmed.  4 T. MEADOWS: If I can have the  5 witnesses state and spell their name for the  6 record, please.  7 A. HAQUE: Aminul Haque, A-M-I-N-U-L  8 H-A-Q-U-E.  9 J. HART: Jeff Hart, J-E-F-F  10 H-A-R-T.  11 AMINUL HAQUE, JEFF HART, Affirmed  12 T. MEADOWS: Teresa Meadows, legal  13 counsel for the Nunavut Water Board.  14 So, Madam Chair, I have three  15 presentations -- three hard copy presentations  16 in various languages from Crown-Indigenous  17 Relations and Northern Affairs Canada, and I  18 propose to mark those as the next exhibits in  19 this public hearing. And, Madam Chair, those  20 are my procedural matters. Thank you.  21 EXHIBIT 7 - Hard Copy PowerPoint  22 Presentation, Agnico Eagle Mines  23 Limited's Amendment Application for  24 Type "A" Water Licence 2AM-MEL1631  25 (English)  26 EXHIBIT 8 - Hard Copy PowerPoint</p>

<p style="text-align: right;">101</p> <p>1 Presentation, Agnico Eagle Mines  2 Limited's Amendment Application for  3 Type "A" Water Licence 2AM-MEL1631  4 (Inuktitut)  5 EXHIBIT 9 - Hard Copy PowerPoint  6 Presentation, Agnico Eagle Mines  7 Limited's Amendment Application for  8 Type "A" Water Licence 2AM-MEL1631  9 (French)  10 THE CHAIR: Thank you.  11 And I just remembered. How about the  12 question between Nunavut Tunngavik  13 Incorporated, Kivalliq Inuit Association with  14 Agnico Eagle.  15 T. MEADOWS: Thank you, Madam Chair.  16 So perhaps if the parties have come to some  17 clarification that they would wish to share  18 right now. Perhaps we can follow up on that  19 before Crown-Indigenous Relations and Northern  20 Affairs Canada begins.  21 THE CHAIR: Yes, please.  22 Agnico Eagle.  23 J. QUESNEL: Thank you, Madam Chair.  24 Jamie Quesnel, Agnico Eagle.  25 We still need a little bit more time to  26 talk it through. So by tomorrow morning we</p>	<p style="text-align: right;">102</p> <p>1 should have more clarity. Thank you.  2 THE CHAIR: Okay. Thank you.  3 Crown-Indigenous Relations and Northern  4 Affairs, go ahead with your presentation.  5 Presentation by Crown-Indigenous Relations and  6 Northern Affairs Canada  7 A. HAQUE: Thank you, Madam Chair.  8 Good afternoon. My name is Aminul Haque.  9 I am the water management coordinator of the  10 water resource division with the Nunavut  11 regional office of Crown-Indigenous Relations  12 and Northern Affairs Canada.  13 I would like to thank Madam Chair, the  14 Nunavut Water Board members, along with your  15 team for allowing us to present to you on  16 behalf of our department. I would also like to  17 thank Agnico Eagle Mines Limited, the community  18 representatives, fellow intervenors, and the  19 Rankin Inlet community for welcoming us and  20 participating in this public hearing. Lastly,  21 I want to thank the translators for providing  22 translation.  23 Next slide. This presentation will  24 progress in this following order: I will begin  25 with Crown-Indigenous Relations and Northern  26 Affairs Canada's role and responsibility and</p>
<p style="text-align: right;">103</p> <p>1 the department's contribution to the water  2 licence review; then discuss the status of the  3 technical review comments and recommendations  4 submitted to the Nunavut Water Board during the  5 technical review stage; after that, I will  6 discuss some outstanding issues and open the  7 floor to questions.  8 Next slide, please. Crown-Indigenous  9 Relations and Northern Affairs Canada's  10 responsibilities, mandate, and obligation are  11 in alignment with the following acts:  12 Crown-Indigenous Relations and Northern Affairs  13 Act, the Nunavut Agreement, Nunavut Land Claims  14 Agreement Act, Nunavut Waters and Nunavut  15 Surface Rights Tribunal Act and the associated  16 regulation, Nunavut Planning and Project  17 Assessment Act, Territorial Lands Act and the  18 associated regulations, Arctic Waters Pollution  19 Prevention Act.  20 Next slide. On January 29, 2024, Agnico  21 Eagle Mines Limited provided the Board with an  22 amendment application and supporting document  23 for their Type 'A' water licence number  24 2AM-MEL1631. Crown-Indigenous Relations and  25 Northern Affairs Canada has participated in all  26 stages of the technical review process and</p>	<p style="text-align: right;">104</p> <p>1 provided final written submission to Nunavut  2 Water Board for their consideration.  3 Next I will discuss the status of the  4 technical review comments. Per Nunavut Water  5 Board's request dated March 26, 2024, to review  6 the 2024 water licence amendment application by  7 Agnico Eagle Mines, CIRNAC submitted technical  8 review comments and associated recommendations  9 on April 26, 2024.  10 Crown-Indigenous Relations and Northern  11 Affairs Canada raised concerns regarding the  12 adaptive management plan discharged to Lake  13 Meliadine, the storage of saline water in  14 Lake B7, water quality predictions, groundwater  15 flow, and water use.  16 Crown-Indigenous Relations and Northern  17 Affairs Canada communicated in writing and in  18 person with Agnico Eagle to resolve concerns  19 raised during the technical review. Agnico  20 Eagle has satisfactorily addressed all the  21 technical comments. Therefore, Crown-Indigenous  22 Relations and Northern Affairs Canada  23 identifies all the technical review comments  24 submitted on April 26, 2024, as a result.  25 Now I'd like to address some outstanding  26 issues. Technical review comments related to</p>

<p style="text-align: right;">105</p> <p>1 the adaptive management plan has been resolved,  2 and CIRNAC recommends that it be included in  3 the licence. Under the adaptive management  4 plan principle, language added indicating that  5 the water licence shall prevail if there is any  6 conflict or inconsistency between the terms and  7 condition of the water licence and the adaptive  8 management plan.  9 Next slide. Regarding security estimate,  10 Crown-Indigenous Relations and Northern Affairs  11 Canada, Kivalliq Inuit organization -- Kivalliq  12 Inuit Association and Agnico Eagle has agreed  13 to a global security amount for the existing  14 licence and associated activities related to  15 the current amendment application. Parties  16 have presented that estimate to the Nunavut  17 Water Board for their consideration.  18 Next slide. For security management  19 agreement, Crown-Indigenous Relations and  20 Northern Affairs Canada has agreed on the  21 global security amount and the -- and a split  22 of the security amount into three tranches, and  23 it has been submitted to the Board for its  24 consideration.  25 Crown-Indigenous Relations and Northern  26 Affairs Canada has also agreed on the division</p>	<p style="text-align: right;">106</p> <p>1 of this security split with Kivalliq Inuit  2 organization, and Crown-Indigenous Relations  3 and Northern Affairs is working with Kivalliq  4 Inuit Association and Agnico Eagle to finalize  5 the security management agreement.  6 Regarding draft water licence amendment  7 framework, Agnico -- Crown-Indigenous Relations  8 and Northern Affairs has reviewed Agnico  9 Eagle's proposed edit and changes to the water  10 licence amendment. Crown-Indigenous Relations  11 and Northern Affairs has submitted its comments  12 for Nunavut Water Board's consideration.  13 Crown-Indigenous -- Crown-Indigenous  14 Relations and Northern Affairs Canada will  15 continue to work with Agnico Eagle through the  16 water licence application review process to  17 protect Nunavut -- Nunavut's inland water  18 resource while promoting sustainable  19 development.  20 I want to thank the Nunavut Water Board for  21 holding this public hearing, the other  22 intervenors for their reviews, and the  23 proponent for their reports in addressing  24 intervenors' concern.  25 This concludes the presentation. We will  26 now take any questions. Thank you, Madam</p>
<p style="text-align: right;">107</p> <p>1 Chair.  2 THE CHAIR: Thank you.  3 Any questions for the Crown-Indigenous  4 Relations from Agnico Eagle Mines?  5 Agnico Eagle Mines Limited Questions  6 Crown-Indigenous Relations and Northern Affairs  7 Canada  8 J. QUESNEL: Thank you, Madam Chair.  9 Jamie Quesnel, Agnico Eagle. Thank you for the  10 presentation.  11 Just for clarification regarding the  12 security on the split, you said you agree with  13 the split. So you agree with the 50-50 split?  14 Can you just confirm that. Thank you.  15 A. HAQUE: Thank you, Madam Chair.  16 Aminul Haque, Crown-Indigenous Relations and  17 Northern Affairs Canada.  18 I confirm that we agree to 50-50 split with  19 Kivalliq Inuit Association.  20 J. QUESNEL: Thank you, Madam Chair.  21 Jamie Quesnel, Agnico Eagle.  22 Also, would you agree that we would use a  23 security management agreement to -- to address  24 these components of the security with the  25 Kivalliq Inuit Association?  26 A. HAQUE: Thank you, Madam Chair.</p>	<p style="text-align: right;">108</p> <p>1 I would request Agnico Eagle to clarify the  2 question. So what kind of clarity or what kind  3 of concern you are referring here?  4 J. QUESNEL: Thank you. Jamie  5 Quesnel, Agnico Eagle.  6 Just for clarity on the question, we would  7 use the security management agreement to ensure  8 we don't have double bonding. Thank you.  9 A. HAQUE: Aminul Haque,  10 Crown-Indigenous Relations and Northern Affairs  11 Canada. Thank you, Madam Chair.  12 Yeah. We at CIRNAC would like to confirm  13 that the -- one of the aims of the security  14 management agreement is to make sure there is  15 no double bonding.  16 THE CHAIR: Okay. Thank you.  17 Any questions from the Nunavut Tunngavik  18 Incorporated?  19 E. GREENE: Ezra Greene, Nunavut  20 Tunngavik Incorporated.  21 No questions from Nunavut Tunngavik  22 Incorporated. Qujannamiik.  23 THE CHAIR: Any questions from the  24 Kivalliq Inuit Association?  25 Kivalliq Inuit Association Questions  26 Crown-Indigenous Relations and Northern Affairs</p>

<p style="text-align: right;">109</p> <p>1 Canada</p> <p>2 L. MANZO: Thank you, Madam</p> <p>3 Chairman. Luis Manzo, Kivalliq Inuit</p> <p>4 Association.</p> <p>5 I have one questions for CIRNAC in regard</p> <p>6 to security management agreement. Can you</p> <p>7 confirm that security management agreement will</p> <p>8 be addressed before Thursday 5 PM?</p> <p>9 A. HAQUE: Thank you, Madam Chair.</p> <p>10 Aminul Haque, Crown-Indigenous Relations and</p> <p>11 Northern Affairs Canada.</p> <p>12 I would like to confirm that</p> <p>13 Crown-Indigenous Relations and Northern Affairs</p> <p>14 Canada is working with Kivalliq Inuit</p> <p>15 Association and Agnico Eagle to finalize the</p> <p>16 security management agreement and working</p> <p>17 towards it.</p> <p>18 L. MANZO: Thank you, Madam</p> <p>19 Chairman. Luis Manzo, Kivalliq Inuit</p> <p>20 Association.</p> <p>21 No more questions. Thank you.</p> <p>22 THE CHAIR: Thank you.</p> <p>23 Any questions from Environment and Climate</p> <p>24 Change?</p> <p>25 R. WYKES: Thank you, Madam Chair.</p> <p>26 Russell Wykes, Environment and Climate Change</p>	<p style="text-align: right;">110</p> <p>1 Canada.</p> <p>2 We have no questions at this time.</p> <p>3 THE CHAIR: Thank you.</p> <p>4 Fisheries and Oceans Canada.</p> <p>5 J. AUDET-LECOUFFE: Thank you, Madam Chair.</p> <p>6 Jose Audet-Lecouffe, Fisheries and Oceans</p> <p>7 Canada.</p> <p>8 We don't have any questions. Thank you.</p> <p>9 THE CHAIR: Any questions from the</p> <p>10 general public? No questions.</p> <p>11 Any questions from the Board staff?</p> <p>12 Nunavut Water Board Staff Questions</p> <p>13 Crown-Indigenous Relations and Northern Affairs</p> <p>14 Canada</p> <p>15 S. AUTUT: Thank you, Madam Chair.</p> <p>16 I have one clarification question to CIRNAC.</p> <p>17 Stephanie Autut, Nunavut Water Board.</p> <p>18 Just going back to the Kivalliq Inuit</p> <p>19 Association question, I believe the date and</p> <p>20 time of Thursday, 5 PM was included in the</p> <p>21 question. Can you please provide confirmation</p> <p>22 that the security management agreement -- the</p> <p>23 goal is to have consensus on that by 5 tomorrow --</p> <p>24 end of -- end of hearing tomorrow?</p> <p>25 A. HAQUE: Thank you, Madam Chair.</p> <p>26 Aminul Haque, Crown-Indigenous Relations and</p>
<p style="text-align: right;">111</p> <p>1 Northern Affairs Canada.</p> <p>2 I would like to confirm that we agreed on</p> <p>3 the global -- global security amount. We</p> <p>4 have -- we agreed on the split of the security</p> <p>5 amount between Kivalliq Inuit organization</p> <p>6 and -- and Government of Canada 50-50 split. I</p> <p>7 also agreed on the payment of the security</p> <p>8 in -- in three tranches.</p> <p>9 However, at this moment, we -- we -- we can</p> <p>10 commit to work on finalizing the agreement and</p> <p>11 signing the agreement and working towards it.</p> <p>12 S. AUTUT: Stephanie Autut, Nunavut</p> <p>13 Water Board. Thank you.</p> <p>14 That is the information we were looking</p> <p>15 for. Thank you, Madam Chair. I believe Karen</p> <p>16 has additional questions.</p> <p>17 K. KHARATYAN: Thank you, Madam Chair.</p> <p>18 One clarification or comment regarding</p> <p>19 Slide 6 of CIRNAC presentation. There it was</p> <p>20 stated that CIRNAC recommends that adaptive</p> <p>21 management plan be included in this -- in the</p> <p>22 licence. Just for our record, it should be</p> <p>23 helpful to mention that adaptive management</p> <p>24 plan is already included within the licence.</p> <p>25 There are two terms and conditions, part --</p> <p>26 under Part B, Item 20, 21, that discuss</p>	<p style="text-align: right;">112</p> <p>1 adaptive management plan.</p> <p>2 For our clarity, I would ask CIRNAC to</p> <p>3 confirm whether they are recommending to</p> <p>4 approve the final version of adaptive</p> <p>5 management plan submitted by Agnico Eagle.</p> <p>6 A. HAQUE: Thank you, Madam Chair.</p> <p>7 Aminul Haque, Crown-Indigenous Relations and</p> <p>8 Northern Affairs Canada.</p> <p>9 It is to confirm that we are recommending</p> <p>10 the adaptive management plan is part -- be part</p> <p>11 of the licence as the approved management plan,</p> <p>12 and the final version that has been submitted</p> <p>13 to the water board is considered as the final</p> <p>14 version from CIRNAC. Thank you.</p> <p>15 K. KHARATYAN: Karen Kharatyan, water</p> <p>16 board. Thank you, CIRNAC. Thank you, Madam</p> <p>17 Chair.</p> <p>18 No more questions.</p> <p>19 THE CHAIR: Thank you.</p> <p>20 Any questions from the panel members?</p> <p>21 L. TOOMASIE: I don't have a question.</p> <p>22 Thank you.</p> <p>23 THE CHAIR: Okay. Thank you for your</p> <p>24 presentation.</p> <p>25 Next we have is Environment and Climate</p> <p>26 Change Canada for your presentation.</p>

<p style="text-align: right;">113</p> <p>1 Legal counsel.</p> <p>2 T. MEADOWS: Thank you, Madam Chair.</p> <p>3 Teresa Meadows, legal counsel for the Nunavut</p> <p>4 Water Board.</p> <p>5 Do the witnesses wish to be sworn or</p> <p>6 affirmed?</p> <p>7 R. WYKES: Russell Wykes,</p> <p>8 Environment and Climate Change Canada.</p> <p>9 Affirmed.</p> <p>10 THE CHAIR: If I can have the</p> <p>11 witnesses state and spell their name for the</p> <p>12 record, please.</p> <p>13 R. WYKES: Russell Wykes,</p> <p>14 R-U-S-S-E-L-L W-Y-K-E-S.</p> <p>15 S. FORTE: Sarah Forte, S-A-R-A-H</p> <p>16 F-O-R-T-E.</p> <p>17 RUSSEL WYKES, SARAH FORTE, Affirmed</p> <p>18 T. MEADOWS: Teresa Meadows, legal</p> <p>19 counsel for the Nunavut Water Board.</p> <p>20 So, Madam Chair, I have the hard copy</p> <p>21 presentation materials and also an executive</p> <p>22 summary from Environment and Climate Change</p> <p>23 Canada, and I propose to mark and file those as</p> <p>24 the next exhibits in the public hearing. And</p> <p>25 that concludes my procedural matters, Madam</p> <p>26 Chair.</p>	<p style="text-align: right;">114</p> <p>1 EXHIBIT 10 - Hard Copy PowerPoint</p> <p>2 Presentation, Meliadine Type A Water</p> <p>3 Licence Amendment, Public Hearing</p> <p>4 Presentation by Environment and</p> <p>5 Climate Change Canada (English and</p> <p>6 Inuktitut)</p> <p>7 EXHIBIT 11 - Hard Copy, ECCC -</p> <p>8 Meliadine Gold Mine WL amendment,</p> <p>9 Final Submission Executive Summary</p> <p>10 THE CHAIR: Thank you.</p> <p>11 Environment and Climate Change, you may</p> <p>12 proceed.</p> <p>13 Presentation by Environment and Climate Change</p> <p>14 Canada</p> <p>15 R. WYKES: Thank you, Madam Chair.</p> <p>16 Good afternoon, Madam Chair -- Russell Wykes,</p> <p>17 Environment and Climate Change Canada.</p> <p>18 Good afternoon, Madam Chair, panel members,</p> <p>19 Elders, community members, Board staff, Agnico</p> <p>20 Eagle, and fellow intervenors. My name is</p> <p>21 Russell Wykes, and I'm a senior environmental</p> <p>22 assessment officer with Environment and Climate</p> <p>23 Change Canada. With me today I have our water</p> <p>24 quality analyst Sarah Forte and joining us</p> <p>25 remotely we have Stephinie Mallon, environmental</p> <p>26 assessment officer.</p>
<p style="text-align: right;">115</p> <p>1 Next slide, please. I'll start by</p> <p>2 presenting our department's mandate, briefly</p> <p>3 touch on the acts and legislation relevant to</p> <p>4 Environment and Climate Change Canada, and then</p> <p>5 I'll pass it over to Sarah to outline the</p> <p>6 outstanding comments and recommendations</p> <p>7 provided in Environment and Climate Change</p> <p>8 Canada's technical review regarding Agnico</p> <p>9 Eagle's application for a Type 'A' water</p> <p>10 licence amendment submitted to the Nunavut</p> <p>11 Water Board.</p> <p>12 Next slide, please. Environment and</p> <p>13 Climate Change Canada's mandate includes the</p> <p>14 preservation and enhancement of the quality of</p> <p>15 the natural environment, including water, air,</p> <p>16 and soil quality, and the coordination of</p> <p>17 relevant policies and programs of the</p> <p>18 Government of Canada.</p> <p>19 It also includes renewable resources such</p> <p>20 as migratory birds and other non-domestic flora</p> <p>21 and fauna, meteorology, and the enforcement of</p> <p>22 rules and regulations.</p> <p>23 Next slide, please. Environment and</p> <p>24 Climate Change Canada's mandate is governed by</p> <p>25 the Department of the Environment Act, the</p> <p>26 Canadian Environmental Protection Act, the</p>	<p style="text-align: right;">116</p> <p>1 pollution prevention provisions of the</p> <p>2 Fisheries Act, the Migratory Birds Convention</p> <p>3 Act, and the Species at Risk Act.</p> <p>4 Next slide, please. I will now pass the</p> <p>5 presentation over to Sarah to discuss our</p> <p>6 technical comments.</p> <p>7 S. FORTE: Thank you, Russell.</p> <p>8 Sarah Forte with Environment and Climate Change</p> <p>9 Canada.</p> <p>10 Comment Number 11 is about water quality in</p> <p>11 the pits and lakes on-site during closure and</p> <p>12 post-closure, and -- and this is predicted in</p> <p>13 the water balance and water quality model. The</p> <p>14 model incorporates site-specific</p> <p>15 characteristics, monitoring data, and proposed</p> <p>16 management measures. It predicts that certain</p> <p>17 parameters will exceed water quality guidelines</p> <p>18 for the protection of aquatic life during</p> <p>19 post-closure at three locations: Pond SP6,</p> <p>20 Pit WES04, and Lake J1.</p> <p>21 In some instances, like for ammonia in</p> <p>22 Lake J1, exceedances are predicted three to</p> <p>23 five years post-closure, and concentrations</p> <p>24 subsequently decrease. So this is not as</p> <p>25 worrisome. In others, such as for chloride in</p> <p>26 Pit WES04, exceedances are predicted to begin</p>

<p style="text-align: right;">117</p> <p>1 65 years post-closure and show an increasing  2 trend for the remaining 19 years modelled.  3 This is more concerning because the problem  4 doesn't arise until many decades after the site  5 is closed, and there is no indication that it  6 will get better with time.  7 Environment and Climate Change Canada  8 requested that Agnico propose management  9 measures to avoid exceedances following  10 closure. Depending on the mitigation actions  11 proposed, some could've -- had to be taken  12 during operations. The actions that Agnico  13 proposed during the technical meeting in June  14 could be taken during closure, suggesting it  15 may not be necessary to make management changes  16 in the time span of the operations.  17 Next slide, please. In their final written  18 submission, Agnico commits to integrating the  19 mitigation measures proposed to address water  20 quality exceedances during post-closure into  21 the interim closure and reclamation plan.  22 This resolves Environment and Climate  23 Change Canada's concern. We trust the Nunavut  24 Water Board to set an appropriate timeline for  25 modifications to the plan.  26 Next slide, please. Okay. Number 17 -- or</p>	<p style="text-align: right;">118</p> <p>1 Comment Number 17. The aquatic environment  2 monitoring program does as its names suggests  3 and monitors the lakes receiving outfall and  4 effluent from the mine. The program reports on  5 field measurements every year to ensure that  6 effects do not pose a risk to the aquatic  7 environment and are not greater than those  8 predicted in the final environmental impact  9 statement.  10 One of the tools used to analyze effects is  11 comparing parameter concentrations measured  12 each year with the concentrations measured  13 before mine development. For this project,  14 these background or baseline values are called  15 "normals" and are defined for each parameter as  16 the 90th percentile of concentrations measured  17 during baseline and at the beginning of  18 operations.  19 The disagreement on this topic is over the  20 normals calculated for Meliadine Lake. Mine  21 effluent is discharged into the east basin of  22 Meliadine Lake which is connected through the  23 narrows to the bigger northwest and southwest  24 basins.  25 In the annual reports since 2019, every  26 year Agnico comments on how water chemistry is</p>
<p style="text-align: right;">119</p> <p>1 naturally distinct between the east basin and  2 the other two basins. No baseline data from  3 the east basin was used to calculate Meliadine  4 Lake normals for metals or nitrogen compounds.  5 So these normals are not representative of all  6 areas of the lake.  7 Since the Meliadine Lake normals are  8 typically lower than east basin concentrations  9 when measurements are compared against normals,  10 more parameters are flagged as anomalous. This  11 results in closer scrutiny on those parameters,  12 which is not an issue.  13 Environment and Climate Change Canada's  14 concern is that the use of Meliadine Lake  15 normals that are not representatives is  16 misleading, and Agnico should be able to  17 describe baseline conditions in the east basin.  18 To date, they have not provided sufficient  19 rationale to explain why they cannot calculate  20 east basin specific normals.  21 In their final written response, Agnico  22 states they do not believe east basin specific  23 normals are required because water quality in  24 the east basin is predicted to change due to  25 discharges. They then add during closure to  26 post-closure, concentrations are predicted to</p>	<p style="text-align: right;">120</p> <p>1 gradually decrease to background levels.  2 Environment and Climate Change Canada's  3 request is that they define those background  4 levels, and calculating normals is a method  5 that has been used to date for this exercise.  6 Environment and Climate Change Canada  7 recommends Agnico establish east basin specific  8 normals to support the aquatic effects  9 monitoring program and help interpret potential  10 effects.  11 Next slide, please. Number 19. The  12 interim closure and reclamation plan describes  13 how the site will be cleaned up during closure  14 and what it will look like in post-closure.  15 This topic has been discussed earlier today.  16 Agnico has confirmed they would not dismantle  17 water management structures until water behind  18 those structures meets requirements. There is  19 some uncertainty in what the requirements will  20 be.  21 A recommendation on this slide was made  22 assuming a post-closure scenario as in the  23 current closure plan where eventually all water  24 bodies are reconnected to the fish-bearing  25 regional surface water and both active care and  26 monitoring cease.</p>

<p style="text-align: right;">121</p> <p>1 In this case, Environment and Climate 2 Change Canada continues to recommend 3 preliminary water quality for closure that is 4 protective of aquatic life. Incorporating this 5 as an objective in the interim closure and 6 reclamation plan can drive planning at this 7 operation stage to make sure the objective is 8 obtained. So that was the recommendation. 9 We'd also like to signal some information 10 Environment and Climate Change Canada has which 11 is different from what was presented in 12 Agnico's final written submission. They wrote 13 that the Polaris mine does not have recognized 14 closed mine status, and we'd like to signal 15 that Polaris received recognized closed mine 16 status in 2006. A copy of the Environment 17 Canada letter to this effect can be found on 18 the Nunavut Water Board registry in the 2006 19 annual report submitted by Teck Cominco. 20 Next slide, please. Our Comment Number 29 21 is common with the Department of Fisheries and 22 Oceans' unresolved Comment Number 2. The water 23 licence includes authorization to withdraw 24 water from Meliadine Lake, and Agnico Eagle is 25 requesting an amended licence include an 26 authorized volume for the closure phase. The</p>	<p style="text-align: right;">122</p> <p>1 closure phase is currently planned after the 2 licence expires in 2031. They are requesting 3 8.7 million cubic metres per year. 4 The information presented to date does not 5 allow Environment and Climate Change Canada to 6 evaluate if this quantity will protect flows 7 downstream of Meliadine Lake to the Meliadine 8 and Diane River. 9 In their 2014 final environmental impact 10 statement presented to the Nunavut Impact 11 Review Board, Agnico proposed to withdraw 12 17 million cubic metres a year from Meliadine 13 Lake. 14 According to Section 7.3.3.10.2.3 of the 15 final impact statement, low flows at the lake 16 outlets were predicted to decrease by 24 to 17 35 percent compared to baseline conditions. 18 Such a reduction in flows would exceed the 19 Fisheries and Oceans guidelines on limiting 20 changes to instantaneous discharge to less than 21 10 percent to maintain ecological flow 22 requirements. 23 These reductions could negatively impact 24 the aquatic environment. The current request 25 for 8.7 million cubic metres per year is below 26 the initial amount evaluated, but since the</p>
<p style="text-align: right;">123</p> <p>1 data available does not allow an evaluation of 2 potential impacts downstream of Meliadine, it 3 is not possible to recommend an acceptable 4 amount. The hydrological system is complex, 5 and looking at statistics like withdrawal 6 volume relative to lake volume does not allow 7 us to characterize the impacts at the outlets 8 of Meliadine Lake. 9 Environment and Climate Change Canada 10 acknowledges that Agnico would like to 11 determine withdrawal rates for operational 12 certainty and will evaluate any new data 13 provided to support their request. Environment 14 and Climate Change Canada recommends that the 15 Nunavut Water Board not include an authorized 16 water withdrawal amount for closure in an 17 amended licence at this time. 18 Next slide, please. Yeah. I guess that's 19 all. So we'd be happy to take any questions. 20 Thanks. 21 THE CHAIR: Thank you. 22 Any questions for Environment and Climate 23 Change Canada from Agnico Eagle Mines? 24 J. QUESNEL: Thank you, Madam Chair. 25 Jamie Quesnel, Agnico Eagle. 26 I just want to follow up on the comment</p>	<p style="text-align: right;">124</p> <p>1 regarding Polaris and the Schedule 2 2 conversation and also to add some more colour 3 or commentary to the water board's question 4 about Schedule 2. If you look on Schedule 2 in 5 the federal regulation, Item Number 2 6 on Schedule 2 is Garrow Lake in Nunavut, which 7 is the Polaris mine. It's still listed on 8 Schedule 2. I just wanted to add that 9 commentary. Thank you. 10 THE CHAIR: Thank you. 11 Any questions for Environment and Climate 12 Change from Nunavut Tunngavik Incorporated? 13 E. GREENE: Qujannamiik, Madam Chair. 14 Ezra Greene, Nunavut Tunngavik. 15 No questions from Nunavut Tunngavik. 16 THE CHAIR: Kivalliq Inuit 17 Association. 18 L. MANZO: Thank you, Madam Chair. 19 Luis Manzo, Kivalliq Inuit Association. 20 No questions at this time. 21 THE CHAIR: Any questions from 22 Crown-Indigenous Relations and Northern 23 Affairs? 24 A. HAQUE: Thank you, Madam Chair. 25 Aminul Haque, Crown-Indigenous Relations and 26 Northern Affairs Canada.</p>

<p style="text-align: right;">125</p> <p>1 No question at this time.</p> <p>2 THE CHAIR: Any questions from the</p> <p>3 general public?</p> <p>4 Any questions from the Board staff?</p> <p>5 Nunavut Water Board Staff Questions Environment</p> <p>6 and Climate Change Canada</p> <p>7 S. AUTUT: Thank you, Madam Chair.</p> <p>8 Stephanie Autut, Nunavut Water Board.</p> <p>9 Yes. The staff do have some questions.</p> <p>10 Thank you.</p> <p>11 K. KHARATYAN: Karen Kharatyan, water</p> <p>12 board. Thank you, Madam Chair.</p> <p>13 One clarification regarding Environment and</p> <p>14 Climate Change Canada's Technical Review</p> <p>15 Comment Number 29. As Agnico Eagle mentioned,</p> <p>16 yes, their project certificate or the -- the</p> <p>17 impact assessment conducted in 2014 by Nunavut</p> <p>18 Impact Review Board, it was found that</p> <p>19 17 million cubic metre per year of water for</p> <p>20 reflooding of pits is acceptable.</p> <p>21 I am still trying to understand what are</p> <p>22 the deficiencies or missing information or</p> <p>23 actually information that triggered Environment</p> <p>24 and Climate Change Canada and also Fisheries</p> <p>25 and Oceans Canada to change their position from</p> <p>26 2014 to now. I know -- I know that you weren't</p>	<p style="text-align: right;">126</p> <p>1 involved very likely within FEIS, but I am</p> <p>2 trying to understand as institutions why you</p> <p>3 changed your position.</p> <p>4 And also can you a little bit elaborate</p> <p>5 what are these deficiencies in the original</p> <p>6 estimation of water availability, which is the</p> <p>7 title of this slide. Thank you.</p> <p>8 S. FORTE: Sarah Forte with</p> <p>9 Environment and Climate Change Canada Canada.</p> <p>10 So you are correct. Neither Russell or I</p> <p>11 was working on the 2014 impact statement. I</p> <p>12 think as an organization when things get to the</p> <p>13 water licencing stage, we look at some of the</p> <p>14 specific aspects like withdrawal rates with</p> <p>15 more scrutiny than we did at the environmental</p> <p>16 impact stage because we know there will be more</p> <p>17 scrutiny after that, and when we do that, we</p> <p>18 notice that some of the predicted impacts are</p> <p>19 above -- or don't respect the DFO declines.</p> <p>20 And so that's what's of concern.</p> <p>21 The data that was used for making these</p> <p>22 predictions was sufficient for the</p> <p>23 environmental impact stage, but we would expect</p> <p>24 more detail at the water licencing stage, and</p> <p>25 these have not been provided.</p> <p>26 K. KHARATYAN: Karen Kharatyan, water</p>
<p style="text-align: right;">127</p> <p>1 board.</p> <p>2 I should maybe remind you that in 2016 when</p> <p>3 the Board issued the licence we had a draft</p> <p>4 licence framework again from Agnico Eagle that</p> <p>5 was reviewed by parties, if I remember well,</p> <p>6 yes, and not any party objected about the</p> <p>7 number proposed at the time. So even the</p> <p>8 current licence includes a number, which is</p> <p>9 around 14 million cubic metres per year for</p> <p>10 reflooding of pit.</p> <p>11 So, again, I am not saying that the Board</p> <p>12 necessarily agrees with Agnico Eagle or any</p> <p>13 intervenor. We are trying to fully understand</p> <p>14 what are your concerns, what information you</p> <p>15 are looking for to have an understanding how</p> <p>16 much water could be included within the licence</p> <p>17 or have an idea or propose an idea for licensee</p> <p>18 to plan their activity based on that number.</p> <p>19 Thank you.</p> <p>20 And I will ask the same question to</p> <p>21 Fisheries and Oceans Canada.</p> <p>22 S. FORTE: Just to follow up. So in</p> <p>23 this original technical comment, when we made</p> <p>24 this comment before the technical meeting,</p> <p>25 Agnico had committed to collecting some of the</p> <p>26 missing information, and so we had said at the</p>	<p style="text-align: right;">128</p> <p>1 technical meeting that this comment was</p> <p>2 resolved based on our understanding from a</p> <p>3 meeting we had had with Agnico in March where</p> <p>4 they said they would not be requesting a</p> <p>5 withdrawal rate at closure.</p> <p>6 That was a misunderstanding, and this is</p> <p>7 why we have resuscitated this comment, and we</p> <p>8 expect them to still continue to collect the</p> <p>9 data that we had outlined in our Technical</p> <p>10 Comment Number 29 that we felt was missing.</p> <p>11 THE CHAIR: Board staff.</p> <p>12 K. KHARATYAN: Karen Kharatyan, water</p> <p>13 board. I am good for now, Mr. Chair -- Madam</p> <p>14 Chair. Sorry.</p> <p>15 THE CHAIR: Thank you.</p> <p>16 Any questions from the Panel?</p> <p>17 L. TOOMASIE: No questions from Panel.</p> <p>18 Thank you.</p> <p>19 THE CHAIR: Thank you for your</p> <p>20 presentation.</p> <p>21 And we're going to have a short day. So</p> <p>22 we'll be back tonight for the community session</p> <p>23 at 7:00. So let's break for a bit and go for</p> <p>24 supper. Thank you. Be back at 7.</p> <p>25 (PROCEEDINGS ADJOURNED AT 3:48 PM)</p> <p>26 (PROCEEDINGS RECOMMENCED AT 7:12 PM)</p>



<p style="text-align: right;">129</p> <p>1 Community Session Opening Remarks  2 THE CHAIR: Good evening, everyone,  3 and welcome to the community session for the  4 Nunavut Water Board's public hearing in  5 relation to the amendment application submitted  6 by Agnico Eagle Mines Limited that I will refer  7 to as the "Agnico Eagle" or "applicant" with  8 the Nunavut Water Board for water licence  9 Number 2AM-MEL1631 which governs the water uses  10 and waste deposits associated with the  11 Meliadine Gold Mine project.  12 I'm going to ask Dorothy Aglukark to please  13 give the opening prayer.  14 Opening Prayer  15 THE CHAIR: Ma'tna.  16 My name is Elizabeth Copland, and due to  17 some vacancies and scheduling conflicts for  18 Board members, I am acting as the chairperson  19 for this decision-making panel of the Board so  20 that Lootie Toomasie, the Board's chair, can  21 participate as a decision-maker for the Panel,  22 which is necessary for the Board to comply with  23 the panel membership requirement under the  24 Nunavut Agreement.  25 While I chaired this morning's session, I'm  26 going to ask Stephanie Autut, the Nunavut Water</p>	<p style="text-align: right;">130</p> <p>1 Board executive director, to chair tonight's  2 session.  3 Go ahead, Stephanie.  4 S. AUTUT: Thank you, Madam Chair.  5 Good evening. I would like to start the  6 community session with the remarks from the  7 Hamlet of Rankin Inlet by Martha Hickes. Can  8 we get Martha a microphone, please.  9 M. HICKES: Good evening, everyone.  10 I'm glad you're here to -- and people that are  11 here listening to the hearing. Welcome to  12 Rankin Inlet. We're the most welcoming  13 community, and I'm pretty sure we'll be helped  14 with everything for everything to be -- I would  15 like to welcome you all to Rankin. Thank you.  16 S. AUTUT: Thank you, Martha.  17 Tonight's session is part of the Nunavut  18 Water Board's public hearing to consider an  19 amendment to Agnico Eagle's existing water  20 licence, which authorizes the use of water and  21 deposit of waste associated with the Meliadine  22 Gold Mine.  23 In this amendment application, Agnico Eagle  24 proposes to expand the scope of the existing  25 water licence to include mining of four  26 additional deposits and to add additional</p>
<p style="text-align: right;">131</p> <p>1 project infrastructure to service the  2 additional mining activity. The amendment  3 application also seeks an increase to the  4 amount of freshwater that Agnico Eagle is  5 authorized to use under the water licence.  6 All of these proposed changes were  7 previously assessed by the Nunavut Planning  8 Commission and the Nunavut Impact Review Board  9 in 2014 and were approved to proceed to the  10 Nunavut Water Board's licencing process at that  11 time.  12 As some of you may remember, on June 5th  13 and 6th, the Nunavut Water Board hosted a  14 technical meeting community session and  15 prehearing conference here in Rankin Inlet to  16 discuss the amendment application, and during  17 those meetings, the timing and format of this  18 public hearing was discussed.  19 As discussed in June, the Board members who  20 are the decision-makers for the file are in  21 attendance during the public hearing and look  22 forward to hearing directly from everyone  23 participating in the public hearing.  24 This public hearing marks the final  25 opportunity for the applicant, the intervenors,  26 and members of the community to present their</p>	<p style="text-align: right;">132</p> <p>1 comments, concerns, and questions about the  2 amendment application to the Nunavut Water  3 Board before the Board makes its decision about  4 the amendment application. The Nunavut Water  5 Board appreciates you all turning out to  6 participate in this important meeting.  7 For those of you who are not here this  8 morning when we started the public hearing, I  9 have a few brief housekeeping and introductory  10 remarks, and then, as outlined in the agenda, I  11 will turn the microphone over to the following  12 parties: Firstly, as outlined in Item 3 in  13 tonight's agenda, the staff of the Nunavut  14 Water Board will provide everyone with a  15 summary of the water board's process in general  16 and in relation to this amendment application  17 specifically. After the presentation by the  18 Board staff, community members will have an  19 opportunity to question the Board's staff about  20 our process.  21 Then, as set out under Item 5 of the  22 agenda, the applicant, Agnico Eagle, will  23 provide their presentation explaining the  24 changes they are requesting in the application,  25 and you will have an opportunity to ask them  26 questions and provide your comments.</p>

<p style="text-align: right;">133</p> <p>1 And we will then move to Items 7 and 8 on  2 the agenda when the intervenors for this  3 application, Nunavut Tunngavik Incorporated,  4 Kivalliq Inuit Association, Crown-Indigenous  5 Relations and Northern Affairs, Environment and  6 Climate Change Canada, and Fisheries and Oceans  7 Canada, will outline their mandates and roles  8 in respect of this application and will present  9 summaries about their comment submissions  10 provided to the Board to date.  11 Their presentations will be followed by an  12 opportunity for community members to ask  13 questions to the intervenors and provide the  14 Board with your comments.  15 Now, on to a few housekeeping matters.  16 Firstly, there will be interpretation available  17 throughout the hearing, and earpieces are  18 available from the table located just as you  19 enter the hall. Channel 2 is English, and  20 Channel 3 is Inuktitut.  21 Secondly, the Board asks everyone,  22 including the applicant, intervenors, and  23 members of the public to sign in on the sheets  24 provided at the table just as you come in.  25 This is an important record of the public  26 hearing, and we appreciate your help in making</p>	<p style="text-align: right;">134</p> <p>1 sure it is complete.  2 The washrooms are located just as you enter  3 the hall, and there are exits located where you  4 come in and also at the front of the hall.  5 There will be coffee, tea, and snacks located  6 at the tables along the wall as you come into  7 the hall. During breaks, please help yourself  8 to the food and refreshments provided.  9 There are agendas for this community  10 session and the public hearing available at the  11 table as you come in, so please pick one up and  12 follow along.  13 Now, I would like to introduce all of the  14 Board and staff before we proceed to the  15 presentations in the agenda. The members of  16 the Board appointed to the panel responsible  17 for making decisions about the file are present  18 at the public hearing, the chair of this panel,  19 Elizabeth Copland; and panel members Lootie  20 Toomasie, the Board's chairperson; and Uriash  21 Puqignak.  22 I would also like to introduce the Nunavut  23 Water Board staff members and our legal counsel  24 who have contributed to the administration and  25 the technical review of the amendment  26 application. When I say your name, please wave</p>
<p style="text-align: right;">135</p> <p>1 so that people know who you are.  2 So, again, Stephanie Autut, executive  3 director; Karen Kharatyan, director of  4 technical services; Ben Kogvik, director of  5 Board administration and communications;  6 Richard Dwyer, manager of licencing; Mohammad  7 Ali Shaikh, technical advisor; Nidhi Singh,  8 technical advisor; and Teresa Meadows from  9 Meadows Law, legal counsel to the Board.  10 We have two interpreters helping us this  11 evening, Mary Rose Angoshadluk from Rankin  12 Inlet and Ben Kogvik, who is the in-house  13 interpreter to the water board.  14 For audio support, we have Ryan Dempster  15 from PIDO Productions with us. If you  16 experience any difficulties with your headsets,  17 he will be able to provide assistance.  18 To ensure an accurate record of these  19 proceedings is kept, we have with us a court  20 reporter, Andres Vidal, from Dicta Court  21 Reporting. To assist Andres, I ask that all  22 parties please state their name prior to  23 speaking.  24 As we said earlier, tonight's session will  25 involve a presentation by the Nunavut Water  26 Board's technical staff; a presentation by the</p>	<p style="text-align: right;">136</p> <p>1 applicant, Agnico Eagle; and presentations by  2 the intervenors. Following each presentation,  3 I will invite members of the public who wish to  4 ask questions or provide the panel with their  5 comments to step up to the microphone and speak  6 on the record. You can direct your questions  7 to the staff of the Nunavut Water Board; the  8 applicant, Agnico Eagle; or any of the  9 intervenors.  10 I encourage everyone with questions to  11 please step up and ask, but to make sure our  12 public hearing record is accurate and to assist  13 our court reporter and interpreters before  14 speaking, please wait until you have a  15 microphone to speak, then state your name, and  16 speak directly, clearly, and slowly into the  17 microphone.  18 Please be mindful of the interpreters as  19 you go and avoid the use of abbreviations, if  20 you can. They're normally screaming at me at  21 this point because I'm racing very quickly.  22 If you are an Elder, you can speak at any  23 time throughout these proceedings. We just ask  24 that you raise your hand to be recognized by  25 the chairperson and wait to speak until one of  26 our staff members can get a microphone in front</p>

<p style="text-align: right;">137</p> <p>1 of you so that we can ensure your comments are 2 included on the record.</p> <p>3 We appreciate your participation and 4 assistance in making sure we are all heard and 5 understood in this public hearing. I will now 6 turn the microphone to the Board's technical 7 staff to walk you through how this amendment 8 application has progressed to this point.</p> <p>9 Ali.</p> <p>10 M. SHAIKH: Thank you, Stephanie. 11 Good evening, everyone. My name is Mohammad 12 Ali. I am a technical advisor with the Nunavut 13 Water Board.</p> <p>14 Our presentation tonight will follow the 15 following topics: I will start off with some 16 background and types of authorizations that the 17 Nunavut Water Board can issue, I will then 18 cover our licencing process, and then we'll 19 dive into the scope of the application.</p> <p>20 The Nunavut Water Board is an institution 21 of public government established under 22 Article 13 of the Nunavut Agreement. The 23 Nunavut Water Board has responsibilities and 24 powers over the regulation, use, and management 25 of freshwater in the Nunavut settlement area.</p> <p>26 The objective of the Nunavut Water Board is</p>	<p style="text-align: right;">138</p> <p>1 to provide for the conservation and utilization 2 of waters in Nunavut, except in a national 3 park, in a manner that will provide the optimum 4 benefit from those waters for Nunavut's 5 residents in particular and Canadians in 6 general.</p> <p>7 Based on its mandate and the Nunavut Waters 8 Regulations, the Nunavut Water Board may issue 9 one of the following authorizations for the use 10 of water and/or deposit of waste for 11 undertakings in Nunavut: The first one is an 12 authorization without a licence. This may be 13 issued where the use of water is less than 14 50 cubic metres per day. For water use more 15 than 50 cubic metres per day but less than 16 300 cubic metres per day, a Type 'B' water 17 licence is required. When the water use is 18 over 300 cubic metres per day, a Type 'A' water 19 licence is required.</p> <p>20 Now we'll go over the NWB's -- the Nunavut 21 Water Board's licencing process for a Type 'A' 22 water licence. So the process starts when the 23 water board receives an application, confirms 24 its classification and type of licence required 25 as a Type 'A' licence. The Nunavut Water 26 Board, then, conducts a concordance review.</p>
<p style="text-align: right;">139</p> <p>1 After this, the applicant may provide 2 additional information, if required. Once the 3 application is deemed complete, the Nunavut 4 Water Board issues notice of application and 5 requests a technical review and submission of 6 comments. A minimum of 30 days is provided for 7 this step.</p> <p>8 After that, parties submit written comments 9 and submissions, information requests. If 10 required, the applicant provides additional 11 information or clarifications. Following this, 12 the Nunavut Water Board calls a technical 13 meeting and prehearing conference.</p> <p>14 After the technical meeting, the Nunavut 15 Water Board issues a prehearing conference 16 decision. In this decision, the Nunavut Water 17 Board provides information, and, if required, 18 the applicant submits additional information.</p> <p>19 The prehearing conference decision also 20 includes a notice of public hearing, which is a 21 60-day minimum requirement. Parties then 22 exchange written interventions during this time 23 and prepare for the public hearing. The 24 Nunavut Water Board then holds the public 25 hearing. This is the step we are in currently.</p> <p>26 Following the public hearing, the Nunavut</p>	<p style="text-align: right;">140</p> <p>1 Water Board may issue a decision to approve the 2 application and provide a draft licence to the 3 Minister, or the Nunavut Water Board may issue 4 a decision to not approve the application and 5 provide reasons to the Minister.</p> <p>6 The Minister in the first case may approve 7 the issuance of the licence or may not approve 8 the issuance of the licence. In the second 9 case, the Minister may approve the Nunavut 10 Water Board's decision, or he may not approve 11 the decision.</p> <p>12 We will now go over the scope of this 13 amendment application starting with an increase 14 in annual freshwater consumption. For 15 operations, the current approved 742,000 cubic 16 metres per year will increase to 1.1 million 17 cubic metres per year, which is an increase of 18 358,000 cubic metres per year.</p> <p>19 For closure, the current approved is 20 4 million cubic metres per year. This may 21 increase to 8.6 million cubic metres per year.</p> <p>22 Open-pit mining of Pump, F Zone, Wesmeg, 23 and Discovery deposits; temporary ore 24 stockpiles located near the new deposits; 25 tailing storage facility capacity increases to 26 20.6 cubic metres.</p>

<p style="text-align: right;">141</p> <p>1 Additional waste rock storage facilities; 2 addition of saline pond, SP6; contact water 3 infrastructure for the new deposits; dewatering 4 of lakes and ponds to support mining at the new 5 deposits, including Pump, F Zone, Wesmeg, and 6 Discovery; increase fuel storage at Rankin 7 Inlet from 37.5 million litres to 80 million 8 litres. 9 I will now go over the procedural history 10 for this application so far starting with the 11 application which was received on January 24th, 12 2024, and January 29th. After initial review, 13 the Nunavut Water Board commenced the 14 completeness check where parties were invited 15 to review the application for completeness and 16 provide information requests. 17 On February 16th, submissions were received 18 from the Kivalliq Inuit Association, 19 Crown-Indigenous Relations and Northern 20 Affairs, Environment and Climate Change Canada, 21 and Fisheries and Oceans Canada. 22 On March 1st, Agnico Eagle responded to the 23 intervenors' comments. 24 On March 6th, the Kivalliq Inuit 25 Association responded that they had no further 26 concerns and were ready to move to the</p>	<p style="text-align: right;">142</p> <p>1 technical review stage. 2 Crown-Indigenous Relations and Northern 3 Affairs requested an extension until 4 March 21st. 5 On March 13, the Nunavut Water Board 6 granted an extension until March -- oh, there 7 was a mistake there -- and received a second 8 round of submissions from Crown-Indigenous 9 Relations and Northern Affairs, Environment and 10 Climate Change Canada, and the Fisheries and 11 Oceans Canada. 12 On March 21, Agnico Eagle provided 13 responses to the second round of submissions 14 from intervenors. 15 March 26th, the Nunavut Water Board gave 16 notice of application and invited parties to 17 conduct a full technical review and provide 18 their comments and recommendations by April 26. 19 This correspondence also included tentative 20 timelines for the technical meeting and 21 prehearing conference. 22 Submissions were received from the Kivalliq 23 Inuit Association, Crown-Indigenous Relations 24 and Northern Affairs, Environment and Climate 25 Change Canada, and Fisheries and Oceans Canada. 26 On May 10th, Agnico Eagle responded to</p>
<p style="text-align: right;">143</p> <p>1 intervenors' comments. 2 On May 16th, the Nunavut Water Board 3 distributed the draft agenda for technical 4 meeting and community session along with 5 updated timelines for next steps in the 6 process. 7 On March 24, the Nunavut Water Board 8 received confirmation of participation and 9 presentation documents from the Kivalliq Inuit 10 Association, Crown-Indigenous Relations and 11 Northern Affairs, Environment and Climate 12 Change Canada, Fisheries and Oceans Canada, and 13 Agnico Eagle. 14 On June 5th and 6th, the Nunavut Water 15 Board hosted the technical meeting and 16 prehearing conference here in Rankin Inlet 17 followed by a community session on the evening 18 of June 5th. 19 On June 26th, the Nunavut Water Board 20 issued the prehearing conference decision. 21 July 4th, the Nunavut Water Board published 22 the notice of public hearing to be held here in 23 Rankin Inlet in the week of September 9th. 24 On July 25th, intervenors filed final 25 written submissions. 26 On August 15th, Agnico Eagle provided</p>	<p style="text-align: right;">144</p> <p>1 responses to final written submissions. 2 On August 29th, parties confirmed their 3 participation and submitted their 4 presentations. 5 And on September 11, 12, the NWB holds the 6 public hearing, the next steps in the 7 application process. 8 Today's public hearing is chaired by the 9 Board panel and led by the Board's chair. The 10 Nunavut Water Board panel is here to consider 11 the evidence provided during the hearing before 12 issuing a decision in 30 to 45 days. The 13 Nunavut Water Board will inform the public of 14 the Board's decision once rendered. 15 Agnico Eagle, the Kivalliq Inuit 16 Association, Crown-Indigenous Relations and 17 Northern Affairs, Environment and Climate 18 Change Canada, Fisheries and Oceans Canada, and 19 Nunavut Tunngavik Incorporated have all 20 contributed to the review process for this 21 application. The parties mentioned have 22 participated in formal and informal discussions 23 aimed at resolving issues related to this 24 application. 25 The -- the Nunavut Water Board would like 26 the public to participate in the licencing</p>

<p style="text-align: right;">145</p> <p>1 process from the onset to provide the Board and  2 applicant with valuable information, questions,  3 or concerns on relevant issues, to participate  4 in formal and informal discussions aimed at  5 resolving relevant issues. Everyone is  6 encouraged to participate in public hearings  7 and the community session.</p> <p>8 Interested persons can also contact the  9 Nunavut Water Board staff to provide written  10 comments or to review the documents filed by  11 the application. All documents received are  12 posted to the Nunavut Water Board's public  13 registry and can be accessed on the Nunavut  14 Water Board's FTP site.</p> <p>15 And that will be all. Any questions?  16 S. AUTUT: Thank you, Ali.</p> <p>17 Are there any questions from the public  18 regarding the Board's processing of the  19 application? Moving on. Thank you.</p> <p>20 So now we'll move on to Item 5 on the  21 agenda. The applicant will make a brief  22 presentation about the amendment application we  23 are discussing at this public hearing.</p> <p>24 Agnico Eagle, please proceed with your  25 presentation.  26 Community Session Presentation by Agnico Eagle</p>	<p style="text-align: right;">146</p> <p>1 Mines Limited  2 P. KUSUGAK: (NO ENGLISH FEED) I would  3 like to thank the interpreters for being the  4 interpreter and also Nunavut -- Nunavut Water  5 Board panel. These are very important issues.</p> <p>6 And the mining when they're trying to get  7 water licence, when they're trying to get any  8 kind of permit, it's a lot of work, and that's  9 how it is. So that Nunavummiut can have a  10 voice and anyone who is a mining company within  11 Nunavut jurisdiction, they can't just go ahead  12 and go do mining, but we do need to work  13 together.</p> <p>14 And I'm very happy to see that we have a  15 public hearing, and Agnico Eagle -- once Agnico  16 is approved for their licence, they'll inform  17 us, and we'll continue on with the work that --  18 because we are doing our best to follow and so  19 that Inuit can have opportunities to work  20 there.</p> <p>21 And Inuit businesses can -- like, we need  22 to help and benefit our community, and we are  23 trying our best to do the best to protect our  24 environment, wildlife. All these have to be  25 well looked after by our mining company and  26 whoever is here. And the NTI, KIA, everybody</p>
<p style="text-align: right;">147</p> <p>1 is here. Dianne is here too. Thank you very  2 much for attending. I'm going to go on, and  3 I'll be speaking in English.</p> <p>4 This water licence amendment hearing  5 represents the completion of a regulatory  6 process that -- that began with the Nunavut  7 Impact Review Board's environmental assessment  8 in 2014 to 2015. With the granting of this  9 amendment, the relevant remaining project  10 certificate approved components of the  11 Meliadine mine will be brought into a Type 'A'  12 water licence.</p> <p>13 And I am pleased to report that we have  14 been able to work very collaboratively with all  15 the participants in this water licence process,  16 and we have been able to achieve a very high  17 degree of agreement on this application, and we  18 look forward to a productive discussion over  19 the next few days.</p> <p>20 In this presentation, we will summarize the  21 amendment application, provide an engagement  22 update, discuss where we stand regarding  23 technical comments received, and present status  24 of reclamation security and water compensation  25 agreement discussions.  26 Next slide, please. In 2015, Project</p>	<p style="text-align: right;">148</p> <p>1 Certificate Number 006 was issued by the  2 Nunavut Impact Review Board for the  3 construction and operation of the Meliadine  4 mine and all-weather access road and five  5 deposits in a multi-phased approach.</p> <p>6 The deposits included Tiriganiaq, Wesmeg,  7 Pump, F Zone, and Discovery. And since then,  8 two project certificate amendments were  9 completed in 2018 and 2022 for the discharge of  10 treated saline effluent to Itivia Harbour.</p> <p>11 In the initial water licence application in  12 2015, the Tiriganiaq deposit, including both  13 underground and open-pit mining, was the only  14 deposit included and subsequently approved in  15 the water licence issued in 2016. Agnico Eagle  16 did not apply for all of the approved  17 components as outlined in the 2014 environment  18 assessment as the decision taken at the time  19 was to support a more streamlined water  20 licencing process. It was also planned,  21 however, to include the rest of those approved  22 project components in a future amendment to the  23 water licence.</p> <p>24 In 2021, we amended the water licence, and  25 the water licence amendment approval in 2021  26 included Collection Pond 1 water management and</p>

<p style="text-align: right;">149</p> <p>1 Meliadine Lake discharge criteria, an updated  2 waste management strategy, increased annual  3 freshwater use, and construction of site access  4 roads. The amendment to the project  5 certificate and water licence for the Meliadine  6 extension was withdrawn in late 2023.  7 Next slide, please. The scope of the  8 current application is to amend the licence to  9 include the following: open-pit mining at  10 Wesmeg, Pump, F Zone, and Discovery deposits:  11 waste rock storage facilities at Pump, F Zone,  12 and Discovery; diesel fuel storage of up to  13 80 million litres at Itivia fuel farm; increase  14 the current tailings storage facility of up to  15 2.6 million cubic metres; increasing the  16 current water use up to 1.1 million cubic  17 metres; construction of a drainage system at  18 Pump, F Zone, Wesmeg, and Discovery to manage  19 and collect contact water from site; also,  20 to -- for dewatering of lakes and ponds to  21 support mining activities and the construction  22 of a saline water collection pond at Lake B7.  23 Next slide. So this map outlines an  24 addition to the already-approved  25 infrastructures, the layout of the water  26 licence amendment application. The yellow</p>	<p style="text-align: right;">150</p> <p>1 represents waste rock storage facilities and  2 the tailings facility. The brown represents  3 open pits. The solid medium blue represents  4 water collection ponds. The blue hatch  5 represents dewatered lakes and ponds, and the  6 solid black lines represent roads.  7 Next slide, please. And this figure shows  8 water management infrastructures to be built,  9 including the saline pond at Lake B7, and this  10 is in light blue, and the contact water pond's  11 in dark blue.  12 Next slide, please. The next few slides  13 are going to summarize engagement activities  14 over the course of 2023 and 2024.  15 Next slide. Agnico Eagle continues to put  16 focus on engagement, and, as of August 16,  17 2024, Agnico Eagle has had 124 engagements for  18 the Meliadine site, and this consists of group  19 meetings, events, site tours, and open houses.  20 And engagement discussions include a variety of  21 topics, and these range from information  22 sessions to project updates to discussing  23 community concerns and more.  24 These meetings are typically led by our  25 community relations department, and this  26 fosters regular and meaningful engagement with</p>
<p style="text-align: right;">151</p> <p>1 community stakeholders.  2 Next slide. More specifically regarding  3 this application, site visits and the tea  4 colour activity were held with Elders, the  5 Kaniqliniq Hunters and Trappers Organization,  6 as well as the hamlet to enhance project  7 understanding of the Meliadine site and answer  8 questions and address concerns about water  9 quality. And we are willing to do further  10 presentations if we are invited to further  11 discuss and answer questions that may come up  12 with community members and organizations.  13 Next slide. And the following  14 organizations provided to the Nunavut Water  15 Board letters of support for the current  16 Meliadine water licence amendment, and these  17 letters were from members of the Rankin Inlet  18 Kivalliq Elders Advisory Committee, the mayor  19 of Rankin Inlet, the mayor of Baker Lake, and  20 the mayor of Arviat, and these words are  21 encouraging in citing how the project would  22 positively contribute to the Kivalliq region.  23 Agnico Eagle is of the same opinion and  24 appreciate the community support on this  25 application.  26 Colleen.</p>	<p style="text-align: right;">152</p> <p>1 C. PRATHER: Thank you, Pujjuut.  2 My name is Colleen Prather with Agnico  3 Eagle. I have a few slides to summarize the  4 technical comments that we have received on the  5 application.  6 Next slide, please. Thanks. This slide  7 reflects the total number of comments Agnico  8 Eagle received from parties through the review  9 process. In total, we have received  10 91 comments with comments coming from the  11 Kivalliq Inuit Association, Crown-Indigenous  12 Relations and Northern Affairs, Environment and  13 Climate Change Canada, and Fisheries and  14 Oceans.  15 We have also -- we have resolved most of  16 these technical comments up to this hearing.  17 We have three unresolved comments with  18 Environment and Climate Change Canada and one  19 with Department of Fisheries and Oceans. There  20 are no outstanding comments from the Kivalliq  21 Inuit Association and Crown-Indigenous  22 Relations and Northern Affairs.  23 In addition to these comments, Agnico Eagle  24 has also made 18 commitments. Three of those  25 have been completed. The remaining 15 will be  26 completed through studies, through operations,</p>

<p style="text-align: right;">153</p> <p>1 or at closure.</p> <p>2 Next slide, please. The aquatic effects</p> <p>3 monitoring program is one of the many programs</p> <p>4 conducted annually. The monitoring is</p> <p>5 conducted to verify the water is safe and the</p> <p>6 fish are safe and healthy. The five components</p> <p>7 of this program include analysis of the lake</p> <p>8 water and the water we discharge to the lake.</p> <p>9 It includes analysis of the small plants in the</p> <p>10 lake, the lake bottom and the insects, the</p> <p>11 small fish and the health, and the large fish</p> <p>12 and their health.</p> <p>13 And this slide also illustrates that we</p> <p>14 don't sample just one area of the lake, but we</p> <p>15 conduct this sampling across five areas of the</p> <p>16 lake.</p> <p>17 Next slide, please. This slide shows how</p> <p>18 we evaluate the water data every year. It</p> <p>19 shows that we sample many parameters, the</p> <p>20 results of those represented by the small dots.</p> <p>21 We compare those results to the green line,</p> <p>22 which represents pre-mining. We compare them</p> <p>23 to the red line, which represents guidelines to</p> <p>24 tell us if the water is safe for aquatic life</p> <p>25 or human health, and we look at the orange</p> <p>26 line, which is an early warning. This slide</p>	<p style="text-align: right;">154</p> <p>1 illustrates that concentrations have remained</p> <p>2 low and well below guidelines.</p> <p>3 Next slide. This slide here represents</p> <p>4 that we look at water and fish in Meliadine</p> <p>5 Lake, which is in the middle, but we also look</p> <p>6 at fish in other lakes, so Peter Lake to the</p> <p>7 top left and Atulik Lake, which should be</p> <p>8 labelled as Itirlak Lake, in the bottom right.</p> <p>9 From these lakes, we analyze the large fish so</p> <p>10 we can compare the large fish in Meliadine Lake</p> <p>11 to surrounding lakes.</p> <p>12 To address a comment raised by Environment</p> <p>13 and Climate Change Canada and the Kivalliq</p> <p>14 Inuit Association, Agnico Eagle agreed to a</p> <p>15 commitment to sample Meliadine Lake, Peter</p> <p>16 Lake, and Itirlak Lake each year for water,</p> <p>17 plants that -- in the lake, and the lake bottom</p> <p>18 and the insects.</p> <p>19 I will now pass the presentation back to</p> <p>20 Pujjuut. Thank you.</p> <p>21 P. KUSUGAK: Ma'tna, Colleen.</p> <p>22 Next slide, please. Agnico Eagle,</p> <p>23 Crown-Indigenous Relations and Northern Affairs</p> <p>24 Canada, and the Kivalliq Inuit Association have</p> <p>25 come to an agreement for the reclamation</p> <p>26 security to be posted, and this is an amount</p>
<p style="text-align: right;">155</p> <p>1 that they will be able to use should something</p> <p>2 happen to Agnico Eagle and we are not able to</p> <p>3 complete reclamation activities at the site.</p> <p>4 The total amount, including the existing</p> <p>5 security and the future security to be posted,</p> <p>6 will be \$158,450,658.</p> <p>7 Agnico Eagle and the Kivalliq Inuit</p> <p>8 Association have come to an agreement on the</p> <p>9 water compensation agreement, and these amounts</p> <p>10 are to cover for water that Agnico Eagle will</p> <p>11 withdraw from lakes for consumption, for lakes</p> <p>12 and ponds that will be dewatered, and to</p> <p>13 compensate if water does not meet the predicted</p> <p>14 quality, and to allow the Kivalliq Inuit</p> <p>15 Association to complete water quality sampling</p> <p>16 at site every year.</p> <p>17 Next slide. As part of the water licence</p> <p>18 amendment review process, Agnico Eagle proposed</p> <p>19 some changes to the water licence wording,</p> <p>20 primarily to deal with how the reclamation</p> <p>21 security amount will be posted and reviewed.</p> <p>22 The Kivalliq Inuit Association and</p> <p>23 Crown-Indigenous Relations and Northern Affairs</p> <p>24 Canada have reviewed our proposed changes and</p> <p>25 made comments. Following this, Agnico Eagle</p> <p>26 sent back comments to the Nunavut Water Board</p>	<p style="text-align: right;">156</p> <p>1 for consideration.</p> <p>2 Next slide. To conclude, this water</p> <p>3 licence amendment is necessary for the</p> <p>4 continuation of the Meliadine mine operations,</p> <p>5 which is also reflected in the letters of</p> <p>6 support submitted to the Nunavut Water Board.</p> <p>7 Agnico Eagle appreciates the collaboration with</p> <p>8 all the parties and community members. For</p> <p>9 example, reaching an agreement with the</p> <p>10 Kivalliq Inuit Association with respect to the</p> <p>11 discharge to Meliadine Lake is an important</p> <p>12 milestone for Agnico Eagle.</p> <p>13 And Agnico Eagle is asking the Nunavut</p> <p>14 Water Board to approve this licence application</p> <p>15 with the conditions put forward and agreed upon</p> <p>16 in this presentation and our final written</p> <p>17 submissions. We're done. Thank you.</p> <p>18 S. AUTUT: Thank you, Pujjuut and</p> <p>19 Colleen, for the presentation.</p> <p>20 Do any members of the public have questions</p> <p>21 for the applicant, Agnico Eagle? The lady in</p> <p>22 the yellow. I know you're wanting to ask. No?</p> <p>23 No questions? Okay. Moving on. Thank you,</p> <p>24 everyone.</p> <p>25 I would now like to turn the microphone to</p> <p>26 Martha Hickes who would like to speak on behalf</p>

<p style="text-align: right;">157</p> <p>1 of the Hamlet of Rankin Inlet.  2 Martha.  3 Community Session Presentation by Hamlet of  4 Rankin Inlet  5 M. HICKES: Thank you.  6 I'll be reading this in English. I'm  7 Martha Hickes. On behalf of hamlet council in  8 Rankin Inlet and the community, I was asked to  9 present to Nunavut Water Board what our  10 thoughts are on Agnico Eagle Mines Limited --  11 Limited's amendment application for Type 'A'  12 water licence 2AM-MEL1631.  13 First of all, thank you to Nunavut Water  14 Board for having the hearing here in Rankin  15 Inlet. Again, welcome everyone attending this  16 meeting. I hope we can resolve some issues  17 here in a couple days in listening to everyone  18 with their reports, comments, and technical  19 summaries. I am not much of a technical  20 person. Except listening to the interpreters,  21 it helps with keeping up with each -- each one  22 of you.  23 In speaking with Elders in the community  24 with concerns on some issues on our -- on our  25 rivers, lakes, and fish habitat, they have  26 noticed the two rivers coming from Peter Lake</p>	<p style="text-align: right;">158</p> <p>1 have gone down tremendously. That's  2 Diane River and Meliadine River. It could be  3 our climate changing very drastically every  4 year. Moreover, our lakes are drying up. It  5 could be the permafrost melting from beneath  6 the ground causing the lakes and rivers to be  7 lower than usual.  8 Elders and most community members notice  9 the water quality has changed too. Again, it  10 might be from climate changing. With the  11 rivers being -- being too low, affecting the  12 water quality, it can be many causes, or the  13 mine draining lakes could be affecting them  14 too. Will -- will our fish have enough water  15 to swim back up the rivers in the fall to spawn  16 or spend their winters in the lakes? We have  17 no clue anymore.  18 It's what Elders and community members are  19 worried about. Our fish habitat, will -- will  20 they be ruined as fish spawn in lakes to lay  21 eggs in the next season -- and for the next  22 season? Again, that's a big question. Local  23 hunters and fishermen go up in the winter  24 months to go fish to feed families during the  25 winter with nets. If we have no more fish in  26 our lakes, that will affect families that catch</p>
<p style="text-align: right;">159</p> <p>1 them for their next meal.  2 We need to take that into consideration.  3 If we want to drain lakes and rivers, we have  4 to come up with solutions so that this doesn't  5 happen.  6 Another item that was mentioned too is to  7 make sure our fish are monitored to make sure  8 they are still healthy for -- for human  9 consumption and to make sure the river and lake  10 bottoms are still living as it gives life to  11 fish habitat and other living organisms.  12 I thank the intervenors -- I thank the  13 intervenors for trying to come up with  14 solutions that will alleviate some of these  15 issues. We'll need all the help we can get so  16 that our lakes and rivers are not depleted.  17 Let's try and find solutions that will keep  18 everyone happy and working at the same time  19 with freshwater for our fish habitat and our  20 community.  21 We'll support our people working at the  22 mine. We need the jobs to keep the world  23 turning. So let's work together, find  24 solutions so -- so that our environment and our  25 communities, the people, the Elders, are all on  26 the same page encouraging Agnico Eagle Mines to</p>	<p style="text-align: right;">160</p> <p>1 follow the conditions that Nunavut Water Board  2 will set for the company. Qujannamiik for  3 listening.  4 S. AUTUT: Qujannamiik, Martha, for  5 your presentation.  6 Does anyone have questions to put before  7 Martha? None again. Thank you, Martha.  8 Now, I would like to call on Dorothy  9 Aglukark to speak on behalf of the Kivalliq  10 Elders Advisory Committee.  11 Dorothy.  12 Comments by Kivalliq Inuit Elders Advisory  13 Committee  14 D. AGLUKARK: Qujannamiik. My name is  15 Dorothy Aglukark, and I'm the Elder advisory  16 committee. I am one of the members.  17 I am going to be reading. Thank you for --  18 I'm glad you're able to hear us. I very much  19 appreciate it, and we all know that you help  20 with Nunavut and Kivalliq. Thank you very  21 much.  22 This person wrote coming from Baker Lake  23 when we met -- the Elders advisory committee  24 met -- what we talked about. We wrote it to  25 Nunavut Water Board. I'll read it to you.  26 Nunavut Water Board and the licence, us, we</p>



<p style="text-align: right;">161</p> <p>1 are writing to you to let you know the 2 advisory -- Elder advisory. Helping -- that's 3 the name of our helpers. Kivalliq Elders 4 Advisory and also Elder Kivalliq, we are 5 writing. We are strongly supporting mining 6 company to -- to -- yeah, to continue the 7 amendment that Agnico is requesting. 8 We are very much -- if we continue -- if we 9 keep just going, it will help the people of 10 Kivalliq, and also there will be job 11 opportunities for Kivalliq, and it will be very 12 useful in our community as the community is 13 growing rapidly, and we have to let them know. 14 Because of that, we are urging the Nunavut 15 Water Board to have this -- ahead -- to go 16 ahead to -- and also we cannot be there. We 17 cannot all be here as advisory committee. We 18 are writing so that this will be shared and be 19 heard by everyone that the advisory Elders 20 committee representing have identified that we 21 are very much in support. I -- I would like 22 for too -- for the NWB to support. And thank 23 you very much. This is something that you have 24 been thinking of. Thank you. 25 Can I speak again? 26 S. AUTUT: Please go ahead.</p>	<p style="text-align: right;">162</p> <p>1 D. AGLUKARK: What we wrote is coming 2 from the Elder advisory -- coming from Kivalliq 3 Elders Advisory. There's five of us, I 4 believe, and that we get together. We have 5 been living up here and seeing everything, any 6 changes. 7 We remember from the past. We are fully in 8 support because they are our future children, 9 our future young people. We are so supporting. 10 If this does not go ahead, it's like we're 11 going to be taking job that would've been -- 12 that would've been hiring young people. Like, 13 this is something -- like, through negotiation, 14 through getting to know each other, and to find 15 out what the mining companies -- as long as 16 they let us know and as long as they go to 17 Elders and as long as they go to the Elders to 18 see where the trails are for our wildlife, if 19 you can let them know, I'm pretty sure we 20 will -- we -- if we work together. 21 Because of this we are fully supporting, 22 and I'm voicing myself. I don't want them to 23 just stop like that because all day we hear 24 it's very well planned and very well worked on. 25 Like -- and the communities are told you are -- 26 we thank -- we thank you very much. And you</p>
<p style="text-align: right;">163</p> <p>1 come talk to us, and we -- you let us know what 2 is happening. 3 Thank you. Thank you very much. Even 4 though advisory committee is not here, I'm 5 pretty sure they're thanking us. Thank you 6 very much for -- if I have to say something 7 again, I will voice it. Thank you. 8 S. AUTUT: Qujannamiik, Dorothy. 9 Does anyone from the public have questions 10 for Dorothy for the presentation? Hearing 11 none. Again, thank you. 12 So I think now would be an appropriate time 13 to take a short break. So let's enjoy the 14 refreshments, enjoy each other's company, and 15 we'll be back in 15 minutes. Thank you. 16 (ADJOURNMENT) 17 THE CHAIR: All right. Welcome back. 18 Thank you, everyone. 19 Moving on to Item 7 and 8 from the agenda. 20 We're now going to move to the intervenors who 21 will make a brief presentation on the amendment 22 application that we are discussing at this 23 public hearing. I guess I have to wait for my 24 interpreters. I'm a terrible chairman. 25 So to get things started tonight, we're 26 going to start with the Kivalliq Inuit</p>	<p style="text-align: right;">164</p> <p>1 Association. 2 So, KIA, if you're ready to begin, please. 3 Community Session Presentation by Kivalliq 4 Inuit Association 5 L. MANZO: Thank you, Madam 6 Chairman. My name is Luis Manzo, Kivalliq 7 Inuit Association. 8 And with me Dr. Matt McDougall, who is 9 going to speaking this presentation, the 10 technical components of it, and I will start 11 with the presentation. 12 Kivalliq Inuit Association is a designated 13 Inuit organization represent -- under Article 14 39 of the Nunavut Agreement and represent Inuit 15 beneficiaries for the Nunavut Agreement in the 16 Kivalliq region. Kivalliq Inuit organization 17 hold title to manage surface Inuit-owned lands 18 in the Kivalliq region. The primary purpose of 19 Inuit-owned lands is to provide Inuit with 20 rights and lands that promote economic 21 self-sufficiency in a manner consistent with 22 the cultural and social well-being of Inuit now 23 and into the future. 24 Our mandate and -- and objectives. Manage 25 surface Inuit-owned lands in a manner that 26 supports sustainable economic development and</p>

<p style="text-align: right;">165</p> <p>1 opportunities for Inuit and ensure that any  2 economic development is done in an  3 environmental and socially responsible manner  4 that protect Inuit rights guaranteed under the  5 Nunavut Agreement.  6 Next, please. And ensure the potential  7 impacts and benefits are comprehensively  8 assessed and ensure that Inuit  9 Qaujimajatuqangit values are incorporated into  10 the impact determination, mitigation, project  11 design, and monitoring and ensure that the  12 voices of Inuit are being heard and ensure that  13 the rights of Inuit are paramount and that they  14 are respected now and into the future.  15 Information request, technical comments,  16 final written comments, water licence  17 framework. KIA has one information request  18 prior to the technical meeting which was  19 resolved. Kivalliq Inuit Association has three  20 technical comments, Meliadine discharge quality  21 and quantity, AEM reference area, Lake B7  22 remediation, which has been substantially  23 resolved by commitment and/or term and  24 conditions.  25 Kivalliq Inuit Association provided eight  26 comments on Agnico Eagle's draft water licence</p>	<p style="text-align: right;">166</p> <p>1 framework, two of which are resolved and six  2 which remain in -- in discussions.  3 Proposed commitments. The proponent has  4 made the following commitments in the response  5 to the Kivalliq technical comments, including  6 the setting of an upper bound discharge limit  7 of a total authorized value, 2,600,000 cubic  8 metres per year in the Meliadine Lake.  9 Throughout mine operation, under no  10 circumstances will the proponent discharge  11 underground saline water into the Meliadine  12 Lake.  13 Throughout the mine operations, the  14 proponent will continue to monitor Lake B7 to  15 access the potential requirements to remediate  16 Lake B7 at closure.  17 Updating the adaptive management plan to  18 integrate the prioritized discharge strategy  19 and the completion of a reference lake  20 monitoring program, which shall include  21 information from 2025, '26, '27 in the annual  22 report.  23 Next, please. Outstanding comments. The  24 remaining Kivalliq Inuit Association  25 comments/concern: Ensuring the commitments  26 made by the proponent to the Kivalliq Inuit</p>
<p style="text-align: right;">167</p> <p>1 Association remain binding and enforcement by  2 the Nunavut Water Board determination; the  3 finalization of security management agreement  4 and the water compensation agreement, which is  5 still pending to be -- to be signed at this  6 point; the draft water licence framework.  7 Under Article -- under Article 20 of the  8 Nunavut Agreement requires a compensation  9 agreement to be in place before the Nunavut  10 Water Board approved the water licence. The  11 amendment application will substantially affect  12 the quality, quantity, and flow of the water  13 flowing through IOL.  14 As such, a compensation agreement must be  15 in place to compensate Kivalliq Inuit  16 Association for any potential loss or damage  17 caused by the changes in quality, quantity,  18 flow in this water.  19 The Kivalliq Inuit Association will work  20 with the proponent in -- in amendment of the  21 water compensation agreement that reflects  22 that -- those requirements of the Nunavut  23 Agreement and address Kivalliq concerns, which  24 is -- now are in the hands of the officials of  25 KIA for signature.  26 The -- the Kivalliq Inuit Association hopes</p>	<p style="text-align: right;">168</p> <p>1 to reach agreements during the prehearing  2 conference, but if it's not possible, we will  3 continue to work with the proponent until those  4 agreements are signed.  5 Security management agreement. In order to  6 ensure that there is security posted to address  7 any issues that are raised relating to the  8 Meliadine operations, amendment must be made to  9 the security management agreement. The  10 Kivalliq Inuit Association and CIRNAC and the  11 proponent are finalizing the necessary  12 amendment to the security management agreement  13 in hopes to have an agreement finalized prior  14 or after these hearings.  15 M. MCDUGALL: Matt McDougall for the  16 Kivalliq Inuit Association.  17 The Kivalliq Inuit Association had  18 requested that the proponent incorporate  19 additional reference lakes in the monitoring  20 program. The purpose of this request was to  21 allow for the ability to better distinguish  22 between mine-related impacts and local  23 variability in the Meliadine watershed. In  24 response to this request, the proponent has  25 committed to completing a three-year reference  26 lake monitoring program which will begin in</p>

<p style="text-align: right;">169</p> <p>1 2025.</p> <p>2 Next page. For Lake B7, the Kivalliq Inuit</p> <p>3 Association had requested that the proponent</p> <p>4 include further detail on Lake B7 remediation</p> <p>5 in the interim closure and reclamation plan.</p> <p>6 In response, the proponent committed to</p> <p>7 monitoring Lake B7 during operations to assess</p> <p>8 the potential requirement of remediation of</p> <p>9 Lake B7 at closure.</p> <p>10 Next slide, please. The Kivalliq Inuit</p> <p>11 Association and Agnico Eagle have recognized</p> <p>12 the need for saline groundwater to be managed</p> <p>13 separately from surface contact water that is</p> <p>14 discharged to Meliadine Lake. The proponent</p> <p>15 committed to separate management of the</p> <p>16 groundwater and surface contact water and that</p> <p>17 under no circumstances will the proponent</p> <p>18 discharge underground saline groundwater to</p> <p>19 Meliadine Lake.</p> <p>20 The Kivalliq Inuit Association is working</p> <p>21 with the proponent to incorporate this as a new</p> <p>22 licence term and condition as the protection of</p> <p>23 water quality in Meliadine Lake is fundamental.</p> <p>24 This reflects the importance of maintaining the</p> <p>25 separation of groundwater from Meliadine Lake,</p> <p>26 which is used for drinking, fishing, and access</p>	<p style="text-align: right;">170</p> <p>1 to hunting ground. This concludes our</p> <p>2 presentation. Thank you.</p> <p>3 S. AUTUT: Qujannamiik, Luis and</p> <p>4 Matt.</p> <p>5 To the public, does anyone have questions</p> <p>6 for the Kivalliq Inuit Association? If not --</p> <p>7 okay. Moving on, then. Oh, we have a question</p> <p>8 out in the audience. Thank you.</p> <p>9 Please state your name for the record.</p> <p>10 Questions/Comments from the Community</p> <p>11 T. ANGOSHADLUK: Thomas Angoshadluk.</p> <p>12 When we were out hunting up by Meliadine</p> <p>13 Lake to find out what KIA is doing to make sure</p> <p>14 that Agnico has -- how would I say it -- like,</p> <p>15 make sure the choppers are not flying too low</p> <p>16 when there's caribous, we were seeing caribous</p> <p>17 up there when a chopper was flying really low.</p> <p>18 So can KIA explain what kind of policy they</p> <p>19 have and what -- and what they're doing to</p> <p>20 enforce that rule, 'cause when we were up</p> <p>21 there, we saw caribous, and yet the chopper was</p> <p>22 flying low. I thought Agnico had a mandate of</p> <p>23 not flying too low when there's caribous. So I</p> <p>24 would like an explanation for the public from</p> <p>25 KIA to Agnico about the policy of flying</p> <p>26 choppers when there's any animals, not just</p>
<p style="text-align: right;">171</p> <p>1 caribou. Thank you.</p> <p>2 S. AUTUT: Thank you, Thomas.</p> <p>3 Kivalliq Inuit Association.</p> <p>4 L. MANZO: Thank you, Madam</p> <p>5 Chairman.</p> <p>6 With respect to the monitoring caribou,</p> <p>7 which is the terrestrial management plan, we</p> <p>8 have a committee, and also we have triggers for</p> <p>9 manage caribou. And when caribou is around the</p> <p>10 road or close to the mine, we have the mobile</p> <p>11 protection measures in places, also terrestrial</p> <p>12 management plans triggered with the proponent,</p> <p>13 which we have a team to go in the road making</p> <p>14 sure when caribou approaches the mine or the</p> <p>15 road, we start shutting down the mine until</p> <p>16 caribou pass through. Once the caribou pass</p> <p>17 through, then activities start relaying.</p> <p>18 With the -- with the question about a</p> <p>19 chopper flying low when wildlife is there or</p> <p>20 caribou is there, we need to see exactly a</p> <p>21 written complaint to KIA and, if it's possible,</p> <p>22 the number of the chopper, but we do an</p> <p>23 investigation when the complaint is raised to</p> <p>24 us directly by doing the researching as the</p> <p>25 proponent of the -- what the location of the</p> <p>26 pilots are at that moment.</p>	<p style="text-align: right;">172</p> <p>1 We'd appreciate it if the public sees</p> <p>2 something, then to submit that to the lands</p> <p>3 department to follow an investigation in that</p> <p>4 or send that to the appropriate authorities to</p> <p>5 follow through the -- the complaint. Thank</p> <p>6 you, Madam Chair.</p> <p>7 S. AUTUT: Thank you, Luis.</p> <p>8 Thomas, did you have a follow-up question</p> <p>9 or comment?</p> <p>10 T. ANGOSHADLUK: Yes.</p> <p>11 That being said from KIA about caribous</p> <p>12 being close to the camp, the caribous that we</p> <p>13 saw weren't close to the camp, but they were</p> <p>14 out on the land, and there's that spot where</p> <p>15 they go to, for example, towards Itirlak. And</p> <p>16 the other thing that I didn't really like was</p> <p>17 how low it got when the caribous were there.</p> <p>18 They just ran away while we were trying to hunt</p> <p>19 them.</p> <p>20 But not everybody can go to KIA to complain</p> <p>21 or make a complaint to KIA, and a lot of people</p> <p>22 know they have Facebook people that works at</p> <p>23 KIA. I'm sure they can read Facebooks. Does</p> <p>24 it have to be an official letter to KIA to do a</p> <p>25 complaint for the caribou that is being scared</p> <p>26 away by Agnico due to low-flying choppers?</p>

<p style="text-align: right;">173</p> <p>1 Thank you.</p> <p>2 L. MANZO: Thank you, Madam</p> <p>3 Chairman. Luis Manzo, Kivalliq Inuit</p> <p>4 Association.</p> <p>5 In the case of any complaint, it can be by</p> <p>6 the phone, and we can take the notes of -- of</p> <p>7 the complaint, the exact locations, because</p> <p>8 sometimes you have research going on. You have</p> <p>9 the mining company working. But for the -- for</p> <p>10 the look of what you said, the location is,</p> <p>11 it's outside of the jurisdiction of the KIA at</p> <p>12 that point because it's outside the footprint</p> <p>13 of the lease. So that particular point outside</p> <p>14 of the lease, it's the GN who need to follow</p> <p>15 investigation with regards to any harassment of</p> <p>16 wildlife. Thank you, Madam Chairman.</p> <p>17 THE CHAIR: Thank you, Luis.</p> <p>18 The gentleman in the front here, Nidhi.</p> <p>19 Thank you.</p> <p>20 Please state your name for the record.</p> <p>21 J. AGLUKARK: Hi. My name is John</p> <p>22 Aglukark. I got a question for NTI in regards</p> <p>23 to watching the changes in -- in water levels</p> <p>24 in rivers.</p> <p>25 I know you guys said you're watching other</p> <p>26 rivers that the mine isn't exactly close to but</p>	<p style="text-align: right;">174</p> <p>1 maybe still in this region. Are you also</p> <p>2 watching other rivers that are farther away</p> <p>3 from the mining and seeing if this -- it is</p> <p>4 more climate change that is impacting these</p> <p>5 effects on the depth of river -- the rivers so</p> <p>6 that we can be able to -- how can we put it --</p> <p>7 not just straight up blame the mining</p> <p>8 activities that's causing these effects in the</p> <p>9 waters?</p> <p>10 THE CHAIR: Thank you for the</p> <p>11 question.</p> <p>12 Luis, Kivalliq Inuit Association.</p> <p>13 M. MCDOUGALL: Thank you. Matt</p> <p>14 McDougall for the Kivalliq Inuit Association.</p> <p>15 Thank you for your question.</p> <p>16 So there are a few parts to that. The</p> <p>17 first one is -- is with regards to water levels</p> <p>18 and rivers. So at the moment, there are water</p> <p>19 monitoring projects that go across the</p> <p>20 territory that's mostly taken care of by the</p> <p>21 federal government, and we do look into those,</p> <p>22 and we have -- also are working with the</p> <p>23 Department of Fisheries and Oceans, Environment</p> <p>24 Canada, and Agnico Eagle to come up with a site</p> <p>25 for monitoring water levels at Meliadine and</p> <p>26 the downstream areas so we can try to determine</p>
<p style="text-align: right;">175</p> <p>1 what kind of impacts the mines are having</p> <p>2 versus local variability.</p> <p>3 In regards to other water impacts, we do</p> <p>4 have quite a few control lakes that we sample</p> <p>5 independently, and we did request that Agnico</p> <p>6 Eagle broaden their sampling program to include</p> <p>7 Peter Lake and other control areas so that we</p> <p>8 can determine the difference between</p> <p>9 mine-related impacts, climate change impacts,</p> <p>10 or other impacts to the water bodies. I hope</p> <p>11 that answers your question.</p> <p>12 S. AUTUT: Thank you, Matt.</p> <p>13 Any follow up to that response? Thank you.</p> <p>14 The lady -- please state your name for the</p> <p>15 record.</p> <p>16 M. PUTULIK: Maggie Putulik.</p> <p>17 KIA, do they -- I know that KIA monitors</p> <p>18 the water. Do they do them at the same time or</p> <p>19 different times when the mining companies are</p> <p>20 doing monitoring? I'd like to --</p> <p>21 S. AUTUT: Thank you.</p> <p>22 Kivalliq Inuit Association.</p> <p>23 M. PUTULIK: -- for you to elaborate</p> <p>24 on this.</p> <p>25 M. MCDOUGALL: Thank you. Matt</p> <p>26 McDougall for the Kivalliq Inuit Association,</p>	<p style="text-align: right;">176</p> <p>1 and thank you for the question.</p> <p>2 So our water monitoring programs are</p> <p>3 completely independent from the mine programs.</p> <p>4 We do focus on measuring Meliadine Lake as well</p> <p>5 as Diane River and Itirlak -- or -- sorry --</p> <p>6 Ijiraliq here around Rankin Inlet. We also</p> <p>7 have monitoring programs around Arviat,</p> <p>8 Chesterfield Inlet, Baker Lake, Whale Cove, and</p> <p>9 it should be including Naujaat and Coral</p> <p>10 Harbour in the future. But, yes, our sampling</p> <p>11 programs are completely independent but related</p> <p>12 to what the mine is monitoring as well at</p> <p>13 Meliadine. Thank you.</p> <p>14 Oh, yes. In addition, there is also</p> <p>15 sampling programs that take place in</p> <p>16 collaboration with Crown-Indigenous Relations</p> <p>17 and Northern Affairs Canada. These -- this</p> <p>18 program is also independent from the mining</p> <p>19 monitoring. Thank you.</p> <p>20 S. AUTUT: Thank you, Matt.</p> <p>21 Does that answer -- okay. A follow-up.</p> <p>22 M. PUTULIK: The other question that I</p> <p>23 have: When you monitor the water, how -- is</p> <p>24 there a difference -- or is there any difference</p> <p>25 when the mining knows and -- like, when they do</p> <p>26 their work, is there any difference in that?</p>

<p style="text-align: right;">177</p> <p>1 S. AUTUT: Thank you.  2 Kivalliq Inuit Association.  3 M. MCDUGALL: Matt McDougall for the  4 Kivalliq Inuit Association. Thank you for the  5 follow-up question.  6 As part of the Meliadine project, we  7 actually undertook a review this past year on  8 how all the studies that are taking place in  9 Meliadine Lake compare, and all of the studies,  10 including ours, the collaboration with  11 Crown-Indigenous Relations and Northern Affairs  12 and Agnico Eagle's data, all tell the same  13 story. The data is all very comparable, and  14 there's not a significant difference between  15 what the programs are measuring. Thank you.  16 S. AUTUT: Thank you, Matt.  17 A follow-up? Thank you.  18 Any further questions from the public?  19 Seeing no show of hands, we will then move  20 on to Nunavut Tunngavik Incorporated.  21 Please commence with your presentation.  22 Community Session Presentation by Nunavut  23 Tunngavik Incorporated  24 E. GREENE: Qujannamiik, Madam Chair.  25 My name is Ezra Greene.  26 I'm the senior -- acting senior advisor on</p>	<p style="text-align: right;">178</p> <p>1 land-use planning and regulatory reviews for  2 Nunavut Tunngavik, and we'll be giving our  3 presentation. I won't read everything on the  4 slides. I'll work to try to summarize some of  5 it. Please ask me later if there's any  6 clarifying questions.  7 You can go to the next slide, please. So  8 in terms of our role, we represent the Inuit of  9 Nunavut for the purpose of ensuring that Inuit  10 rights are fully respected, including  11 Aboriginal rights such as the duty to consult  12 under Section 25 of the Canadian constitution  13 and rights arising out of the Nunavut  14 Agreement.  15 NTI's role extends to ensure that the  16 processes of the institutions of public  17 government, including the Nunavut Water Board,  18 are in keeping with the Nunavut Agreement, the  19 Nunavut Waters and Surface Rights Tribunal Act,  20 and that they uphold Inuit participation and  21 consultation requirements.  22 In this, we work at supporting the Kivalliq  23 Inuit Association, the Kivalliq Wildlife Board,  24 and hunters and trappers organizations for  25 hearings in the Kivalliq and working to address  26 any issues that are of concern to all Inuit and</p>
<p style="text-align: right;">179</p> <p>1 Nunavut, including the promotion of Inuit  2 culture and the safeguarding of Nunavut's  3 wildlife environment, culture, lands, and  4 economy.  5 We can go to the next slide. So in our  6 review, we participated as an observer in the  7 technical meeting that was earlier. We've  8 provided some comments in these presentations,  9 including supporting the Kivalliq Inuit  10 Association's final written submissions, and we  11 have three comments related to that.  12 Next slide. So as we heard from the  13 Kivalliq Inuit Association, they support that  14 under no circumstances discharge of underground  15 saline groundwater should be going into  16 Meliadine Lake, and they would like that  17 commitment that AEM has made to be a licenced  18 term in -- in an amended licence. We support  19 that, and we believe that's being worked on, as  20 KIA said.  21 Next slide. So we also share Kivalliq  22 Inuit Association's concern about the new  23 proposed wording for Part B, Section 10 in the  24 water licence, that a management plan could be  25 deemed -- the wording implies that a management  26 plan could be deemed approved despite Inuit or</p>	<p style="text-align: right;">180</p> <p>1 others having expressed legitimate unresolved  2 concerns with the plan, and NTI urges the NWB  3 not to accept the wording AEM proposed in the  4 June 2024 -- or in June 2024 or its final  5 submission. The original wording should  6 continue.  7 So on this one, it has to do with the  8 security, and I'll just try to explain it  9 without going through all of this. Basically,  10 in the existing licence, what was Part C,  11 Section C -- 7, Kivalliq Inuit Association  12 proposed that the wording just be slightly  13 changed in that one, and we support Kivalliq  14 Inuit Association's recommendation.  15 And then Agnico Eagle had proposed some --  16 some different sections or paragraphs, and it  17 ended up being Section 7 also just based on how  18 the document got edited, and it's a new -- it's  19 a proposed new section or a new paragraph, and  20 NTI is supporting AEM's recommendation there or  21 their -- their proposal.  22 Go ahead to the next slide. So some  23 comments on submissions by Crown-Indigenous  24 Relations and Northern Affairs, Department of  25 Fisheries and Oceans, and Environment and  26 Climate Change Canada. Their comments all</p>


<p style="text-align: right;">181</p> <p>1 relate to environmental protection and by 2 extension the long-term ability of Inuit to 3 meaningfully harvest and enjoy the land and 4 waters affected by the Meliadine mine. 5 And we have some comments. One has to do 6 with the security and -- and the discussions 7 around that happening which are happening, 8 and -- and we -- we support them continuing 9 and -- and being resolved by the end of this 10 hearing. 11 Next slide. So one of the concerns has to 12 do with the amount of the authorized volume of 13 discharge at closure that AEM has requested and 14 just concerns about the impacts that that could 15 have on the quality of Meliadine Lake's aquatic 16 environment. This relates somewhat to concerns 17 about the outflow rivers, the downstream rivers 18 potentially becoming shallower. 19 There's -- there's some concern that if too 20 much water is taken, that could have an impact 21 on -- on that, and we recommend -- NTI 22 recommends that planning for closure should 23 happen as soon as possible and that Agnico 24 Eagle -- so that there's time for Agnico Eagle 25 Mines to adjust its operations if it turns out 26 that the volume of water needed would</p>	<p style="text-align: right;">182</p> <p>1 compromise the aquatic environment in Meliadine 2 Lake. 3 It would be unacceptable to Inuit to 4 discover that the plan to draw water from 5 Meliadine Lake jeopardizes the lake or 6 downstream water -- the water network health 7 and that there is no sound alternative to 8 complete the closure of the mine. 9 Next slide. And then finally Environment 10 and Climate Change Canada has raised some 11 concerns about the closure plan and -- and that 12 any water bodies or -- or facilities that get 13 connected to the regional water network meet 14 the -- the standards for protect -- that 15 they're protective of aquatic life. 16 So if as ECCC predicts there is connection, 17 then those -- that -- the -- the network -- the 18 water network should be safe for fish that will 19 eventually populate all of the water bodies, 20 and fishing is of -- edible and healthy fish is 21 essential to the Inuit way of life, and 22 post-closure water should be safe for fish and 23 for -- for Inuit as we have heard tonight 24 already, and we reiterate that. 25 That's all from us. Qujannamiik. 26 S. AUTUT: Thank you, Ezra.</p>
<p style="text-align: right;">183</p> <p>1 Anybody have questions for NTI? 2 Seeing no hands, we'll move on now to 3 Crown-Indigenous Relations and Northern 4 Affairs. 5 Please proceed with your presentation. 6 Community Session Presentation by 7 Crown-Indigenous Relations and Northern Affairs 8 Canada 9 A. HAQUE: Thank you, Madam Chair 10 and Nunavut Water Board, for this opportunity. 11 I would also like to thank Rankin Inlet 12 community for welcoming us and participating in 13 this community session. I'm Aminul Haque, 14 water management coordinator of the water 15 resource division with the Nunavut regional 16 office of Crown-Indigenous Relations and 17 Northern Affairs Canada. 18 Next slide, please. I will start my 19 presentation describing the roles and 20 responsibility of Crown-Indigenous Relations 21 and Northern Affairs Canada, the contribution 22 to date from Crown-Indigenous Relations and 23 Northern Affairs Canada, status summary of our 24 technical review comments, discussion about the 25 outstanding issue, and conclusion. 26 Crown-Indigenous Relations and Northern</p>	<p style="text-align: right;">184</p> <p>1 Affairs Canada's responsibilities, mandates, 2 and obligation are in alignment with the 3 following acts: Crown-Indigenous Relations and 4 Northern Affairs Act, the Nunavut Agreement, 5 Nunavut Land Claims Agreement, Nunavut Waters 6 and Nunavut Surface Rights Tribunal Act and 7 associated regulations, Nunavut Planning and 8 Project Assessment Act, Territorial Lands Act 9 and associated regulation, Arctic Waters 10 Pollution Prevention Act. 11 Next slide, please. Since the Nunavut 12 Water Board accepted Agnico Eagle's mine 13 application for amendment on January 29, 2024, 14 Crown-Indigenous Relations and Northern Affairs 15 Canada has provided the Board with -- has 16 participated in all stages of technical review 17 process and provided final written submission 18 to the Board on June 5, 2024. 19 Next slide, please. This slide summarizes 20 the technical review comments provided by 21 CIRNAC. As per Nunavut Water Board's request, 22 CIRNAC has reviewed the amendment application 23 by Agnico Eagle Mines and submit -- 24 Crown-Indigenous Relations and Northern 25 Affairs Canada submitted technical review 26 comments and associated recommendation.</p>

<p style="text-align: right;">185</p> <p>1 Crown-Indigenous Relations and Northern 2 Affairs Canada raised concerns regarding the 3 adaptive management plan, discharge to 4 Meliadine Lake, storage of saline water in Lake 5 B7, water quality prediction, groundwater flow, 6 and water use. Crown-Indigenous Relations and 7 Northern Affairs Canada has communicated in 8 writing and in person with Agnico Eagle to 9 resolve concern raised during the technical 10 review. 11 Agnico Eagle has satisfactorily addressed 12 all the technical comments, and 13 Crown-Indigenous Relations and Northern Affairs 14 Canada is satisfied with the Agnico Eagle 15 response and identified all concerns -- all of 16 our concern as a result. 17 Now I'll discuss some outstanding issue 18 that we worked on. One of them is the adaptive 19 management plan. Our technical review comments 20 in relation to the adaptive management plan has 21 been resolved, and Crown-Indigenous Relations 22 and Northern Affairs Canada recommends that 23 this would be included in that licence -- 24 amendment licence. 25 Also under that adaptive management plan 26 principle, language has been added indicating</p>	<p style="text-align: right;">186</p> <p>1 that the water licence shall prevail if there 2 is any conflict or inconsistency between the 3 terms and condition of the water licence and 4 the adaptive management plan. 5 Crown-Indigenous Relations and Northern 6 Affairs Canada has worked with Kivalliq Inuit 7 Association and Agnico Eagle and agreed to a 8 global security amount for the existing licence 9 and associated activities related to the 10 current amendment application. Parties have 11 presented the estimate to Nunavut Water Board 12 for its consideration. 13 Crown-Indigenous Relations and Northern 14 Affairs Canada has recent agreement with the 15 Kivalliq Inuit Association and Agnico Eagle on 16 the global security amount, the split of the 17 security, which is 50-50 between the Minister 18 of Northern Affairs and the Kivalliq Inuit 19 Association, and the payment tranches for the 20 security management agreement. 21 Crown-Indigenous Relations and Northern 22 Affairs Canada will continue to work with 23 Kivalliq Inuit Association and Agnico Eagle to 24 finalize the security management agreement. 25 Crown-Indigenous Relations and Northern 26 Affairs Canada has -- has commented on the</p>
<p style="text-align: right;">187</p> <p>1 proposed edit on the draft amendment -- licence 2 amendment -- draft water licence amendment 3 framework, and it has been submitted to the 4 Board for consideration. This concludes my 5 presentation, and I'm open to have any 6 question. Thank you. 7 S. AUTUT: Thank you for your 8 presentation. 9 Are there any questions for 10 Crown-Indigenous Relations and Northern 11 Affairs? 12 If not, thank you again for your 13 presentation. 14 Moving on now to Environment and Climate 15 Change Canada. 16 Please proceed with your presentation. 17 Community Session Presentation by Environment 18 and Climate Change Canada 19 R. WYKES: Good evening, everyone. 20 My name is Russell Wykes, and I am a senior 21 environmental assessment officer with 22 Environment and Climate Change Canada, and with 23 me tonight I have our water quality analyst 24 Sarah Forte. 25 Next slide, please. I will start by 26 presenting Environment and Climate Change</p>	<p style="text-align: right;">188</p> <p>1 Canada's mandate and briefly touch on the acts 2 and legislation relevant to Environment and 3 Climate Change Canada, and then I'll pass it 4 over to Sarah to quickly outline our 5 outstanding comments regarding Agnico's 6 application for a Type 'A' water licence 7 amendment. 8 Next slide, please. Environment and 9 Climate Change Canada's mandate includes the 10 preservation and enhancement of the quality of 11 the natural environment, including water, air, 12 and soil quality, and the coordination of 13 relevant policies and programs of the 14 Government of Canada. It also includes 15 renewable resources such as migratory birds and 16 other non-domestic flora and fauna, 17 meteorology, and the enforcement of rules and 18 regulations. 19 Next slide, please. Environment and 20 Climate Change Canada's mandate is governed by 21 the Department of the Environment Act, the 22 Canadian Environmental Protection Act, the 23 pollution prevention provisions of the 24 Fisheries Act, the Migratory Birds Convention 25 Act, and the Species at Risk Act. 26 I will now pass it over to Sarah for a</p>

<p style="text-align: right;">189</p> <p>1 brief discussion on our technical issues.  2 S. FORTE: Thanks, Russell. Sarah  3 Forte with Environment and Climate Change  4 Canada.  5 I'd first like to say I'm sorry that my  6 back is to the people I would like to speak  7 with. Our technical review had 31 comments,  8 and most of these have been resolved through  9 discussions and exchanges. This presentation  10 has the four that were outstanding at the time  11 of our final submission.  12 Comment Number 11 is about the quality of  13 water after the mine is closed and everything  14 has been cleaned up. Agnico has a computer  15 model that predicts the water -- what the water  16 quality will be in the future based on site  17 conditions, proposed operations, and waste  18 management.  19 With the current plan, that model predicts  20 potential issues with water quality in three of  21 the pits and lakes after closure. Environment  22 and Climate Change Canada asked Agnico what  23 they could change to improve the predicted  24 quality after closure.  25 Next slide, please. This is still on the  26 same topic. And Agnico provided different</p>	<p style="text-align: right;">190</p> <p>1 suggestions for the different pits and lakes,  2 and they have said they will incorporate these  3 predictions into a plan. So environment --  4 sorry. They will incorporate their suggested  5 management actions into the plan, and  6 Environment and Climate Change Canada considers  7 this comment resolved.  8 Next slide, please. Comment Number 17 is  9 about describing water quality in the east  10 basin of Meliadine Lake before mining started.  11 Establishing what conditions were before mining  12 is important to be able to monitor how things  13 are changing and what the impact the mine is  14 having. Presently, Agnico is comparing water  15 quality measured on-site with baseline measured  16 before mining from samples that were taken all  17 across Lake Meliadine.  18 Colleen with Agnico has spoke to this  19 earlier this evening when she presented on the  20 aquatic effects monitoring program, and the  21 baseline appeared as a green line -- a green  22 vertical line on the graphs she showed.  23 After -- over the past five years, Agnico  24 has noticed that water quality isn't the same  25 all across Lake Meliadine. Specifically, it is  26 different in the east basin from the northwest</p>
<p style="text-align: right;">191</p> <p>1 and southwest basins. Environment and Climate  2 Change Canada is asking that Agnico describe  3 pre-mining water quality baseline in Meliadine  4 east basin to give us a sense of the magnitude  5 of changes measured now and as well so that  6 after closure we will be able to know when  7 things have returned to normal.  8 Next slide, please. Comment Number 19 is  9 about the interim closure and reclamation plan  10 and looking for consistency within the plan.  11 Presently, the plan states that all pits,  12 lakes, and ponds, including the lake that is  13 used to store saline water from underground,  14 will be reconnected to the regional monitor  15 system by breaching dikes and berms.  16 Fish will eventually repopulate all these  17 connected water bodies. So Environment and  18 Climate Change Canada is recommending that the  19 water quality is safe for those fish.  20 Next slide, please. And this is the final  21 one, Comment Number 29, and it's about how much  22 water Agnico can take out of Meliadine Lake  23 each year to fill the pits at closure.  24 Meliadine Lake has two outlets, as Martha spoke  25 about earlier, Meliadine River and the Diane  26 River through Peter Lake. Removing too much</p>	<p style="text-align: right;">192</p> <p>1 water too quickly from Meliadine Lake could  2 reduce flows in those rivers at the outlet,  3 which could impact fish in both those rivers.  4 There isn't enough data to decide what is a  5 safe amount of water to withdraw each year for  6 pit filling. So Environment and Climate Change  7 Canada is recommending that the Board not  8 include a withdrawal rate for closure in an  9 amended licence. This will give some time to  10 collect the missing data before closure, which  11 is presently planned for 2031.  12 Next slide, please. Yeah. Thank you for  13 your attention, and we'd be happy to take  14 questions.  15 THE CHAIR: Thank you, Russell and  16 Sarah.  17 Any questions from the public for  18 Environment and Climate Change Canada?  19 If not and not seeing a show of hands, we  20 will move on now to Fisheries and Oceans  21 Canada.  22 So please proceed with your presentation.  23 Community Session Presentation by Fisheries and  24 Oceans Canada  25 J. AUDET-LECOUFFE: Thank you. Jose  26 Audet-Lecouffe with Fisheries and Oceans</p>



<p style="text-align: right;">193</p> <p>1 Canada.</p> <p>2 Good evening, everyone. This is the</p> <p>3 Fisheries and Oceans Canada's presentation.</p> <p>4 Next slide. So my name is Jose</p> <p>5 Audet-Lecouffe. I am the team leader, and with</p> <p>6 me is my Derek Donald, a fish biologist, and we</p> <p>7 are with the fish and fish habitat protection</p> <p>8 program with Fisheries and Oceans Canada, and</p> <p>9 these are the best pictures we found of us.</p> <p>10 Sorry about that.</p> <p>11 Our mandate is to conserve and protect fish</p> <p>12 and fish habitat from impact of human work and</p> <p>13 activities under -- under the Fisheries Act.</p> <p>14 So DFO has considered what aspects of the</p> <p>15 project could impact fish and their habitats,</p> <p>16 and we had four comments and recommendation:</p> <p>17 One about inconsistencies between documents in</p> <p>18 the application, another one about pit flooding</p> <p>19 at closure, a third one about fish passage, and</p> <p>20 a fourth one about the final offsetting plan.</p> <p>21 We will focus on key points, but all the</p> <p>22 details of our comments were provided to the</p> <p>23 Board.</p> <p>24 Next slide, please. Three of the four</p> <p>25 comments are resolved. Agnico Eagle provided</p> <p>26 updated documents with the correct and complete</p>	<p style="text-align: right;">194</p> <p>1 information, and they committed to collecting</p> <p>2 additional information related to fish passage</p> <p>3 to support the offsetting plan.</p> <p>4 Next -- next slide, please. Next slide.</p> <p>5 Thank you. There is only one issue remaining.</p> <p>6 It is the pit flooding when the mine closes.</p> <p>7 In their application, Agnico Eagle requested</p> <p>8 that the water taken from Meliadine Lake to</p> <p>9 fill the pits when the mine closes, that this</p> <p>10 volume double.</p> <p>11 DFO noted that Agnico Eagle did not assess</p> <p>12 the impact of withdrawing that volume of water</p> <p>13 from Meliadine Lake and particularly on</p> <p>14 Meliadine and Diane rivers that are critical to</p> <p>15 the migration of char population. So we</p> <p>16 requested, like Environment Canada did, that</p> <p>17 the pit flooding rates be removed from the</p> <p>18 application, and Agnico Eagle refused.</p> <p>19 Next slide, please. We understand that the</p> <p>20 volume requested in this application is less</p> <p>21 than what was accepted in 2014, but we don't</p> <p>22 know what impact it will have on the char</p> <p>23 population. The volume that Agnico Eagle</p> <p>24 requests might be acceptable, but we can't</p> <p>25 confirm that.</p> <p>26 Agnico also identified in 2014 that the</p>
<p style="text-align: right;">195</p> <p>1 flow at the outlet could be reduced as much as</p> <p>2 35 percent, and this is well above DFO's</p> <p>3 threshold. So it's a significant impact, and</p> <p>4 it requires more analysis. It's important to</p> <p>5 maintain water levels to protect arctic char</p> <p>6 populations that people in Rankin rely on.</p> <p>7 Next slide, please. So DFO recommends to</p> <p>8 the Board that the flow rate be removed, that</p> <p>9 the detailed analysis be provided, and that the</p> <p>10 necessary information is collected.</p> <p>11 Next slide, please. And that concludes our</p> <p>12 presentation. Thank you for listening.</p> <p>13 S. AUTUT: Thank you, Jose.</p> <p>14 Any members of the public have questions to</p> <p>15 the DFO presentation?</p> <p>16 Martha?</p> <p>17 Questions/Comments from the Community</p> <p>18 M. HICKES: Thank you. I have a</p> <p>19 question.</p> <p>20 With the unresolved issues still on, will</p> <p>21 that hold back the application for -- or the</p> <p>22 approval of the licence?</p> <p>23 S. AUTUT: Karen.</p> <p>24 K. KHARATYAN: Yes. Karen Kharatyan,</p> <p>25 water board.</p> <p>26 Like I stated during the day, the Board</p>	<p style="text-align: right;">196</p> <p>1 will have all information provided by</p> <p>2 applicant, by intervenors, and, if required,</p> <p>3 specific licence terms and conditions will be</p> <p>4 included within the licence to make sure that</p> <p>5 the -- the -- these specific terms and</p> <p>6 conditions cover requirement of all -- any</p> <p>7 specific, yes, request may be provided by</p> <p>8 intervenors.</p> <p>9 So this is to say that the -- the final --</p> <p>10 final decision is with the Board. Sometimes</p> <p>11 requirements from intervenors or recommendation</p> <p>12 from intervenors may not be acceptable.</p> <p>13 Sometimes the proposal will propose the</p> <p>14 approaches by Agnico Eagle or licensee. It may</p> <p>15 not be acceptable by the Board. Thank you.</p> <p>16 S. AUTUT: Thank you, Karen.</p> <p>17 Martha, did you have any follow-up</p> <p>18 question? You're good? Thank you.</p> <p>19 Any other questions from the public for</p> <p>20 Department of Fisheries and Oceans? If not,</p> <p>21 there are no more formal presentations, but we</p> <p>22 will open the floor. If the public has any</p> <p>23 final questions to any party, including the</p> <p>24 applicant, intervenors, or the Board, you're</p> <p>25 welcome to -- to bring those forward now. So</p> <p>26 are there any final questions from the public?</p>

<p style="text-align: right;">197</p> <p>1 Okay. I see no hands. Thank you.</p> <p>2 Closing Remarks</p> <p>3 S. AUTUT: This brings us to the end</p> <p>4 of our agenda for tonight's session. On behalf</p> <p>5 of the Nunavut Water Board, I would like to</p> <p>6 thank everyone for participating tonight, and</p> <p>7 thank you to the community of Rankin Inlet for</p> <p>8 hosting these important meetings. A special</p> <p>9 thanks to all the presenters tonight and all of</p> <p>10 the people who chose to join this evening to</p> <p>11 share your views, your knowledge, comments, and</p> <p>12 questions with the Board.</p> <p>13 I will now pass the mic to Madam Chair.</p> <p>14 THE CHAIR: Thank you, Stephanie, and</p> <p>15 thank you to everyone who participated in</p> <p>16 making tonight's community session a success.</p> <p>17 In terms of what is next, the technical</p> <p>18 component of the Board's public hearing will</p> <p>19 continue tomorrow right here starting at 9:00,</p> <p>20 and we expect to wrap up the public hearing for</p> <p>21 this application tomorrow afternoon. Anyone</p> <p>22 who is interested in this application is</p> <p>23 welcome to attend tomorrow's session.</p> <p>24 Following the completion of the public</p> <p>25 hearing and the close of the public hearing</p> <p>26 record for the file, the Panel will decide</p>	<p style="text-align: right;">198</p> <p>1 whether to grant Agnico Eagle's request to</p> <p>2 change the water licence and will publicly</p> <p>3 issue a written decision to the Minister of</p> <p>4 Northern Affairs for his consideration.</p> <p>5 So good night for now. I hope to see you</p> <p>6 all tomorrow, and for the public, please invite</p> <p>7 yourself to take leftover food and juices</p> <p>8 before you leave. Thank you. See you tomorrow</p> <p>9 morning.</p> <hr/> <p>11 PROCEEDINGS ADJOURNED UNTIL 9:00 AM,</p> <p>12 SEPTEMBER 12, 2024</p> <hr/>
<p style="text-align: right;">199</p> <p>1 CERTIFICATE OF TRANSCRIPT:</p> <p>2</p> <p>3 I, A. Vidal, certify that the foregoing</p> <p>4 pages are a complete and accurate transcript of</p> <p>5 the proceedings taken down by me in shorthand</p> <p>6 and transcribed from my shorthand notes to the</p> <p>7 best of my skill and ability.</p> <p>8 Dated at the City of St. Albert, Province</p> <p>9 of Alberta, this 23rd day of September 2024.</p> <p>10</p> <p>11 </p> <p>12 _____</p> <p>13 A. Vidal, CSR(A), RMR</p> <p>14 Official Court Reporter</p> <p>15 Commissioner for Oaths Appointee No. 0749558</p> <p>16 ASRA Membership No. 443</p> <p>17 NCRA Membership No. 998452</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>26</p>	