

NUNAVUT IMPACT REVIEW BOARD

WHALE TAIL PIT EXPANSION PROJECT PROPOSAL

NIRB FILE NUMBER 16MN056

HEARING

VOLUME 4

Baker Lake, Nunavut

August 29, 2019

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1 Proceedings taken at Baker Lake Community Hall,
2 Baker Lake, Nunavut

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4 August 29, 2019 Morning Session

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6 NUNAVUT IMPACT REVIEW BOARD

7 K. Kaluraq Chair of Hearing

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10 C. Emrick Panel Member

11 U. Puqignak Panel Member

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17 S. Granchinho Manager, Impact Assessment

18 E. Reimer Technical Advisor I

19 L. Atatahak Secretary/Receptionist

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12		Relations
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18		Coordinator
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20	B. Boucher	Superintendent, Human
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5	A. Amendola	Senior Risk Assessor (Golder)
6	M. O'Kane	Senior Technical Advisor (OKC)
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10		Raptors Project)
11	G. Sharam	Technical Director (ERM)
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15	L. Manzo	Director of Lands
16	K. Poole	Wildlife Biologist
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19	R. Aksawnee	Chairman
20	Dr. W. Bernauer	Consultant
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24	S. Pinksen	Deputy Minister
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2		Assessment
3	B. Pirie	Project Manager Research and
4		Monitoring
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6		Protection Division
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3 M. Janowicz Regional Manager for

4 Regulatory Reviews

5 B. Tracz Biologist

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7 HEALTH CANADA

8 P. Partridge Regional Environmental

9 Assessment Specialist

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12 NATURAL RESOURCES CANADA

13 P. Unger Senior Environmental

14 Assessment Officer

15 J. Quinn Senior Environmental Advisor

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17 INTERPRETERS/TRANSLATORS

18 J. Tucktoo Language Translator

19 M. Angoshadluk Language Translator

20

21 C. Longacre, RPR, CSR(A) Official Court Reporter

22 A. Vidal, CSR(A) Official Court Reporter

23

24 (PROCEEDINGS COMMENCED AT 9:01 AM)

25 THE CHAIR: Good morning. Before we

26 reconvene, I'm going to ask Lucassie Nakoolak to start

1 off with the opening prayer.

2 Opening Prayer

3 THE CHAIR: Thank you, Lucassie.

4 You probably remember my name is Kaviq. I'm
5 acting Chair for NIRB Board, and the NIRB -- coming
6 from the NIRB, I'd like to welcome to the fourth day of
7 our hearing. This is our -- going to be the final
8 Agnico Eagle's, the proponent, proposal for what they
9 want to do at Whale Tail Pit -- expansion of Whale Tail
10 Pit, the NIRB 16MN056.

11 Thank you again to the Baker Lake residence for
12 welcoming everyone here during our hearing.

13 And I want to remind we have interpreters. If you
14 need to use the headset, they're available near the
15 door. And when you come in, please don't forget to
16 sign up. If you haven't sign your name, go and sign
17 up, please. Channel 0, floor; Channel 1, English;
18 Channel 2, Inuktitut.

19 And if you have a cell phone, please be kind
20 enough to turn it off. Today, being -- we'll be
21 hearing from the community representatives that are
22 here and also from Baker Lake. I'm still collecting
23 names, and for the people on the floor, if they want to
24 ask -- talk to the staff because they are collecting
25 names too for our -- and all this staff of Agnico Eagle
26 can be asked while they're here.

1 For all speakers, while you are speaking, please
2 speak directly into the microphone at a reasonable pace
3 and state your name and your community or organization
4 before you provide the comment. Please be respectful
5 of other speakers and do not interrupt. The Board
6 appreciates everyone's commitment to establishing a
7 respectful and productive atmosphere at this hearing.

8 We will begin today by providing opportunity for
9 those parties needing to provide deferred responses to
10 questions posed over the past few days, but before we
11 move on to deferred questions, I believe Guy has
12 something to say.

13 Guy.

14 Comments by the Nunavut Impact Review Board

15 MR. ALIKUT: Thank you, Madam Chair. Guy
16 Alikut, NIRB Board of director.

17 Two days I asked to the federal -- to the --
18 Indigenous, like, they have -- that one hundred -- that
19 they have 100 percent they don't real -- like -- like,
20 but yesterday morning, you explained it here. It's
21 very, very tiny. I finally understood. Thank you very
22 much for explaining this.

23 And the other one is what I talked about. Like,
24 we have traditional names. Like, we've been hearing
25 different names of these, especially to our Elders,
26 that I would like to see that name that was named on

1 these. Yesterday, we were given names translated in
2 Inuktitut, and they gave -- they gave us names of these
3 places respecting our Elders. It has always been our
4 way. We have to protect our land. We are living here
5 and will be here. That's all I wanted to say.

6 Thank you, Madam Chair.

7 THE CHAIR: Legal counsel.

8 MS. MEADOWS: Thank you, Madam Chair.

9 So with respect to deferred questions, we have
10 deferred questions from Agnico Eagle. We have deferred
11 questions, so if I can get them sort of ready in the
12 shoot. We have deferred questions from Fisheries and
13 Oceans Canada -- deferred responses rather, and we have
14 a deferred response from Crown-Indigenous Relations and
15 Northern Affairs Canada as well.

16 Thank you, Madam Chair.

17 THE CHAIR: We'll start with Agnico Eagle,
18 deferred responses.

19 Response to Deferred Questions by Agnico Eagle Mines
20 Limited

21 MS. KOWBEL: Thank you, Madam Chair.

22 Christine Kowbel, legal counsel for Agnico Eagle.

23 We have a few items to follow-up on. The first
24 that we're going to follow-up on is our interpreter,
25 Josie, has asked Agnico Eagle to explain a bit more
26 about what NO2 is so that she's -- she's able to

1 interpret that better, more -- more clearly, and so
2 we -- we haven't been clear enough so far. And so
3 she's asked us to give more detail on that.

4 We're also going to have Jamie speak to Board
5 Member Catherine's questions about -- about field
6 study. So he'll -- he'll say that. Manon is going to
7 speak to -- following up on the question about fish
8 from yesterday, and then, finally, Courtney is going to
9 speak further to the topics of place names and -- and
10 some questions about job titles at the mine.

11 So -- so first we will start with Andrea Amendola
12 who is going to speak to our interpreter's question.
13 Thank you.

14 MS. AMENDOLA: Thank you, Madam Chair.
15 Andrea Amendola, Golder Associates.

16 Thank you, Christine, for -- for introducing the
17 topic.

18 So -- so I was speaking with -- with our
19 interpreters, who are doing a wonderful job, and I just
20 wanted to understand how -- how we're talking about NO2
21 and what it means and what it is.

22 So NO2 is an invisible gas that we can't see.
23 It's natural, and it comes from things that burn like
24 forest fires from the south, from mufflers, gas stoves,
25 and in the smoke from kudlik.

26 So in that smoke, there are -- there are different

1 things. One of those things that it has in it is NO2.
2 It's all over the world at very low concentrations.
3 It's when there's too much NO2 that we start to maybe
4 get concerned. The -- the concentrations at the
5 project are very low and much, much lower than where we
6 would start to see any kind of an effect. The lowest
7 effect that we would see is a cough in a child, and
8 that's if they're -- if they're exposed to
9 concentrations much higher than what we have at the
10 project.

11 So just to explain, it is a gas that's -- that's
12 everywhere. It is natural, and it's everywhere at very
13 low locations -- at very low concentrations, and
14 Nunavut air quality is very good, and -- and it will
15 continue to be very good.

16 Thank you.

17 MR. QUESNEL: Thank you, Madam Chair. Thank
18 you, Andrea. Jamie Quesnel, Agnico Eagle.

19 I just want to respond to the question regarding
20 field studies. So there have been -- already been
21 scientific and peer-reviewed studies that compare the
22 results of passive samplers to active samplers.

23 As an example, there was a two-year study
24 conducted in Athabasca in the oil sands region of
25 northern Alberta. It indicated that the uncertainty of
26 the passive -- continuous passive samplers is plus or

1 minus 15 to 30 percent, which is better than the
2 continuous samplers that we mentioned in Iqaluit.

3 The analysis we provided in the memo submitted
4 during the technical meetings indicates the observed
5 concentrations at Meadowbank remain compliant with the
6 Canadian Ambient Air Quality Standard even assuming
7 that the continuous passive measurements are 30 percent
8 lower than the actual values, which is why we concluded
9 that the existing monitoring is effective.

10 However, if there are doubts as to the
11 effectiveness of the continuous passive sampling
12 technique that we have, then we'd like to suggest that
13 Environment and Climate Change Canada undertake the
14 research at the national air pollution surveillance
15 network station located in Iqaluit, which is already
16 equipped with a continuous hourly NO2 gas analyzer.

17 This station is managed by the Government of
18 Nunavut, and the data are -- is managed and -- and
19 interpreted by Environment Climate Change in Canada.
20 This would be an effective and efficient approach based
21 on if we had to complete this at our location, the
22 additional roads we would have to build, power, new
23 generators. So there would be additional impact to the
24 location at our site. So I think this would be more
25 of -- based on feasibility, I think this would be a
26 pragmatic approach to understand this.

1 Thank you.

2 MS. TURMEL: Manon Turmel, Agnico Eagle.

3 I'm going to respond to the question related to
4 studies conducted in Baker Lake on fish and water
5 quality related to activities at our dock and shipping.

6 We do have at Agnico Eagle a monitoring program.
7 Every summer, we will go in the lake and sample for
8 sediment, so the soil at the bottom of the lake, for
9 water, for fish, for all the algae, and the little bugs
10 that live in the lake. So that's one study that we do
11 in Baker Lake to assess impacts on fish and water
12 quality.

13 MS. SQUIRES: Good morning, Madam Chair.

14 Courtney Squires for Agnico Eagle.

15 As was mentioned, we did have a few questions
16 yesterday that, upon reflection, we just wanted to
17 expand on some of the answers that we provided the
18 community members here today.

19 So the first one we wanted to speak to was the
20 traditional place names, as brought up this morning and
21 from Baker Lake yesterday. So regarding this comment
22 about using the proper Inuktitut names for the project
23 areas as -- areas, as Jamie mentioned yesterday, this
24 is somewhere that we can improve, and we recognize
25 that, and it's been brought to our attention before.
26 So thank you for -- for bringing that comment today --

1 or yesterday.

2 Following the feedback that we did have in the
3 past, we have asked our colleague, David Kritterdlik,
4 to start this project to review the names that we are
5 using and develop a process to use Inuktitut names in
6 the future. So we have ordered maps from the Inuit
7 Heritage Trust already, and we're going to work with
8 our exploration team to ensure that in the future we're
9 using the proper names.

10 We just want to emphasize that we're really
11 committed to improving in this area. We understand
12 it's really important and that we're guests on the
13 land, so we should be using the proper names.

14 Yesterday, we also had a question from Baker Lake
15 on the types of jobs that Inuit may be filling during
16 the expansion project, and we wanted to address that
17 that question was not fully answered because the answer
18 is almost anything, almost any job. The expansion
19 project is anticipating 99 additional jobs compared to
20 the approved Whale Tail project for Inuit, and it's
21 true that these jobs are mostly entry level,
22 semi-skilled, and skilled, but Inuit job opportunity,
23 it's not limited to this.

24 So some of you may have been at the mine site
25 before, but for those who haven't, the mine site, it's
26 like a community. So many of the services that you see

1 in a community, you will also have at the mine site.
2 In a community, you might have a restaurant, hotels.
3 We have two cafeterias and two camp facilities to feed
4 and house all of our employees.

5 In a community, you might have staff to maintain
6 roads, run the airport, provide water, sewage,
7 electrical services, and people to maintain the
8 equipment, and we have all of this as well. And in a
9 community -- like in a community, we also have staff
10 that manage the people, that manage the health and
11 safety and the environment of the project site.

12 And then unlike in a community, we also have the
13 mining activities, so the pit operations for the
14 expansion project, the underground operations, and the
15 process plant.

16 Currently, Inuit occupy a really wide range of
17 roles at the mine site. So we have haul truck drivers,
18 of course, but we also have environment technicians,
19 apprentices, supervisors, human resources
20 professionals, blasters, crusher operators, the list
21 goes on. And these roles can be from entry level to
22 management.

23 We have some Inuit applicants who have previous
24 qualifications or experience, so they can apply on the
25 job that they want and -- that they're interested in.
26 But for a lot of applicants and employees, they don't

1 have the education or experience sometimes to fill the
2 role that they -- that they want. So that's why we
3 have, also, a lot of training and education programs
4 on-site, to help employees pursue their career goals
5 and aspirations.

6 So we have career paths that will help people move
7 from entry-level positions to semi-skilled positions.
8 We have apprenticeship positions for those who want to
9 pursue the trades and become journeypeople. And we
10 just also started this year with a rapid Inuit-specific
11 education, RISE program, which helps some of our
12 employees move from those skilled positions to
13 professional or management positions. So we're really
14 excited about that progress.

15 And in addition, we have an adult educator on-site
16 now to assist employees who need that -- that extra
17 support to reach their goals. And I know we have a few
18 youth representative in the room today. So I'll also
19 highlight that you're representing, hopefully, our
20 future workforce.

21 And last year, Agnico Eagle put in place something
22 that's quite unusual for a mining company, which is an
23 education department. So we're working very closely
24 with the schools and running community-level programs
25 so that youth are engaged and hopefully come out of
26 school already with the skills that they need to jump

1 into those higher-level positions.

2 So Agnico Eagle's vision for the expansion project
3 and for all of our operations in Nunavut is that the
4 mine will someday be managed by Inuit. So we have a
5 lot of training and education to be able to reach
6 this -- this -- this goal, and, you know, we hope that
7 Inuit will not only become employed with us, but, also,
8 gain meaningful employment in a career that they're
9 passionate and excited about.

10 And so I just wanted to explain, you know, all of
11 the opportunities that we do have at the mine site and
12 that it's not limited, but it's really according to the
13 individual's career goals.

14 Thanks.

15 MS. KOWBEL: Thank you, Madam Chair. Those
16 are -- those are all of our deferred questions that we
17 have written down. Thank you.

18 THE CHAIR: Deferred responses from
19 Fisheries and Oceans Canada.
20 Response to Deferred Questions by Fisheries and Oceans
21 Canada

22 MR. D'AGUIAR: Thank you, Madam Chair. Mark
23 D'Aguiar with Fisheries and Oceans Canada.

24 Before I start, I just want to make sure that our
25 interpreters have the printout ready there. Awesome.

26 So I will reiterate the question so the people in

1 attendance can be reminded of what the question was,
2 and my answer has a bit of context first, a bit of
3 background on what Southampton Island is and why it's
4 important, and then we get to the actual nuts and bolts
5 of the question.

6 So the question was: Can DFO clarify whether
7 there are any potential implications for the marine
8 shipping associated with the proposal resulting from
9 DFO's Minister's recently announced designation of an
10 area of interest in the water surrounding Southampton
11 Island which includes all of Chesterfield narrows and
12 most of current shipping route.

13 So Southampton island is the largest island in
14 Hudson Bay near the confluence of Hudson Bay and Foxe
15 Basin waters, making it an area of high-marine
16 productivity. The area is important for key marine and
17 terrestrial species. It is an important migration
18 pathway for marine mammals such as narwhal, beluga
19 whales, and bowhead whales. It contains walrus
20 haul-out sites, polar bear dens, and habitat for
21 numerous seabird colonies.

22 The Department of Fisheries and Oceans is
23 continuing to make progress with a new area of interest
24 off the coast of Nunavut with the intention of making
25 it an Oceans Act Marine Protected Area or MPA. Working
26 in partnership with the Kivalliq Inuit Association,

1 Fisheries and Oceans Canada identified the area as a
2 priority for protection through community
3 consultations, a peer-reviewed science advisory
4 process, and Indigenous knowledge.

5 The announcement from two days ago from the
6 Minister is the first step towards the possible
7 designation of a marine protected area under Canada's
8 Oceans Act. The final boundaries, the conservation
9 objectives, and prohibited and allowed activities for
10 an MPA -- sorry, for a marine protected area -- are
11 established through extensive consultations with
12 provincial and territorial partners, Indigenous
13 peoples, and stakeholders.

14 So just for further context and to reiterate, no
15 final decisions have been made regarding the design of
16 the proposed marine protected area, including the
17 conservation objectives, the boundaries, zones,
18 prohibited or allowed activities, or other aspects of
19 the area.

20 These details will be determined through a process
21 that includes examining all relevant information,
22 assessing the degree of risk posed by different human
23 activities to the conservation objectives and extensive
24 consultation with Indigenous and local partners, local
25 communities, and stakeholders.

26 Under the Nunavut Agreement, an Inuit Impact and

1 Benefit Agreement must be negotiated between the
2 Government of Canada and the designated Inuit
3 organization before the marine protected area is
4 designated.

5 Thank you.

6 THE CHAIR: Deferred response from CIRNAC.
7 Responses to Deferred Questions by Crown-Indigenous
8 Relations and Northern Affairs Canada

9 MR. DEWAR: Matna, Madam Chair. Spencer
10 Dewar, Crown-Indigenous Relations and Northern Affairs
11 Canada.

12 Good morning. My recollection of the question
13 that's been asked as paraphrased: Do the funding
14 amounts for HTOs consider responsibilities that may
15 be -- may arise from NIRB project certificates?

16 To take a step back, core funding for the
17 institutes of public government are provided by
18 Crown-Indigenous Relations and Northern Affairs Canada
19 through our implementation sector branch and,
20 subsequently, the funding for HTOs and RWOs are
21 provided by the Nunavut wildlife management board for
22 distribution.

23 There are no parameters imposed by
24 Crown-Indigenous Relations and Northern Affairs to
25 guide how these fundings are divided amongst the
26 Hunters and Trappers Organizations. So the short

1 answer is, no, it's not part of our consideration.

2 I do want to highlight that the core funding for
3 the institutes of public government are negotiated on a
4 ten-year interval, and they involve Crown-Indigenous
5 Relations and Northern Affairs Canada, Nunavut
6 Tunngavik Incorporate, and the Government of Nunavut.
7 The next negotiation phase will commence in 2023.

8 Hopefully that answers the question. Matna.

9 THE CHAIR: Response from Environment
10 Canada.

11 Response to Deferred Questions by Environment and
12 Climate Change of Canada

13 MS. PINTO: Thank you, Madam Chair.
14 Melissa Pinto, Environment and Climate Change Canada.

15 In the proponent's response yesterday, the
16 proponent indicated that Environment and Climate Change
17 Canada did not mention concerns with a reliability of
18 passive monitoring in annual report comments and even
19 noted that the current nitrogen dioxide monitoring
20 program is adequate.

21 The request for continuous monitoring for this
22 proposed expansion project has been on record with the
23 Nunavut Impact Review Board since the department's
24 initial review of the application, which predates the
25 review of the 2018 annual reports.

26 Environment and Climate Change Canada is of the

1 view that the current environmental assessment process
2 is the best forum for discussing the request for
3 continuous nitrogen dioxide monitoring. Environment
4 and Climate Change Canada notes that it did not affirm
5 approval of the current nitrogen dioxide monitoring
6 program.

7 As stated during our presentation, passive
8 monitoring cannot be compared to one-hour standards for
9 both the Canadian Ambient Air Quality Standards and the
10 Nunavut standards. The Canadian Ambient Air Quality
11 Standards for nitrogen dioxide was released in December
12 of 2017 after the department's review of the approved
13 project.

14 Therefore, any prior comments regarding nitrogen
15 dioxide monitoring would not have taken into account
16 this new standard, which is based on the most current
17 scientific information on health and environmental
18 effects. Using the most current standards to inform
19 monitoring decisions is considered a best practice.

20 The proponent also mentioned that continuous
21 nitrogen dioxide monitoring conducted in Iqaluit had
22 issues with data completeness and concluded that these
23 monitors are unreliable. The department disagrees with
24 this conclusion. Continuous monitors are the chosen
25 method of nitrogen dioxide monitoring by Canada's
26 national air pollution surveillance network which

1 operates these instruments at over 180 monitoring
2 stations across the country. These monitors have been
3 shown to be very reliable.

4 While Iqaluit has had relatively low data
5 completeness in recent years, nitrogen dioxide
6 monitoring at other northern sites have been proven
7 very reliable, including Yellowknife, Norman Wells, and
8 Inuvik with the last two stations being more northerly
9 than Meadowbank and Whale Tail mines.

10 These stations have achieved data completeness
11 averaging 95, 83, and 94 percent respectively in the
12 last three years of available data. To clarify, a data
13 completeness of 95 percent means that the instrument is
14 operational in producing high-quality data 95 percent
15 of the time.

16 Environment and Climate Change Canada also
17 reiterates that the Baffinland mine has successfully
18 continued -- has successfully operated continuous
19 nitrogen dioxide monitoring at multiple sites around
20 their project. The department maintains that
21 continuous nitrogen dioxide monitoring can be both
22 feasible and reliable in the north.

23 The proponent has also cited concerns with
24 requiring power and an access road in order to run the
25 continuous sampler. Environment and Climate Change
26 Canada reminds the proponent that the department has a

1 wealth of experience in operating these instruments and
2 has repeatedly invited the proponent to discuss the
3 logistics of implementing continuous nitrogen dioxide
4 monitoring. The proponent has chosen not to engage in
5 these discussions.

6 Yesterday, the proponent committed to doubling
7 their passive monitoring to obtain data points every
8 15 days. This commitment does not address Environment
9 and Climate Change Canada's concerns with nitrogen
10 dioxide monitoring as it does not resolve the two major
11 issues with passive monitoring as stated by the
12 department which are: The ability to compare --

13 MS. KOWBEL: Madam Chair, I just have a
14 clarification. I think that the deferred -- sorry.

15 THE CHAIR: Legal counsel.

16 MS. KOWBEL: My apologies, Madam Chair. I
17 just wanted to clarify. I think the question we were
18 meant to speak to was about feasibility of field
19 studies, and it seems to me that this is going beyond
20 that, and so I just wanted to seek clarification on
21 that.

22 THE CHAIR: NIRB legal counsel.

23 MS. MEADOWS: Thank you, Madam Chair.

24 Teresa Meadows, legal counsel for the Nunavut Impact
25 Review Board.

26 You will recall that Environment and Climate

1 Change Canada preserved their right to respond to the
2 additional measures that Agnico Eagle proposed in a
3 commitment, and my understanding is that's exactly what
4 they're doing at this point.

5 THE CHAIR: Agnico Eagle.

6 MS. KOWBEL: Thank you, Madam Chair. That
7 helps me clarify. Thank you.

8 THE CHAIR: (OTHER LANGUAGE SPOKEN). You
9 may proceed.

10 MS. PINTO: Thank you, Madam Chair.

11 Melissa Pinto, Environment and Climate Change Canada.

12 As I was saying, the two major issues with passive
13 monitoring are the inability to compare to the one-hour
14 standards and the potential problems with accuracy in
15 cold climates. It is Environment and Climate Change
16 Canada's final position that the proponent conduct
17 continuous nitrogen dioxide monitoring as per the
18 proposed term and condition presented by the department
19 in our presentation on Tuesday. Environment and
20 Climate Change Canada defers to the Nunavut Impact
21 Review Board to make the final decision regarding this
22 matter.

23 THE CHAIR: Thank you for all of those
24 deferred responses.

25 We are now going to continue with the community
26 roundtable. So continuing with the list of names from

1 yesterday, Eva Elytook.

2 Community Roundtable

3 MS. ELYTOOK: Thank you, Madam Chair. Good
4 morning.

5 Good morning to you all. I have five questions to
6 the Agnico Eagle, to KIA, Nunavut Government.

7 First of all, to Agnico Eagle, in regards to the
8 field tank foundation, you made a pad for the tanks,
9 and you started in May. This was shovelled, the
10 foundation for the field tank, and they were put over
11 there. The foundation, once it got worked on, the one
12 that was dug into in May, some of it, where did you --
13 where did you -- I'd like to know where it was put on
14 because there are still some, and it's muddy.

15 Like -- and it's right near our house -- or our
16 cabin. Like, going through there, I would like to see
17 that it be cleaned out and be removed because the
18 weather, when it's wet out there, when it starts
19 raining, we get muddy around that area. And the field
20 tank, it's only land. It's not -- it's not supposed to
21 have mud around there. I would like to see that it be
22 cleaned up because you did put it -- put it there. If
23 you're not going to make use of the fill, I would like
24 to see that it be cleaned up.

25 And in -- from Agnico to Whale Tail, the road,
26 yesterday we saw it. There are two -- there's tent

1 frames over there, and it's right beside it. Back in
2 1975, the first I -- when I went hunting with my
3 husband, my dad told us that -- my late father told us
4 that we should not move any tent rings. This is the
5 first -- the -- like, it looks like you're working
6 right near that tent frame. Our ancestors up to today,
7 our -- their ancestors, like, we still want the
8 artifacts protected, and we still are protecting them
9 up to today, and that one.

10 And the third one to Agnico Eagle, it's in regards
11 to staff working there. For example, I'm going to use
12 myself as an example. If I was to work at Meadowbank
13 or Whale Tail and I would be -- people -- if I'm not
14 happy with the person I'm working with, if I say
15 something about them, that person working there is
16 removed without being talked to, without -- whether I
17 lied or not.

18 You have to find out if that Inuk is -- what
19 they're doing at the workplace. You have to look into
20 this and take it home and -- like, person who is
21 speaking, whether it's true or not, talking about other
22 person who is working. They -- you have to at least
23 look into this. I have heard of this more than once,
24 like, removing that staff from work. Like, because I'm
25 just individual person, I can't do anything, but when
26 it's election, they will look at us, who we are.

1 That being, KIA -- my question to KIA, when
2 Nunavut started, we -- they signed Nunavut Land Claim
3 Agreement, like, for the hunters, harvesters, they
4 signed the agreement, and Inuit have the right to go
5 hunting once -- because we know that private road -- we
6 know that it's a private road. Because of the
7 wildlife, they close the road.

8 My husband and my sons are harvesters, and
9 harvesters, if they're going out hunting, they also --
10 they have a hunting right, and now they're being
11 stopped. They can't go. Like, are we really using the
12 Nunavut Agreement hunting rights, especially for
13 hunting, or are -- is it broken now?

14 This spring, we -- when they were going to do the
15 tank padding, they would close the road when the river
16 was going to start flowing. Like, are the fish that
17 were going down the river, they go -- the people that
18 were going to go fishing were not even allowed to go
19 using the road, even though we were just going behind
20 that, they're -- they're not going through the ice.
21 They have to go through the road. Already that was
22 broken to us. The hunting rights for the harvesters is
23 broken. We're being stopped here. We're trying to
24 hunt our country food, our hunters. Where's -- where's
25 that article? Is it still useful? They're being
26 quiet. Nothing is being said.

1 All spring I have been not happy because my -- I
2 have family that are harvesters. I would feel for
3 them. They wanted to go riding. They wanted to go
4 fishing, but they were cut off. There was two roads.
5 The char run -- when the char was going to be run down
6 at Prince River, starting from the bridge to Prince
7 River, it's -- you know it's -- there's a river flow.
8 There's a road that -- Agnico has roads. They both
9 were closed. Where's -- where's those people that
10 look -- have set up articles on Nunavut land claim?

11 When you close the road, we have to make money.
12 It's like that. Yeah. I understand if the road is
13 closed, but for the harvesters, the people who live in
14 Baker Lake, you can't just stop them because you want
15 the road to be closed to the public of Baker Lake.
16 They're feeding their family. This is painful and just
17 know that it is a reality of you guys closing the
18 roads.

19 The question to Nunavut Government, collaring
20 caribous. In the past 11 years, they were saying to us
21 that they were going to be collaring caribous, and they
22 wanted to have Inuk working and helping with collaring
23 caribous. How many times they were watching people
24 collaring, and they would see -- because the -- this
25 was never mentioned that -- that caribou was being
26 collared -- road -- so many times, and they -- and they

1 would -- like, all you can see is caribous running
2 away, and you can see their tongue.

3 Like, our ancestors have said to us, you can --
4 you have to respect the animals. Even if it's the
5 smallest animal, you have to respect them, and the --
6 if -- if -- if the animal is sick, we have to kill it
7 down, but as long as the animal is okay, we can't just
8 do whatever we want to them.

9 Like, some caribous have been limping because of
10 the -- these are never mentioned. The bad sides have
11 never been said about when they were putting collars to
12 the caribou. Like, we -- what we see is what is true
13 and how many were killed, how many were injured, they
14 are not going to tell us. It's our land. We need to
15 be informed, especially when it comes to animals.

16 Our ancestors respected the land, the water. This
17 is going -- I'm going to carry it up to today right
18 through the time I have to go leave the earth. We have
19 been told to respect the land, respect the water,
20 respect the animals. We have been told. My husband
21 and I have been told that.

22 I wish you can at least hear what we're trying to
23 say even just a bit. Work together, have funding.
24 Like, today it's only all about money.

25 Thank you.

26 THE CHAIR: We'll start with Agnico Eagle.

1 MS. TURMEL: Manon Turmel, Agnico Eagle.

2 Thank you very much for your comments. The first
3 one related to the Baker Lake fuel farm, the fill that
4 you were hoping that will be cleaned up. Thank you for
5 the comment. We will pass on that information.
6 Construction will finish soon, and it's part of the
7 plan to clean up the area before they go, but I will
8 make sure I let them know.

9 Regarding the tent ring, thank you for your
10 comment. Before doing the construction, we sent a
11 professional archaeologist to inspect the area, and we
12 also visited the area with some Elders of Baker Lake to
13 make sure we would protect all the cultural sites, and,
14 also, as part of our induction or training for every
15 new employee, now we have a specific topic touching on
16 cultural sites, archeology sites to make sure that if
17 anything was missed previously, the -- they are aware
18 and report it so we can protect it.

19 I will transfer to Courtney for the additional
20 questions.

21 MS. SQUIRES: Courtney Squires, Agnico
22 Eagle.

23 I will just expand on Manon's words about the fuel
24 farm road closures. We understand that the road
25 closures this summer for the fuel farm construction
26 were inconvenient to the -- to the community. We

1 really appreciate the patience that the community had
2 with this work. We did inform the community of this
3 work through consultations in July 2018 and March 2019,
4 and cabin owners in the area were also consulted during
5 this -- this time on the best method to control the
6 traffic for safety reasons; safety reasons for workers
7 but also for people, community members, using the area.

8 And also to ensure that we didn't impede access to
9 cabins or the land, our Baker Lake office staff did
10 personally contact each cabin member to ensure that
11 they were aware that the construction would be taking
12 place and to ensure that they understood how they could
13 be accommodated to -- to access their cabins.

14 After consultation with the hamlet of Baker Lake,
15 we also decided to only operate on the nightshift so
16 that the road was open during the day to mitigate the
17 inconvenience to the community, and we also did provide
18 escorts through the area. We know some people; they
19 were coming to the area. They were seeing a road
20 barrier and assuming that they weren't able to pass
21 through, but, in fact, we had people who could escort
22 through the area just to make sure that they could
23 still access but that it was -- it was safe for
24 everyone involved.

25 But in the future if -- if community members have
26 concerns about access, we understand it's very

1 important. Our Baker Lake office staff are -- are
2 there to address these concerns, and we'll -- we'll
3 work with you to make sure that you have access to the
4 areas that you need.

5 I will just continue to address your comments
6 about -- about terminations at the mine site. Just to
7 clarify, at the mine site, there are many different
8 ways to express concerns or register complaints,
9 whether that be with fellow employees or supervisors or
10 simply about the -- the work or living situation. If
11 there is a concern, the employee can approach --
12 approach their supervisor or the human resources staff.

13 Prior to any decision about termination or
14 disciplinary action, the human resources staff do a
15 full review of the situation, and, if necessary, they
16 will talk to other witnesses to have a better
17 understanding of -- of the situation. So we do follow
18 a standard process to make sure that there is fair and
19 equitable decision-making before a disciplinary action
20 is issued, including termination.

21 If an employee feels that they have been
22 wrongfully terminated, we do have a community
23 complaints process. It's called tussajugut. It's our
24 formal community response mechanism. Communities can
25 go on our website. There's an email. They can leave a
26 voicemail in a dedicated hotline, or they can simply go

1 and see one of our staff. We have staff at least
2 part-time in every community who are there to -- to
3 discuss with employees and assist with these issues,
4 and we'll make sure that the proper follow-up is done
5 and ensure that everyone understands.

6 And regarding this, we are also working with the
7 KIA -- with the Kivalliq Inuit Association -- my
8 apologies -- to improve employee's access and
9 understanding of the various mechanisms that they have
10 to voice their concerns. So thank you very much for
11 your comment about that.

12 THE CHAIR: KIA.

13 MR. MANZO: Thank you, Madam Chair. Luis
14 Manzo, Kivalliq Inuit Association.

15 In regard of -- of the comment to the Inuit
16 harvesting rights, KIA under the Nunavut Agreement
17 is -- is honouring what's in the agreement.

18 These project went to a very long regulatory
19 process with consultation with the hunters and trapper
20 organizations through the roundtable communities within
21 the environmental assessment and during consultation
22 with the proponent.

23 When all these processes are finished, NPC's
24 determination, NIRB certificate, water licence, CIRNAC,
25 different other licences, then when all of those bodies
26 are completed, KIA have an obligation under that

1 agreement to encompass all these rights and licence and
2 terms and conditions into what we call a production
3 lease. And in that lease, it's honouring the agreement
4 as well which also says that no one have access to hunt
5 one mile into any structure.

6 It's how it says in the agreement is stuck within
7 our -- on our lease, but any of the rights, other than
8 that, the -- they have -- like, the proponent just
9 explain it in terms of the access of the road.

10 Thank you, Madam Chair.

11 THE CHAIR: Government of Nunavut.

12 MR. PINKSEN: Thank you, Madam Chair. Steve
13 Pinksen, Government of Nunavut.

14 I'll just respond to the -- the comments about
15 wildlife research and possible impacts on wildlife. So
16 probably our most important goal in -- in our wildlife
17 management program is to ensure that wildlife
18 populations remain abundant and available for people
19 to -- to harvest now and into the future, and with
20 that, is the recovery of depleted wildlife populations.

21 To do that, we -- we need information, both
22 information from hunters and -- and the Inuit, as well
23 as scientific information, and in terms of impact
24 assessments, as we're doing for this -- for this
25 project, we have to have evidence because we can't just
26 tell a proponent that we want terms and conditions. We

1 have to provide the -- the evidence to support that.

2 So we do research to gather the information
3 necessary for wildlife management, which is important
4 for governments, regional wildlife organizations,
5 hunters and trappers organizations, and the Nunavut
6 wildlife management board, as well as developers and
7 proponents, and the regional Inuit associations. It's
8 important for decision-making and to address and
9 mitigate impacts on wildlife associated with
10 development.

11 Specifically about using collars, so we don't use
12 collars for just -- for no reason. We put them out
13 because they can give us information on wildlife
14 movements that we can't get from any other source. So
15 where animals are moving at different times of the year
16 and, in this case, in -- in association with the
17 project, so we can determine the interactions of
18 wildlife with the project's infrastructure.

19 And my last point about if an animal is injured or
20 killed during research activities, I can confirm that
21 that is always reported back to the Hunters and
22 Trappers Organization. It does happen occasionally,
23 and it -- in all cases, it is reported back, and in
24 some cases for quota species, we have compensation
25 agreements where if an animal is killed during
26 research, we provide financial compensation to the

1 affected community.

2 Thank you.

3 THE CHAIR: Would any of the other
4 registered interveners like to respond?

5 Seeing none, it's now 10:15. So let's take a
6 15-minute break. After our break, we'll speak -- next
7 is on the list.

8 (ADJOURNMENT)

9 THE CHAIR: Can we please reconvene? If
10 you can please take your seats, and we'll continue.

11 We'll hear from Eli Kimmaliardjuk.

12 MR. KIMMALIARDJUK: Thank you. Thank you. My
13 name is Eli Kimmaliardjuk. I'm from Chesterfield
14 Inlet.

15 I don't have very much to say. Our future -- I'm
16 thinking about our future generation. For us, what we
17 went through and our weather and our country food are
18 not going to be used today. We all know that. For
19 many years, we've been told for us who are 80 and over
20 today that we are the -- we knew -- they knew that we
21 were going to be ancestors of our future. This is what
22 we -- this where we are today. And we're going through
23 that.

24 Like, we used to be outside all the time as I was
25 growing up; we don't have that today. It's changed.
26 It has changed. And the animals that I used to eat --

1 the wildlife, the marine animals, and the land animals.
2 Like, we have to keep an eye out on them because it's
3 scarce today. We weren't living through that before,
4 and now -- but I guess the -- the Inuit knowledge --
5 today we see what's happening.

6 I want to say it briefly that our -- the channel
7 between Chester that is used by the vessels and is
8 being used a lot ever since Agnico became, and if
9 Agnico is going to be closed -- because once Agnico
10 closes the mine, I'm pretty sure there will be no more
11 employment opportunities.

12 The channel from Chesterfield, I know that channel
13 very well by -- I've gone through Ski-doo, by boat.
14 I've never used it by dog team, but I know that area
15 very well, the channel. Down there on the -- there's a
16 lot of people that have boats. What -- they have --
17 young people have a lot of boats, and today they're
18 saying now, up to today, the people that have never
19 said the road -- the road that we used to have two
20 years ago, it's getting harder to go through that
21 channel because it's so shallow. And hunters do say
22 that. And we still haven't been told by the
23 researchers.

24 And, also, the ships that are going through the
25 channel, they carry gas because -- they probably have
26 this technology to tell them whether they're going

1 through shallow parts. Have this been researched, the
2 channel? Because the -- I want to protect Baker Lake
3 Lake too. If there is to be a fuel spill, Baker Lake
4 will be affected too if there's ever a fuel spill
5 because they are impacted by -- Baker Lake is impacted
6 by vessels.

7 And what I used to use when I was a child --
8 young -- young guy growing up, I would use that
9 channel. And we need to make sure everything is still
10 in the same condition even if I am not going to be
11 using it for hunting. If you understand what I'm
12 trying to say, I'd like to get a response.

13 And the other one is what I want to talk about
14 when there is employment opportunities, they -- they
15 have to fill out an application form to apply for work,
16 like, you have to fill out the form -- application for
17 job forms. Like, they come to -- they be sent to our
18 communities coming from Agnico. There are job
19 opportunities, job ads. That application that's being
20 filled out because we have people that fill out
21 application forms because they want to work too. And
22 they probably fill out their history of employment on
23 the application, the -- when you see the applications
24 that are filled out and you select -- when you select
25 people to work there, the person who was selected is
26 given a job. Do they go straight to that specific job

1 they applied for, or do they -- do they just become
2 janitors? Do they just become janitors? The
3 application that is filled out, do they -- do you just
4 take -- put them into a janitor position or labour
5 position? I just wanted to talk about that.

6 If you don't understand what I'm trying to get
7 at -- if you want me to clarify what I'm trying to say,
8 I'm not one of the best speakers. I hear that -- it's,
9 like, what's the use of coming here? I start to think
10 about myself like that because when I talk, it doesn't
11 seem to make sense. Thank you.

12 THE CHAIR: Agnico Eagle.

13 MR. GROLEAU: Thank you, Madam Chair.

14 Michel Groleau. First, I would like to thank you to be
15 here and share your knowledge and share your concern
16 with us. It's important to have that discussion. And
17 we hope that our answer will be -- will fulfill your --
18 your question.

19 Regarding the Chester Inlet channel -- so, yes,
20 the -- the ship are having the technology to navigate
21 through the channel. And even if the channel is
22 becoming more difficult to -- to navigate for people in
23 the community, there was no occurrence of any incident
24 with our ships that are going through the channel.
25 Because of that technology, they are able to align the
26 ship in the -- in the channel.

1 So I hope it's answering your question. And I
2 will let my colleague Courtney speak about the
3 application form.

4 MS. SQUIRES: Thank you. Courtney Squires,
5 Agnico Eagle.

6 Thank you very much for your question, and we
7 really appreciate it. Let me -- please let me know if
8 I'm not answering the question that you asked, but my
9 understanding is that you want to have a better idea of
10 how an individual can apply to work with us.

11 So you're right that when someone wants a job,
12 they can go and see our community liaison officer. So
13 we have someone in -- in Chesterfield, as you know.
14 And they can apply with us. And when they do so, as
15 you mentioned, they give us their experience, their
16 history so we -- we understand their qualifications.

17 There's two ways they can gain employment with us.
18 One way, which is more traditional, is they can apply
19 on a specific posting. So if they see a haul truck
20 trainee job, they want to be a haul truck operator,
21 they can apply on this specific posting. And if they
22 have the qualifications or experience, then they will
23 be evaluated against the other candidates.

24 The other option, and especially for individuals
25 who don't have work experience, is to go through the
26 labour pool process. This is for an individual who may

1 not know the different opportunities on-site, maybe has
2 never worked in that type of field before. So they do
3 a five-day work readiness program in the community, and
4 then they do a five-day site readiness mandatory
5 training at Meadowbank or Meliadine. And when they
6 come on-site, they have an opportunity to job shadow
7 different -- different positions at the mine site and
8 understand what they are interested in doing, and
9 letting us know what opportunities they would like to
10 be contacted for.

11 So some people, they say, I just want to be
12 contacted for the next employment opportunity no matter
13 what it is. So we will give them a call when they're
14 next in [sic] the list when we have an opening. Other
15 people will say, I only want to be contacted for an
16 apprenticeship position. So in this case, you know, we
17 won't call them if they want to be a janitor or if --
18 sorry, if we have a janitor opening. We will call them
19 when there's an apprenticeship position opening. So it
20 depends on what the individual wants to do, but their
21 experience and their qualifications are taken into
22 consideration when determining who will -- who will
23 fill that position.

24 I hope that answers your question. Matna.
25 THE CHAIR: Would any of the other
26 registered intervenors like to respond?

1 Seeing none, Paula Kigjugalik Hughson.

2 MS. KIGJUGALIK HUGHSON: Paula Kigjugalik Hughson.

3 Matna, Madam Chair. I have two questions, one to
4 Government of Nunavut and Agnico and another to Agnico.

5 The first one is relating to your answer to --
6 about helicopters. When we -- when you had the other
7 intervenors, the federal group, here earlier in the
8 week, you made mention of your terrestrial ecosystem
9 management plans, and in there -- in your response, you
10 mentioned about flying 300 metres.

11 In the navigation -- NAV Canada aeronautical
12 information publications, there's a section there, and
13 it talks about protection of wildlife for -- and pilots
14 flying a minimum of 200 feet or 660 metres. So my
15 question is not just for Agnico, but for other
16 exploration companies in the territory flying lower
17 than what they're supposed to. How -- in your plans,
18 how do you plan to mitigate this? GN has regulations
19 supporting this, and I'm sure you've had all these
20 background talks about how to minimize impacts on
21 caribou with flying low helicopters or other aircraft.
22 And -- and I'm sure the feds have put input into this
23 too in your TAR -- whatever that was again -- all your
24 acronyms, I can't remember what they meant [sic] for.
25 But I'm sure in your -- or TAG. So then I'm sure
26 you've spoken to this with the Baker Lake Hunters

1 Trappers, Government of Nunavut wildlife, KIA, and AEM.
2 So I just want a little bit more insight into what
3 discussions have happened in the past and how Agnico
4 would comply with this.

5 And another question in there as a suggestion from
6 maybe having Inuit -- having monitoring positions on
7 these aircraft to see what's going on and being able
8 to -- like, an independent reporter or whatever or
9 maybe there's technology to show how low an aircraft is
10 flying. I know there's technology in the community
11 about pumping water, so you get billed how much water
12 is going into your water tank. I don't know if there's
13 such technology about a chip in the GPS being able to
14 be downloaded to some file somewhere where everybody
15 goes to. Do you know what I mean? Whoever monitors
16 these aircrafts.

17 And the next one -- the next section is about --
18 in your presentation earlier in the week, you had a --
19 one about marine environment. I wasn't -- that was
20 more of a misleading title to me because it was more
21 pertaining to shipping 'cause shipping does impact
22 Baker Lake 'cause you don't -- it -- you start in
23 Quebec, and you end in Baker Lake at the fuel tank
24 farm. So taking in the whole puzzle, fuel transfer at
25 Helicopter Island and all those things, there are
26 impacts there.

1 The transfer of fuel, how are they -- is there a
2 way to monitor shipping on other wildlife besides
3 marine wildlife? Has there been any studies on caribou
4 near the channels or stuff? Has there been any
5 information about that gathered or other animals,
6 birds, et cetera? Those are my two questions. Thank
7 you.

8 THE CHAIR: Agnico Eagle.

9 MR. QUESNEL: Thank you, Madam Chair. Jamie
10 Quesnel, Agnico Eagle.

11 Thanks for your -- your question with -- with
12 those details about our project. Really appreciate
13 that.

14 Dealing with the helicopters, the 300 metres, that
15 comes from our agreements in the exploring -- from the
16 exploring phase. It might even come from the Kivalliq
17 Inuit Association and -- and -- in an agreement that we
18 have to explore. Not saying it is, but if I'm -- I may
19 recall that that's where it starts from. But, also,
20 we've always -- it's always been there in our
21 agreements to not go below the 300 metres. And that's
22 been discussed with the terrestrial advisory group, the
23 "TAG", and so we always had agreements with other
24 parties.

25 To go back where it comes from, if it's NAV Canada
26 or some other regulation, I don't have that handy. And

1 maybe others can -- maybe -- I'm not sure if -- no,
2 Transport Canada's not here, but if others would have
3 information, possibly they can provide the history, how
4 that evolved. So hopefully -- hopefully that helps.

5 And I'll pass it to Manon regarding the -- your
6 marine question.

7 MS. TURMEL: Manon Turmel, Agnico Eagle.

8 So for your question on how we transfer the fuel
9 from the ship to the barge, it's highly procedural
10 and -- so before they come to -- to the north, every
11 year, they have to inspect and certify all the piping,
12 make sure that they're good and preventing any
13 potential leak. Then once they are ready to start fuel
14 transfer, they have a procedure with lists of action
15 items to make sure that everything is being covered so
16 that no spill occur. And there's also some external
17 parties in terms of the -- in the tugs that are helping
18 the process from transferring to the ship all the way
19 to our fuel farm. So it's highly regulated, lots of
20 training being done, and we have spill response plan if
21 anything was to happen on land or in water.

22 Yeah. That's it.

23 MR. QUESNEL: Excuse me, Madam Chair. I
24 just want to add a few -- few items. Regarding the --
25 the tracking technology -- Jamie Quesnel, Agnico
26 Eagle -- there is -- there are GPS located in most

1 helicopters -- so we can follow up with exploration --
2 that can provide more information. And we do have
3 dispatch and air traffic control that monitors the air
4 traffic around the mine site. So we have that
5 additional information.

6 And just to clarify, based on the -- the -- the
7 height, I just want to clarify. You mentioned
8 "200 feet", but I'm just wondering if you meant
9 200 metres.

10 THE CHAIR: Paula.

11 MS. KIGJUGALIK HUGHSON: 2,000 feet, 660 metres.

12 And I have another addendum to my ship question.
13 Can I say it now?

14 Ships that are parked out here in the lake, we see
15 things flowing out of the side of the ship. What is
16 that, and are they allowed to be doing that? When
17 you're boating to go hunting or go fishing and you pass
18 by, you see the ships, there's something pouring out of
19 the side. What is it, and are they allowed to be doing
20 that? Thank you.

21 THE CHAIR: Agnico Eagle.

22 MS. TURMEL: Manon Turmel, so we'll look
23 into that for the one that you've just mentioned 'cause
24 there's no ballast water discharge in Baker Lake
25 occurring, and there's highly regulated items for
26 discharge of sewage or things like that. So I'll check

1 with them what activity they're conducting.

2 And also earlier I forgot to talk about the -- our
3 marine mammal and seabird observer program. So you
4 were asking if we record wildlife, was it caribou or
5 birds. So we do have monitors on the ships. They
6 record marine mammal and seabird that they observe, and
7 the program is more focused on the marine environment,
8 but they do record when they see caribou or musk ox on
9 the continent. This program has been ongoing for quite
10 a number of years, at least 2010 for -- for now. So I
11 hope this answer your question.

12 THE CHAIR: Paula.

13 MS. KIGJUGALIK HUGHSON: Thank you.

14 Just once you get into the lake, it just seems
15 more natural to not look for marine, but look for the
16 terrestrial animals that occupy our area. Thank you.

17 THE CHAIR: Would any of the other
18 registered intervenors like to respond?

19 Government of Nunavut.

20 MR. PINKSEN: Thank you, Madam Chair. Steve
21 Pinksen, Government of Nunavut.

22 On the issue of helicopters and -- and tracking
23 their -- their travels, in the Government of Nunavut's
24 final written submission, we included a -- a table --
25 it's Appendix C -- where we listed off the -- the ways
26 in which we feel the proponent has not fully

1 implemented the terrestrial environment management
2 plan.

3 In that table, Item 20 contains a commitment
4 agreed to by the proponent for the original approved
5 project. It states that: (as read)

6 The proponent shall revise the project's
7 terrestrial environment management plan to
8 include a program to monitor and report
9 helicopter traffic associated with the Whale
10 Tail project, including existing Meadowbank
11 infrastructure and all associated exploration
12 activities so that the scale and intensity of
13 this activity can be documented. This should
14 include the collection and analysis of global
15 positioning system [or "GPS"] track logs for
16 all helicopter flights contracted by the
17 proponent.

18 To our knowledge, this commitment has not been met and
19 was not included in the terrestrial environment
20 management plan Version 7. So the Government of
21 Nunavut still feels that this commitment should be
22 completed and should continue for the expansion
23 project. Thank you.

24 THE CHAIR: Would any of the other
25 registered intervenors like to respond?

26 Seeing none, Winnie Panigoniak.

1 MS. PANIGONIAK: Thank you.

2 I want to take time to thank everybody for letting
3 me come to this meeting. I had a chance to see my
4 daughter and my grandchildren and great-grandson who
5 live in Baker Lake. My son works for the government
6 back home with John Main, and my husband attended the
7 meeting here last year, and I'm happy that I got a
8 chance to come here to the meeting. I learnt a lot
9 these past few days, and maybe next time I'll have more
10 comments and questions when I come to further meetings
11 in the future. I hope to come again. Thank you.

12 THE CHAIR: Matna.

13 Lucassie Nakoolak.

14 MR. NAKOOLAK: Thank you, Madam Chair.

15 I'll make this brief. Yesterday when I was -- I
16 thought I was going to be questioned, but I -- there
17 was no question.

18 I'm from Coral Harbour, Lucassie Nakoolak. And I
19 heard a bit. I just want to say -- to add more in
20 regards to South Hampton marine.

21 NTI -- I haven't seen anyone from NTI, the people
22 that monitors. What's going on in regards to South
23 Hampton Island? I'm coming from Coats Island. I'm
24 coming from HTO in our community, and we've talked
25 about -- a lot about our mammals at Coats Island.
26 Like, we didn't want to see so many vessels going

1 through there anymore. This has been talked about for
2 quite some time. And a question was raised from the
3 DFO. DFO was asked in regards to vessel routes. We
4 tried to request DFO to see if they can make a
5 different route for the vessels because on their --
6 we're not really supposed to disturb the marine animals
7 because most of us people in Coral depend on these
8 marine mammals. There are so many vessels and ships
9 going past there, especially today; we see a lot more.

10 I understand this is -- like, it's very hard to
11 get employment in our community for those that -- and
12 the sports hunters for polar bears, caribous, when we
13 open them, we have been supported as HTO in our
14 community, especially in the community of Coral
15 Harbour. They have helped us through these, and we
16 have seen it supported by sports hunters. And they
17 help us. We hire local hunters to do the sports
18 hunting. And just recently we got that -- tags.
19 There's 14 tags that were given to us so that we can
20 benefit from our polar bear sports hunting. This
21 really helps our community, our people because
22 there's -- it's such a high unemployment rate in our
23 community. We're trying to find ways to see what we
24 can do to better support our community.

25 These are things that we are talking about. I am
26 trying to see what can we -- can you do to not disturb

1 our wildlife, especially at South Hampton Island and
2 Coats Island. I would like to find out more. I just
3 wanted to bring this up to you -- your attention.

4 But we know very well if it's the only place to
5 go -- if it's the only place to go and -- if it's the
6 only area to go and harbour should the winds pick up,
7 we need to ensure that our mammals won't be disturbed
8 as a result of shipping.

9 And we know that the DFO is starting to get into
10 the works of making this area a marine -- a marine
11 protected area. I think we -- we all know that -- from
12 the information that we receive from our Elders that
13 the winds are going to start to pick up because of
14 climate change also. And once the winds pick up out in
15 the sea, it becomes very difficult to maneuver through
16 and travel through during this -- this -- this -- in
17 the fall time. I think that we need to ensure that
18 there's a -- a -- a haven for ships should winds
19 become -- or the -- or the -- or the seas become
20 difficult to travel through.

21 I also have a question in regards to the
22 all-weather road -- I mean, the -- sorry. I wonder if
23 there's a possibility to transport your ore through the
24 Churchill railroad. That's one of the questions that I
25 wanted to raise.

26 THE CHAIR: Agnico Eagle.

1 MR. QUESNEL: Thank you, Madam Chair. Jamie
2 Quesnel, Agnico Eagle.

3 No, there's not a possibility to move our ore
4 through Churchill. The economics are not there.

5 (UNREPORTABLE SOUND)

6 THE INTERPRETER: It's not us. We're not
7 pressing any buttons. Nope. It's not from here. It's
8 somebody's phone.

9 THE CHAIR: Can you repeat -- can you
10 start from the start of your response, please?

11 MR. QUESNEL: Thank you, Madam Chair. Jamie
12 Quesnel, Agnico Eagle.

13 Thank you for your questions. Regarding the --
14 the option shipping our ore through Churchill,
15 that's -- that's not a feasible option for this ore
16 body.

17 And regarding our questions regarding South
18 Hampton components, I'll pass that on to my colleague,
19 Manon.

20 MS. TURMEL: Manon Turmel, Agnico Eagle.

21 So for your question or comments regarding South
22 Hampton Island, we have heard those concerns in the
23 past as well, and traditional information was passed
24 on, and as mentioned in the previous days, we've made
25 the -- the commitment to primarily use the road south
26 of Coats Island so we don't get close to the northern

1 shore of Coats Island or close to Walrus Island. So
2 that's what we will be doing, and we've already done it
3 for a few years now. You might still see ships, but
4 not all the ships are for Agnico Eagle. So I'm not
5 sure for other companies.

6 And you are correct that when there's severe
7 weather conditions, we might still have to go north of
8 Coats Island as it is safer, but if we have to go that
9 route, we have restrictions in terms of speed and
10 distance to Walrus Island. So we will try to stay away
11 from those islands not to disrupt wildlife.

12 And you were talking about the program from
13 Nunavut Tunngavik. It's separated from our activities.
14 I do know they have a monitor for ships coming in the
15 area.

16 And just to conclude, last year, researchers from
17 the University of Ottawa sat down with Elders and the
18 local community of Coral Harbour to identify areas of
19 concern and areas of importance, and we have considered
20 the information shared with those researcher in our
21 planning. Thank you.

22 THE CHAIR: Would any of the other
23 registered intervenors like to respond?

24 Fisheries and Oceans Canada.

25 MR. D'AGUIAR: Thank you, Madam Chair. Mark
26 D'Aguiar with Fisheries and Oceans Canada.

1 Yeah. Thank you for those questions. I guess I
2 wanted to also just provide some more insight from
3 DFO's perspective on the concerns with the shipping. I
4 heard -- from what I heard from the interpreter was
5 there was concerns about asking DFO about shipping
6 through an alternate route. I think that's what I
7 heard. And I just wanted to note Transport Canada
8 typically would dictate the routes that could be
9 followed, and DFO would -- could inform with
10 information of science about potential risks of certain
11 routes. So Transport Canada -- they're not here, I
12 don't think, to -- to defend how they can choose those
13 routes.

14 As for the marine mammal impacts, fortunately,
15 there is a marine mammal and seabird observer program
16 that Agnico follows, and one of Fisheries and Oceans's
17 comments during this process as a result of information
18 we heard from the -- from the Board about concerns from
19 the communities of marine mammals not being present
20 where they used to be is that we've requested that
21 Agnico work with Fisheries and Oceans as well as the
22 impacted communities, the Kivalliq Inuit Association to
23 update those monitoring plans in order to be more
24 effective so that there is less of an impact from
25 shipping on marine mammals should there be any.

26 And as per the South Hampton, we heard is -- the

1 minister had announced just the other day that they're
2 looking to start the process of designating the marine
3 protected area. And with that, there should be
4 expected a substantial amount of consultation with
5 Inuit groups, the Kivalliq Inuit Association, and other
6 stakeholders who have concerns about where and how
7 and -- and what's actually to conserve in those areas.
8 So that would be a great time, during those
9 consultations, to bring up any concerns about shipping
10 routes and -- and -- and the potential impacts through
11 those areas. Thanks.

12 THE CHAIR: Would any of the other
13 registered intervenors like to respond?

14 Seeing none, Phillip.

15 Nunavut Impact Review Board Questions Agnico Eagle
16 Mines Limited

17 MR. KADLUN: Thank you, Madam Chair.

18 Phillip Kadlun, Nunavut Impact Review Board.

19 My question is on the previous discussion about
20 the flight heights, regardless of what kind of aircraft
21 it is, whether it's helicopter or fixed-wing. I guess
22 I'm just hung up on the wording the proponent used. I
23 distinctly heard the word being used as "agreement".
24 To some of us, we get this feeling of -- sense of --
25 those things can be said by anybody, but to my
26 understanding, the -- the -- to my understanding, it's

1 the federal department that sets the flight
2 department -- correct me if I'm wrong.

3 And, Madam Chair, if I may ask Environment and
4 Crown -- or rather, Environment and Climate Change
5 Canada, I want to know whether those -- those flights,
6 whether they are negotiable or not or if they have to
7 be followed by everyone.

8 Thank you, Madam Chair.

9 THE CHAIR: Agnico Eagle.

10 MR. QUESNEL: Thank you, Madam Chair. Jamie
11 Quesnel, Agnico Eagle.

12 Thank you for your question. Just dealing with
13 the agreement for the helicopter flying activities.
14 That's been within the company for a long period of
15 time. I don't have all the information how that
16 translated into all the documents, but we understand
17 it's a requirement that comes from federal -- federal
18 agencies.

19 And also with our discussions within the TAG, the
20 300 metres was always the restriction that we had. And
21 so that would -- that is what the company's been
22 complying with with the rotor-wing or helicopter
23 flights.

24 And dealing with the GPS component to track, we
25 had those discussions with the Government of Nunavut.
26 Not all our vendors -- helicopter companies have that

1 technology, so we've been incorporating that over time.
2 But we've been tracking it with our air traffic
3 controller that we have at Meadowbank for all our air
4 traffic in that area. So hopefully -- hopefully that
5 provides additional clarification. Thank you.

6 THE CHAIR: Response from registered
7 intervenors?

8 Environment Canada.

9 MS. PINTO: Thank you, Madam Chair, and
10 thank you for the question.

11 To clarify, Environment and Climate Change Canada
12 does not have regulations on minimum flight
13 requirements to avoid impacts to wildlife. We do have
14 recommendations specifically for species at risk and
15 migratory birds, and I can get that information for you
16 if you require it. However, with respect to caribou,
17 we don't have a minimum -- or a recommendation for
18 minimum flight requirements. And I'm not 100 percent
19 sure if the other departments such as Transport Canada
20 do have minimum flight requirements for that or if the
21 Government of Nunavut has that as well.

22 THE CHAIR: Would any of the other
23 registered intervenors like to respond?

24 Government of Nunavut.

25 MR. PINKSEN: Thank you, Madam Chair. Steve
26 Pinksen, Government of Nunavut.

1 The Government of Nunavut does not have any
2 specific height restrictions. We don't -- we don't
3 regulate aircraft in any way. So there are no height
4 restrictions for aircraft. And to our knowledge, I'm
5 pretty sure there are no altitude regulations that
6 apply, either federally or territorially. What we do
7 have is provisions in the Wildlife Act that make it an
8 offence to harass or disturb wildlife. So that would
9 apply to aircraft or any other type of harassment. So
10 if an aircraft was flying low, disturbing wildlife, and
11 if somebody reported us the -- the -- the numbers off
12 the tail of the aircraft, we would do an investigation
13 into that report. Thank you.

14 THE CHAIR: Uriash.

15 MR. PUQIQNAK: Thank you, Madam Chair.

16 Uriash Puqignak, NIRB Board member.

17 This morning I think it was a representative from
18 the Chesterfield -- the community of Chesterfield
19 Inlet. The ships and barges that are -- or that are
20 transporting through the channel. I heard also from
21 the community of Coral that there are -- there's
22 shipping close to their community, and then they travel
23 through the -- the Chesterfield Inlet channel and all
24 the way up to this lake. I don't think there's a -- a
25 person from Transport Canada that should be here
26 answering to these concerns. We need to know where the

1 transportation corridor is going to be for shipping.
2 It's -- it's very important that Transport Canada
3 should be here answering to these questions that are
4 being put out here -- put out there. There's ships and
5 barges that travel through the channel and through --
6 by -- close to Coats Island. I'm very sorry. I'm not
7 really aware of these places where these ships travel
8 through, as I'm not from this region. But I'm -- I'm
9 also concerned with maybe some of the areas where these
10 ships travel and barges travel through may be not as --
11 maybe there's some areas where it might be too shallow
12 for them to travel through.

13 Should there be an emergency case, this would be
14 almost catastrophic, if there should be an oil spill or
15 a fuel spill or if they ran aground. Yes, these are my
16 concerns as well. Where do the emergency -- when do
17 the emergency measures kick in? Who helps? It's very
18 difficult at times to go and help. We would have to
19 maybe transport people by airplane to go and help
20 should there be an emergency along the shipping route.
21 It's difficult to see where the shipping route is. It
22 seems like a new area where the company -- and the
23 ships should be travelling through because it would be
24 too expensive -- it would not be feasible to transport
25 the ore by railway.

26 My question -- and I -- I've raised my concern and

1 my -- my question about how emergency measures would
2 occur and happen at the time of the -- an emergency.
3 Thank you.

4 THE CHAIR: Just to clarify, did the
5 Kivalliq Inuit (OTHER LANGUAGE SPOKEN) have a response
6 to Phillip's question?

7 No? Okay.

8 We'll start with Agnico Eagle.

9 MR. QUESNEL: Thank you, Madam Chair. Jamie
10 Quesnel, Agnico Eagle.

11 We do have a response -- some additional
12 information for Phillip's question, and then regarding
13 just the recent question, Manon will jump in.

14 So from the Nunavut Planning Commission for the
15 altitude for sensitive areas such as calving -- calving
16 areas, it's 610 metres. All other areas would be the
17 300 metres.

18 Manon.

19 MS. TURMEL: Manon Turmel, Agnico Eagle.

20 So regarding your question and comments on
21 shipping, we're not proposing to use a new road. We
22 are proposing to use a well-charted established sea
23 lanes. We -- the company that we hire is
24 well-established, has experience navigating those
25 waters, and they know how -- they know well Arctic
26 conditions. So the risk of incidents is very low.

1 Regarding spill as well, each ship has equipment
2 to respond if anything was to happen. All the crew
3 receive spill response training, and they have to
4 provide a spill response plan prior to operating which
5 outlines who will do what, what equipment will be used,
6 all those details so they -- they are ready should
7 anything happen. And the -- the risk, as I mentioned,
8 is low because they're well-trained, and there are lots
9 of regulations.

10 And also, we've conducted -- Desgagnés -- numerous
11 joint exercises with hamlets in Nunavik in terms of
12 spill response. So that's what I wanted to add. I
13 will let -- that will be it for our response.
14 Hopefully this addresses your question and comments.
15 Thank you.

16 THE CHAIR: Would any of the other
17 registered intervenors like to respond?

18 Will the Department of Justice be awaiting a
19 response from Transport Canada? Can you please
20 clarify?

21 MR. GRUDA-DOLBEC: Simon Gruda-Dolbec with the
22 Department of Justice.

23 We've sent out an email. Hopefully we get a
24 response before end of the day. We'll keep you
25 informed.

26 THE CHAIR: Okay. Guy.

1 MR. ALIKUT: Thank you, Madam Chair. Guy
2 Alikut.

3 This has been -- I responded. I was waiting for
4 how high the helicopters have to fly, and then we hear
5 they're saying -- it seems like the mining companies
6 are -- it used to be 500 feet before we started using
7 them. I've been a Board member for HTO wildlife. Why
8 doesn't the government reply? It would be nice to hear
9 from the government -- Nunavut Government because we
10 still want to protect our animals. Thank you.

11 THE CHAIR: Government of Nunavut.

12 MR. PINKSEN: Thank you, Madam Chair. Steve
13 Pinksen, Government of Nunavut.

14 The Government of Nunavut does not have
15 jurisdiction over aircraft in Nunavut. It's -- it's
16 federal jurisdiction. We can't tell aircraft how high
17 or how low they -- they can fly. We -- we do not have
18 that legal ability. So even if we wanted to, we could
19 not create restrictions on aircraft. Hopefully
20 colleagues from Canada can get a response from
21 Transport Canada before -- before the end of the day.
22 Thank you.

23 THE CHAIR: Martha Hickes.
24 Questions for Agnico Eagle Mines Limited by Community
25 Representatives

26 MS. HICKES: Thank you, Madam Chair. I

1 have a couple questions for Agnico Eagle.

2 Beginning of the day on Monday, they were
3 reporting on "IRV". I had no clue what that meant, and
4 I'm sure just a person off the street doesn't know what
5 that means. And what was "A53 lake"? I have no clue
6 what that is too.

7 So I'm asking these, as a uolingo [sic] person off
8 the street does not understand these terms and have to
9 be specific in order that all parties understand these
10 terms.

11 And another question: What kinds of noise and
12 vibrations are we talking about in the local and
13 regional study areas? Do these noise and vibrations
14 affect the wildlife migrations, i.e., caribou, musk ox,
15 geese, and so on? Even fish in the lakes are probably
16 affected.

17 And on traditional knowledge, is the traditional
18 knowledge ongoing with the local organizations or
19 Elders in the community you are associated with? How
20 many times a year do you meet in case the committees
21 want to see changes made?

22 And I would like Guy's comment that he said
23 yesterday -- please include -- the caribou can smell
24 and notice things a human can't detect. And, again,
25 Tommy Ubluriak mentioned too about caribou. And when
26 they are migrating, they do not face the sun, and they

1 have holes between the hooves. Can that be included in
2 the traditional knowledge also?

3 A lot was covered on information regarding
4 terrestrial environmental mitigation and monitoring.
5 Just to our Inuit way and thinking and listening to
6 this, it doesn't really make sense to us. I would
7 rather hear from the local Hunters and Trappers
8 Organizations, Kivalliq Inuit Association to see if
9 these are correct.

10 And then another one on marine environment.
11 Lucassie already asked a question, but in seeing the
12 route that your ship takes through the Coral Harbour
13 area or sea, have Agnico Eagle thought of using the
14 train through Churchill or by ship or barge up to Baker
15 Lake? Are you looking for the quickest or cheaper way
16 of shipping?

17 And then marine mammals. When marine mammals are
18 monitored, how is that done? Who catches what and how?
19 Where are they monitored? Who does the monitoring, and
20 where are they hired from, from the south or Inuit from
21 Nunavut? And are the animals -- or are the mammals
22 killed for this purpose? What's collected from these
23 monitors, and who are they reported to?

24 And then there's my last question. Does the
25 caribou -- or we saw that animation yesterday, caribou
26 trying to cross the road, and then they just turned

1 back. Can you explain to me the reason for that?

2 Thank you.

3 THE CHAIR: We'll start with Agnico Eagle.

4 MR. QUESNEL: Thank you, Madam Chair. Jamie
5 Quesnel, Agnico Eagle.

6 Dealing with the IVR pit. Our exploration
7 department just provided a name. We didn't get the
8 full explanation, "IVR", but I would think it would be
9 "intrusive volcanic rock". That would be my guess, but
10 it comes from our exploration company -- exploration
11 department.

12 "Lake A53" when we do the baseline, we break down
13 the area into smaller watersheds. So that would be
14 Watershed A and Lake 53. And we just map out the --
15 how the watershed would flow, so the higher number
16 to -- to the lowest number, so we understand the
17 topography and how the water's flowing in a smaller
18 watershed within the regional study area. So that's
19 how that number -- the -- the -- the lake
20 identification starts.

21 Dealing with the -- the noise and vibration
22 related to fish, we have restrictions that we have to
23 follow with the Department of Fisheries and Oceans. So
24 they have a guideline document that we have to follow
25 regarding that based on distance to water.

26 With the caribou information that we heard

1 yesterday, yes, that can be incorporated into our
2 discussions, and possibly the Baker Lake Hunters and
3 Trappers Organization can bring that additional
4 information into the terrestrial advisory group for
5 discussion.

6 And dealing with the -- the Churchill and the
7 train -- the rail line. That would be just challenging
8 with the -- the volume that we would have to move. At
9 times -- at times, some of the -- some of the -- some
10 of the cargo -- lighter cargo has gone that -- with
11 that route, but just with the -- the volume that we
12 have based on the -- the -- the fuel and -- and the --
13 the number of ships, we're using the route that has
14 been defined from our FEIS for the Meadowbank project,
15 which is continuing for the Whale Tail approved project
16 and the expansion project that's in front of us right
17 now.

18 And, Manon, anything else to add on marine?

19 MS. TURMEL: Manon Turmel, Agnico Eagle.

20 If I can add to Churchill as well to what my
21 colleague Jamie was mentioning, is it's also a question
22 of train track and port infrastructures. We were using
23 that route in the previous years, but there has been
24 issues with the train track and the port and with the
25 operators. So Desgagnés, our shipping company, stopped
26 using that route, but it could be re-established in

1 future years as well.

2 For your question on marine, we do not catch any
3 mammal. We just observe from the ship what we see so
4 we can avoid if we see some of them. So we -- we don't
5 touch them. We don't catch them. Yeah.

6 And you were wondering where the monitors were
7 from. They're from Baker Lake and Chesterfield Inlet,
8 not from -- from -- from the south. We do have someone
9 on the mother ship to check for mammals when we are in
10 Hudson Bay. They are from the south. But in the
11 inlet, they are from Baker Lake and Chesterfield Inlet.

12 I think that sums up the questions you had for
13 marine.

14 MR. DE LA MARE: Thank you. And -- Corey de la
15 Mare of Golder Associates. And there's one other
16 question on -- on caribou and what we saw during the
17 animation and -- and what may cause caribou to turn
18 away from the road or towards the road. And as we
19 heard from a variety of folks, including the HTO and
20 from the NIRB Board and -- and other members, it could
21 be a variety of different things. One of the subjects
22 that has come up has been management of the road, use
23 of ATVs and harvesting from the road, and there could
24 be smells or directional movements during migration
25 that also determine where the caribou would like to go.
26 So it could be a variety of different things.

1 MS. SQUIRES: Courtney Squires, Agnico
2 Eagle.

3 So I believe your last question was regarding how
4 we consult and incorporate traditional knowledge on an
5 ongoing basis through our project activities. As we
6 mentioned yesterday during the presentation, you know,
7 over the last three years, we did almost 90 project
8 consultations and engagement just for the Meadowbank
9 and Whale Tail approved projects and the expansion
10 project.

11 But on an operational basis, we have a few
12 mechanisms that we use to constantly check in with the
13 community, allow them to provide feedback on how we
14 operate. So one of the relationships that we have is
15 with the Hunters and Trappers Organization in Baker
16 Lake, and they provide a lot of feedback on our
17 environmental procedures. Another one is the community
18 liaison committee here in Baker Lake as well. It's a
19 multi-stakeholder committee. We meet about three times
20 a year. And they, you know, review some of our
21 policies and practices, provide feedback, come up to
22 site. And other than that, you know, we're always in
23 discussions with the Hamlet. We do focus groups
24 sometimes with Elders and women to have their feedback,
25 have their traditional knowledge, and find ways to
26 incorporate it into our -- our practices. So it's

1 really an ongoing exercise. Thanks.

2 THE CHAIR: Government of Nunavut.

3 MR. PINKSEN: Thank you, Madam Chair. Steve
4 Pinksen, Government of Nunavut.

5 And just back to the question on why caribou may
6 sometimes avoid the project roads. As Corey described,
7 there could be a number of reasons why caribou has --
8 have a tendency to avoid the road sometimes, and we
9 don't really have all the answers yet. Our -- our
10 analysis on this is very new, and we want to explore
11 the issue further through discussions with the
12 proponent, the Hunters and Trappers Organization, and
13 the Kivalliq Inuit Association at the -- at the
14 terrestrial advisory group and work with the proponent
15 to -- to make changes to the -- to the terrestrial
16 environment management plan to better -- better manage
17 road activities. So thank you.

18 THE CHAIR: Would any of the other
19 registered intervenors like to respond?

20 Baker Lake Hunters and Trappers Organization and
21 then KIA.

22 MR. MANZO: Thank you, Madam Chair. Luis
23 Manzo, Kivalliq Inuit Association.

24 In regard of the comment for traditional
25 knowledge. We do have extensive mapping in regard to
26 traditional knowledge that we quarry against proponent

1 information. We map the whole entire Voices of the Bay
2 Project done by municipalities in Iqaluit and GIs. We
3 then digitalize all the traditional knowledge for the
4 land occupancy maps. This is the second set of layers.
5 An in top of that, we verify with that committee that
6 we have in the following areas very specifically, in
7 water quality, EDNA research, and Arctic char
8 restoration, which are the projects that are ongoing in
9 KIA in regard of that project.

10 We also have an agreement with DFO. We will
11 transfer all that information to DFO with respect to
12 the marine mammals. We also was part of the road
13 selection for shipping with the federal government over
14 the last three years, which they incorporate some of
15 the concerns of Coral Harbour, Chesterfield Inlet in
16 that research. I believe that research is now
17 available -- and don't quote me in that -- but it's
18 been done, and we was part of it, and we was
19 incorporating all the traditional knowledge as well.

20 That's what I have. Thank you, Madam Chair.

21 THE CHAIR: Baker Lake Hunters and
22 Trappers Organization.

23 MR. AKSAWNEE: Thank you, Madam Chair.

24 Richard Aksawnee with Baker Lake Hunters and Trappers.

25 On the discussion of the road interaction, like I
26 mentioned yesterday, there's a lot of stuff related to

1 that, and that's why we've been pushing for another
2 monitor, especially to monitor the road between Baker
3 Lake and Meadowbank, as it's a very heavily used road
4 by hunters and the mining company, contractors. So
5 we're hoping to gather some data in that way and also
6 incorporate traditional knowledge.

7 And listening to the discussions around this
8 table, I just have a question if I may, Madam Chair.

9 THE CHAIR: Go ahead.

10 Baker Lake Hunters and Trappers Organization Questions
11 Agnico Eagle Mines Limited

12 MR. AKSAWNEE: Thank you, Madam Chair.

13 In regards to the marine shipping, the proponent
14 indicated that there's a monitor during the marine
15 shipping season, and the proponent stated that there is
16 a member from the Baker Lake community, but to our
17 knowledge, we don't have a clue as to who this monitor
18 is. We've never seen this type of report. This is why
19 the community of Baker Lake, the Hunters and Trappers
20 Organization in partnership with the Chesterfield Inlet
21 Hunters and Trappers Organization are partnering --
22 partnering up with the consultants, Arctic Connections,
23 to do some marine mammal and fish monitoring program.
24 This monitoring is starting in the summer of 2020.
25 They did some preliminary surveys earlier this summer.
26 So I just wanted to indicate -- I -- I just wanted

1 to ask that question as to who and when there was a
2 monitor on the ship during marine shipping season.

3 And then I have one more question, and it's --
4 it's in regards to aircrafts. Listening to the
5 discussions, does Agnico Eagle only fly 300 metres even
6 when there is caribou nearby? When this discussion
7 went up, I did some research, and according to NAV
8 Canada, pilots are supposed to fly at 2,000 metres when
9 caribou are nearby. Thank you, Madam Chair.

10 THE CHAIR: Agnico Eagle.

11 MS. TURMEL: Manon Turmel, Agnico Eagle.

12 Regarding the monitor on the barges, they are from
13 Baker Lake and Chesterfield Inlet. It's not a
14 monitor -- a person hired only for that position; it
15 changes throughout the season and throughout the year.
16 So if you want, I could share that information with
17 you, but all the results are provided in our annual
18 report, and we could share the results with you we've
19 collected since 2009 or '10, I believe. So we could
20 share these informations with you.

21 And ...

22 MR. QUESNEL: Thank you, Manon. Thank you,
23 Madam Chair. Jamie Quesnel, Agnico Eagle.

24 We're flying with the -- the regulations that have
25 been established, and our aircraft companies,
26 helicopter companies follow all the rules. But we can

1 follow up with our exploration department at the next
2 break and get that additional information. But I feel
3 strongly that our -- any company we would retain moving
4 our people and contractors would comply with all the
5 applicable laws. Thank you.

6 THE CHAIR: Okay. It's getting close to
7 lunchtime. After lunch, there are a number of people
8 that are -- that have still yet to ask questions and
9 make comments, and to be reminded that you have to
10 select a -- a speaker for your community.

11 After lunch, we still have a few names left for --
12 to ask questions and to please nominate someone from
13 your community for closing remarks 'cause when we're
14 done the community roundtable, we're going to move on
15 to closing remarks from community members as we start
16 to close the hearing. Have a good lunch 'til 1:15.

17

18 PROCEEDINGS ADJOURNED UNTIL 1:15 PM

19

20 (PROCEEDINGS COMMENCED AT 1:20)

21 THE CHAIR: (OTHER LANGUAGE SPOKEN). I
22 believe we have a deferred response ready from
23 Department of Justice, Government of Canada.
24 Response to Deferred Questions by Crown-Indigenous
25 Relations and Northern Affairs Canada

26 MR. GRUDA-DOLBEC: Thank you, Mrs. Chair.

1 So on behalf of Transport Canada, I'll respond to
2 the two questions that were posed a little earlier
3 today. First off, I'm not the subject matter
4 expertise, so if there are any follow-up questions,
5 I'll have to turn to Transport Canada and get back to
6 you.

7 So on the first questions -- question regarding
8 shipping, here's the answer that Transport Canada
9 provided: Transport Canada does not dictate where
10 ships can travel. Ships are allowed to travel where it
11 is safe for them to do so, and if they are in
12 compliance with regulations such as the Canada Shipping
13 Act and the Arctic Waters Pollution Prevention Act.
14 These regulations -- these regulations also do not
15 dictate where a vessel can transit.

16 When foreign vessels enter Canadian waters,
17 Transport Canada can direct them to allocation for
18 inspection. However, the route to get to the
19 inspection area is still determined by the ship
20 captain. During ice conditions, Transport Canada can
21 stop a vessel from entering Canadian waters. Their
22 vessel construction does not meet specific requirements
23 for the ice condition.

24 Transport Canada does not provide an alternate
25 route for the vessel. Vessel safety is the
26 responsibility of the ship captain who ensures that the

1 routes are safe to navigate at the time that the
2 vessels are transiting. So that was for the first
3 question that we got.

4 And the second one regarding flight heights, the
5 response goes as follows: Transport Canada's
6 aeronautical -- well, Transport Canada has an
7 aeronautical information manual that includes voluntary
8 guidelines suggesting minimum altitudes for flying near
9 wildlife for safe operation of the aircraft and
10 ensuring aircraft safety.

11 Transport Canada's aeronautical information manual
12 includes voluntary guidelines suggesting minimum
13 altitudes for flying near wildlife for the safe
14 operation of the aircraft -- oh, did I just repeat
15 that? Sorry.

16 So getting back to where I was, Transport Canada
17 does not restrict flights over bird or wildlife
18 sensitive areas. However, recommendations and guidance
19 information for pilots is available in Transport
20 Canada's aeronautical information manual, more
21 specifically Section's 1.11.

22 Proponents are encouraged in the interest of
23 conserving wildlife to advise their pilots not to fly
24 at an altitude less than 2,000 feet above ground level.
25 This when in the vicinity of herds of wildlife animals
26 are above wildlife refuges, bird sanctuaries, depicted

1 on affected aeronautical charts that are stated -- as
2 stated in the aeronautical information manual.

3 So those are the two answers from Transport
4 Canada. I don't know if there are any additional
5 questions. I could, as I mentioned, turn to Transport
6 Canada and get back with an answer. I also think that
7 Agnico Eagle may have wanted to add a little something
8 to what I said.

9 So that's about it for me. (OTHER LANGUAGE
10 SPOKEN)

11 THE CHAIR: Agnico Eagle.

12 MS. KOWBEL: Thank you, Madam Chair.
13 Christine Kowbel, legal counsel.

14 We're just calling up our -- our expert, Dr. Greg
15 Sharam, because he's also familiar with the research
16 that Mr. Manzo mentioned earlier just before the break,
17 and so he's just going to give some clarity on that.

18 MR. SHARAM: Thank you, Madam Chair. Greg
19 Sharam for ERM for Agnico.

20 In -- to provide some more background in terms of
21 ocean shipping corridors, under the federal government
22 oceans protection plan, there is an initiative called
23 the low impact shipping corridor initiative. The
24 arctic corridor's research group from the University of
25 Ottawa has conducted a series of studies in northern
26 communities called the arctic corridors and northern

1 voices studies.

2 One of these studies occurred in Coral Harbour
3 where the community participants suggested that the
4 preferred vessel route would be south of Coats Island.
5 This vessel route is already the preferred shipping
6 route for Agnico Eagle south of -- of Coats Island.

7 We have printed out several copies of this report,
8 and they're at the back of the room should anyone from
9 the community like to take a further look.

10 Thank you.

11 THE CHAIR: Legal counsel.

12 MS. MEADOWS: Thank you, Madam Chair.

13 Teresa Meadows, legal counsel for the Nunavut Impact
14 Review Board.

15 So just for my clarity, was Agnico Eagle proposing
16 to file these -- file this document as an exhibit or
17 just as as a reference if -- if community participants
18 wish to take a look?

19 THE CHAIR: Agnico Eagle.

20 MS. KOWBEL: Thank you, Madam Chair.

21 Christine Kowbel, legal counsel.

22 If the Board would like us to file that as an
23 exhibit, it's a -- it's public report publicly
24 available, and so we're happy to provide that to the
25 Board if that's useful to them in their
26 decision-making.

1 THE CHAIR: Legal counsel.

2 MS. MEADOWS: Thank you, Madam Chair.

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

5 Yes. I will follow-up and mark that as the next
6 exhibit in this public hearing. Thank you, Madam
7 Chair.

8 EXHIBIT 72 - Hard Copy of Arctic Corridors
9 and Northern Voices: Governing Marine
10 Transportation in the Canadian Arctic, Cole
11 Harbour, Nunavut (English)

12 EXHIBIT 73 - Hard Copy Investments under the
13 Oceans Protection Plan to Protect Canada's
14 Arctic Coast and Water Transport Canada
15 (English)

16 THE CHAIR: Continuing with the community
17 roundtable, there were two written comments from
18 community -- from members of the public that were
19 submitted, and I'll ask Ryan to read the submissions,
20 one from Silas Arngra'naaq and one from Christopher
21 Nakoolak.

22 Ryan.
23 Community Roundtable

24 MR. BARRY: Thank you, Madam Chair. Ryan
25 Barry, Nunavut Impact Review Board.

26 The first comments submission from Silas reads as

1 follows -- he indicated his concerns are about Inuit
2 harvesting activities and described those concerns as
3 follows: (as read)

4 Lost access to hunting grounds close to the
5 community since the creation of the gold mine
6 at Meadowbank, especially in the months of
7 August and September, before the mine road
8 was built, I used to be able to hunt and
9 catch caribou in August, September north of
10 the long lake across from the gatehouse.

11 There was not enough study on how roads would
12 disrupt caribou migrations before the road
13 was built. With this project, the fall
14 migration has been further disrupted and
15 changing the route further once again. This
16 has made it more difficult for the less
17 fortunate who may depend on caribou for
18 proper nutrition and traditional harvesting.

19 In terms of suggestions or recommendations related to
20 this proposal, he's indicated a question to Agnico

21 Eagle: (as read)

22 Would Agnico Eagle consider creating ATV
23 trails to bypass the mine site at the
24 direction of the Hunters and Trappers
25 Organization?

26 And at the end of this comments submission, he has

1 indicated that he does support the project proposal.

2 THE CHAIR: Agnico Eagle.

3 MR. QUESNEL: Thank you, Madam Chair. Jamie

4 Quesnel, Agnico Eagle.

5 Based on our understanding, there are a lot of
6 other trails around the road, but we can discuss this
7 at the next terrestrial advisory group meeting in
8 October to evaluate and understand where all the trails
9 are, but based on our -- our assessment of all the
10 activities before we went with the approved project,
11 the Whale Tail-approved project, a lot of this
12 information was looked at.

13 But we are -- we would be happy to continue to
14 discuss this with -- at the next TAG meeting with the
15 Baker Lake Hunters and Trappers Organization. Thanks.

16 THE CHAIR: Would any of the other
17 registered interveners like to respond?

18 Seeing none, continue with the other submission,
19 please.

20 MR. BARRY: Thank you, Madam Chair. Ryan
21 Barry, Nunavut Impact Review Board staff.

22 So the next submission from Christopher Nakoolak
23 is brief. His comment is: (as read)

24 Provide CB radios for hunters using the mine
25 road. This will help with understanding why
26 or what is the cause for breakdowns, and the

1 gatehouse then can call -- can call the
2 relative reason for the hunter being down.
3 Search and rescues provide spot devices to
4 locals but can't communicate directly with
5 the hunter.

6 And he feels this will help save time and money.

7 Thank you, Madam Chair.

8 THE CHAIR: Agnico Eagle.

9 MR. QUESNEL: Thank you, Madam Chair, Jamie
10 Quesnel, Agnico Eagle.

11 We understand the hunters typically check in at
12 the gatehouse. There's a safety induction and
13 understanding of traffic on the road. Sometimes
14 hunters who have phones, the numbers are provided to
15 the gatehouse, but we can look at -- for -- for
16 communication purposes, but we can look at providing CB
17 radios, some type of other communication. So that can
18 be evaluated.

19 Thank you.

20 THE CHAIR: Would any of the other
21 registered interveners like to respond?

22 Seeing none, we'll continue with the list. Next
23 on the list, Phillipa Iksiraq.

24 MS. IKSIRAQ: I was going to comment
25 regarding the airline and the emergency measures. I
26 really don't know what else to say in regards to this,

1 I think, we're talking about. I -- if I want, can I
2 say something? Nothing to do with the -- the
3 meeting -- the hearing.

4 I have a question to AEM, that the Inuit -- the
5 Elders, like, trying to represent the Elders, sometimes
6 I am not too sure what to say. I have a question.
7 It's very brief in regard the surface on the land.

8 Like, you look for artifacts around there. Make
9 sure I'm -- make -- I wanted to ask: Are you -- I
10 hope -- I'm hoping that you don't take artifacts from
11 there. Like, because, I know we were told before we
12 cannot just take anything from that ground because
13 we're not sure.

14 Like, looking -- looking at IQ, we've been told
15 never to touch any artifacts from the -- from where our
16 ancestors used to live even if it was -- like, I have
17 seen Inuk kudlik. Like, because we didn't have kudlik,
18 I tried to take. I was very happy I went home, and I
19 was told I had to bring it back. I -- I was told never
20 to take artifacts. They're not all to be grabbed. We
21 can't just take them.

22 And, also, if you find something under the ground,
23 if you find something, please make sure it's put away,
24 and when you're reclaiming, put it back to where you
25 find it. I want you to know that. Not -- like,
26 there's old artifacts that are over there inside the

1 land and on the surface. You cannot grab anything
2 because if you want to have a good life, I had to
3 return that kudlik. I still remember where it is. And
4 just recently when I was going to lay the kudlik, it
5 was different, and it really wants to dry up.

6 I -- I -- it reminded of the time I took --
7 Inuit -- and I also want to -- we keep hearing about
8 the road. Every year we hear about this. It's
9 constantly talked about. Do they forget? Do we talk
10 about the same thing over and over? It's because Inuit
11 had that road like right where you are building the
12 road.

13 You have young people who are just there to work.
14 Like, you were building road along with the younger
15 people. Like, the young people just listen and just
16 follow, and they did -- like, they -- that's how they
17 built it. Like, every meeting we hear about the road.
18 We have to have safety precautions, and they talk about
19 the safety of Inuit.

20 Like, a person has their own mind. They know how
21 to look after themselves. When we want to use our
22 road, we are -- when we asked to use the road, we
23 thank, but in June, July when we -- we do a lot of
24 fishing, when they closed the road, while the fish are
25 running, it's -- for me, it's not too good to have
26 regulation, and we just follow because we were told

1 there's regulation.

2 Like -- and I'm just going to say what I feel. I
3 don't know if I'm allowed to say it, but we are
4 impacted. Like, you tell -- you say it impacts. We
5 keep hearing that. Some Inuit are weak, and they are
6 the impacted. And -- and the Health Canada, are you
7 for the whole Canada, or are you -- or are you
8 representing only the mining companies? I'd like to
9 know which one you are for.

10 This winter, there's been a lot of medivacs.
11 We've had a lot of medivacs, and our health centre is
12 very small. Never stop. It was 24-hour medical going
13 on in our community. The Health Canada -- like, I --
14 I'm wondering: Are you guys our representatives for
15 our health centres too? That's all I wanted to --
16 wanted to say, and there's a lot I'm -- thank you for
17 allowing me to speak.

18 Thank you, Madam Chair.

19 THE CHAIR: Agnico Eagle.

20 MS. TURMEL: Manon Turmel, Agnico Eagle.

21 Thank you for your question on the archeological
22 sites or cultural sites, sites of importance to Inuit.

23 So we use the same approach as you. If we --
24 before we do the mine, we -- we do surveys with the
25 people that are used to search for these items, and we
26 make sure we don't touch them, that we don't go in that

1 area. So we have the same approach as you, as we -- we
2 don't touch the -- the items. We don't bring them with
3 us, and we share that with our employees as well, to
4 make sure that if they see anything, they don't disturb
5 it. They -- they leave it where it is.

6 THE CHAIR: Health Canada.

7 MR. PARTRIDGE: Thank you, Madam Chair. Paul
8 Partridge from Health Canada.

9 I will try my best to respond to your -- your
10 question, and if I do miss something, please -- please
11 don't hesitate to -- to -- to clarify.

12 Our involvement here -- or my involvement here
13 with Health Canada is to support the Board in its
14 review of the proposed project from Agnico Eagle for
15 the Whale Tail Pit project, and it's been focused on a
16 review of the available information provided by the
17 company to take a look at the company's impacts and
18 also, specifically, the -- the health related impacts
19 associated with the company.

20 And -- and we have provided our -- our advice to
21 the Board related to our evaluation of the -- the
22 material that the company has provided. Some of that
23 has included the discussions or fed into the
24 discussions related to NO2 monitoring, as well as a
25 range of other topics related to other -- other air
26 quality criteria and -- and improved sampling for --

1 for arsenic related to the aquatic environments and
2 specifically fish.

3 MS. IKSIRAQ: Thank you, Madam Chair.

4 Phillipa Iksiraq.

5 It's okay if you don't answer me fully. I'll
6 understand. I just wanted to know whether the studies
7 that have been done with wildlife, the health of the --
8 of the herds and of the animals. I just wanted to get
9 some more information, whether or not they -- that they
10 may potentially be impacted by the project -- or
11 project proposal.

12 THE CHAIR: Health Canada.

13 MR. PARTRIDGE: Thank you very much, Madam
14 Chair. Thank you very much for your question. Paul
15 Partridge, Health Canada.

16 So as part of the -- the company's assessment --
17 and I will let them hopefully respond as well -- they
18 have considered wildlife in -- in their evaluation
19 of -- of health risks, including caribou, and
20 considered that against soil concentrations from around
21 the project site, and -- and -- and they have not
22 considered there to be any risk as a result of that
23 study.

24 They have done additional work related to
25 potential risk of consuming fish from the actual site,
26 and as we indicated in our presentation, the -- the

1 results from Agnico Eagle's study indicate that the
2 quality of -- of the concentrations of arsenic in the
3 fish would be potentially better than what might be
4 found in the -- the Canadian market.

5 We have asked and confirmed that the company has a
6 plan in place to monitor on a three-year basis to make
7 sure that the predicted results for their -- their
8 concentration of arsenic in fish is -- is consistent
9 with the actual concentration of -- of arsenic and
10 specifically inorganic arsenic in fish.

11 So if -- if there's a difference, then there would
12 be an opportunity to -- to take a look at that, but if
13 it's consistent with the predictions, the study has
14 indicated that there would be no risk.

15 THE CHAIR: Jimmy Krako.

16 MR. KRAKO: Thank you, Madam Chair. I'm
17 Jimmy Krako. I'm representing the hamlet of Baker
18 Lake.

19 Yesterday and this morning, this topic of
20 discussion about returning water into the lakes, once
21 you're pumping water, is there going to be a water mesh
22 on the end of the hoses? I heard that they were just
23 going to be using just the pump without a mesh, and
24 sometimes, probably, there are smaller fish that may be
25 sucked in by accident.

26 We live off of fish. We do not want to see

1 additional arsenic in flesh of fish that we eat. Yes,
2 I truly believe also that Transport Canada should be
3 present here because Chesterfield Inlet should be
4 involved in case there should be a spill or an
5 emergency during ship -- the shipping season.

6 I don't think it would be good if we just watched
7 people on -- on -- on -- aboard the ship doing
8 emergency measures. We'd like to -- they -- I'm
9 sure -- pretty sure that the community of Chesterfield
10 would like to help if there should be a spill and help
11 clean up.

12 Thank you.

13 THE CHAIR: We'll start with Agnico Eagle.

14 MR. GROLEAU: Michel Groleau, Agnico Eagle.

15 Thank you for your question, Jamie. So regarding
16 the -- the pumping. So we're using mesh similar
17 that -- at -- at Meadowbank. So there's always a fish
18 cage. If we're pumping water from the lake, there's a
19 big cage around the intake of the pump so -- to make
20 sure we're not disturbing the fish around the pumping
21 station.

22 And when we're discharging water into a lake,
23 again, we're making sure we're not eroding the shore.
24 So it's -- it's pumping through the water, and it's
25 diffusing in the lake. So we're not shaking the bottom
26 of the lake. So those installation are in place, and

1 it's similar that what we did at Meadowbank.

2 For your question related to arsenic within the
3 fish, we're taking that really seriously, and just to
4 get back to the comment of Paul from Health Canada,
5 when he's saying that the quality of the fish will be
6 the same than on the Canadian market, what he means by
7 that is the fish -- when it would be even better than
8 on the Canadian market is that the fish that we're
9 going to have in the lake around the site will have
10 better meat quality than the one we found at the
11 Northern. So I think that the impact is really low on
12 the quality of the fish surrounding the project. But
13 we hear your concern related to that.

14 Related to the shipping route, I just wanted to
15 recall that there was no incident that's happened since
16 our ten years of operation, and we're taking that
17 seriously. Our shipping company are professional that
18 have a lot of experience of shipping material into the
19 north in Nunavut.

20 Thank you.

21 THE CHAIR: Would any of the other
22 registered interveners like to respond, Government of
23 Nunavut, Fisheries and Oceans Canada, Department of
24 Justice?

25 Okay. Seeing none, Tommy Ubluriak.

26 MR. UBLURIAK: Thank you, Madam Chair.

1 The topic I'm going to speak to -- or I'm going to
2 ask a question to Agnico Eagle, and I'm just going to
3 make a comment.

4 The Arviat Hunters and Trappers Organization would
5 like some information on this first topic. The mining
6 company, they are doing studies and doing some project
7 activities such as drilling. They know where the gold
8 is, and they know exactly where the migration and
9 calving areas are.

10 The question of the Arviat Hunters and Trappers
11 Organization is we are -- we heard from the community
12 of Baker Lake that they are in support of the project
13 proposal because they're thinking of their generations
14 to come, and there was mention of employment
15 opportunities for Nunavummiut and for Inuit.

16 And I have also heard that the community of Whale
17 Cove is in support of the project proposal. I -- the
18 only concern I have is with the caribou calving grounds
19 because I -- I don't wish to see any changes made to
20 where the caribou calve.

21 I would like to see also opportunities open for
22 people of our community of Arviat and to be given equal
23 opportunity to apply for employment. There are -- in
24 our community, they were planning to open fisheries.
25 We have to see that the company is giving equal
26 opportunity to all the communities, and we are in

1 favour of seeing this company, Agnico Eagle, to -- to
2 open opportunities to have employment opportunities for
3 our community, including our community and within this
4 region and Nunavummiut.

5 We're not in Manitoba. We are not Metis. We are
6 not Indian. We are from Nunavut, and I was also told
7 to welcome the company to our region to employ people.
8 We have -- we need to ensure that their terrestrial
9 wildlife -- to ensure that there are no impacts to
10 them. We have wildlife officers that do take care of
11 some of the policies that are put in place.

12 There are some people that applied and they never
13 got employed at the -- at Meadowbank, and that was not
14 such a good thing for them for those that wanted to
15 work. We would like to encourage the company to seek
16 workers from our community so that we can be in support
17 of your project.

18 Thank you.

19 THE CHAIR: Agnico Eagle.

20 MS. SQUIRES: Thank you, Madam Chair,
21 Courtney Squires, Agnico Eagle.

22 Regarding your comments about employment of -- of
23 Inuit from Arviat, in fact, Arviat is our second
24 largest community for employees. We employ 79 people
25 from Arviat between our projects. So 74 of those
26 people are working at Meadowbank and the approved Whale

1 Tail project currently.

2 And in addition, we're really active with the
3 hamlet of Arviat. Arviat, we have an agreement with
4 them for several years now to help fund a drilling and
5 welding program that they run, and in addition, we --
6 we work closely with them to do recruitment from the --
7 the hamlet. So we have the same vision, that we hope
8 to employ more and more people from your community.

9 I understand that for some going through the
10 pre-employment process, it can take a long time. We
11 are actively looking at ways to decrease the time that
12 it takes to gain employment. Just to give an idea of
13 the scale, you know, over -- we had over 400 people go
14 through work-readiness programs last year with us, and
15 over 250 people came to our site-readiness programs as
16 well.

17 So those are pre-employment programs that we
18 provide to candidates for employment, so not -- not yet
19 employees but people who are looking to become
20 employed. So it's quite a volume of people, but we're
21 looking for ways to decrease the time, and we
22 encourage, if there are people waiting to hear back,
23 that we have community liaison officers in the
24 communities to -- to answer their questions.

25 But as I said, we -- we have the same vision as
26 you. We're looking to employ as many people from the

1 communities as possible and working with the hamlet and
2 the schools to -- to make that happen. I'm going to
3 let my colleague, Michel, answer your -- your other
4 comment.

5 MR. GROLEAU: Michel Groleau from Agnico
6 Eagle.

7 Regarding your comment about the impact on the
8 caribou calving ground, we're working in collaboration
9 with the Baker Lake HTO, Hunter and Trappers
10 Association; with the Government of Nunavut; and, also,
11 the Kivalliq Nunavut Association to have a good
12 understanding of how caribou travel through our site.
13 And, presently, we're not planning having any mining or
14 exploration within those caribou calving ground. This
15 is not where we're going right now.

16 To add to that, we're having also evaluating
17 collaring data we're using to track the caribou through
18 the land, but we're looking at other technologies, as
19 the satellite, which providing image from the sky from
20 far away, so a picture of how caribou are moving to the
21 land. So we're going to try this new technology this
22 year to more understand the interaction of the caribou
23 and how they're moving through our site. So I hope
24 it's helping to understand our interaction with the
25 caribou and our site.

26 Thank you.

1 THE CHAIR: Would any of the registered
2 interveners like to respond?

3 Seeing none, Martha Hickes will be our last
4 community representative for questions, comments, and
5 then we have some questions from board members before
6 we start moving on to closing remarks from community
7 representatives.

8 Martha Hickes.

9 MS. HICKES: Thank you, Madam Chair. I
10 forgot to ask two questions this morning. One is:
11 Where did the name "Mammoth Lake" come from? I'm just
12 wondering where that came from.

13 And the other one is: Full-time employees, the
14 chart, there's a green number and a red number. I'm
15 just wondering what those mean on this chart.

16 And one more issue: One member mentioned
17 yesterday if the mine can work with -- no, not that
18 one. Another idea was given out to -- for the mines to
19 work with other mines like Baffinland or Nunavut mines,
20 get ideas to see what works and what doesn't to make
21 improvements in the long run.

22 Thank you.

23 THE CHAIR: That page (OTHER LANGUAGE
24 SPOKEN). Is there a slide number on the bottom corner?

25 MS. HICKES: 48.

26 THE CHAIR: Slide 48.

1 Agnico Eagle.

2 MS. SQUIRES: Thank you, Madam Chair.

3 Courtney Squires, Agnico Eagle.

4 So thank you, Martha, for your question.

5 Regarding your question about the red numbers and the
6 green numbers on Slide 48, which is the employment
7 statistics for 2018 for the Meadowbank and Whale Tail
8 projects, these numbers are indicating the change from
9 the previous year. So just a refresher on these
10 numbers. I know I explained this yesterday. These are
11 full-time equivalents, so they don't represent the head
12 count of people. They represent the equivalent of a
13 full-time position.

14 On this slide, you can see that we have in
15 brackets green numbers and red numbers. The green
16 numbers represent the number of additional jobs added
17 compared to the previous year. So for Inuit Agnico
18 Eagle employees, we added in total an additional
19 24 Inuit full-time positions for the Meadowbank and
20 Whale Tail project.

21 If you look in Rankin Inlet and Chesterfield
22 Inlet, you'll notice that there are two numbers in red
23 with a downwards arrow. This is indicating that in
24 these two communities we lost full-time equivalent
25 positions. However, the reason for this is because
26 during the year of 2018, we had some transfer windows

1 between the Meadowbank Whale Tail projects and the
2 Meliadine projects. And so for some employees, because
3 they're from Rankin or Chester, they preferred to work
4 at the Meliadine project, as it's closer to where they
5 live.

6 So when I look at the same figures overall for our
7 Nunavut operations, in fact, we increased the number of
8 jobs for Rankin, so we transferred those people over to
9 the Meliadine project and had additional employees as
10 well. And for Chester, we were even. So, overall, the
11 number of Inuit working at the projects would be --
12 would be positive. So it's only because we're looking
13 at the Meadowbank and Whale Tail projects.

14 So I hope this answers your question.

15 THE CHAIR: Would any of the other
16 registered interveners like to respond?

17 Seeing none, Phillip.

18 MR. KADLUN: Thank you, Madam Chair.

19 Phillip (LOST AUDIO FEED - OTHER LANGUAGE SPOKEN).

20 Tailings pond, my understanding is that the -- the
21 tailings pond will not have a liner, also, knowing that
22 it will be continued to be used by expansion. And my
23 question -- my first question is whether the tailings
24 pond will be able to hold additional amount of
25 tailings. And I will ask -- get back to my other
26 questions afterwards.

1 Thank you, Madam Chair.

2 MR. QUESNEL: Thank you, Madam Chair. Jamie
3 Quesnel, Agnico Eagle.

4 The original tailings pond has stopped. We
5 stopped placing tailings in the -- the tailings
6 facility. If you recall in the tour, we stopped on an
7 elevated area. We were looking over the tailings. So
8 that has stopped, and we're progressively reclaiming
9 that. It does not have a liner. Michel will talk a
10 little bit more on -- on some of those aspects. But
11 right now, we have approval which we received earlier
12 this year to -- to deposit tailings in our pits.

13 So we have the Portage pits and the Bay Goose pit.
14 So we're starting to deposit tailings in the Bay Goose
15 pit, and then we'll change our deposition plan to start
16 placing tailings in the Portage pits, and there is
17 enough capacity there for the expansion file we have in
18 front of the Board right now and potentially for future
19 expansions, if that does occur.

20 Thank you.

21 MR. GROLEAU: Thank you, Madam Chair.
22 Michel Groleau, Agnico Eagle.

23 So we're not using liner in our tailings ponds
24 because we rely on the permafrost, the frozen ground.
25 And the frozen ground act as a liner in our situation,
26 and we're -- we're -- we're using the -- the frozen

1 ground as a technology to keep the tailing in their
2 place. It's -- we're not fighting the nature. We're
3 using the nature to help us to don't [sic] contaminate
4 the site.

5 So that -- that permafrost is helping to keep the
6 tailings at the same place, and then we're adding rock
7 at the top of the tailings. And this is -- this will
8 keep the -- the tailings frozen. It will be
9 encapsulated. So if, for example, during wintertime
10 you push snow in -- in a corner and you dump material
11 above it, the snow will take a really long time to --
12 to melt. So it's the same kind of idea here. We're
13 putting enough material on the top of the tailings so
14 they don't melt during the -- during the summertime,
15 and we keep everything frozen. I hope it's helping to
16 understand our strategy.

17 MR. KADLUN: (OTHER LANGUAGE SPOKEN), Madam
18 Chair. The response, Phillip Kadlun, Nunavut Impact
19 Review Board.

20 My other question is -- it's on the same subject
21 as -- regarding tailings pond. What happens -- what
22 happens after the life -- the very end of life to the
23 mine? Who will be monitoring the -- the -- the
24 tailings pond, and what happens to it?

25 Thank you, Madam Chair. I will have a follow-up
26 question.

1 THE CHAIR: Agnico Eagle.

2 MR. GROLEAU: Michel Groleau from Agnico
3 Eagle.

4 So at the end of operation, we're putting that
5 truck on the top. Everything is frozen. It's taking
6 about 50 year to have all the tailings frozen with
7 it -- within the tailing pond, the one that are at the
8 surface. And we're installing thermistor, so it's,
9 like, big -- it's -- it's sensor in the ground that
10 giving us the ground temperature at different depth.
11 So we make sure by reading those thermistor that
12 it's [sic] stay frozen.

13 So in our closure and reclamation plan, there's a
14 money part there to make sure we're constantly
15 monitoring during closure until that system is proved
16 to be efficient. Thank you.

17 MR. KADLUN: (OTHER LANGUAGE SPOKEN), Madam
18 Chair. Phillip Kadlun, Nunavut Impact Review Board.

19 Just to comment, I guess -- or in a question to
20 the monitoring agencies that will be -- I'm assuming
21 will be federal agencies long after the mine is closed.

22 My comment is -- first, I guess, its -- I'm
23 thinking about the -- the instability of the ground,
24 the nuna, and on top of that, there is a great
25 uncertainty about what will happen in the future in
26 terms of climate change. What level of confidence does

1 the proponent have that there will be no underground
2 leakage into the surrounding area, whether it's on
3 the -- on the land or into the other lakes?

4 My other part is: How long will that monitoring
5 continue after the mine life? Maybe one of the federal
6 agencies can respond to that -- my last question.

7 Thank you, Madam Chair. That's all I have.

8 THE CHAIR: Agnico Eagle.

9 MR. GROLEAU: Michel Groleau, Agnico Eagle.

10 So the system I have described is part of our
11 approved project. So it has been already vetted
12 through meeting like we're having today, through
13 different review from interveners. There's a lot of
14 modeling that have been completed, groundwater
15 movement, so the -- the -- have been incorporated. The
16 thermal model, also how the temperature will change
17 through time. With that thermal model, we're including
18 climate change as well, approved scenarios by
19 Environment Canada.

20 So all that is taken in account and -- and define
21 our closure plan, and this closure plan have been
22 approved, the way I'm describing it to you. And
23 we'll -- we'll also -- prior to closure, we'll need to
24 have an agreement with the different agencies to stop
25 monitoring, if we need so.

26 And just as a reminder, this application is -- is

1 not about -- there's no tailings management in this
2 application. However, it's -- it's my pleasure to
3 answer your question about that, and -- and thank you.

4 THE CHAIR: Uriash.

5 MR. PUQIQNAK: Thank you, Madam Chair. The
6 board for NIRB.

7 Listening to all the questions, comments, I just
8 want to support. I haven't heard a reply. Maybe I can
9 give the reply.

10 I have a question. I'll have -- until you answer,
11 I'll have another question in regards to emergency
12 measures. I think Chesterfield was trying to say that
13 there's emergency measures equipment in Chester. I
14 think they were trying to ask -- they wanted to see
15 somebody be trained how to use these equipments that
16 are placed in Chesterfield. I just want -- I don't
17 think there was a -- someone answered to that in
18 regards to emergency measures. I don't know where they
19 are, but nobody has been trained how to use the
20 emergency measure equipment that was asked earlier.

21 And the ship's route going to Meadowbank ships,
22 they have said -- there has been no emergency during
23 their time. They haven't faced any danger. Up to
24 today, there has been no spill. They haven't gone
25 through shallow parts. Even if it's like that, I don't
26 want anything to happen anywhere.

1 Like, it's unexpected. It happens because we
2 don't know what's going to happen. Even -- like, we
3 don't know what will happen. We have never gone
4 through that, but I think we need -- I don't want this
5 to happen. It happens even though we don't want it to
6 happen. Like, unforeseen happenings.

7 I wanted to ask, like, you -- we heard you saying
8 we need to have trained emergency people that can be
9 there waiting. We need to make sure they are trained
10 ahead of time. We need to have -- we don't have such
11 thing as training on how to work for emergency
12 measures. Do they have to fill out a form if they want
13 to be trained in regards to emergency measure proposal?
14 This is something the government maybe should consider
15 teaching. If they're your equipments, how is it? Do
16 you want to see a proposal first or what? How would
17 you start training people how to use these emergency --
18 is that what you want to see, a proposal, or -- or --
19 or -- or, like, Chester is -- was trying to ask about
20 this.

21 Thank you, Madam Chair.

22 THE CHAIR: Agnico Eagle.

23 MR. QUESNEL: Thank you, Madam Chair. Jamie
24 Quesnel, Agnico Eagle.

25 As there's no change to -- to our project related
26 to transportation, in dealing with the emergency

1 response, we've provided mock training for spills with
2 some communities, and there's some discussion with the
3 Coast Guard and future joint exercises, but we don't
4 train the staff.

5 Our shipping company has been involved with some
6 of the discussions, and some of these things do come up
7 with the annual meetings that we have in Chesterfield.
8 So we'll continue discussing this with Chesterfield,
9 and we'll move forward with that. Thank you.

10 THE CHAIR: I'll also leave that as a
11 comment to Canadian Coast Guard.

12 We're coming close to the time where we need to
13 start with closing remarks from community
14 representatives, so we're going to take a ten-minute
15 break, and when we come back, we'll start with closing
16 remarks from community representatives.

17 (ADJOURNMENT)

18 THE CHAIR: Let us reconvene.

19 As we are into our closing remarks, we'll be
20 hearing from the community representatives.
21 Especially, NIRB would like to hear about your concerns
22 and something that you want us to reconsider or
23 consider, and the proposed Whale Tail expansion,
24 whether you support it -- whether you support it or
25 not. We'll go around, and we'll be hearing from the
26 communities.

1 As we draw near the close of these proceedings, we
2 would like to provide an opportunity for brief closing
3 remarks by the community representatives around the
4 table. Specifically, the Board would like to hear if
5 there are still any outstanding issues that you think
6 have not been addressed and if, in general, you support
7 the Whale Tail expansion proposal or not. So we'll
8 start at this end from Arviat until we get to the end.

9 Arviat.

10 Closing Remarks by the Community Representative of
11 Arviat

12 MS. TATTUNIEE: Thank you, Madam Chair.
13 Tapisa Tattunee from Arviat. We want to thank --
14 coming from Arviat for welcoming us to Baker Lake, and
15 thank you to Nunavut Impact Review Board, Agnico Eagle,
16 KIA, and also the Government of Canada and Government
17 of Nunavut.

18 One of the Elders from Arviat wanted to know who
19 named Helicopter Island, as there might be an Inuktitut
20 name for the island. The thing I am most concerned
21 about is the land once the mining is expanded and goes
22 underground, as the land will take a while to go back
23 to how it was before mining.

24 What is going to happen to the mining machinery
25 once the mining is over?

26 We all approve of the expansion project if there

1 are precautions and that Agnico Eagle makes sure that
2 Inuit are being heard and employed.

3 Also, just to note that the land and animals and
4 our water are very important to us Inuit, and we are
5 all happy for this amazing opportunity to participate.

6 (OTHER LANGUAGE SPOKEN), madam speaker. Thank
7 you, madam speaker.

8 THE CHAIR: Thank you.

9 Baker Lake.

10 Closing Remarks by the Community Representative of
11 Baker Lake

12 MS. ELYTOOK: Thank you, Madam Chair and
13 people around the table. I thank the Agnico Eagle for
14 being -- hiring the local people, and they have
15 purchased big items just from working for the mine.
16 Thank you very much.

17 But it's -- it's sad that our land has been
18 broken. And you do have meetings. As Baker Lake
19 people would like to get help by [sic], I know that the
20 road is your own road. The mine road is yours. When
21 you close it, everything seemed to close when you
22 closed the mine -- mine road. Hondas -- four-wheel
23 Hondas -- like, I wouldn't like to see Hondas be
24 blocked from using. I would like to see that they be
25 able to use the road, even if it's road -- closed
26 because they're looking to hunt for their own food to

1 put on the table. We want to get supported by you. I
2 would like to see that the -- the road to Agnico be
3 used by the four-wheel ATVs because they're using these
4 ATVs to hunt where we have every right to go hunting.

5 You cannot stop us -- you cannot stop an Inuk
6 person -- you're not really supposed to stop people
7 from hunting -- Inuit people. We have rights. We know
8 our rights. We -- I have Charter of Rights. You have
9 Charter of Rights. I'll use my Charter of Rights.

10 On behalf of the people from Baker Lake, you came
11 here to ask for help, and you wanted us to agree. Why
12 not say yes to the people of Baker, especially when it
13 comes to harvesting? If you want us to agree with you,
14 please at least agree with us.

15 There is a lot that don't have boats, and there's
16 a lot of people that have boats. We need help. We --
17 it's just like you need our help; you, too, need to
18 help the community.

19 We really need to get help from -- we want to be
20 able to have access to the road, especially to go out
21 harvesting because people are being stopped, and
22 they're being told that -- that the road is closed. We
23 got that Nunavut Land Claim Agreement, and we have
24 harvesting rights. We need to use our harvesting
25 rights.

26 NTI, KIA, they're not the boss of a person who's

1 going to be going out to their hunting ground. No,
2 they're not the boss. No way. No one is -- you cannot
3 tell us what to do. If the Elder says the weather is
4 not good, you -- then we will respect our Elder. But
5 when it comes to -- for us people working there, you
6 cannot -- you can't stop hunters. No, you can't. You
7 can't tell us what to do, especially when we're
8 hunters, harvesters. This is what our ancestors used.
9 They even came to a starvation for us to sit -- sit
10 here so that we can speak out too.

11 My grandfather Minuk [phonetic] went -- worked his
12 best to keep me alive. My mother -- my -- my
13 grandmother almost died from starvation. You cannot
14 stop -- you can't -- and you cannot stop a hunter. We
15 need your help. At least we can use our four-wheel
16 drive -- four-wheel Hondas on the road. You are
17 working in our own land. Please. We are -- you wanted
18 to get help. I myself, too, need to get help. Anyone.
19 Anyone who is going -- nobody is going to tell them
20 what to do. As long as the Elder says -- if they tell
21 us that the weather is not going to be nice for
22 tomorrow, next week, you can -- can you wait? Like,
23 the hunter will find -- yes -- say, Yes. We need help.
24 You -- you need to help us. All spring -- all spring
25 people have been stopped because the road is closed.
26 You need to help us. We were given the harvesting

1 right when -- in Nunavut Land Claim so that the hunters
2 can harvest. Why -- why are you breaking -- why are
3 you breaking that to us? Why? And here we -- we
4 are from -- we are from Baker Lake, and of course we
5 just listen. We're just like -- like, we're still
6 continuing to still listen to the -- I don't want to
7 say all this, but it's like we're still black sheep of
8 the -- of our community.

9 Like, right now we have caribous that we use the
10 caribou -- we hear that there's a lot of caribou, and
11 we can use those for making warm clothing. And once
12 the road is closed, the hunters will be sent back home
13 because they have to listen -- listen to your -- like,
14 if you want us to listen to you, you listen to us.

15 Thank you. I don't have anything else to say.

16 THE CHAIR: Chesterfield.

17 Closing Remarks by the Community Representative of
18 Chesterfield Inlet

19 MR. AGGARK: Thank you, Madam Chair. My
20 name is Harry Aggark. I am from Chesterfield from the
21 HTO Chair.

22 First of all, I would like to thank Nunavut Impact
23 Review Board for sending us here for letting us sit
24 around the table and also, Agnico, thank you and the
25 government and all the people that are around here and
26 all the people of Baker Lake thank you for welcoming

1 us.

2 First of all, I want to make you understand before
3 I start -- before I finish talking in regards to the
4 emergency kit that was talked about in Chesterfield. I
5 don't know if all the -- I know that every community
6 has an emergency kit. If there is a spill that was to
7 happen, we have those so that -- I know they're only to
8 protect the gas to go spreading all over. You don't
9 need to really get trained for those. It's not Agnico.
10 It's the coast guard and the -- Transport Canada are
11 the ones that should look after that, just for you to
12 understand.

13 And this morning, HTO Baker Lake said that the --
14 the channel -- I don't know how you would say it --
15 it's the channel between -- between Chesterfield Inlet
16 and going -- we call it Aqsaniq. We were going to look
17 into further at -- but we will be starting it next
18 year. Between Baker Lake HTO and Chesterfield HTO,
19 they will do the team work. For example, there will be
20 two boats coming from Chester, and then they go to --
21 they are going to that area to find out from what I
22 understand today, from Baker Lake to end of the road --
23 I mean, end of the lake, maybe near Helicopter Lake to
24 Chester -- near Chester, there are cameras that are put
25 in those areas. It's not only to -- we're not just
26 looking out for vessels. There are fish, Arctic char

1 that we want to research, do a study. You know that
2 the channel on the east and -- we need to monitor the
3 fish that are going and the rivers coming from the
4 lakes if there -- we wanted to find out how they are
5 doing. And we keep hearing that the fish are not
6 too -- in good shape. Because of that, we wanted to do
7 a study. But now I think we're a bit late because
8 we've had high winds on the -- on our area, and we'll
9 start again next year.

10 We were asked if we're supporting. Not once I
11 have come here to meet with NIRB and you guys to Agnico
12 Mines proposal, and we are affected by the ship route.
13 We have seen a lot of ships. They would bypass
14 Chesterfield. There's a lot of sea mammals. The
15 population is going lower. We can't stop them, and
16 we're not going to stop them because we want to see our
17 young people work, get -- have the opportunity to work.
18 There's very, very few people I know that AEM employs.
19 I know that. But we are -- in Chesterfield, we have
20 educated -- there's already young people that have been
21 given the opportunity to go on a training on a job with
22 AEM. Thank you for allowing us to come here, and we're
23 around here with you.

24 We have some Elders, and some of them are -- it's
25 their first time, so they're -- didn't say much, but
26 maybe next time they come here they'll have something

1 to say. There was a lot of questions, but, being Inuk,
2 like, we only have a few days, and then we don't have
3 much opportune -- time to ask in these -- like, when
4 you already have set up, it's kind of like, What's the
5 use asking when they already have an agreement in
6 place? Like, you've talked to these big places -- big
7 companies. It's like we hear the last -- we're the
8 last ones to say something.

9 And, Baker Lake, I feel the -- I feel the people
10 of Baker Lake -- I know how you feel. Thank you.

11 THE CHAIR: Coral Harbour.

12 Closing Remarks by the Community Representative of
13 Coral Harbour

14 MR. NAKOOLAK: (OTHER LANGUAGE SPOKEN), Coral
15 Harbour.

16 I had said a lot yesterday, but today -- like, it
17 looks like everything is well looked after today, like,
18 dangerous goods or how we can protect each other. I
19 have seen that. I thank you for going through all that
20 because we have seen it with our own eyes. We asked a
21 lot of questions, as Inuit, whether they're being faced
22 with chemicals. And we have seen in Africa what they
23 have gone through. Some drinking from the mud because
24 they have no other place to drink because of the land
25 being so used over there. Like, we don't ever want to
26 go through that. And I want to see that it properly be

1 maintained during your time. Please protect everyone
2 and everything, especially when you are working up
3 here.

4 We cannot say I don't support because I will be
5 supporting them. We -- I'm pretty sure our people in
6 Coral Harbour will be supporting this, and I am able to
7 speak. I have two that are working -- I asked -- I --
8 looking at Baker Lake -- can you hear me? We are in
9 support of Baker Lake, and I have lived here for a few
10 years myself. I lived in Baker Lake for six years.
11 Harvesters. They go all over by Honda to try and
12 harvest caribou. I have seen that. I cannot help but
13 support to what Eva was saying. I totally support her
14 request.

15 I just wanted to say towards supporting. But
16 Coral Harbour has not been clarified by -- I'm the only
17 one coming from HTO, and HTO had to pay my ticket to
18 come here. This has to be considered in the future if
19 there's going to be another hearing. And it's our
20 first time -- it's my first time attending this. And
21 we have a young person who is the chair with -- I
22 really appreciate NIRB having an acting chair who is
23 very young, and I hope you continue to keep working
24 together.

25 Yesterday I wanted to say -- yesterday we heard
26 it's like we -- it's like we're not -- we're not

1 supporting, and it's like we were talked to. Like, we
2 didn't hear anyone saying we're not supporting. All of
3 us are supporting. Yesterday when somebody was
4 talking, it was like somebody was saying out there that
5 people are not in support.

6 It's like back in the '60s, '70s. There was an
7 oil -- oil company that wanted to do some work over
8 there, but we stopped them, and they really wanted to
9 do an oil -- there was a -- there was a company that
10 came to our community that wanted to extract oil from
11 the -- our -- near our community. Perhaps maybe in the
12 not too distant future they could -- they may come back
13 and ask to see if they can -- see if they can
14 extract -- or try to see if there's any -- explore for
15 oil and gas.

16 I'm very pleased to have been selected to come to
17 our community. I have three children that live here.
18 They are raising their own families, and I'm very
19 pleased that I was able to raise my questions and
20 comments. I feel like I'm home here in Baker Lake.
21 Everyone's so welcoming in this community.

22 I don't have too -- I don't have too much else to
23 say. Let's try to work to a common goal. We have to
24 help each other. We all live in the same country, same
25 region. Let's try to be proactive. There's a lot of
26 resources in our country, especially up here in the

1 north. We have to ensure that there is -- there are
2 proper plans in place so that everything can work to
3 our advantage. And thank you very much for allowing me
4 to come to this hearing. Thank you.

5 THE CHAIR: Naujaat.

6 Closing Remarks by the Community Representative of
7 Naujaat

8 MS. KATOKRA: Thank you. Conna Katokra, I'm
9 on the HTO. I want to thank Agnico Eagle. I am very
10 pleased. As -- as a group, we want to say thank you
11 for allowing us to come to this hearing regarding
12 Agnico Eagle's Expansion Pit -- Whale Tail Pit
13 Expansion Project.

14 It's too bad that we didn't get to go see the
15 Whale Tail Pit due to caribou migrating. It's very --
16 becomes very difficult at times, and sometimes for us
17 to speak out when the members of this community are not
18 allowed to use the all-weather road and sometimes it
19 gets shut down.

20 I want to also reiterate what our colleague -- or
21 what the people around here were saying to ensure that
22 the transportation corridor will be solved -- resolved.

23 And thank you once again for allowing us to -- or
24 inviting us over here to this hearing. Thank you.

25 THE CHAIR: Rankin Inlet.

26 Closing Remarks by the Community Representative of

1 Rankin Inlet

2 MS. HICKES: Thank you. My name is Martha.

3 I've been working for the Hamlet of Rankin Inlet for
4 over 20 years, and thank you once again for allowing me
5 to represent my community. I'd just like to thank NIRB
6 and the staff and AEM for me to attend the meetings
7 here. I'd just like to say a few things that I wrote
8 down.

9 I am pleased to hear the Kivalliq Inuit
10 Association works closely with Agnico Eagle monitoring
11 Inuit employment and training at the site, and we'll
12 support this any day. One member mentioned to you if
13 the mine can work with family services in the
14 communities to give support to families or employees
15 when their spouses are working at the mine, i.e.,
16 counselling and other services that the office can
17 offer, just a thought, to alleviate ongoing issues that
18 they are having.

19 And for CLARC to work with Hunters and Trappers
20 Organizations in Baker Lake on their ongoing issues
21 with the mines; CLARC to be more involved with Hunters
22 and Trappers Organizations. Kivalliq Inuit Association
23 needs more funds to assist the HTOs on these issues.

24 And one member mentioned yesterday there needs to
25 be more communication given out to the communities in
26 Kivalliq. We have community liaison officers that can

1 be the voice to the public, i.e., radio shows, public
2 meetings, posters. There are many means of
3 communications, and Kivalliq Inuit Association has a
4 communication officer that can do many things to inform
5 the public. I would encourage Kivalliq Inuit
6 Association and Hunters and Trappers Organizations to
7 work closely together for more support to the
8 communities impacted by mining.

9 And this was mentioned twice. If there's an
10 emergency situation during the shipping season in the
11 ocean around Hudson Bay and the route that the ships or
12 barges are using, emergency measures and procedures
13 should be on hand ready to -- for use or something in
14 place in case of oil spill, chemicals, anything that
15 can affect our waters and marine mammals.

16 And then there was a mention of -- from the
17 Elders. They should be considered when naming lands
18 around the mining industry. Go to the local people
19 when they are naming places. The places probably
20 already have names, and outsiders come in and name it
21 another name. That is out of the question. This is
22 Inuit land. They should be respected, and for that, go
23 to the communities and ask first. You have to work
24 with us, not against us. This is our territory. You
25 are working on it. Respect the Inuit that live here.

26 Lastly, Kivalliq Inuit Association work with all

1 of Kivalliq members and hunters and trappers, and,
2 Kivalliq, do up a new memorandum of understanding with
3 Agnico Eagle so that everyone is on the same page for
4 the Inuit of Baker Lake and Kivalliq. Thank you.

5 THE CHAIR: (OTHER LANGUAGE SPOKEN)

6 Closing Remarks by the Community Representative of
7 Whale Cove

8 MS. VOISEY: (LOST AUDIO FEED - OTHER
9 LANGUAGE SPOKEN) -- because the young people have to
10 understand what is going on. We -- we brought some
11 younger people because they have to begin to learn how
12 to -- how to attend meetings, how to attend hearings.
13 We are in favour of seeing the project proposal to go
14 ahead, and we wish the company good will and best
15 endeavours, and we want you to ensure you respect the
16 needs of community, including hunting and their rights.
17 They live off terrestrial wildlife, whereas in our
18 community, we live more off the marine mammals. And
19 the community of Baker Lake, sometimes they fish
20 here -- or they do fish a lot here at the lake.

21 We do not wish to see the road closures.
22 Caribou -- we would like -- we want to ensure that the
23 people that are out there hunting to feed their
24 families to not be told to -- that they can't go
25 hunting here, there, because these people are also
26 trying to survive. They have no other ways to get

1 income, and the income that they do get is very little.
2 So if there's an impact to -- that -- the food that
3 they hunt, they'll be even impacted more.

4 We are told by our Elders never to refuse
5 people -- our people if they should ask for food that
6 they catch, so that's what -- how we -- we live. We
7 share our country food. So please ensure that you take
8 that very seriously. Keep Baker Lake -- the
9 all-weather road starts here in Baker Lake and goes all
10 the way to the Whale Tail Pit, and sometimes there are
11 road closures, like I said. Please ensure that the
12 hunters -- you -- within their rights, are able to hunt
13 from the land. So I want that to be understood. We
14 are in favour of seeing the Whale Tail Pit expansion to
15 be given the green light.

16 It's very difficult these days to just live off
17 the -- off -- off -- off country food, and it's even
18 more difficult to pay for groceries, and the -- and the
19 cost of living is getting very high. It would -- it
20 would be so -- it's so nice and I envy people who are
21 being given the chance to be educated as they work at
22 the mine site. There's mechanics, operators, and
23 people that work with explosives and to work inside the
24 pits and underground. There are many people with a lot
25 of skills that they can learn -- eventually learn as
26 they step into the area of mine -- mining.

1 When we see Inuit, we see -- we see people -- it's
2 like monkey see, monkey do. We -- we learn as we --
3 as -- we can also be educated without doing paperwork.
4 We can train on the job. Even those people that don't
5 have an education can learn as -- as -- as they --
6 as -- as they -- as they work. We have many other
7 things that we are very good at like sewing and being
8 able to survive on the land, and that's how we learn as
9 we're growing up. The mining company -- I want -- I
10 want them to ensure that the wishes of the -- of the
11 community are fulfilled. They want to work.

12 And -- and towards closure, I want to ensure that
13 there is a plan in place for them in case there should
14 be a mine closure. Perhaps -- also if you're going to
15 tender out the equipment that's no longer going to be
16 needed, please keep that open to the communities
17 especially to this community. And ensure that you work
18 in harmony with everyone and ensure that everything is
19 done by way of proper communication with your workers,
20 your employees, because that's the only way that we're
21 going -- you're going to be productive.

22 The animals and the wildlife that's up there, we
23 want to ensure that they are protected, that they're
24 not disturbed as much as possible and ensure that they
25 are not brought closer to the mine site area because
26 once they habitual -- get habituated, they tend to come

1 back for -- come back to an area where there is food
2 readily available to them.

3 Inuit are very clever. We've lived a harsh life,
4 our ancestors have, and we've survived because of them.
5 Inuit and white people, we -- we need to ensure that we
6 work together and cooperatively. I think that that's
7 the way to go. It's -- it would -- it would -- the
8 mine -- mining would good -- would go far if we work
9 together, and it's exciting to see this.

10 And for those of us that are older, we learned as
11 we went along -- we grew up. Some of us never had an
12 education. We just learned as we were growing up. And
13 whatever we knew, we are able to survive. But now
14 there are many opportunities open to the people that
15 work at the -- at the mine.

16 Ensure that our land is kept pristine as much as
17 possible and because of us -- and you're -- you're --
18 you're on Inuit-owned lands. Ensure that the land is
19 respected and taken care of.

20 I will stop here for now. Thank you for giving us
21 this opportunity to be able to raise our questions and
22 make our comments, and thank you to the community of
23 Baker Lake and people that were billeting. I never
24 heard any complaints while we were here. When we go --
25 when we are billeting in the communities, ensure that
26 we give them full respect to wherever we are staying,

1 and ensure that you -- we share what we catch out --
2 out -- out -- out on the tundra, whatever we --
3 whatever -- ensure that we respect the places where we
4 billet.

5 Yes, we are all saying to the Whale Tail Pit
6 Expansion Project as well. Thank you.

7 THE CHAIR: Yes. Thank you very much for
8 voicing your concerns and your comments and what you --
9 what you feel should happen.

10 Thank you to the CIRNAC -- Baker Lake Hunters and
11 Trappers Organization will also be coming back up here
12 to sit so that they can --

13 Intervenors can come up here after the break.
14 Thank you.

15 (ADJOURNMENT)

16 THE CHAIR: NIRB legal counsel.

17 MS. MEADOWS: Thank you, Madam Chair.

18 Teresa Meadows, legal counsel for the Nunavut Impact
19 Review Board.

20 So, Madam Chair, we've been provided with a number
21 of copies of revised terms and conditions, commitments,
22 and additions to submissions that parties have already
23 made to reflect the ongoing discussions that have been
24 taking place amongst the parties throughout this public
25 hearing.

26 And so on that note, I would like to start, Madam

1 Chair, with revised terms and conditions that have been
2 proposed by the Baker Lake HTO. It's my understanding
3 that Agnico Eagle Mines has also been in discussions
4 with the HTO with respect to these revised commitments,
5 and if I can just get -- I'll just have the HTO just
6 speak to them -- you don't have to read them into the
7 record verbatim. We have them in hard copy; we'll mark
8 them as an exhibit. But if you can just talk about
9 what those resolutions are and -- and your confirmation
10 that these commitments are commitments that you're
11 satisfied with.

12 So thank you, Madam Chair, and I will hand these
13 out to you.

14 EXHIBIT 74 - Hard Copy Issues Resolved
15 Between Agnico Eagle Mines Ltd. and Baker
16 Lake (Qamingq'tuaq) Hunters and Trappers
17 Organization (HTO) Date: (Sic August) April
18 29, 2019 (English)

19 THE CHAIR: Baker Lake Hunters and
20 Trappers Organization.
21 Revised Terms and Conditions Proposed by Baker Lake
22 Hunters and Trappers Organization Spoken To

23 MR. BERNAUER: Thank you, Madam Chair.
24 Warren Bernauer for the Baker Lake Hunters and Trappers
25 Organization.

26 Yes. These are two commitments that Agnico Eagle

1 made to the Hunters and Trappers Organization during
2 offline meetings over the past couple of nights.
3 Agnico Eagle has agreed to fund an additional wildlife
4 monitor position for the Baker Lake Hunters and
5 Trappers Organization to allow the hunters and trappers
6 to monitor wildlife and promote responsible wildlife
7 harvesting on the Meadowbank road.

8 Agnico Eagle has also committed to postponing
9 their plans to use convoys of haul trucks during road
10 closures until more information is available and all
11 members of the terrestrial advisory group provide their
12 explicit consent to this pilot project.

13 With these commitments, together with others made
14 to the Government of Nunavut and the Kivalliq Inuit
15 Association, the Hunters and Trappers Organization is
16 satisfied that the project will have acceptable levels
17 of impacts on caribou only. Thank you.

18 THE CHAIR: Agnico Eagle.

19 MS. KOWBEL: Christine Kowbel, legal
20 counsel for Agnico Eagle. We just haven't seen the
21 document that Mr. Bernauer's reading from. And so
22 perhaps we'll go to the other matters and -- unless you
23 have an extra copy that we can see. Thank you.

24 THE CHAIR: NIRB legal counsel.

25 MS. MEADOWS: Thank you, Madam Chair.

26 Teresa Meadows, legal counsel for the Nunavut Impact

1 Review Board.

2 Madam Chair, a copy of the document is making its
3 way over across to Agnico Eagle.

4 So while that takes place, I would like to move on
5 to the additional term and condition -- proposed
6 amendment to Term and Condition Number 51 in the
7 existing project certificate, and if I can have
8 Crown-Indigenous Relations and Northern Affairs Canada
9 come and speak to the amendment that is being proposed
10 by Crown-Indigenous Relations and Northern Affairs
11 Canada. Thank you, Madam Chair.

12 EXHIBIT 75 - Hard Copy Proposed Amendment to
13 Term and Condition Number 51
14 Employment-Socio-economic closure planning
15 (English)
16 Proposed Amendment to Term and Condition Number 51 in
17 Existing Project Certificate Spoken to by
18 Crown-Indigenous Relations and Northern Affairs Canada
19 MR. DEWAR: Matna, Madam Chair. Spencer
20 Dewar, Crown-Indigenous Relations and Northern Affairs
21 Canada.

22 The proposed amendment to Term and Condition
23 Number 51 has to do with employment and socioeconomic
24 closure planning. We're looking to add an additional
25 line to the term and condition, which I'll read out.
26 It's very short, but I think it gives the gist:

1 (as read)

2 The proponent shall advance the
3 recommendation of the conceptual
4 socioeconomic closure plan through the
5 development of a final socioeconomic closure
6 plan that will be part of the Whale Tail Pit
7 project final closure and reclamation plan.

8 What we're trying to achieve there is that there will
9 be a final plan submitted. It won't just be a
10 conceptual plan. Matna.

11 THE CHAIR: Agnico Eagle.

12 MR. QUESNEL: Thank you, Madam Chair. Jamie
13 Quesnel, Agnico Eagle. Yes, we agree to that.

14 THE CHAIR: NIRB legal counsel.

15 MS. MEADOWS: Thank you, Madam Chair.

16 Teresa Meadows, legal counsel for the Nunavut Impact
17 Review Board.

18 Madam Chair, I have an updated NO2 monitoring
19 commitment from Agnico Eagle that perhaps I can get
20 them to speak to as well that they proposed to be
21 marked as the next exhibit.

22 EXHIBIT 76 - Hard Copy Updated NO2 Monitoring
23 Commitment Agnico Eagle Mines (English)

24 THE CHAIR: Agnico Eagle.

25 Updated NO2 Monitoring Commitment by Agnico Eagle

26 MS. KOWBEL: Thank you, Madam Chair.

1 The -- I will just read the -- the wording -- the
2 specific wording of the commitment. The document --
3 the exhibit is titled "Re Updated NO2 Monitoring
4 Commitment", and the commitment is: (as read)

5 Agnico Eagle is proposing the following
6 commitment to update the existing air quality
7 and dust fall monitoring plan. Agnico Eagle
8 will add a second puck to have a duplicate
9 reading at the same monitoring station to
10 develop a threshold trigger for adaptive
11 management for average NO2 concentration in
12 the air quality and dust fall monitoring
13 plan.

14 Thank you, Madam Chair. That's Agnico's commitment.
15 Thank you.

16 THE CHAIR: NIRB legal counsel.

17 MS. MEADOWS: Thank you, Madam Chair.

18 Teresa Meadows, legal counsel for the Nunavut Impact
19 Review Board.

20 And, Madam Chair, as a follow-up to the report
21 that Mr. Sharam referred to and that was filed as an
22 exhibit with respect to the transportation corridors,
23 sort of the low-risk -- low-impact shipping corridors
24 report, they have also suggested that the backgrounder
25 document that is publicly available from Transport
26 Canada be filed in conjunction with that exhibit so

1 that it -- the background to that report makes sense to
2 someone who is looking at the report. And so, Madam
3 Chair, I propose to amend the marking of that exhibit
4 to add this -- this document in to provide the context
5 to that report.

6 So, Madam Chair, with that, I will amend the
7 marking of that exhibit to add this context in as well.

8 MS. MEADOWS: And, Madam Chair, it's my
9 understanding that for the last segment of the revised
10 terms and conditions, that Agnico Eagle and perhaps
11 Government of Nunavut have been working on some revised
12 wording, and I'm not sure if they're prepared to
13 address that yet or with -- whether or not they will
14 address it subsequently. Thank you, Madam Chair.

15 THE CHAIR: Government of Nunavut.

16 MR. PINKSEN: Thank you, Madam Chair. Steve
17 Pinkсен, Government of Nunavut. We'll have to do that
18 during our closing comments. Thank you.

19 THE CHAIR: NIRB legal counsel.

20 MS. MEADOWS: Thank you, Madam Chair.
21 Teresa Meadows, legal counsel for the Nunavut Impact
22 Review Board. And with that, Madam Chair, those are
23 all my procedural matters for now.

24 THE CHAIR: Okay. Now we're going to move
25 on to closing remarks from the registered intervenors.

26 Agnico Eagle.

1 MS. KOWBEL: Thank you, Madam Chair.

2 Christine Kowbel, Agnico Eagle legal counsel.

3 We've now had the opportunity to read the Baker
4 Lake HTO document, and -- and I'd just like to read in
5 the commitment from Agnico because we are giving the
6 commitment. And so I'll just focus on the -- the
7 second part of the document, which is: (as read)

8 Agnico Eagle will fund a second wildlife
9 monitor to monitor the road between Baker
10 Lake and Meadowbank, subject to terms and
11 conditions related to executing the tasks as
12 set up in the job description, which will be
13 worked out between both Baker Lake Hunters
14 and Trappers Organization and Agnico Eagle
15 within 60 days of a positive determination by
16 Nunavut Impact Review Board and the minister
17 of this Whale Tail extension application.

18 Agnico Eagle will postpone the haul
19 truck convoy pilot project until more
20 information is available and all members of
21 the terrestrial advisory group provide their
22 explicit consent.

23 Thank you.

24 THE CHAIR: Okay. On to closing remarks
25 from the registered intervenors.

26 KIA will be first.

1 Closing Remarks by the Kivalliq Inuit Association

2 MR. MANZO: Thank you, Madam Chair. My
3 name is Luis Manzo, Kivalliq Inuit Association. Thank
4 you for the opportunity to present our closing remarks.

5 On behalf of the Kivalliq Inuit Association, I
6 would like to thank everyone who participate in these
7 hearings which was held to -- to consider Agnico
8 Eagle's proposed expansion of the Whale Tail project.

9 The Kivalliq Inuit Association acknowledge the
10 effort of Agnico Eagle to respond to the concerns which
11 we raised. We started this process with a large number
12 of concerns, and we feel that progress has been made to
13 improve the proposed project and hope that continued
14 effort will be made to address our concerns and those
15 of the intervenors.

16 We also thank the other intervenors who work to
17 ensure a strong, effective review of the proposed
18 expansion.

19 The Kivalliq Inuit Association also wishes to
20 recognize and thank the community members and
21 organizations who participated in the review process
22 and provide information and feedback which will help
23 the Board to make an informed decision. Your knowledge
24 is valuable contribution.

25 The Whale Tail project is already operational, and
26 the Kivalliq -- and the Kivalliq Inuit Association have

1 processes in place to monitor effects of the project.
2 If this expansions -- this expansion application is
3 granted, the monitoring will apply to the expansion.
4 As well, the Inuit Impact and Benefit Agreement for the
5 Whale Tail project will continue to apply to the
6 project. We will continue our efforts to engage and
7 inform community members about the project. We will
8 also continue to encourage Agnico Eagle to improve
9 their efforts to train -- to train, employ, and
10 contract with Inuit and to always look for improvements
11 which will help to better protect the environment.

12 KIA will continue in its efforts to represent
13 Inuit and to administer Inuit-owned lands so as to
14 advance Inuit rights and benefits and promote Inuit
15 economic, social, and cultural well-being.

16 Again, we thank the Nunavut Impact Review Board
17 for allowing us to participate, the community of Baker
18 Lake for hosting us, and thanks to all of the
19 participants for their contribution to this process.
20 Thanks, Madam Chair.

21 THE CHAIR: Baker Lake HTO.

22 Closing Remarks by the Baker Lake Hunters and Trappers
23 Organization

24 MR. AKSAWNEE: Thank you, Madam Chair.

25 Richard Aksawnee from HTO.

26 Thank you. The Hunters and Trappers Organization

1 has discussed our outstanding concerns with Agnico
2 Eagles -- Agnico Eagle several times over the past
3 couple of days. During these meetings, Agnico has made
4 several commitments to help address our concerns about
5 the project's impact on caribou. As you heard earlier,
6 they have committed to providing the HTO with funding
7 for an additional road monitor position. This will
8 allow us to monitor wildlife and promote responsible
9 wildlife harvesting on the road between Baker Lake and
10 Meadowbank.

11 Also, they have agreed to postpone their haul
12 truck convoy pilot project until more information about
13 this project is available and all members of the
14 terrestrial advisory group explicitly consent to -- to
15 the project.

16 Other commitments Agnico Eagle has made in
17 response to requests from the Kivalliq Inuit
18 Association and Government of Nunavut also go -- go a
19 long way towards reducing our concerns with the
20 project's impact on caribou. With these commitments,
21 we believe that we can work together to make sure that
22 impacts to caribou are limited to levels that we can
23 live with, especially when we weighed these impacts
24 against the benefits of prolonging employment in our
25 community. We consider our outstanding issues with
26 Agnico Eagle to be resolved.

13 In closing, I would like to thank the Nunavut
14 Impact Review Board staff -- staff and board members
15 for coming to our community. We appreciate the
16 opportunity to participate in this process. I would
17 also like to thank the other intervenors for helping
18 ensure that this project proceeds responsibly. Also,
19 thank you to the community representatives for asking
20 thoughtful questions, and a great big thank you to the
21 interpreters. We know your job is never an easy one.
22 Thank you, Madam Chair.

24 Closing Remarks by the Government of Nunavut

25 MR. PINKSEN: Thank you, Madam Chair. Steve
26 Pinksen, Government of Nunavut.

1 So we have a few submissions that will be hand
2 delivered and/or emailed to Teresa right now, and I'll
3 speak to them just as I go through the opening
4 comments.

5 So on behalf of the Government of Nunavut, we
6 would like to thank the Nunavut Impact Review Board and
7 the Board staff for facilitating this -- this process.
8 It's been very effective and very efficient, and our
9 thanks for your technicians and everybody for keeping
10 it going. We appreciate the proponent for their
11 willingness to engage in discussions to keep the issues
12 moving forward, and we'd certainly like to thank all
13 intervenors, community representatives, and members of
14 the public for their thoughtful presentations,
15 questions, and comments. We certainly would like to
16 thank the hardest working people in the room, the
17 interpreters, for their services and keeping us all
18 understood. And last but not least, I would like to
19 thank our talented and hard-working Government of
20 Nunavut team.

21 The environmental impacts from Agnico Eagle's
22 proposed expansion project, we believe, can be
23 mitigated by full implementation of the commitments
24 made by the proponent and by full implementation of the
25 updated and revised terrestrial environment management
26 plan and, lastly, by everybody's firm commitment to

1 full and active participation in the terrestrial
2 advisory group.

3 We've made a joint submission with Agnico Eagle.
4 It's titled "Appendix A to the Government of Nunavut's
5 Final Written Submission". It strikes and replaces the
6 proposed conditions under Government of Nunavut Final
7 Written Submission 1 and proposes a new condition for
8 Government of Nunavut Submission 4. And those
9 specifically -- the first one, for GN Submission 1, is
10 an enhanced caribou protection measure for caribou
11 approaching the -- the road during sensitive periods,
12 so during the spring and fall migration. And this will
13 entail updates to the terrestrial environment
14 management plan to implement that -- that commitment,
15 and we appreciate that commitment.

16 The second is related to an earlier request, and
17 it's a request that within one year of project
18 certification and prior to the construction of the
19 widened Whale Tail haul road, the proponent will
20 develop a -- a plan for constructing the road in a
21 manner that facilitates caribou movements across the
22 road. And, again, we appreciate that commitment from
23 the proponent.

24 We have several others to briefly run through.
25 For GN Term and Condition Number 7, which amends
26 Commitment 51, is changes to the workplace transition

1 plan. And it's intended to ensure a smooth transition
2 at the end of the Whale Tail Expansion Project -- at
3 the end of the project.

4 The next was some changes to GN 08, which is
5 regarding gender-specific monitoring initiatives, and
6 there were some minor changes to that, compared to our
7 initial submission.

8 And commitment related to GN 06 was a commitment
9 to adding communications on the haul road to their
10 current Meadowbank road communication protocols. And
11 that is to ensure the safety of road users. And,
12 again, that was agreed to.

13 Two more quick ones. AEM agrees to update the
14 discrimination and harassment policy and -- in the
15 guidelines and review these annually. That's related
16 to GN 09.

17 And lastly was GN Technical Review Comment 13,
18 which was regarding priority hiring. And, again,
19 Agnico agreed to that one.

20 We understand that Agnico has committed to
21 delaying the haul truck convoy pilot that was planned
22 for this year, and we appreciate that, and we look
23 forward to discussing that for future years, possibly,
24 at the terrestrial advisory group.

25 Many parties have expressed concerns that there is
26 uncertainty regarding the haul road's and any road's

1 potential impacts on migrating caribou, and we
2 reiterate that we feel that there's a need for enhanced
3 collar data, and we're going to be working hard to work
4 with all parties to ensure that gets carried out in the
5 coming years.

6 Overall, the Government of Nunavut feels that with
7 proper mitigation and full implementation of terms and
8 commitments and the terrestrial environment management
9 plan, that the impacts of the project can be
10 effectively mitigated.

11 Thank you.

12 THE CHAIR: NIRB legal counsel.

13 MS. MEADOWS: Thank you, Madam Chair.

14 Teresa Meadows, legal counsel for the Nunavut Impact
15 Review Board.

16 So, Madam Chair, we have three documents that have
17 been provided to us in hard copy that consist of a
18 listing of the terms and conditions that were
19 discussed -- revised terms and conditions that were
20 discussed, commitments that were discussed, and then a
21 joint submission that -- that provides context around
22 both of those -- both of those documents. And I
23 propose to file those as the next three exhibits in
24 this public hearing. Thank you, Madam Chair.

25 EXHIBIT 77 - Hard Copy Joint Submission on
26 Commitments Agnico Eagle Mines Ltd. and the

1 Government of Nunavut (English)
2 EXHIBIT 78 - Hard Copy Joint Submission on
3 Suggested Terms and Conditions Agnico Eagle
4 Mines Ltd. and the Government of Nunavut
5 (English)

6 EXHIBIT 79 - Hard Copy Appendix "A" The
7 Government of Nunavut Revised Recommended
8 Terms and Conditions (English)

9 THE CHAIR: Agnico Eagle.

10 MS. KOWBEL: Thank you, Madam Chair.

11 That's -- we have nothing further. Thank you.

12 THE CHAIR: Closing remarks from CIRNAC.

13 Closing Remarks by Crown-Indigenous Relations and
14 Northern Affairs Canada

15 MR. DEWAR: Matna, Madam Chair. Spencer
16 Dewar, Crown-Indigenous Relations and Northern Affairs
17 Canada.

18 On behalf of my department, I'd like to thank the
19 community of Baker Lake for welcoming us and hosting
20 this hearing. Many thanks to the Nunavut Impact Review
21 Board and the Board staff for organizing and seamlessly
22 running this hearing. I'd like to commend Kaviq on a
23 great job as Chair. I also want to give special thanks
24 to our two interpreters who have patiently translated
25 the discussions to ensure effective participation for
26 everyone. I would also like to thank the community

1 representatives and Elders that are here with us from
2 Arviat, Baker Lake, Chesterfield, Coral Harbour,
3 Naujaat, Rankin Inlet, and Whale Cove. I truly
4 appreciated hearing your questions and the sharing of
5 your knowledge during this hearing. I'd also like to
6 thank Agnico Eagle and the fellow intervenors,
7 including the team we have here with Crown-Indigenous
8 Relations and Northern Affairs Canada.

9 To date, Crown-Indigenous Relations and Northern
10 Affairs Canada has participated in all stages of this
11 Board's process. Over the course of the process, we've
12 identified a series of potential concerns related to
13 the project's impacts on the biophysical and
14 socioeconomic environment. Agnico Eagle has provided
15 information and agreed to commitments that have
16 addressed all of our department's concerns at this
17 stage of the process. Sorry. Should this project be
18 approved, Crown-Indigenous Relations and Northern
19 Affairs Canada will fully participate in the water
20 licencing process led by the Nunavut Water Board. If
21 the project receives an approved water licence and
22 proceeds to operation, CIRNAC -- Crown-Indigenous
23 Relations and Northern Affairs Canada will monitor and
24 inspect and enforce the terms and conditions of the
25 NIRB -- of the Board's project certificate and the
26 Nunavut Water Board's water licence in such a way as to

1 minimize environmental impacts and maximize
2 socioeconomic benefits. (OTHER LANGUAGE SPOKEN)

3 THE CHAIR: Environment Canada.
4 Closing Remarks by Environment and Climate Change
5 Canada

6 MS. PINTO: Thank you, Madam Chair.
7 Melissa Pinto, Environment and Climate Change Canada.

8 Thank you to the Nunavut Impact Review Board for
9 allowing us to participate in this environmental
10 assessment process; to Nunavut Impact Review Board
11 staff, for all of their hard work in putting together
12 this hearing; to the community members for coming and
13 providing their questions and comments; and to all of
14 the other parties, including the proponent and other
15 intervenors for being here and participating in the
16 Whale Tail Expansion Project hearing this past week.

17 A big thank you goes out to the community of Baker
18 Lake for the warm welcome and their hospitality, and a
19 big thank you to the interpreters for their hard work
20 with keeping up with the discussions over this past
21 week.

22 With regards to the outstanding air quality
23 monitoring issue, Environment and Climate Change Canada
24 continues to recommend that the proponent conduct
25 active continuous nitrogen dioxide monitoring and the
26 term and condition put forward in our presentation. We

1 look forward to continuing our participation in this
2 environmental assessment process and look forward to
3 the Nunavut Impact Review Board's decision on the Whale
4 Tail Pit Expansion Project. Thank you.

5 THE CHAIR: Fisheries and Oceans Canada.
6 Closing Remarks by Fisheries and Oceans Canada

7 MR. JANOWICZ: Thank you, Madam Chair. Marek
8 Janowicz with Fisheries and Oceans Canada.

9 Fisheries and Oceans Canada would like to thank
10 the Nunavut Impact Review Board for organizing the
11 final public hearing for the Whale Tail Expansion
12 Project proposal and for giving us the opportunity to
13 present our technical comments, outstanding items, and
14 recommendations.

15 Fisheries and Oceans noted a number of concerns in
16 our final written submission and presentation, most of
17 which involved the need for additional information
18 respecting downstream water levels, site-specific
19 information to ensure fish passage requirements are met
20 for all water crossings over fish-bearing watercourses.

21 Fisheries and Oceans Canada also recommended that
22 the proponent work with DFO and other parties,
23 including community members and the KIA, to improve
24 their marine mammal and seabird observer program in an
25 effort to improve its effectiveness. Agnico Eagle
26 Mines has agreed to all of our recommendations and

1 committed to providing the requested information during
2 the regulatory phase.

3 In addition, should a Fisheries Act authorization
4 be issued for the project, the authorization will
5 contain specific conditions to ensure that mitigation
6 measures for the protection of fish and fish habitat
7 are implemented, that any additional residual fish or
8 fish habitat losses are identified and adequately
9 offset, and that monitoring capable of demonstrating if
10 impacts have been adequately mitigated and offset is
11 carried out.

12 In closing, Fisheries and Oceans Canada would also
13 like to thank the other intervenors, all the
14 participants from the Kivalliq region. I would also
15 like to give a special thanks to the community of Baker
16 Lake for incredible hospitality during the meeting.

17 Finally, we would like to acknowledge the Board
18 staff, the interpreters, sound technician, and those
19 who work so hard to provide us with coffee, tea, and
20 snacks. Thank you very much. Safe travels. Matna.

21 THE CHAIR: Health Canada.

22 Closing Remarks by Health Canada

23 MR. PARTRIDGE: Thank you, Madam Chair. Paul
24 Partridge, Health Canada.

25 On behalf of Health Canada, I would like to thank
26 the Nunavut Impact Review Board and its staff for the

1 opportunity to participate in this review process in
2 this week's hearing. I would also like to thank the
3 community representatives, residents of Baker Lake,
4 intervenors, and Agnico Eagle and their team for their
5 participation, questions, and comments over the last
6 four days. Thank you to the interpreters for all of
7 your hard work, and thank you to the community of Baker
8 Lake for hosting us during the hearing.

9 In closing, Health Canada still has an outstanding
10 issue with the proponent's previously and proposed
11 approaches to passive sampling for NO₂, as passive NO₂
12 sampling only allows for the measurement of 24-hours
13 and/or annual average concentration. In order to
14 collect suitable NO₂ measurements, including
15 measurements for a one-hour averaging time that can be
16 evaluated against the Nunavut Ambient Air Quality
17 Standards and the Canadian Ambient Air Quality
18 Standards, continuous monitors should be used. Health
19 Canada supports the Board's consideration of
20 Environment Climate Change Canada's proposed term and
21 condition on NO₂ monitoring.

22 Lastly, I would like to provide a point of
23 clarification regarding the concentration of arsenic in
24 fish reported in the 'H' -- in the human health risk
25 assessment. As we have mentioned in our final
26 submission presentation and our response to the

1 questions, Health Canada has noted that Agnico Eagle
2 Mining's [sic] predicted arsenic concentration in fish
3 appears to be better than the arsenic concentration in
4 fish found in the Canadian market. As stated in our
5 presentation and final submission, Health Canada does
6 not have the expertise to evaluate these predicted
7 values and assumes these are correct. Given the
8 predicted concentration of arsenic, Health Canada
9 raised this as an issue, and Agnico Eagle Mining
10 Limited has confirmed that actual arsenic
11 concentrations will be measured in fish to confirm that
12 their predictions are accurate.

13 Thank you very much.

14 THE CHAIR: NRCan.

15 Closing Remarks by Natural Resources Canada

16 MR. UNGER: Thank you, Madam Chair. Good
17 evening. My name is Peter Unger, and I work for
18 Natural Resources Canada, also known as "NRCan".

19 First and foremost, I would like to thank the
20 interpreters. Their endurance and diligence will
21 always have my admiration. I'd also like to thank
22 Agnico Eagle for their responsiveness and all the
23 information they have provided. I would like to thank
24 the other intervenors for their presentations, but I
25 would like to especially thank the community
26 representatives. I very much appreciated hearing your

1 perspectives on this project. Thank you. I would like
2 to give a special thanks to the NIRB staff and the NIRB
3 for running an excellent hearing and the community of
4 Baker Lake for hosting me. Thank you.

5 NRCan is satisfied that there is sufficient
6 information on permafrost and groundwater for this
7 stage of development. However, NRCan is supportive of
8 further measures to characterize the hydrogeological
9 regime of the project site and supports the gathering
10 of further hydrogeological data, whether this be
11 through additional groundwater monitoring wells or
12 other means. NRCan is also supportive of robust
13 monitoring to ensure that hydrogeological impacts are
14 tracked.

15 Given NRCan's lack of a regulatory role related to
16 hydrogeology or groundwater, NRCan defers to the
17 regulators, the terms set forth in the water licence
18 for the original Whale Tail project, and the water
19 licence to be issued for the expansion for specific
20 direction on monitoring frequency.

21 NRCan appreciates the opportunity provided by the
22 Nunavut Impact Review Board to participate in this
23 process. Matna.

24 THE CHAIR: Agnico Eagle.

25 Closing Remarks by Agnico Eagle Mines Limited

26 MR. QUESNEL: Jamie Quesnel, Agnico Eagle.

1 Thank you, Madam Chair.

2 I'm going to start my remarks with some very
3 important thank yous. First, a big thank you to our
4 host community Baker Lake. You're not only the host
5 community for this hearing, you are the community that
6 is closest to the mine. We thank you for your
7 hospitality and your full participation in this
8 hearing.

9 We also want to thank all of the Elders, community
10 members, and intervenors that have attended this
11 hearing. We appreciate the contributions you have made
12 to help make the Whale Tail expansion a better project.

13 A special thank you to interpreters for making
14 sure that we all understand each other's point of view.

15 Thanks also to the court reporters for keeping a
16 careful record of these hearings so people remember
17 what was said here this week.

18 I'm going to just go over a few key points that we
19 request that the Nunavut Impact Review Board keep in
20 mind while you are writing your recommendation report.
21 Madam Chair, I am proud to say that as a result of the
22 hard work of those around the table, as well as our
23 colleagues that were not able to join us today, we have
24 been able to resolve nearly all the issues raised by
25 the intervenors. Key issues such as wildlife, water,
26 waste, risk assessment, fish, the marine environment,

1 socioeconomics, the key issues of intervenors have all
2 been resolved. This was something that was confirmed
3 by the intervenors in the final written submissions and
4 presentations to you during these hearings.

5 We have also filed exhibits with you that show how
6 we have been able to agree with intervenors on the
7 commitments and terms and conditions that addressed
8 their outstanding concerns.

9 We are aware of only one outstanding issue. For
10 this one issue, we have filed a proposed commitment
11 with you that we think presents a reasonable path
12 forward. I have organized my closing remarks for you
13 today by topic.

14 The first topic, the expansion project is building
15 on the strong foundation of the existing Meadowbank
16 mine and the approved Whale Tail project. First, I
17 want to emphasize that this is not a new project. This
18 is an expansion of an existing project that was
19 assessed and approved by the Nunavut Impact Review
20 Board only 17 months ago.

21 Secondly, we already have a very robust set of
22 terms and conditions that apply to this project. There
23 are 44 terms and conditions from the Meadowbank project
24 certificate that apply to the Whale Tail project.
25 Further, there are also an additional 64 standalone
26 terms and conditions from the Whale Tail project

1 certificate that are applicable to the Whale Tail
2 project. In addition, we have received the operating
3 permits for the Whale Tail project as well, and robust
4 monitoring and mitigation plans are in place and have
5 already been filed with the Nunavut Impact Review
6 Board.

7 Agnico's proud of its long, successful operating
8 history in Nunavut. We constructed a Meadowbank mine
9 in 2007 and have been operating the Meadowbank mine
10 since 2010 -- 2010. In addition, we've been
11 constructing the Whale Tail approved project since
12 July 2018. The learnings and the experience we have
13 gained throughout this time have been brought to bear
14 in planning and designing the Whale Tail Expansion
15 Project. If the project is approved, this experience
16 will also inform the construction and operation of the
17 Whale Tail Expansion Project.

18 We heard many specific questions from the
19 communities on a number of topics such as
20 archaeological, helicopters, water and waste, wildlife
21 matters, and the marine area, as well as other topics.
22 We hope our answers helped the community members to
23 understand.

24 I just wanted to emphasize again that the Nunavut
25 Impact Review Board approved measures that apply to all
26 of these items that are -- that are in our existing

1 project certificates for both the Meadowbank mine and
2 the Whale Tail Pit. There are no changes to our
3 approach to any of these items as compared to the
4 existing approvals for the Meadowbank mine and/or the
5 Whale Tail project approval issued by the Nunavut
6 Impact Review Board, again, just 17 months ago.

7 Many of the topics discussed during the community
8 sessions were part of our robust environmental
9 assessment for the Meadowbank mine and the approved
10 Whale Tail project. We will continue to operate
11 following the very high standard that has already been
12 set by the Nunavut Impact Review Board.

13 The second topic, the Whale Tail Expansion Project
14 will help the Whale Tail mine keep contributing to the
15 community. Our first priority always is to keep all of
16 our employees and contractors safe and healthy. We
17 have worked very hard to make the Meadowbank and Whale
18 Tail sites safe and enjoyable places to work. We are
19 very proud of our safety record, and we thank all our
20 employees and contractors for their ongoing commitment
21 to this.

22 We might be a gold mine, but really our most
23 important resource is our people. As mentioned, we
24 have over 1,400 employees and contractors working at
25 the Meadowbank and Whale Tail Pit operations. Over
26 30 percent of Agnico Eagle Meadowbank and Whale Tail

1 employees are Inuit, and more are working for
2 contractors. These workers earn wages that contribute
3 to the well-being and security of their families and
4 communities. We invest in our employees by providing
5 them with training and education to upgrade their
6 skills. This creates opportunities for our employees
7 now and also gives them transferable skills that may
8 lead to other opportunities. We value our employees
9 greatly.

10 We are also very proud to work with the mine
11 contractors from the Kivalliq region that support the
12 mine. I want to acknowledge the important
13 contributions that these numerous Inuit-owned
14 businesses make to the mine. We are pleased to play a
15 small part in this -- in the success of these
16 Inuit-owned businesses because they play an important
17 role in our success.

18 In 2018, 65 percent of our spend for the
19 Meadowbank and Whale Tail projects was with
20 NTI-registered businesses. Last year, approximately
21 \$38 million in expenditures were in Baker Lake
22 businesses alone. Agnico Eagle has the highest
23 proportion of spend with the Indigenous businesses of
24 all the mining companies in Nunavut.

25 The Whale Tail Expansion Project would continue
26 these important employment and contracting

1 opportunities by continuing the existing operations for
2 another four years on top of the existing approved four
3 years of mine life. This means another four years of
4 employment, another four years of contracting
5 opportunities, and another four years of working
6 together.

7 Next topic. Agnico believes in working together.
8 A very important part of Agnico's work is the work we
9 do together with the Kivalliq Inuit Association, the
10 Baker Lake Hunters and Trappers Organization, NTI, and
11 others. These relationships are very important to
12 Agnico. The collaboration we have done with these
13 groups have greatly improved the existing mine and the
14 proposed project. For example, we work closely with
15 these groups to develop important management plans such
16 as the terrestrial ecosystem management plan that helps
17 to mitigate impacts to caribou and other land animals.

18 As with any relationship in life, at times there
19 can be challenges. We are always looking at other ways
20 to improve the meetings with collaboration we have with
21 the community to share information, especially on
22 issues that community has told us are very important to
23 them such as dust and caribou.

24 You heard from the hunters and trappers that we
25 have really come a long way in communication with them
26 since the last meeting. We know there -- that there is

1 always room for improvement, and we're going to work
2 together even more on that. But we want to thank the
3 Hunters and Trappers Organization and the Kivalliq
4 Inuit Association for being present this week during
5 the full hearing, including the community meetings
6 giving us feedback and helping us grow this
7 relationship and for the support of this project.

8 Next topic. Agnico Eagle takes a very
9 precautionary approach to the environment. We fully
10 and completely recognize the importance of caribou to
11 the people. Ever since Agnico first came to Baker Lake
12 and the Kivalliq, we have heard the passion in people's
13 voices whenever they discuss caribou. Throughout the
14 Nunavut Impact Review Board hearing this week,
15 especially during the community sessions, we heard from
16 people about their concerns regarding caribou, and we
17 hope we have addressed them.

18 I want to emphasize Agnico Eagle treats
19 traditional knowledge as fact. It is at the centre of
20 all we do to protect caribou. Science can only tell us
21 so much. We thank all the Elders and community members
22 that shared traditional knowledge and experience with
23 us during the community hearings, and we will take that
24 vital information back to our project team.

25 Over the past several years, Agnico has worked
26 very diligently with the terrestrial advisory group

1 members, the Hunters and Trappers, the Kivalliq Inuit
2 Association, Government of Nunavut, and Agnico to
3 develop and implement detailed caribou protection
4 measures and record them in the terrestrial ecosystem
5 management plan. This is an approach that has
6 collaboration at the centre and that has been working
7 well. The terrestrial advisory group has been
8 extremely active, and as a result, the terrestrial
9 ecosystem management plan has been revised and approved
10 several times in the past few years. Everyone shares a
11 goal of minimizing impact on caribou.

12 Agnico shares the views expressed by Government of
13 Nunavut that when properly managed, our roads will have
14 a minimal impact on the caribou. However, we need to
15 build a base to measure effectiveness of controls for a
16 longer period of time.

17 The Government of Nunavut presented several
18 animations of caribou movements to show the annual
19 movements of all herds in eastern Nunavut which were
20 helpful to provide a bigger picture of annual caribou
21 movements. It is important to understand not only what
22 is happening when the caribou interact with the roads
23 but also understand why.

24 During the community session, Madam Chair asked a
25 question regarding the possibility of correlating
26 hunting activity on the roads to caribou movements.

1 Government acknowledged that it did not know what was
2 causing the caribou to react to the road. The chair of
3 the Hunters and Trappers Organization acknowledged that
4 the impact of the road was not only from Agnico
5 activity, but also from hunting, musk ox, and other
6 predators.

7 Several participants, especially during the
8 community session, expressed concerns about the ability
9 to hunt along or near project roads. There was
10 reluctance to see any restriction on Inuit harvesting.
11 We heard yesterday from community members of Baker Lake
12 Hunter and Trapper Organization and Board members that
13 there are several factors that influence caribou
14 movement and behaviour.

15 There may be other factors that influence
16 behaviour along the road as well. If you look at the
17 video very closely, as suggested by the Government of
18 Nunavut, one of the observations that we are concerned
19 with as shown on the video is that on April 30th and
20 May 1st in 2018, the Government of Nunavut collared
21 several caribou near to, almost on, the all-weather
22 access road and Whale Tail haul road. The caribou were
23 therefore collared during the spring migration
24 sensitive season defined in the terrestrial
25 socioeconomic management plan. These deployments as
26 defined by the Government of Nunavut involved the use

1 of low-flying helicopters, net gunning the caribou, the
2 helicopter landing, and three people handling the
3 caribou before it is released. All this happened on or
4 very near our all-weather access road during the spring
5 migration. We would suggest that the disturbance
6 associated with collaring caribou so close to the
7 project roads may well also have had some negative
8 effect on caribou behaviour. You have to ask yourself:
9 Can this cause a deflection and stress around our
10 all-weather access road? As the Government of Nunavut
11 stated, something was occurring along our all-weather
12 access road in 2018. We hear from the Government of
13 Nunavut that caribou should cross the road. However,
14 the active deploying collars may be altering the very
15 behaviour it is trying to monitor.

16 The Government of Nunavut acknowledged this collar
17 analysis was new analysis and they were just getting
18 going and they don't have all the answers yet. It is
19 clear that more work needs to be done at the
20 terrestrial advisory group. Agnico is committed to
21 continuing these discussions with the caribou experts
22 at the terrestrial advisory group to achieve reasonable
23 solutions.

24 As you heard yesterday and this morning, Agnico
25 has made several additional commitments relating to
26 caribou as a result of discussions this week. I would

1 like to emphasize that these commitments should not be
2 adopted by the Board as terms and conditions should it
3 decide to recommend the project. Specific caribou
4 mitigations should not appear as project terms and
5 conditions because, as you heard, we are always
6 gathering more traditional knowledge, scientific data,
7 and operational experience that can mean the
8 mitigations described in the terrestrial advisory group
9 should be adjusted.

10 Existing air quality monitoring methods are robust
11 and appropriate to the project. As you heard during
12 our atmospheric presentation, we have been able to come
13 to agreements with Environment and Climate Change
14 Canada on nearly every issue within the regulatory
15 oversight. We appreciate the significant time they
16 have spent working with us to reach a very high degree
17 of consensus on most issues within their jurisdiction.

18 Agnico and Health Canada both agree on -- on the
19 important thing: The risk assessment of NO2 generated
20 from the expansion project. The one disagreement
21 remaining is related to the type of equipment we use in
22 future -- that we use in future for air quality
23 sampling. As mentioned during the hearing, the
24 equipment proposed by Environment Canada and Health
25 Canada does not work effectively in Iqaluit, and more
26 study is required.

1 With respect to the topic of field research on the
2 effectiveness of passive air quality samplers, an
3 appropriate location for that research would be at the
4 continuous hourly air quality sampling station
5 currently operated by Government of Nunavut and
6 Environment and Climate Change Canada in Iqaluit.

7 I would like to say a few things about the fear of
8 risk versus the signs of risk. When people hear that
9 NO2 presents a risk, people are understandably
10 concerned. However, let me try to put that in
11 perspective. We all breathe NO2 every day. The
12 science behind a risk assessment as well as the
13 traditional knowledge about Inuit use of the area makes
14 us confident that Inuit vegetation and country foods
15 will remain safe.

16 While we do not think there is any observed risk
17 to the community on this issue, we made sure to have
18 our entire team, including health and air quality
19 experts, available to the community members and to the
20 Board to answer any question they may have on this
21 topic. There's no more important place for us to be in
22 Canada this week than here with you in this hearing
23 room.

24 The Nunavut Ambient Air Quality Guidelines are
25 made a Nunavut air quality standard, and we are
26 required to follow these. The expansion project

1 modelling, which Environment Canada agrees with,
2 predicts we will meet these guidelines. We are of the
3 view that these are a much more appropriate reference
4 than the Canadian Ambient Air Quality guidelines, which
5 is non -- which is a nonbinding guideline that is not
6 designed to regulate individual industrial projects.

7 Our air quality expert has told us the continuous
8 actively hour -- hourly NO2 samplers are not a good
9 choice for the expansion project. As requested by
10 Environment Canada, our Nunavut Impact Review Board
11 approved air quality management plan is going to be
12 updated to add an NO2 threshold, which would be a
13 trigger for environmental management. We have also
14 made a commitment, as you heard, to add another puck to
15 our monitoring so that we have two pucks collecting
16 data to compare against each other.

17 When Environment Canada is talking about
18 monitoring, it is more about monitoring regional air
19 quality. In this case, the region is the whole of
20 Nunavut. That is another one of the reasons that we
21 say the Canadian Ambient Air Quality Standards are not
22 an appropriate standard for this project.

23 A very small temporary increase in NO2 from the
24 expansion project would not make any measurable changes
25 to the air quality of Nunavut as a whole. If
26 Environment Canada is interested in monitoring regional

1 air quality, there are much more appropriate locations
2 for Environment Canada to install a continuous active
3 air monitoring [sic] for that purpose, in populated
4 areas such as Baker Lake or in Iqaluit to have a second
5 unit. It is not appropriate for Environment Canada to
6 ask Agnico to take on this role.

7 Next topic is unnecessary shutdowns on the road
8 threaten the ability of the mine to operate
9 sustainably. As we explained during the community
10 meeting yesterday, Agnico is a gold mine company, and
11 we need to move people, materials, and ore to operate.
12 Any shutdown of the haul road creates a very serious
13 challenge for Agnico because the ore that is being
14 extracted from the Whale Tail Pit cannot be transported
15 down the haul road to the middle of Meadowbank. During
16 a road shutdown, Agnico still has to pay for all the
17 workers and supplies if people cannot work. Shutdowns
18 of roads, both the Whale Tail haul road and the
19 all-weather access road, happen. For example, the
20 Whale Tail haul road was shut down as follows: In
21 2017, four days during the fall migration; in 2018 --
22 excuse me -- in 2018, after many revisions of the
23 terrestrial ecosystem management plan, 30 days --
24 32 days during the spring migration; in 2019, with
25 additional changes to our terrestrial ecosystem
26 management plan for 41 days, including 33 days during

1 the spring migration, plus another 8 days of road
2 closure between the sensitive seasons, and this latest
3 closure is still ongoing at this time.

4 The Meadowbank all-weather access road was shut
5 down as follows: In 2016, 1 day during the spring
6 migration; 2017, 12 days during the fall migration; in
7 2018, 21 days, including 20 days during the spring
8 migration, and 1 day during the fall migration; in
9 2019, 30 days during a spring migration, and we expect
10 there would be further closures during the fall
11 migration.

12 As you can see from this summary, the number of
13 days of shut down has been increasing each year.
14 There's a limit to how often the road can be shut down.
15 The mine is not a research project. It costs real
16 money that can affect real people that have dreams that
17 they want to fulfill. We have viewed signs,
18 traditional knowledge, and IQ principals to develop our
19 framework to build, operate, and close the mine.

20 We heard about the hardships that have occurred in
21 the past. We heard about people -- how people like the
22 economy now. We heard about the celebrations. We
23 heard about the concerns about using collars on caribou
24 to obtain data where traditional knowledge or IQ may be
25 the path forward. We heard about the additional funds
26 that are being introduced to the community. We heard

1 that we may be going backwards with the controls and
2 fears.

3 If the balance is not correct and we are managing
4 fears of impacts and unreasonable controls, then the
5 business model for the Meadowbank complex can fail.
6 Agnico Eagle takes protection of the caribou very
7 seriously. However, it is also important to keep the
8 haul road open and operating whenever it is possible to
9 do so without disturbing the caribou and allow the
10 Inuit men and women to continue receiving training and
11 economic benefits from the mine operation.

12 We ask Nunavut Impact Review Board to continue to
13 take these -- this essential balance into account, as
14 they did when they recommended that the Minister
15 approve the Whale Tail project 17 months ago.

16 Next topic: Timelines. With respect to
17 timelines, we want to say that we appreciate the
18 dedication of the Board and the board staff in issuing
19 the reconsideration report in a timely way. We know
20 the Board tries to issue its report within 45 days of
21 close of record and has consistently achieved those
22 timelines. We know it is a big task, and your work is
23 just beginning as this hearing draws to a close.

24 What we have to say about this -- the topic of
25 timelines is not only directed to the Board but rather
26 the interveners should -- the Nunavut Impact Review

1 Board make a positive recommendation to the Minister.
2 We want to, again, emphasize a high degree of agreement
3 on this project. If there is a positive Nunavut Impact
4 Review Board report, we do not see any barriers to a
5 quick decision by the Minister, and we encourage --
6 encourage the federal family in the northern projects
7 management office to support the Minister's decision in
8 a timely way.

9 We are also very aware of the federal election and
10 want to say that regardless of the outcome of the
11 election, we do not want to see any delays in approving
12 such an important project for Nunavut, the Kivalliq
13 region, and the community of Baker Lake.

14 We're asking for permission to implement this
15 project as soon as possible, and we ask for a
16 ministerial decision before the end of 2019 so that we
17 have the Nunavut Impact Review Board's direction before
18 the Nunavut water board hearings' anticipated to
19 proceed in January 2020. Given the short windows
20 available to us due to the harsh arctic climate, those
21 timelines are essential to this project.

22 In conclusion, Agnico Eagle, we have five core
23 values of trust, respect, equality, family, and
24 responsibility. As mentioned earlier this week, we
25 feel these core values link well with the core values
26 of IQ, including respecting others, fostering good

1 spirits by being open and inclusive, providing for
2 family, decision-making through consensus, development
3 skills through observation and practice, working
4 together for a common cause, being innovative, and
5 respect and care for the land.

6 We heard Peter Tapatai speak passionately
7 yesterday about community members being able to stop
8 relying on social assistance and that people can dream
9 of a better life. We agree with Mr. Tapatai that this
10 project can help Agnico to support people's dreams. We
11 respectfully ask that the Nunavut Impact Review Board
12 recommend that the Minister approve the Whale Tail
13 Expansion Project.

14 Madam Chair, we appreciate all of the good
15 discussions we had this week on these important topics.
16 That concludes my closing remarks. Safe travels to
17 everyone that's travelling, and I hope everyone enjoys
18 a break, some family time, being outdoors, and time on
19 the land. Matna.

20 Closing Remarks by The Chair

21 THE CHAIR: Thank you to all of the
22 parties for the closing remarks.

23 That concludes the public hearing for the Nunavut
24 Impact Review Board's assessment of Agnico Eagle Mines
25 Limited's Whale Tail pit expansion proposal related to
26 the Whale Tail gold mine project, NIRB File 16MN056.

1 As I noted when we started this public hearing,
2 the Nunavut Impact Review Board has considered numerous
3 written submissions, heard evidence, asked questions,
4 and listened to comments and concerns regarding Agnico
5 Eagle's assessment of the potential effects of the
6 Whale Tail pit expansion proposal.

7 On behalf of the Nunavut Impact Review Board, I
8 would like to thank the proponent and all the
9 interveners for their participation leading up to this
10 public hearing and their presentations, comments, and
11 questions provided to us over the course of two days
12 here in Baker Lake. The Board is grateful for your
13 participation, advice, and responses to questions.

14 The Board would also like to recognize the
15 significant contribution of the community
16 representatives who helped make the community
17 roundtable a success. The Board appreciates all
18 community representatives and members of the public
19 sharing their time, stories, and thoughts on the
20 amendment with us. You have given us a lot to think
21 about, and we appreciate your important contributions
22 to the Board's consideration of this amendment.

23 We hope you enjoyed your time spent with us in
24 Baker Lake, and we wish everyone safe travels as you
25 return home. We would also like to thank the community
26 of Baker Lake for hosting us this week.

1 I would like to turn the microphone to Ryan Barry,
2 the board's executive director, for some specific thank
3 yous on the Board's behalf.

4 Closing Remarks by the Nunavut Impact Review Board
5 Staff

6 MR. BARRY: Thank you, Madam Chair. Ryan
7 Barry, Nunavut Impact Review Board staff.

8 And I realize I'm standing in the way of supper,
9 so I'll try to be brief.

10 On behalf of the Nunavut Impact Review Board, we
11 would like to offer our thanks to the following
12 individuals and groups: Thank you first and foremost
13 to the community of Baker Lake for, again, welcoming
14 all the visitors to town so warmly these past few days.

15 A special thanks to the team at the community hall
16 who helped to plan this event months in advance and who
17 assisted with setup and cleanup each day.

18 Thanks also to the North Mart who provided the
19 wonderful food and catering support throughout the
20 week.

21 Thank you to our environmental technician, Brydon,
22 for managing the audio system, to our court reporters,
23 Christy and Andres, for helping keep the public record
24 for us, and, of course, for our interpreters, Josie and
25 Mary. Each of these individuals helped to ensure that
26 everyone who spoke could be heard and understood with

1 the words reported -- recorded rather on the public
2 record.

3 As many have referenced, that's a not an easy job.
4 We have kept long hours while often discussing very
5 technical topics. Each of you demonstrated continued
6 patience and professionalism throughout these long
7 days. So I'd ask everyone to please join me in
8 thanking them with a round of applause.

9 So our court reporters and interpreters have also
10 asked me to pass along their thanks to you, all of you,
11 for taking the time to spell out your names, for
12 speaking slowly and clearly so that they could make
13 sure that the record is complete and accurate.

14 Thank you to all of the government departments,
15 the organizations, and other groups who have
16 participated throughout this assessment and during this
17 public hearing. We have seen a tremendous amount of
18 effort undertaken by all participants in this
19 assessment. Your submissions, comments, and advice
20 have been greatly appreciated throughout. Please note
21 that the Board will carefully consider all of the
22 evidence that's been provided to it for this
23 assessment.

24 We also truly appreciate the efforts made by
25 everyone to demonstrate their respect for Inuktitut and
26 for community members throughout these proceedings by

1 providing translated materials and for trying your best
2 to pronounce important terms like Inuit
3 Qaujimajatuqangit.

4 A special thank you, also, to Crown-Indigenous
5 Relations and Northern Affairs Canada for supporting
6 community participation through their participant
7 funding program. The Nunavut Impact Review Board
8 appreciates that many of the participants had to travel
9 great distances from home to attend these meetings here
10 in Baker Lake. It's our hope that by being here in
11 person you'll be leaving with a greater appreciation
12 for the land and for the people in this region.

13 By participating directly, you will have witnessed
14 the importance of public engagement of talking to the
15 Elders and the youth such that their views can be heard
16 and ensuring that local knowledge and Inuit
17 Qaujimajatuqangit are given full consideration.

18 We recognize as well that the community
19 representatives also had to take time out of their busy
20 schedules to be here to join us. So thank you to all
21 the community representatives for your participation
22 for providing your perspectives and your patience and
23 support throughout these important discussions. You
24 have each given the Board much to consider.

25 We would like to thank the proponent, Agnico Eagle
26 Mines Limited, for your efforts to provide information

1 throughout the assessment leading up to and including
2 during this public hearing. As an experienced operator
3 in this region, we know that you're very aware of the
4 need to consider and respond to questions and concerns
5 regarding both your approved projects and this Whale
6 Tail Pit expansion proposal.

7 The Board appreciates the respectfulness and
8 responsiveness of your representatives as well as your
9 willingness to consider where improvements could be
10 made through the many procedures and plans for your
11 proposal. The Board also appreciates your
12 consideration for better reflecting tradition place
13 names associated with your projects moving forward.

14 Through the course of this public hearing and for
15 many weeks leading up to this, most everyone here has
16 had some direct contact with members of the impact
17 review board staff in one way or another.

18 I would like to offer a special thank you to the
19 board's legal counsel and staff for their hard work,
20 long hours, and extra days spent preparing for these
21 meetings and ensuring that they went smoothly
22 throughout. As usual, they have gone above and beyond
23 what was required to make this meeting possible and to
24 make it successful, and they deserve a great deal of
25 thanks for the success of these hearings. So to those
26 members of our team here in this room, thank you to

1 Erin, Sophia, Tara, Andrea, Brydon, Josie, Lena, and
2 Teresa.

3 Finally, Madam Chair, I would like to thank the
4 board members for their guidance and direction. We
5 know that yours is always a very difficult job and your
6 active participation, insightful questions, your
7 patience, dedication, and good humour throughout this
8 meeting were inspiring. As staff, we truly appreciate
9 the example that you set as well as your continued
10 professionalism on this and all of the Board's
11 assessments. So thank you very much. Matna, Madam
12 Chair.

13 Continuation of Closing Remarks by The Chair

14 THE CHAIR: As this is the closing of the
15 public hearing, I will conclude my remarks by letting
16 everyone know what happens next.

17 Firstly, the public hearing record for the Nunavut
18 Impact Review Board's assessment of Agnico Eagle Mines
19 Limited's Whale Tail Pit expansion proposal, NIRB File
20 Number 16MN056, is now closed.

21 What this means is that unless the Board directs
22 otherwise, no additional evidence may be filed with the
23 Board, and the hearing record will consist of the
24 documentation filed in advance of the hearing, the
25 evidence, questions, comments, and statements provided
26 on the record at the public hearing, and the exhibits

1 filed during this hearing.

2 Although today marks the conclusion of the public
3 hearing, the work of the Board is not finished. While
4 there are currently no regulated timelines for the
5 preparation of our report and recommendations, the NIRB
6 anticipates completing its report by October 15, 2019.

7 Once complete, the Board will provide its report
8 to the federal minister of Crown-Indigenous Relations
9 and Northern Affairs for review and consideration. The
10 Board will also be providing a copy to other
11 responsible ministers as well as agencies that could
12 have a role in authorizing various project components.

13 Should the Board be required to vary from this
14 time frame, notification will be provided to all
15 parties with the updated report submission date. When
16 the Board releases the report and recommendations to
17 the Minister and interested parties, it will also be
18 posted publicly on the Board's online registry. The
19 public hearing is now adjourned.

20 I would like to end our time here with you the
21 same as it began, with a prayer. I'm asking Eva Voisey
22 to do a closing prayer.

23 Eva.

24 Closing Prayer

25 _____

26

1

2 PROCEEDINGS CONCLUDED

3

4 CERTIFICATE OF TRANSCRIPT:

5

6 We, Christy Longacre and Andres Vidal, certify
7 that the foregoing pages are a complete and accurate
8 transcript of the proceedings, taken down by us in
9 shorthand and transcribed from our shorthand notes to
10 the best of our skill and ability.

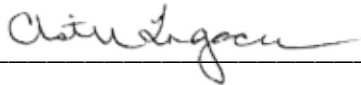
11 Dated at the City of Calgary, Province of Alberta,
12 this 9th day of September 2019.

13

14

15

16



17 C. Longacre, RPR, CSR(A)

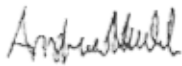
18 Official Court Reporter

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23 A. Vidal, CSR(A)

24 Official Court Reporter

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