

NUNAVUT WATER BOARD

Water License Amendment Application No: 2AM-MEL1631

HEARING

VOLUME 1

Rankin Inlet, Nunavut

September 11, 2024

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1 Proceedings taken at Singiitug Complex, Rankin
2 Inlet, Nunavut

3

4 September 11, 2024 Morning Session

5

6 NUNAVUT WATER BOARD

7 E. Copland Chair of Hearing

8 L. Toomasie Panel Member

9 U. Puqignak Panel Member

10

11 NUNAVUT WATER BOARD STAFF

12 S. Autut Executive Director

13 K. Kharatyan Director of Technical
14 Services

15 B. Kogvik Director of Board
16 Administration and
17 Communications

18 R. Dwyer Licensing Administrator

19 M. Shaikh Technical Advisor

20 T. Meadows Legal Counsel

21

22 APPLICANT

23

24 AGNICO EAGLE MINES LIMITED

25 J. Quesnel Director of Permitting
26 and Regulatory Affairs

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. Kitterdlik	IQ and Wildlife Advisor,
13		Whale Cove
14	M. Turmel	Public Affairs
15		Superintendent
16	B. Doroudiani	Permitting Specialist,
17		Water
18	J.C. Blais	Meliadine General Manager
19	D. Rodrigue	Meliadine General
20		Superintendent
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

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

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

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

1 comply with the panel membership requirement
2 under the Nunavut Agreement.

3 So before we proceed, we're going to give
4 the opening prayer. Lootie will give the
5 opening prayer.

6 Opening Prayer

7 THE CHAIR: Ma'tna, Lootie.

8 Okay. On behalf of the Nunavut Water
9 Board, I would like to welcome you to this
10 public hearing in Rankin Inlet.

11 Now, to provide some background and set the
12 stage for the public hearing for the Nunavut
13 Water Board, which I shall refer to the "Board"
14 or the "NWB".

15 It's an institution of public government
16 created under Article 13 of the Nunavut
17 Agreement and the Nunavut Waters and Nunavut
18 Surface Rights Tribunal Act. The NWB is
19 responsible for the use, management, and
20 regulation of freshwater in the Nunavut
21 settlement area.

22 The purpose of this public hearing is to
23 review an application filed by Agnico Eagle
24 Mines. I may refer to them as "Agnico Eagle"
25 or the "applicant". This is to amend the
26 existing Type 'A' water licence for the use of

1 water and deposit of waste associated with the
2 mining undertaking for the Meliadine Gold Mine
3 or Meliadine gold project.

4 In this amendment application, Agnico Eagle
5 proposes to expand the scope of the existing
6 water licence to include mining of four
7 additional deposits and to add additional
8 project infrastructure to service the
9 additional mining activity.

10 The amendment application also seeks an
11 increase to the amount of freshwater that
12 Agnico Eagle is authorized to use under the
13 water licence. All of these proposed changes
14 were previously assessed by the Nunavut
15 Planning Commission and the Nunavut Impact
16 Review Board in 2014 and were approved to
17 proceed to the Nunavut Water Board licencing
18 process at this time.

19 Agnico Eagle Mines operates the Meliadine
20 mine located approximately 25 kilometres north
21 of Rankin Inlet. The use of water and deposit
22 of waste for this project is licenced under the
23 Type 'A' water licence 2AM-MEL1631, which was
24 originally issued on April 15, 2016, and
25 expires on March 31, 2031. The Nunavut Water
26 Board has amended the water licence two times

1 in 2020 and 2021 since it was first issued to
2 Agnico Eagle in 2016.

3 As set out in Section 13.3.6 of the Nunavut
4 Agreement and Section 29 of the Nunavut Waters
5 and Nunavut Surface Rights Tribunal Act, the
6 Board has delegated its power to dispose of all
7 matters related to the processing of the
8 application to the Type 'A' licence 2AM-MEL1631,
9 including the conduct of this public hearing to
10 a panel of the Board, which is referred to as
11 the "Meliadine panel" or "P15 panel".

12 I will be chairing this panel. With me
13 today as members of the P15 panel, we have
14 Uriash Puqignak and Lootie Toomasie, the
15 Board's chair with me on the right.

16 Several NWB staff members who have
17 contributed to administration and technical
18 review of this application are present along
19 with the legal counsel to the NWB, and I will
20 introduce the individuals in attendance. We
21 have Stephanie Autut, our executive director;
22 Ben Kogvik, director of board administration
23 and communications in the back; Richard Dwyer,
24 licencing administrator in the front; Mohammad
25 Ali Shaikh, technical advisor; Teresa Meadows
26 from Meadows Law, legal counsel of the board;

1 and Nidhi Singh, technical advisor. I think
2 she's in the front too.

3 In addition, we have interpreters. We have
4 Mary Rose Angoshadluk. Sikati is not here but
5 helping her is Ben Kogvik right at the front
6 over here.

7 For audio support, we have Ryan Dempster
8 from PIDO Productions. If you have any
9 experience -- if you experience any
10 difficulties with your earpiece, please let
11 Ryan know.

12 To ensure we have accurate records, record
13 of the proceedings, we have with us court
14 reporter Andres Vidal from Dicta Court
15 Reporting.

16 And before I move on to overview of this
17 application and what to expect today during
18 this public hearing, there are some important
19 housekeeping issues, items for everyone here,
20 and, first, as indicated, there is
21 interpretation available. Channel Number 2 is
22 English. Channel Number 3 is Inuktitut.

23 And, second, the Board appreciates if
24 everyone, including the applicant, intervenors,
25 and members of the public, sign in on the
26 sheets located at the table as you come in.

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

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

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

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.

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.

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,

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

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

1 management plan.

2 There was also a draft licence framework.

3 A water usage compensation agreement
4 negotiated between Agnico Eagle and the
5 Kivalliq Inuit Association.

6 I will now turn to Item 4, which is the
7 roll call. I will begin with the roll call
8 with the applicant, Agnico Eagle, and its
9 representatives. You can proceed to introduce
10 your participants.

11 Roll Call

12 J. QUESNEL: Thank you, Madam Chair.
13 It's good to be here in Rankin. My name is
14 Jamie Quesnel, director of permitting and
15 regulatory affairs.

16 I'll name the -- our team, if they -- if
17 our team could just do a raise of hand when
18 your name is mentioned. We have Colleen
19 Prather, permitting and regulatory affairs
20 superintendent; Jennifer Range, regulatory
21 specialist; Edward Malindzak, permitting
22 specialist, fisheries; Sara Savoie, Meliadine
23 environmental superintendent; Luc Chouinard,
24 project manager, Meliadine; Jawad Haloui,
25 Meliadine project lead; Pujjuut Kusugak,
26 director of Nunavut affairs; David Kritterdlik,

1 IQ and wildlife advisor; Manon Turmel, public
2 affairs superintendent; Bobby Doroudiani,
3 permitting specialist, water; Jean-Claude
4 Blais, Meliadine general manager; Dany
5 Rodrigue, Meliadine general superintendent;
6 Scott Jackson, consultant senior hydrologist;
7 Christine Kowbel, legal counsel; Janice Aggark,
8 community liaison officer in Chesterfield.

9 Also, we have Elders from our Kivalliq
10 Elders Advisory Committee, David and Dorothy,
11 and Janice is helping to coordinate their
12 activities during the hearing.

13 And on the phone, we have Lisa Ramilo,
14 permitting specialist, water; and Lisa Mah,
15 permitting specialist, water. And that's
16 everybody. Thank you.

17 THE CHAIR: That's Dorothy Aglukark,
18 Arviat; David Kritterdlik, Whale Cove. Just to
19 correct, there's no David and Dorothy. Just
20 Dorothy.

21 I will now go to the intervening parties,
22 the Nunavut Tunngavik Incorporated.

23 E. GREENE: Good morning.

24 Yeah. So I am from Nunavut Tunngavik
25 Incorporated. My name is Ezra Greene. I'm
26 acting senior advisor on land-use planning and

1 regulatory reviews. We also have here sitting
2 next to me is Raymond Mercer, who is the
3 resource management coordinator for the
4 department of wildlife and environment. Behind
5 me is Dustin Fredlund, the chief operating
6 officer of NTI. Online we have Arthur Yuan,
7 who is legal counsel for NTI, and not in
8 attendance but he may come tomorrow is Gabriel
9 Nirlungayuk, director of wildlife and
10 environment. He's ill today, so we hope he
11 makes it tomorrow. Thank you.

12 THE CHAIR: Thank you.

13 The Kivalliq Inuit Association.

14 L. MANZO: Thank you, Madam
15 Chairman. My name is Luis Manzo, director of
16 lands on behalf of the Kivalliq Inuit
17 Association.

18 For these proceedings, with me are Jonathan
19 Katz, our legal counsel; Dr. Matthew McDougall
20 in charge of water quality and fish habitat;
21 Alan Sexton in charge of geology and
22 engineering; and Jeff Tulugak, wildlife and
23 traditional knowledge; and Ashley Aupaluktuq,
24 coordinator of the administration affairs of
25 KIA in these proceedings. Thanks.

26 THE CHAIR: Thank you.

1 How about the Crown-Indigenous Relations
2 and Northern Affairs.

3 J. HART: Good morning, Madam
4 Chair. My name is Jeff Hart. I'm the acting
5 director of resource management.

6 With us today, we have Aminul Haque, water
7 management coordinator; and Simone Tielesh,
8 legal counsel, sitting in the back; and then
9 online we have Tony Brown and Gerd Wiatzka,
10 consultants to the Crown-Indigenous and
11 affairs -- and Northern Affairs Canada. Thank
12 you.

13 THE CHAIR: Environment and Climate
14 Change Canada.

15 R. WYKES: Good morning, everybody.
16 My name is Russell Wykes. I'm a senior
17 environmental assessment coordinator with
18 Environment and Climate Change Canada.

19 And with me today I have Sarah Forte, water
20 quality analyst, and on the line we have
21 Stephinie Mallon, an environmental assessment
22 officer.

23 THE CHAIR: Thank you.
24 Fisheries and Oceans Canada.

25 J. AUDET-LECOUFFE: Good morning, everyone.
26 My name is Jose Audet-Lecouffe. I am the

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

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

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?

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

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

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

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

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

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

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.

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 Kaniqliniq 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

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.

1 In the final written submissions, the
2 Kivalliq Inuit Association had six comments,
3 Crown-Indigenous Relations had five comments,
4 and all have been resolved.

5 Agnico Eagle considers comments on the
6 draft water licence to be resolved as a
7 response was provided to the Nunavut Water
8 Board and is now before the Board to decide on
9 the wording.

10 Environment and Climate Change Canada had
11 four comments. Two were carried forward from
12 technical comments and are unresolved.
13 Environment and Climate Change Canada requested
14 additional details on one comment, which we
15 consider resolved.

16 And the fourth comment remains unresolved
17 and is tied to a similar comment with Fisheries
18 and Oceans Canada. I will discuss these
19 unresolved topics in the upcoming slides.

20 In addition, commitments have been made
21 through the technical comments and at the
22 technical meeting and prehearing conference.
23 In total, 18 commitments were made. Three have
24 been completed. Of the 15 remaining, some will
25 continue throughout mine life operations,
26 through additional studies, or will be

1 addressed at closure.

2 Next slide, please. The three outstanding
3 technical comments are related to flooding of
4 pits at closure, water quality criteria, and
5 the aquatic effects monitoring program.

6 Next slide. Just another figure to
7 represent the full potential build-out of the
8 Meliadine mine. This is shown for context as
9 it represents the overall footprint that has
10 been discussed, assessed, and approved through
11 the project certificate.

12 As noted, for this water licence amendment,
13 Agnico Eagle is seeking approval to complete
14 licencing for already-approved activities under
15 the project certificate.

16 Next slide, please. Based on our review of
17 Environment and Climate Change and Fisheries
18 and Oceans' presentations, they recommend that
19 the Nunavut Water Board not include an
20 authorized water withdrawal rate from Meliadine
21 Lake during closure in the amended licence.

22 Agnico Eagle strongly disagrees with this
23 recommendation. The water licence already
24 includes an authorized closure withdraw rate.
25 This is in Part E, Item 2. Therefore, we
26 request the Nunavut Water Board to retain the

1 condition for closure water withdrawal in this
2 amendment.

3 It is a requirement of the proponent under
4 the Nunavut Water Board process to provide a
5 conceptual closure plan and calculate
6 associated security and post it under the water
7 licence. This was done in 2014 and continues
8 to be updated within the application, including
9 this application, and has been done in
10 collaboration with the Kivalliq Inuit
11 Association and Crown-Indigenous Relations.

12 Through the regulatory process, Agnico
13 Eagle has received approval of a conceptual
14 closure plan that includes flooding of pits
15 using water from Meliadine Lake. Agnico Eagle
16 requires certainty for closure prior to
17 initiating construction.

18 As stated in our application and provided
19 in response to Technical Comment Environment
20 and Climate Change Canada Number 30, Agnico
21 Eagle states the 2014 assessment included the
22 assessment to pump from Meliadine Lake a total
23 of 170 million cubic metres of water. This
24 would occur over roughly a ten-year period.
25 For this application, we're asking for
26 31 percent of that value or 52 million cubic

1 metres.

2 Furthermore, there is another condition in
3 the licence, Part J, Item 3, where we are
4 required to submit at least 12 months prior to
5 the expected end of mining, a final closure and
6 reclamation plan. This plan is subject to
7 public review allowing for further evaluation
8 of water for closure.

9 This final closure plan would also include
10 an updated water balance model. The model will
11 validate the volumes expected to be required to
12 fill the pits. We feel this is an appropriate
13 and reasonable approach for the closure
14 activities at Meliadine mine, and we request
15 the Nunavut Water Board to -- to continue to
16 include these volumes in our water licence.

17 Next slide, please. Based on our review of
18 Environment and Climate Change Canada's
19 presentation, they recommend that the interim
20 closure and reclamation plan be updated to
21 specify water quality criteria that will be
22 protective of aquatic life in all water bodies,
23 in particular, Lake B7.

24 Agnico Eagle disagrees with this based on
25 the following: Schedule 2 and the metal and
26 diamond mining effluent recommendations. For

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

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

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

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

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

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

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

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

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

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

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.

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.

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 on 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

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.

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.

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.

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

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.

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

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

1 won't be any saline water within the facility?

2 J. QUESNEL: Thank you, Madam Chair.

3 Jamie Quesnel, Agnico Eagle.

4 That's correct. Any -- any storage of
5 saline water in Saline Pond 6, Lake B7, would
6 be discharged through the waterline to Itivia.
7 So at the time of closure, there would be no
8 saline water within that infrastructure.

9 K. KHARATYAN: Thank you, Madam Chair.

10 Thank you, Jamie. Karen Kharatyan from water
11 board.

12 Yes. Just wondering whether there are some
13 specific requirement under MDMER for water
14 bodies or facilities listed under Schedule 2.
15 Maybe specific monitoring requirement just for
16 our information.

17 THE CHAIR: Agnico Eagle.

18 C. PRATHER: Colleen Prather with
19 Agnico Eagle. Thank you for the question.

20 So there are specific monitoring
21 requirements as part of the regulation. Any
22 water that is managed on-site and then
23 discharged from the final discharge point has
24 to be studied and sampled for chemistry and
25 toxicity, likewise of the receiving
26 environment. There's specific studies listed

1 within the regulations about water and
2 biological studies that have to be completed.

3 And -- yeah. And the -- any of the
4 discharge from -- from the site from the final
5 discharge point has to meet the criteria of
6 Schedule 4 in the regulations. Thank you.

7 K. KHARATYAN: Karen Kharatyan from
8 water board. Thank you, Madam Chair.

9 Yes. Another maybe follow-up question.
10 Very likely this is for Environment and Climate
11 Change Canada. Yes.

12 Agnico Eagle stated in their presentation
13 that no water body was taken out from
14 Schedule 2. I'm just wondering whether there
15 is a mechanism of taking of water body from
16 Schedule 2 and, if there is, how this happens
17 generally.

18 R. WYKES: Russell Wykes,
19 Environment and Climate Change Canada.

20 At this point, no, there is not. There is
21 not a mechanism for taking a mine out of
22 Schedule 2. However, if a mine becomes a
23 recognized closed mine, then the authority to
24 deposit waste under Sections 4 and 5
25 respectively would no longer apply, and the
26 general prohibitions of -- under the Fisheries

1 Act would apply.

2 K. KHARATYAN: Thank you. Karen
3 Kharatyan from water board.

4 No more questions. Thank you, Madam Chair.

5 THE CHAIR: Thank you.

6 Any questions from the Panel?

7 Sorry. Agnico Eagle.

8 J. QUESNEL: Thank you, Madam Chair.
9 Jamie Quesnel, Agnico Eagle.

10 From our understanding, what was just
11 mentioned by Environment Canada is not totally
12 accurate. So I think from our perspective and
13 our understanding of completing these
14 activities, whatever is listed as Schedule 2 in
15 the federal regulation remains as that. Even
16 if we go through a closed mine status, that --
17 the scheduled item remains as a facility of
18 infrastructure for that operation.

19 So there's no process to return it to
20 delist it from the meadow and diamond mining
21 effluent regulation. So it would still be a
22 listed facility on the federal regulation, and
23 we've -- we've gone through a legal review,
24 Mining Association of Canada, our experience.
25 So we just have to be very careful on the
26 language related to when closure does occur

1 related to a listed facility.

2 THE CHAIR: Staff. You're okay?

3 Good?

4 K. KHARATYAN: Good for now. Thank you,
5 Madam Chair.

6 THE CHAIR: Thank you.

7 Any questions from the Panel?

8 L. TOOMASIE: (NO ENGLISH FEED)

9 THE CHAIR: Thank you.

10 Okay. That's all for our questions. Thank
11 you, Agnico Eagle.

12 Our next presentation by intervenors, we
13 have the Nunavut Tunngavik -- no -- Kivalliq
14 Inuit Association.

15 T. MEADOWS: Thank you, Madam Chair.
16 Teresa Meadows, legal counsel for the Nunavut
17 Water Board.

18 So if I can have the witnesses state and
19 spell their name for the record, please.

20 L. MANZO: Thank you, Madam
21 Chairman.

22 T. MEADOWS: Thank you, Madam Chair.
23 Teresa Meadows, legal counsel for the Nunavut
24 Water Board. So I have confused the witnesses.

25 Do you wish to be sworn or affirmed?

26 L. MANZO: Affirmed. Thank you,

1 Madam Chairman. My name is Luis Manzo, L-U-I-S
2 M-A-N-Z-O, and I affirm.

3 M. MCDOUGALL: 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 MCDOUGALL, 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)

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

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.

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

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.

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

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

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.

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

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,

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

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.

1 We don't have any questions at this time.

2 Thank you.

3 THE CHAIR: Thank you.

4 Any questions from the members of the
5 public?

6 Seeing none, any questions from the Board
7 staff? Go ahead.

8 Nunavut Water Board Staff Questions Kivalliq
9 Inuit Association

10 K. KHARATYAN: Karen Kharatyan, water
11 board. Thank you, Madam Chair.

12 One comment and one question maybe, a
13 comment regarding the draft for the licence
14 framework. The Board acknowledges that there
15 were some proposed changes by Agnico Eagle for
16 existing licence terms and conditions, and we
17 are also mindful that there were some comments
18 or disagreements or, yes, concerns raised by
19 intervenors.

20 Just for your information, yes, although
21 the Board didn't raise any question -- didn't
22 ask any question about these changes and about
23 the proposed agreement or disagreement by
24 parties, we will consider all submissions
25 before making a decision about any licence
26 terms and conditions.

1 And the question is for Kivalliq Inuit
2 Association regarding security management
3 agreement. You mentioned that you are working
4 on this. Just be -- you know, that before the
5 public hearing record is closed, we need a
6 confirmation about security management
7 agreement and water usage compensation. Just
8 to get Kivalliq confirmation, whether they
9 agree with the number -- global number Agnico
10 Eagle provided this morning and also with the
11 breakdown of tranches or three phases for the
12 security and also the -- the proportion, a
13 50-50 percent split of the security. Thank
14 you.

15 L. MANZO: Thank you, Madam
16 Chairman. Luis Manzo, Kivalliq Inuit
17 Association.

18 Regarding the compensation, we do agree on
19 the number. We are expecting confirmation from
20 the Board in the -- in the next two -- two
21 days.

22 And for the security management agreement,
23 we did -- or the security itself, we did --
24 there's two things. One is we do agree in the
25 global number based in the reclaim model
26 presented. That number is between the three

1 parties, security agreement.

2 Now, the security management agreement,
3 which is a subcontract to our base, to split
4 that security 50-50, Canada raised some legal
5 issues to address in the security management
6 agreement. We have retained explanations. So
7 those -- and we're working with CIRNAC and the
8 proponent to address those once they -- once
9 the legal counsel's able to resolve that, we
10 will go back to the Board and -- and report to
11 it.

12 But I would like to say as a comment
13 there's an existing management agreement signed
14 at this point in time. So it's only an
15 amendment. The agreement should be accounted
16 for at the last minute, if it's -- if that is
17 the case, but we received that, like I said,
18 late last week and tried to yesterday make it
19 better clarity for that security management
20 agreement, but we're still working on it.

21 So I hope that's addressing the concerns,
22 two things, security management agreement and
23 how that one is split, which is a private
24 contract between the proponent, CIRNAC and KIA.
25 We do agree in the global numbers that we work
26 with the proponent, which is 140 million using

1 for that. Thanks, Mr. Chairman -- Madam
2 Chairman.

3 K. KHARATYAN: Nothing more. Karen
4 Kharatyan, water board.

5 Thank you, Madam Chair. Good for now.

6 THE CHAIR: Thank you.

7 Any questions from the Board panel members?

8 L. TOOMASIE: No question. Thank you.

9 THE CHAIR: Thank you.

10 Thank you, Kivalliq Inuit Association.

11 Presentation by the Nunavut Tunngavik
12 Incorporated.

13 T. MEADOWS: Thank you, Madam Chair.
14 Teresa Meadows, legal counsel for the Nunavut
15 Water Board.

16 Do the witnesses wish to be sworn or
17 affirmed?

18 E. GREENE: Affirmed.

19 R. MERCER: Affirmed.

20 E. GREENE: And we also have Arthur
21 online who might speak too.

22 T. MEADOWS: Thank you. Teresa
23 Meadows, legal counsel for the Nunavut Water
24 Board.

25 Arthur is your legal counsel, so we don't
26 need to swear or affirm him.

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

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.

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

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

1 and Part C of the water licence.

2 At the same time, NTI sees value in AEM's
3 proposed new Section 7 whereby the Nunavut
4 Water Board, the licensee, the Crown, and/or
5 Kivalliq Inuit Association could review the
6 liability reclamation requirements and seek to
7 revise the amount of security that Agnico Eagle
8 Mines must hold in light of changed
9 circumstances.

10 Should the cost of security increase
11 significantly, revising Agnico Eagle Mines'
12 legal obligations in a timely way confirms that
13 the proponent is positioned to meet all their
14 closure obligations. Therefore, Nunavut
15 Tunngavik recommends including the amended
16 water licence, both the current Part C,
17 Section 7, as edited by the Kivalliq Inuit
18 Association as well as the proposed new term by
19 Agnico Eagle Mines.

20 So NTI's comments on submissions by CIRNAC,
21 the Department of Fisheries and Oceans, and
22 Environment and Climate Change Canada. The
23 outstanding technical comments raised by the
24 Department of Fisheries and Oceans and
25 Environment and Climate Change Canada as the
26 well -- as well as the comments on security by

1 Crown-Indigenous Relations and Northern Affairs
2 all relate to the environmental protection and
3 by extension to the long-term ability of Inuit
4 to meaningfully harvest and enjoy the lands and
5 waters affected by the Meliadine mine.

6 Nunavut Tunngavik agrees with CIRNAC's
7 proposal to update the Nunavut Water Board on
8 the issue of security before and at the public
9 hearing, and I believe this has been provided
10 now. But, yeah, CIRNAC, Kivalliq Inuit
11 Association, and Agnico should provide this
12 update.

13 Next slide. So commenting on draft
14 water -- or draft water licence Part E,
15 Section 2, NTI shares the Department of
16 Fisheries and Oceans and Environment and
17 Climate Change Canada's concerns with the
18 Agnico Eagle Mine proposal to more than double
19 the authorized volume of water that Agnico
20 Eagle Mines may take from the Meliadine Lake to
21 flood the pits upon closure of Meliadine mine
22 from 4 to 8.7 million cubic metres.

23 An authorized volume should be based on
24 reliable predictions about what amount of water
25 is needed to reflood the pits and how much
26 volume can be withdrawn without jeopardizing

1 the quality of Meliadine Lake's aquatic
2 environment.

3 NTI recommends that planning for this
4 aspect of the Meliadine mine's closure happen
5 as soon as possible and in time for Agnico
6 Eagle Mines to adjust its operations if it
7 turns out that the volume of water needed would
8 compromise the aquatic environment in Meliadine
9 Lake. It would be unacceptable to Inuit to
10 discover that the plan to draw water from
11 Meliadine Lake jeopardizes the lake's health or
12 downstream watersheds and that there is no
13 sound alternative to completing closure for the
14 mine.

15 And a comment on Environment and Climate
16 Change Canada's Comment 19, closure criteria
17 for surface water quality. So NTI supports the
18 ECCC recommendation that the water quality
19 criteria for closure of Meliadine mine and
20 Agnico Eagle Mines' interim closure and
21 reclamation plan be protective of aquatic life
22 for all water bodies if, as -- as Environment
23 and Climate Change Canada predicts, all of the
24 water bodies will be reconnected to -- or
25 facilities will be reconnected to the regional
26 surface water network post-closure and fish

1 would eventually be able to populate these
2 water bodies.

3 It's a very important issue because fishing
4 edible and healthy fish is essential to the
5 Inuit way of life, and post-closure the water
6 must be safe for fish and for Inuit.
7 Qujannamiik.

8 THE CHAIR: Thank you.

9 Any questions to the Nunavut Tunngavik
10 Incorporated from the Agnico Eagle Mine?
11 Agnico Eagle Mines Limited Questions Nunavut
12 Tunngavik Incorporated

13 J. QUESNEL: Thank you, Madam Chair.
14 Jamie Quesnel, Agnico Eagle.

15 Just -- I just need some clarification,
16 Slide 6, related to the last paragraph,
17 "therefore, NTI recommends including" -- like,
18 once you get to as well as -- Agnico Eagle's
19 proposed new term, can you just clarify what --
20 what you're referencing.

21 E. GREENE: I will turn this one to
22 Arthur Yuan, who is online.

23 A. YUAN: Arthur Yuan, legal
24 counsel for NTI.

25 Could you please reframe the question
26 again. I'm not sure I understand the question.

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

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

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

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

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

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.

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

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

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

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

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

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

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

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

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.

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

1 Canada

2 L. MANZO: Thank you, Madam
3 Chairman. Luis Manzo, Kivalliq Inuit
4 Association.

5 I have one questions for CIRNAC in regard
6 to security management agreement. Can you
7 confirm that security management agreement will
8 be addressed before Thursday 5 PM?

9 A. HAQUE: Thank you, Madam Chair.
10 Aminul Haque, Crown-Indigenous Relations and
11 Northern Affairs Canada.

12 I would like to confirm that
13 Crown-Indigenous Relations and Northern Affairs
14 Canada is working with Kivalliq Inuit
15 Association and Agnico Eagle to finalize the
16 security management agreement and working
17 towards it.

18 L. MANZO: Thank you, Madam
19 Chairman. Luis Manzo, Kivalliq Inuit
20 Association.

21 No more questions. Thank you.

22 THE CHAIR: Thank you.

23 Any questions from Environment and Climate
24 Change?

25 R. WYKES: Thank you, Madam Chair.
26 Russell Wykes, Environment and Climate Change

1 Canada.

2 We have no questions at this time.

3 THE CHAIR: Thank you.

4 Fisheries and Oceans Canada.

5 J. AUDET-LECOUFFE: Thank you, Madam Chair.

6 Jose Audet-Lecouffe, Fisheries and Oceans
7 Canada.

8 We don't have any questions. Thank you.

9 THE CHAIR: Any questions from the
10 general public? No questions.

11 Any questions from the Board staff?

12 Nunavut Water Board Staff Questions

13 Crown-Indigenous Relations and Northern Affairs
14 Canada

15 S. AUTUT: Thank you, Madam Chair.

16 I have one clarification question to CIRNAC.
17 Stephanie Autut, Nunavut Water Board.

18 Just going back to the Kivalliq Inuit
19 Association question, I believe the date and
20 time of Thursday, 5 PM was included in the
21 question. Can you please provide confirmation
22 that the security management agreement -- the
23 goal is to have consensus on that by 5 tomorrow --
24 end of -- end of hearing tomorrow?

25 A. HAQUE: Thank you, Madam Chair.

26 Aminul Haque, Crown-Indigenous Relations and

1 Northern Affairs Canada.

2 I would like to confirm that we agreed on
3 the global -- global security amount. We
4 have -- we agreed on the split of the security
5 amount between Kivalliq Inuit organization
6 and -- and Government of Canada 50-50 split. I
7 also agreed on the payment of the security
8 in -- in three tranches.

9 However, at this moment, we -- we -- we can
10 commit to work on finalizing the agreement and
11 signing the agreement and working towards it.

12 S. AUTUT: Stephanie Autut, Nunavut
13 Water Board. Thank you.

14 That is the information we were looking
15 for. Thank you, Madam Chair. I believe Karen
16 has additional questions.

17 K. KHARATYAN: Thank you, Madam Chair.

18 One clarification or comment regarding
19 Slide 6 of CIRNAC presentation. There it was
20 stated that CIRNAC recommends that adaptive
21 management plan be included in this -- in the
22 licence. Just for our record, it should be
23 helpful to mention that adaptive management
24 plan is already included within the licence.
25 There are two terms and conditions, part --
26 under Part B, Item 20, 21, that discuss

1 adaptive management plan.

2 For our clarity, I would ask CIRNAC to
3 confirm whether they are recommending to
4 approve the final version of adaptive
5 management plan submitted by Agnico Eagle.

6 A. HAQUE: Thank you, Madam Chair.
7 Aminul Haque, Crown-Indigenous Relations and
8 Northern Affairs Canada.

9 It is to confirm that we are recommending
10 the adaptive management plan is part -- be part
11 of the licence as the approved management plan,
12 and the final version that has been submitted
13 to the water board is considered as the final
14 version from CIRNAC. Thank you.

15 K. KHARATYAN: Karen Kharatyan, water
16 board. Thank you, CIRNAC. Thank you, Madam
17 Chair.

18 No more questions.

19 THE CHAIR: Thank you.

20 Any questions from the panel members?

21 L. TOOMASIE: I don't have a question.
22 Thank you.

23 THE CHAIR: Okay. Thank you for your
24 presentation.

25 Next we have is Environment and Climate
26 Change Canada for your presentation.

1 Legal counsel.

2 T. MEADOWS: Thank you, Madam Chair.

3 Teresa Meadows, legal counsel for the Nunavut
4 Water Board.

5 Do the witnesses wish to be sworn or
6 affirmed?

7 R. WYKES: Russell Wykes,
8 Environment and Climate Change Canada.

9 Affirmed.

10 THE CHAIR: If I can have the
11 witnesses state and spell their name for the
12 record, please.

13 R. WYKES: Russell Wykes,
14 R-U-S-S-E-L-L W-Y-K-E-S.

15 S. FORTE: Sarah Forte, S-A-R-A-H
16 F-O-R-T-E.

17 RUSSEL WYKES, SARAH FORTE, Affirmed

18 T. MEADOWS: Teresa Meadows, legal
19 counsel for the Nunavut Water Board.

20 So, Madam Chair, I have the hard copy
21 presentation materials and also an executive
22 summary from Environment and Climate Change
23 Canada, and I propose to mark and file those as
24 the next exhibits in the public hearing. And
25 that concludes my procedural matters, Madam
26 Chair.

1 EXHIBIT 10 - Hard Copy PowerPoint
2 Presentation, Meliadine Type A Water
3 Licence Amendment, Public Hearing
4 Presentation by Environment and
5 Climate Change Canada (English and
6 Inuktitut)

7 EXHIBIT 11 - Hard Copy, ECCC -
8 Meliadine Gold Mine WL amendment,
9 Final Submission Executive Summary

10 THE CHAIR: Thank you.

11 Environment and Climate Change, you may
12 proceed.

13 Presentation by Environment and Climate Change
14 Canada

15 R. WYKES: Thank you, Madam Chair.
16 Good afternoon, Madam Chair -- Russell Wykes,
17 Environment and Climate Change Canada.

18 Good afternoon, Madam Chair, panel members,
19 Elders, community members, Board staff, Agnico
20 Eagle, and fellow intervenors. My name is
21 Russell Wykes, and I'm a senior environmental
22 assessment officer with Environment and Climate
23 Change Canada. With me today I have our water
24 quality analyst Sarah Forte and joining us
25 remotely we have Stephinie Mallon, environmental
26 assessment officer.

1 Next slide, please. I'll start by
2 presenting our department's mandate, briefly
3 touch on the acts and legislation relevant to
4 Environment and Climate Change Canada, and then
5 I'll pass it over to Sarah to outline the
6 outstanding comments and recommendations
7 provided in Environment and Climate Change
8 Canada's technical review regarding Agnico
9 Eagle's application for a Type 'A' water
10 licence amendment submitted to the Nunavut
11 Water Board.

12 Next slide, please. Environment and
13 Climate Change Canada's mandate includes the
14 preservation and enhancement of the quality of
15 the natural environment, including water, air,
16 and soil quality, and the coordination of
17 relevant policies and programs of the
18 Government of Canada.

19 It also includes renewable resources such
20 as migratory birds and other non-domestic flora
21 and fauna, meteorology, and the enforcement of
22 rules and regulations.

23 Next slide, please. Environment and
24 Climate Change Canada's mandate is governed by
25 the Department of the Environment Act, the
26 Canadian Environmental Protection Act, the

1 pollution prevention provisions of the
2 Fisheries Act, the Migratory Birds Convention
3 Act, and the Species at Risk Act.

4 Next slide, please. I will now pass the
5 presentation over to Sarah to discuss our
6 technical comments.

7 S. FORTE: Thank you, Russell.
8 Sarah Forte with Environment and Climate Change
9 Canada.

10 Comment Number 11 is about water quality in
11 the pits and lakes on-site during closure and
12 post-closure, and -- and this is predicted in
13 the water balance and water quality model. The
14 model incorporates site-specific
15 characteristics, monitoring data, and proposed
16 management measures. It predicts that certain
17 parameters will exceed water quality guidelines
18 for the protection of aquatic life during
19 post-closure at three locations: Pond SP6,
20 Pit WES04, and Lake J1.

21 In some instances, like for ammonia in
22 Lake J1, exceedances are predicted three to
23 five years post-closure, and concentrations
24 subsequently decrease. So this is not as
25 worrisome. In others, such as for chloride in
26 Pit WES04, exceedances are predicted to begin

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

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

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

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.

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

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

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

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.

1 No question at this time.

2 THE CHAIR: Any questions from the
3 general public?

4 Any questions from the Board staff?
5 Nunavut Water Board Staff Questions Environment
6 and Climate Change Canada

7 S. AUTUT: Thank you, Madam Chair.
8 Stephanie Autut, Nunavut Water Board.

9 Yes. The staff do have some questions.
10 Thank you.

11 K. KHARATYAN: Karen Kharatyan, water
12 board. Thank you, Madam Chair.

13 One clarification regarding Environment and
14 Climate Change Canada's Technical Review
15 Comment Number 29. As Agnico Eagle mentioned,
16 yes, their project certificate or the -- the
17 impact assessment conducted in 2014 by Nunavut
18 Impact Review Board, it was found that
19 17 million cubic metre per year of water for
20 reflooding of pits is acceptable.

21 I am still trying to understand what are
22 the deficiencies or missing information or
23 actually information that triggered Environment
24 and Climate Change Canada and also Fisheries
25 and Oceans Canada to change their position from
26 2014 to now. I know -- I know that you weren't

1 involved very likely within FEIS, but I am
2 trying to understand as institutions why you
3 changed your position.

4 And also can you a little bit elaborate
5 what are these deficiencies in the original
6 estimation of water availability, which is the
7 title of this slide. Thank you.

8 S. FORTE: Sarah Forte with
9 Environment and Climate Change Canada Canada.

10 So you are correct. Neither Russell or I
11 was working on the 2014 impact statement. I
12 think as an organization when things get to the
13 water licencing stage, we look at some of the
14 specific aspects like withdrawal rates with
15 more scrutiny than we did at the environmental
16 impact stage because we know there will be more
17 scrutiny after that, and when we do that, we
18 notice that some of the predicted impacts are
19 above -- or don't respect the DFO declines.
20 And so that's what's of concern.

21 The data that was used for making these
22 predictions was sufficient for the
23 environmental impact stage, but we would expect
24 more detail at the water licencing stage, and
25 these have not been provided.

26 K. KHARATYAN: Karen Kharatyan, water

1 board.

2 I should maybe remind you that in 2016 when
3 the Board issued the licence we had a draft
4 licence framework again from Agnico Eagle that
5 was reviewed by parties, if I remember well,
6 yes, and not any party objected about the
7 number proposed at the time. So even the
8 current licence includes a number, which is
9 around 14 million cubic metres per year for
10 reflooding of pit.

11 So, again, I am not saying that the Board
12 necessarily agrees with Agnico Eagle or any
13 intervenor. We are trying to fully understand
14 what are your concerns, what information you
15 are looking for to have an understanding how
16 much water could be included within the licence
17 or have an idea or propose an idea for licensee
18 to plan their activity based on that number.
19 Thank you.

20 And I will ask the same question to
21 Fisheries and Oceans Canada.

22 S. FORTE: Just to follow up. So in
23 this original technical comment, when we made
24 this comment before the technical meeting,
25 Agnico had committed to collecting some of the
26 missing information, and so we had said at the

1 technical meeting that this comment was
2 resolved based on our understanding from a
3 meeting we had had with Agnico in March where
4 they said they would not be requesting a
5 withdrawal rate at closure.

6 That was a misunderstanding, and this is
7 why we have resuscitated this comment, and we
8 expect them to still continue to collect the
9 data that we had outlined in our Technical
10 Comment Number 29 that we felt was missing.

11 THE CHAIR: Board staff.

12 K. KHARATYAN: Karen Kharatyan, water
13 board. I am good for now, Mr. Chair -- Madam
14 Chair. Sorry.

15 THE CHAIR: Thank you.

16 Any questions from the Panel?

17 L. TOOMASIE: No questions from Panel.
18 Thank you.

19 THE CHAIR: Thank you for your
20 presentation.

21 And we're going to have a short day. So
22 we'll be back tonight for the community session
23 at 7:00. So let's break for a bit and go for
24 supper. Thank you. Be back at 7.

25 (PROCEEDINGS ADJOURNED AT 3:48 PM)

26 (PROCEEDINGS RECOMMENCED AT 7:12 PM)

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

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

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

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.

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

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

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

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

1 of you so that we can ensure your comments are
2 included on the record.

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.

9 Ali.

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.

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.

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.

26 The objective of the Nunavut Water Board is

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.

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.

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.

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.

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.

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.

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.

26 Following the public hearing, the Nunavut

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.

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.

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.

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.

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.

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

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

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

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

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.

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.

15 And that will be all. Any questions?

16 S. AUTUT: Thank you, Ali.

17 Are there any questions from the public
18 regarding the Board's processing of the
19 application? Moving on. Thank you.

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.

24 Agnico Eagle, please proceed with your
25 presentation.

26 Community Session Presentation by Agnico Eagle

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.

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.

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.

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

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.

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.

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.

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

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.

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.

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.

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

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

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

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.

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,

1 or at closure.

2 Next slide, please. The aquatic effects
3 monitoring program is one of the many programs
4 conducted annually. The monitoring is
5 conducted to verify the water is safe and the
6 fish are safe and healthy. The five components
7 of this program include analysis of the lake
8 water and the water we discharge to the lake.
9 It includes analysis of the small plants in the
10 lake, the lake bottom and the insects, the
11 small fish and the health, and the large fish
12 and their health.

13 And this slide also illustrates that we
14 don't sample just one area of the lake, but we
15 conduct this sampling across five areas of the
16 lake.

17 Next slide, please. This slide shows how
18 we evaluate the water data every year. It
19 shows that we sample many parameters, the
20 results of those represented by the small dots.
21 We compare those results to the green line,
22 which represents pre-mining. We compare them
23 to the red line, which represents guidelines to
24 tell us if the water is safe for aquatic life
25 or human health, and we look at the orange
26 line, which is an early warning. This slide

1 illustrates that concentrations have remained
2 low and well below guidelines.

3 Next slide. This slide here represents
4 that we look at water and fish in Meliadine
5 Lake, which is in the middle, but we also look
6 at fish in other lakes, so Peter Lake to the
7 top left and Atulik Lake, which should be
8 labelled as Itirlak Lake, in the bottom right.
9 From these lakes, we analyze the large fish so
10 we can compare the large fish in Meliadine Lake
11 to surrounding lakes.

12 To address a comment raised by Environment
13 and Climate Change Canada and the Kivalliq
14 Inuit Association, Agnico Eagle agreed to a
15 commitment to sample Meliadine Lake, Peter
16 Lake, and Itirlak Lake each year for water,
17 plants that -- in the lake, and the lake bottom
18 and the insects.

19 I will now pass the presentation back to
20 Pujjuut. Thank you.

21 P. KUSUGAK: Ma'tna, Colleen.

22 Next slide, please. Agnico Eagle,
23 Crown-Indigenous Relations and Northern Affairs
24 Canada, and the Kivalliq Inuit Association have
25 come to an agreement for the reclamation
26 security to be posted, and this is an amount

1 that they will be able to use should something
2 happen to Agnico Eagle and we are not able to
3 complete reclamation activities at the site.
4 The total amount, including the existing
5 security and the future security to be posted,
6 will be \$158,450,658.

7 Agnico Eagle and the Kivalliq Inuit
8 Association have come to an agreement on the
9 water compensation agreement, and these amounts
10 are to cover for water that Agnico Eagle will
11 withdraw from lakes for consumption, for lakes
12 and ponds that will be dewatered, and to
13 compensate if water does not meet the predicted
14 quality, and to allow the Kivalliq Inuit
15 Association to complete water quality sampling
16 at site every year.

17 Next slide. As part of the water licence
18 amendment review process, Agnico Eagle proposed
19 some changes to the water licence wording,
20 primarily to deal with how the reclamation
21 security amount will be posted and reviewed.
22 The Kivalliq Inuit Association and
23 Crown-Indigenous Relations and Northern Affairs
24 Canada have reviewed our proposed changes and
25 made comments. Following this, Agnico Eagle
26 sent back comments to the Nunavut Water Board

1 for consideration.

2 Next slide. To conclude, this water
3 licence amendment is necessary for the
4 continuation of the Meliadine mine operations,
5 which is also reflected in the letters of
6 support submitted to the Nunavut Water Board.
7 Agnico Eagle appreciates the collaboration with
8 all the parties and community members. For
9 example, reaching an agreement with the
10 Kivalliq Inuit Association with respect to the
11 discharge to Meliadine Lake is an important
12 milestone for Agnico Eagle.

13 And Agnico Eagle is asking the Nunavut
14 Water Board to approve this licence application
15 with the conditions put forward and agreed upon
16 in this presentation and our final written
17 submissions. We're done. Thank you.

18 S. AUTUT: Thank you, Pujjuut and
19 Colleen, for the presentation.

20 Do any members of the public have questions
21 for the applicant, Agnico Eagle? The lady in
22 the yellow. I know you're wanting to ask. No?
23 No questions? Okay. Moving on. Thank you,
24 everyone.

25 I would now like to turn the microphone to
26 Martha Hickes who would like to speak on behalf

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

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

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

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

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.

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

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

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

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

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

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

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. MCDOUGALL: 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

1 2025.

2 Next page. For Lake B7, the Kivalliq Inuit
3 Association had requested that the proponent
4 include further detail on Lake B7 remediation
5 in the interim closure and reclamation plan.
6 In response, the proponent committed to
7 monitoring Lake B7 during operations to assess
8 the potential requirement of remediation of
9 Lake B7 at closure.

10 Next slide, please. The Kivalliq Inuit
11 Association and Agnico Eagle have recognized
12 the need for saline groundwater to be managed
13 separately from surface contact water that is
14 discharged to Meliadine Lake. The proponent
15 committed to separate management of the
16 groundwater and surface contact water and that
17 under no circumstances will the proponent
18 discharge underground saline groundwater to
19 Meliadine Lake.

20 The Kivalliq Inuit Association is working
21 with the proponent to incorporate this as a new
22 licence term and condition as the protection of
23 water quality in Meliadine Lake is fundamental.
24 This reflects the importance of maintaining the
25 separation of groundwater from Meliadine Lake,
26 which is used for drinking, fishing, and access

1 to hunting ground. This concludes our
2 presentation. Thank you.

3 S. AUTUT: Qujannamiik, Luis and
4 Matt.

5 To the public, does anyone have questions
6 for the Kivalliq Inuit Association? If not --
7 okay. Moving on, then. Oh, we have a question
8 out in the audience. Thank you.

9 Please state your name for the record.
10 Questions/Comments from the Community

11 T. ANGOSHADLUK: Thomas Angoshadluk.

12 When we were out hunting up by Meliadine
13 Lake to find out what KIA is doing to make sure
14 that Agnico has -- how would I say it -- like,
15 make sure the choppers are not flying too low
16 when there's caribous, we were seeing caribous
17 up there when a chopper was flying really low.

18 So can KIA explain what kind of policy they
19 have and what -- and what they're doing to
20 enforce that rule, 'cause when we were up
21 there, we saw caribous, and yet the chopper was
22 flying low. I thought Agnico had a mandate of
23 not flying too low when there's caribous. So I
24 would like an explanation for the public from
25 KIA to Agnico about the policy of flying
26 choppers when there's any animals, not just

1 caribou. Thank you.

2 S. AUTUT: Thank you, Thomas.

3 Kivalliq Inuit Association.

4 L. MANZO: Thank you, Madam
5 Chairman.

6 With respect to the monitoring caribou,
7 which is the terrestrial management plan, we
8 have a committee, and also we have triggers for
9 manage caribou. And when caribou is around the
10 road or close to the mine, we have the mobile
11 protection measures in places, also terrestrial
12 management plans triggered with the proponent,
13 which we have a team to go in the road making
14 sure when caribou approaches the mine or the
15 road, we start shutting down the mine until
16 caribou pass through. Once the caribou pass
17 through, then activities start relaying.

18 With the -- with the question about a
19 chopper flying low when wildlife is there or
20 caribou is there, we need to see exactly a
21 written complaint to KIA and, if it's possible,
22 the number of the chopper, but we do an
23 investigation when the complaint is raised to
24 us directly by doing the researching as the
25 proponent of the -- what the location of the
26 pilots are at that moment.

1 We'd appreciate it if the public sees
2 something, then to submit that to the lands
3 department to follow an investigation in that
4 or send that to the appropriate authorities to
5 follow through the -- the complaint. Thank
6 you, Madam Chair.

7 S. AUTUT: Thank you, Luis.

8 Thomas, did you have a follow-up question
9 or comment?

10 T. ANGOSHADLUK: Yes.

11 That being said from KIA about caribous
12 being close to the camp, the caribous that we
13 saw weren't close to the camp, but they were
14 out on the land, and there's that spot where
15 they go to, for example, towards Itirlak. And
16 the other thing that I didn't really like was
17 how low it got when the caribous were there.
18 They just ran away while we were trying to hunt
19 them.

20 But not everybody can go to KIA to complain
21 or make a complaint to KIA, and a lot of people
22 know they have Facebook people that works at
23 KIA. I'm sure they can read Facebooks. Does
24 it have to be an official letter to KIA to do a
25 complaint for the caribou that is being scared
26 away by Agnico due to low-flying choppers?

1 Thank you.

2 L. MANZO: Thank you, Madam
3 Chairman. Luis Manzo, Kivalliq Inuit
4 Association.

5 In the case of any complaint, it can be by
6 the phone, and we can take the notes of -- of
7 the complaint, the exact locations, because
8 sometimes you have research going on. You have
9 the mining company working. But for the -- for
10 the look of what you said, the location is,
11 it's outside of the jurisdiction of the KIA at
12 that point because it's outside the footprint
13 of the lease. So that particular point outside
14 of the lease, it's the GN who need to follow
15 investigation with regards to any harassment of
16 wildlife. Thank you, Madam Chairman.

17 THE CHAIR: Thank you, Luis.

18 The gentleman in the front here, Nidhi.
19 Thank you.

20 Please state your name for the record.

21 J. AGLUKARK: Hi. My name is John
22 Aglukark. I got a question for NTI in regards
23 to watching the changes in -- in water levels
24 in rivers.

25 I know you guys said you're watching other
26 rivers that the mine isn't exactly close to but

1 maybe still in this region. Are you also
2 watching other rivers that are farther away
3 from the mining and seeing if this -- it is
4 more climate change that is impacting these
5 effects on the depth of river -- the rivers so
6 that we can be able to -- how can we put it --
7 not just straight up blame the mining
8 activities that's causing these effects in the
9 waters?

10 THE CHAIR: Thank you for the
11 question.

12 Luis, Kivalliq Inuit Association.

13 M. MCDOUGALL: Thank you. Matt
14 McDougall for the Kivalliq Inuit Association.
15 Thank you for your question.

16 So there are a few parts to that. The
17 first one is -- is with regards to water levels
18 and rivers. So at the moment, there are water
19 monitoring projects that go across the
20 territory that's mostly taken care of by the
21 federal government, and we do look into those,
22 and we have -- also are working with the
23 Department of Fisheries and Oceans, Environment
24 Canada, and Agnico Eagle to come up with a site
25 for monitoring water levels at Meliadine and
26 the downstream areas so we can try to determine

1 what kind of impacts the mines are having
2 versus local variability.

3 In regards to other water impacts, we do
4 have quite a few control lakes that we sample
5 independently, and we did request that Agnico
6 Eagle broaden their sampling program to include
7 Peter Lake and other control areas so that we
8 can determine the difference between
9 mine-related impacts, climate change impacts,
10 or other impacts to the water bodies. I hope
11 that answers your question.

12 S. AUTUT: Thank you, Matt.

13 Any follow up to that response? Thank you.

14 The lady -- please state your name for the
15 record.

16 M. PUTULIK: Maggie Putulik.

17 KIA, do they -- I know that KIA monitors
18 the water. Do they do them at the same time or
19 different times when the mining companies are
20 doing monitoring? I'd like to --

21 S. AUTUT: Thank you.

22 Kivalliq Inuit Association.

23 M. PUTULIK: -- for you to elaborate
24 on this.

25 M. MCDOUGALL: Thank you. Matt

26 McDougall for the Kivalliq Inuit Association,

1 and thank you for the question.

2 So our water monitoring programs are
3 completely independent from the mine programs.
4 We do focus on measuring Meliadine Lake as well
5 as Diane River and Itirlak -- or -- sorry --
6 Ijiraliq here around Rankin Inlet. We also
7 have monitoring programs around Arviat,
8 Chesterfield Inlet, Baker Lake, Whale Cove, and
9 it should be including Naujaat and Coral
10 Harbour in the future. But, yes, our sampling
11 programs are completely independent but related
12 to what the mine is monitoring as well at
13 Meliadine. Thank you.

14 Oh, yes. In addition, there is also
15 sampling programs that take place in
16 collaboration with Crown-Indigenous Relations
17 and Northern Affairs Canada. These -- this
18 program is also independent from the mining
19 monitoring. Thank you.

20 S. AUTUT: Thank you, Matt.

21 Does that answer -- okay. A follow-up.

22 M. PUTULIK: The other question that I
23 have: When you monitor the water, how -- is
24 there a difference -- or is there any difference
25 when the mining knows and -- like, when they do
26 their work, is there any difference in that?

1 S. AUTUT: Thank you.

2 Kivalliq Inuit Association.

3 M. MCDOUGALL: 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

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

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

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

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

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.

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

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.

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

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

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

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

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

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

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

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

1 Canada.

2 Good evening, everyone. This is the
3 Fisheries and Oceans Canada's presentation.

4 Next slide. So my name is Jose
5 Audet-Lecouffe. I am the team leader, and with
6 me is my Derek Donald, a fish biologist, and we
7 are with the fish and fish habitat protection
8 program with Fisheries and Oceans Canada, and
9 these are the best pictures we found of us.
10 Sorry about that.

11 Our mandate is to conserve and protect fish
12 and fish habitat from impact of human work and
13 activities under -- under the Fisheries Act.
14 So DFO has considered what aspects of the
15 project could impact fish and their habitats,
16 and we had four comments and recommendation:
17 One about inconsistencies between documents in
18 the application, another one about pit flooding
19 at closure, a third one about fish passage, and
20 a fourth one about the final offsetting plan.
21 We will focus on key points, but all the
22 details of our comments were provided to the
23 Board.

24 Next slide, please. Three of the four
25 comments are resolved. Agnico Eagle provided
26 updated documents with the correct and complete

1 information, and they committed to collecting
2 additional information related to fish passage
3 to support the offsetting plan.

4 Next -- next slide, please. Next slide.
5 Thank you. There is only one issue remaining.
6 It is the pit flooding when the mine closes.
7 In their application, Agnico Eagle requested
8 that the water taken from Meliadine Lake to
9 fill the pits when the mine closes, that this
10 volume double.

11 DFO noted that Agnico Eagle did not assess
12 the impact of withdrawing that volume of water
13 from Meliadine Lake and particularly on
14 Meliadine and Diane rivers that are critical to
15 the migration of char population. So we
16 requested, like Environment Canada did, that
17 the pit flooding rates be removed from the
18 application, and Agnico Eagle refused.

19 Next slide, please. We understand that the
20 volume requested in this application is less
21 than what was accepted in 2014, but we don't
22 know what impact it will have on the char
23 population. The volume that Agnico Eagle
24 requests might be acceptable, but we can't
25 confirm that.

26 Agnico also identified in 2014 that the

1 flow at the outlet could be reduced as much as
2 35 percent, and this is well above DFO's
3 threshold. So it's a significant impact, and
4 it requires more analysis. It's important to
5 maintain water levels to protect arctic char
6 populations that people in Rankin rely on.

7 Next slide, please. So DFO recommends to
8 the Board that the flow rate be removed, that
9 the detailed analysis be provided, and that the
10 necessary information is collected.

11 Next slide, please. And that concludes our
12 presentation. Thank you for listening.

13 S. AUTUT: Thank you, Jose.

14 Any members of the public have questions to
15 the DFO presentation?

16 Martha?

17 Questions/Comments from the Community

18 M. HICKES: Thank you. I have a
19 question.

20 With the unresolved issues still on, will
21 that hold back the application for -- or the
22 approval of the licence?

23 S. AUTUT: Karen.

24 K. KHARATYAN: Yes. Karen Kharatyan,
25 water board.

26 Like I stated during the day, the Board

1 will have all information provided by
2 applicant, by intervenors, and, if required,
3 specific licence terms and conditions will be
4 included within the licence to make sure that
5 the -- the -- these specific terms and
6 conditions cover requirement of all -- any
7 specific, yes, request may be provided by
8 intervenors.

9 So this is to say that the -- the final --
10 final decision is with the Board. Sometimes
11 requirements from intervenors or recommendation
12 from intervenors may not be acceptable.
13 Sometimes the proposal will propose the
14 approaches by Agnico Eagle or licensee. It may
15 not be acceptable by the Board. Thank you.

16 S. AUTUT: Thank you, Karen.

17 Martha, did you have any follow-up
18 question? You're good? Thank you.

19 Any other questions from the public for
20 Department of Fisheries and Oceans? If not,
21 there are no more formal presentations, but we
22 will open the floor. If the public has any
23 final questions to any party, including the
24 applicant, intervenors, or the Board, you're
25 welcome to -- to bring those forward now. So
26 are there any final questions from the public?

1 Okay. I see no hands. Thank you.

2 Closing Remarks

3 S. AUTUT: This brings us to the end
4 of our agenda for tonight's session. On behalf
5 of the Nunavut Water Board, I would like to
6 thank everyone for participating tonight, and
7 thank you to the community of Rankin Inlet for
8 hosting these important meetings. A special
9 thanks to all the presenters tonight and all of
10 the people who chose to join this evening to
11 share your views, your knowledge, comments, and
12 questions with the Board.

13 I will now pass the mic to Madam Chair.

14 THE CHAIR: Thank you, Stephanie, and
15 thank you to everyone who participated in
16 making tonight's community session a success.

17 In terms of what is next, the technical
18 component of the Board's public hearing will
19 continue tomorrow right here starting at 9:00,
20 and we expect to wrap up the public hearing for
21 this application tomorrow afternoon. Anyone
22 who is interested in this application is
23 welcome to attend tomorrow's session.

24 Following the completion of the public
25 hearing and the close of the public hearing
26 record for the file, the Panel will decide

1 whether to grant Agnico Eagle's request to
2 change the water licence and will publicly
3 issue a written decision to the Minister of
4 Northern Affairs for his consideration.

5 So good night for now. I hope to see you
6 all tomorrow, and for the public, please invite
7 yourself to take leftover food and juices
8 before you leave. Thank you. See you tomorrow
9 morning.

10
11 PROCEEDINGS ADJOURNED UNTIL 9:00 AM,
12 SEPTEMBER 12, 2024

1 CERTIFICATE OF TRANSCRIPT:

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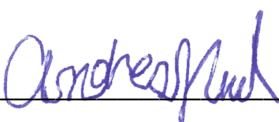
3 I, A. Vidal, certify that the foregoing
4 pages are a complete and accurate transcript of
5 the proceedings taken down by me in shorthand
6 and transcribed from my shorthand notes to the
7 best of my skill and ability.

8 Dated at the City of St. Albert, Province
9 of Alberta, this 23rd day of September 2024.

10

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13

A. Vidal, CSR(A), RMR

14

Official Court Reporter

15

Commissioner for Oaths Appointee No. 0749558

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ASRA Membership No. 443

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NCRA Membership No. 998452

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