



MACKENZIE VALLEY ENVIRONMENTAL

IMPACT AND REVIEW BOARD

TECHNICAL SESSIONS

GAHCHO KUE DIAMOND PROJECT - DE BEERS CANADA

Mackenzie Valley Review Board Staff:

Facilitator Alan Ehrlich

Facilitator Chuck Hubert

HELD AT:

Yellowknife, NT

May 22, 2012

Day 1 of 4

1	APPEARANCES	
2	Alan Ehrlich	) MVEIRB
3	Chuck Hubert)
4	Simon Toogood)
5	Shannon Hayden)
6	Stacey Menzies)
7	Paul Mercredi)
8	Dave Tyson	) Tetra Tech
9		
10	Kathy Racher	) MVLWB
11		
12	Stephen Lines	) De Beers Canada
13	Terry Kruger)
14	Cathie Bolstad)
15	Ryan Rodier)
16	Veronica Chisholm)
17	Leah Russell)
18	Craig Blackie)
19	Daniel Johnson	) JDS
20	Wayne Corso	) JDS
21	Bill Horne	) EBA Engineering
22	John Faithful	) Golder Associates
23	Don Chorley	) Golder Associates
24	Mike Herrell	) Golder Associates
25	Nathan Schmidt	) Golder Associates

	APPEARANCES (cont'd)	
1		
2	Amy Langhorne	) Golder Associates
3	Kyle Hodgson	) Golder Associates
4	Kristine Mason	) Golder Associates
5	Kelsey Loroaigno (phonetic)) Golder Associates
6	Gary Ash) Golder Associates
7		
8	John King) Natural Resources
9) Canada
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11	Lionel Marcinkoski) AANDC
12	Velma Sterenburg)
13	Francis Jackson)
14	Erin Yaxley)
15		
16	Michael Tollis	) Lutsel K'e
17	George Marlowe)
18		
19	Stephanie Poole	) Akaitcho IMA and NWT
20		) Treaty 8 Tribal
21		) Corporation
22		
23	Greg Black	) Transport Canada
24	Laura Jones)
25		

	APPEARANCES (cont'd)	
1		
2	Glenn Sorenson	) GNWT
3	Kim Heisler)
4	Kris Johnson)
5	Greg Brady)
6	Loretta Ransom)
7		
8	Randy Freeman	) Yellowknives Dene
9		
10	Elmar Plate	) Deninu Kue First
11		) Nation
12		
13	Ben Linaker	) ENR
14	Sarah True)
15	Shafic Khouri)
16		
17	Kate Witherly	) NPMO
18		
19	Sarah-Lacey McMillan	) Environment Canada
20	James Hodson)
21	Anne Wilson)
22	Lisa Lowman)
23		
24	Bruce Hanna	) Department of
25	Pete Cott	) Fisheries & Oceans

1	TABLE OF CONTENTS	
2		Page No.
3	Opening Remarks	6
4		
5	Presentation by De Beers Canada	30
6	Question Period	59
7		
8	Continued Presentation by De Beers Canada	110
9	Question Period	133
10		
11	Certificate of Transcript	152
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1 --- Upon commencing at 1:05 p.m.

2

3 THE FACILITATOR EHRLICH: Hi, everyone.

4 Welcome to the technical meeting for the Gahcho Kue

5 environmental impact review. My name is Alan Ehrlich.

6 You'll remember me as the previous panel manager, and

7 now manager of environmental impact assessment for the

8 Review Board.

9 I've been asked to give a few opening

10 comments. I've been specifically asked not to start

11 with a quotation by Winston Churchill, as well. So

12 those of you who've been at our previous things will be

13 pleasantly relieved. Before we go too far with this, I

14 just want to give everyone a sense of context. How do

15 we get to where we are now, and I'll get you to think

16 back through the environmental impact review. Some of

17 you have been involved from the whole thing, some of

18 you have hopped on a little later in the process.

19 The panel received its environmental

20 impact statement from De Beers in December of 2010.

21 And in March of 2011 the panel completed its cor --

22 conformity check of the environmental impact statement

23 against the terms of reference requirements, and it

24 issued a deficiency statement to De Beers. De Beers

25 addressed the deficiencies and the panel determined

1 that it was in conformity in July of 2011. I did just
2 say March of 2011, right. Yeah.

3 In September of 2011 participant funding
4 was awarded, which lets other groups become involved
5 meaningfully in this. We're quite pleased that the
6 federal government was able to provide participant
7 funding. It's an extremely important part of having
8 parties involved meaningfully in our work. And
9 environmental impact assessment gives them
10 responsibilities. We're happy that they also have the
11 capacity to meet those responsibilities in this case.

12 From November 28th to December 2nd the
13 panel hosted an EIS analysis session over five (5)
14 days. That was like a show and tell to bring everyone
15 up to speed on what the project was as it was proposed,
16 as well as to give the developer a chance to tell the
17 parties what kind of ongoing design evolution has
18 happened within the project so people are up to speed
19 on that. Information Requests were submitted by
20 parties in January of 2012. And in April of 2012
21 responses were completed by De Beers Canada, which
22 brings us to the technical meetings at present.

23 One (1) of the big reasons we hold
24 technical meetings and face-to-face meetings in general
25 is because EIA is often characterized as having a lot

1 of paper involved. And what we've realized is
2 sometimes a short face-to-face discussion can much more
3 quickly and elegantly resolve a disagreement about an
4 issue where it turns out the disagreement was based on
5 a misunderstanding.

6 By having the right people in the room -
7 - and we believe we will have the right people in the
8 room here today, you can get to the heart of an issue
9 without having as many layers of bureaucracy approving
10 various written materials, and it keeps the record to a
11 manageable size to the point where it can be used
12 effectively by parties and, ultimately, by the panel as
13 the decision maker.

14 One (1) of the things that will happen
15 here is you -- there's been a round of Information
16 Requests. And De Beers and others have responded to
17 those Information Requests. If clarifications are
18 required, you've got this opportunity before the next
19 round of Information Requests to make sure that you
20 understand the answers and that your questions were
21 understood by De Beers as well.

22 It gives the panel an opportunity to
23 focus on the remaining issues prior to the parties
24 submitting their technical reports. The beginning of
25 an environmental assessment, or an environmental impact

1 review, there are many different ways a project can
2 interact with the world, and so there are a lot of
3 potential issues. And part of our process involves
4 winnowing down the number of issues to focus on the
5 ones that matter the most, that matter the most to
6 parties, that matter the most, ultimately, to the
7 decision makers in this case, and to have the stuff
8 that can be resolved be resolved without the panel
9 having to get into the middle.

10 One (1) of the ways this happens is
11 through developer commitments. The developer has an
12 opportunity to, using autonomy, decide that they will
13 deal with certain issues by committing to do certain
14 things during the review. And those things will become
15 part of the project description. They would give other
16 parties some assurance that their -- their issues are
17 met. So there's a wonderful opportunity for the
18 developer to deal with issues often in ways that are
19 cost effective and efficient for the developer, but
20 particularly valuable to other parties.

21 So there's some good opportunities for
22 win/wins there. And we've seen some real openness on
23 the part of De Beers, on the part of other proponents
24 recently, to -- to use that tool which is entirely
25 within their control to the maximum potential. Now, in

1 some cases not all potentially significant adverse
2 likely effects can be dealt with that way, in which
3 case the panel can also impose measures. The last time
4 the Review Board assessed that -- it was the Snap Lake
5 diamond mine, there were a total of thirty-seven (37)
6 measures that were put into its report. And they were
7 all approved by the minister as well, but commitments
8 hadn't been used in as sophisticated a way at that
9 point.

10 And, you know, it's worth remembering
11 that each environmental assessment and each review is
12 done on its own merits. Although the Board is quasi-
13 judicial, it's not bound by the weight of precedent as
14 a court would be. And so the panel in this case is
15 going to make its decisions based on the evidence
16 that's in front of it.

17 The discussions we're having here today
18 are a part of that evidence. Every word is being
19 transcribed by Lorraine, from Digi-Tran. Lorraine, can
20 you wave so people know who you are? Many of you
21 remember Wendy Warnock, who's done a lot of our
22 transcription before. Wendy had a fearsome reputation
23 for enforcing that -- that people will say their names
24 when they speak and will speak into the microphones.
25 This is very important or else the transcripts have a

1 wonderful opportunity to be wrong in ways you might not
2 imagine.

3 To make it easier for you to remember to
4 say your name the facilitators, that is panel and
5 Review Board staff, got very tired of saying, Name,
6 please, so we've made big, shiny, red signs that say
7 "Say your name, please." You'll probably see that.

8 Also, if we have to call things to
9 order, we found a bear bell in a pile of grizzly scat
10 not too long ago, and -- and Chuck is not afraid to
11 wield that -- that bell as necessary. It will call
12 people back from coffee breaks, but it can also be used
13 less politely.

14

15 (BRIEF PAUSE)

16

17 THE FACILITATOR EHRLICH: Back to the
18 commitments. Sorry, I was distracted by the bell,
19 signs, and whistles. Back to the subject of
20 commitments. Any commitments that are made during this
21 session will be tracked. We obviously want everyone to
22 have the same understanding of what has been committed
23 to and what hasn't so that people aren't surprised to
24 find out that they've said something.

25 But in the interest of fairness, if the

1 developer or other parties commit to doing something
2 the Board expects that promises like that are -- are
3 going to be kept. And so that's -- that's followed and
4 -- and considered by the Board. Review Board staff
5 will be writing down those commitments. As well,
6 they'll appear in the transcript verbatim.

7 The meeting is transcribed, so in
8 addition to saying your name and speaking into the
9 microphone, try to speak clearly. If you get too close
10 to the microphone it will hiss and it will sound like
11 there are bees involved. We discourage bees. We want
12 you to stay back a little bit from the microphone so
13 everyone can hear you.

14 This session is also being webcast.
15 Part of our efforts to increase efficiency in our
16 process, we don't want everyone and -- and their dog to
17 have to fly in every time we have a meeting. So this
18 session is -- is being webcast at the moment and
19 participants are taking part in this from various
20 offices and such across the country. And sometimes we
21 get people who listen in from other countries as well.
22 We were surprised to hear how much of the globe is
23 intrigued by this kind of thing.

24 But the people who are participating
25 from afar in some cases have other representatives of

1 their party here and can -- can put questions forward
2 through people who have bodies in the room. The -- the
3 staff facilitating this are not going to be receiving
4 direct questions from anyone who is not in the room,
5 but someone who is in the room and who has the
6 microphone can certainly ask questions that they've got
7 from somewhere else. We would really appreciate it if
8 you could make it clear who is asking the question if
9 it's from far away and in what capacity they're
10 participating.

11 Should there be typographical errors in
12 the transcript -- despite the best professional and
13 dedicated efforts that we've always seen from Digi-Tran
14 when they're doing this work sometimes there are
15 typographical errors. With the Giant Mine technical
16 sessions there's something called aufeis, A-U-F-I-E-S-S
17 (sic), or something like that, a kind of ice that
18 happens in the creek. And it was transcribed
19 innocently enough as elf ice, E-L-F ice. And I know
20 there are no elves involved in that project. Other
21 people know there are no elves in that project.

22 And no one can begrudge a
23 transcriptionist for not understanding a presumably
24 German word having to do with permafrost and hydrology,
25 so these errors do happen.

1 Whoever is reading these transcripts
2 will recognize that you're reading a written
3 transcript. And just to be clear, everyone sounds kind
4 of goofy when you're -- when you're reading your
5 written words, because there are pauses, there are ums,
6 there are inflections. The way that we speak is not
7 the same way that we write. And so I -- I warn you to
8 bring your humility to your read on the transcripts and
9 try to get over all the ums and ahs and that kind of
10 thing. They are going to be transcribed.

11 I've already said, Um, forty-nine (49)
12 times in this presentation and I've only been talking
13 for three-and-a-half (3 1/2) minutes. But my point is
14 if there is a technical error, something has been
15 transcribed wrong and it matters enough to you so that
16 you want it transcribed right, as parties you can
17 submit stuff to the Review Board and the Review Board
18 will put it on the record.

19 It's important that this is used only
20 for typographical errors. Choose your words carefully
21 when you're getting into commitments and questions and
22 stuff like that, because that is not an opportunity to
23 retroactively change the meaning of something that was
24 said here. Not that anyone here would be interested in
25 that, but I want to make it clear that if there is

1 something that is technically not the word that was
2 said, that was written down, you can fix it, because I
3 know that this has been a -- a concern not so long ago.

4 Now, I'm going to give a brief
5 description of the agenda. Today is a half day. There
6 is going to be some talk on dike construction and waste
7 management. Tomorrow, that's Wednesday -- and I know
8 I'll get this wrong a lot, because the long weekend
9 fools with my head that way, there'll be talk of
10 Kennady Lake, water management, hydrology, and
11 geohydrology, waste management including geochemistry,
12 water quality at closure, and fish and fish habitat,
13 including the recovery of Kennady Lake.

14 Now, I understand there is an
15 alternative analysis of a water treatment plant that
16 proposes a contingency. And I think it's very good
17 that De Beers either is or is about to produce
18 something like that, because I -- I think many people
19 in this room can think of other places and other
20 diamond mines in the Northwest Territories where
21 aquatic impacts that were not predicted during the
22 environmental assessment have been observed.

23 And we know that no matter how carefully
24 or how hard all the parties work to try to predict
25 these impacts, you're dealing with complex ecosystems

1 and a complex project. And so I -- I do want to
2 commend De Beers for its readiness to -- to produce
3 that, if I've understood that correctly.

4 On Thursday we're going to be looking at
5 im -- issues upstream and downstream from Kennady Lake,
6 hydrology, water quality, fish and fish habitat. And
7 then in the afternoon it's socio-economic impacts, and
8 effects on -- on people will be -- will be the main
9 target at that point.

10 On Friday it's caribou and cumulative
11 impacts, as well as the wildlife effects monitoring
12 plan. And then we get to traditional knowledge, which
13 can span by physical and socio-cultural stuff. And
14 there will also be time for more socio-economic issues
15 after that, if all goes according to plan.

16 Your facilitators are going to work hard
17 to try to make sure all goes according to plan, but
18 there's many a slip twixt the cup and the lip as they
19 say, and if we run over we're going to try and reel it
20 in and stick close to schedule. We didn't see a lot of
21 good opportunities for evening sessions, or
22 flexibility, and it's only a four (4) day work week.

23 However, parties have the opportunity to
24 meet with one another on their own time to try to
25 resolve things, and that's quite encouraged. The Board

1 doesn't -- or -- or panel doesn't have to be in the
2 middle of every discussion that's going on. We call
3 these sort of "sidebar meetings." But often a sidebar
4 one-on-one is enough to -- to resolve various concerns.

5 Something that's important that we'd
6 like to see is if those meetings are -- are held, that
7 something gets onto the transcript -- onto the record,
8 and perhaps transcript, as a result. So we have a form
9 that is used for reporting the results of those
10 meetings. It talks about what was said, what positions
11 people took, and how they were resolved. And both
12 parties normally sign them off.

13 If you've had an important sidebar
14 meeting please use the form to let us know. But, also,
15 report during the week. If in the middle of the week
16 you've had a meeting that's actually solved something
17 that was an issue earlier that day, say so, put it onto
18 the record by speaking into a microphone as well. That
19 -- that helps.

20 Every day there will be a break at 11:55
21 for lunch. I'm trying to let you out a few minutes
22 before everyone else so you can get the jump on the
23 restaurant crowd.

24 There will be health breaks. There will
25 be one (1) in the morning, one (1) in the afternoon,

1 and we expect calisthenics from each and every one of
2 you. But if, instead, you prefer to have beverages and
3 talk or do whatever you need to do to stay alive, the
4 big encouragement is get up. You're sitting still for
5 a long time, it's not healthy. So, there will be
6 breaks at those times.

7 Lunch break will end at one o'clock.

8 And at 4:15 every day, there will be a review of tasks
9 -- and I'll define what we mean by "tasks," we're using
10 the word in a very particular way -- for the developer
11 and parties. It will be a sort of a wrap-up of where
12 we're at now. And we'll try to adjourn by 4:30 every
13 day. It's an ambitious goal, but Chuck is an ambitious
14 facilitator and he -- he delivers on -- on what he
15 says. So, we'll make an honest effort to have that
16 happen.

17 The media. This is a public session,
18 it's open. The media may be present. We -- we will be
19 asking any representatives of the media to please hold
20 your interviews outside of the room, because it's
21 disruptive and this is just not an excellent place to
22 actually hold the interview. If you can get the
23 attention of the person you want to interview in here,
24 please interview them somewhere outside.

25 I would strongly encourage the developer

1 and all parties to give your best effort to answer
2 questions here today. I see that De Beers has come
3 prepared to give its best effort. It's got a great
4 cadre of experts standing by and -- and I recognize
5 many of them from the earlier session. I know there's
6 continuity, there's -- there's a considerable bit of
7 expertise here.

8 The purpose of -- of trying to work
9 through some of these issues and get some of the
10 smaller issues off the table so that the hearings wind
11 up focussing on the big ones, is an important one .
12 And, if you are able to do your best to answer
13 questions, as opposed to, you know, leaving everything
14 for writing, it makes your life easier and all the
15 parties lives easier because there's less written
16 material to deal with.

17 That said, there are a few different
18 words and things that relate to written material that I
19 want to define explicitly so that everyone knows what
20 we're talking about. When we talk about commitments, I
21 think we've been pretty clear on that, things that the
22 developer promises to do as part of the project.

23 That's not the same as a commitment to
24 bring something back here tomorrow. When we talk about
25 commitments, we're talking about different things that

1 the developer has promised to do. And this has to do
2 with -- not with the technical session, but with the
3 way the project is implemented, the way it's managed,
4 the way it's designed, constructed, that kind of good
5 stuff.

6 There will also be undertakings from
7 here, because not every question can be answered during
8 the four and a half (4 1/2) -- three and a half (3 1/2)
9 -- three and a half (3 1/2) days we've got. Those
10 undertakings are -- are things that you undertake, away
11 from the session, to give back in writing. We're going
12 to ask the developer and parties to provide any written
13 undertakings within two (2) weeks of the end of the
14 session. We will be providing you with a specific date
15 when we sit down with a calendar.

16 But then there's something else called
17 "tasks." We were calling this "homework" before, but
18 it sounded a little too cute and schoolboy-ish. So we
19 don't do that anymore. We call them "tasks" -- it's
20 work. The tasks for the next day are things that come
21 up in discussion that you think you can resolve either
22 by working by yourselves overnight, or by discussing
23 other things, and that you can bring back to the
24 technical session and -- and describe how you've
25 completed those things. And we're going to follow what

1 the tasks are and try and number them and keep track of
2 them.

3 Remember that with a verbatim
4 transcript, you have the awesome tool of having a
5 searchable script of -- of everything that has been
6 said here, often available the next morning. So you
7 can see specific wordings.

8 And I would really encourage people,
9 when you're coming up with tasks or even looking at
10 undertakings, not to look just at the words next to the
11 undertaking, but go back to the discussion that has
12 happened in the technical session so that you remember
13 the context. Because sometimes, the -- the meaning of
14 the question is being derived from the context.
15 Everyone is speaking extemporaneous. You have not
16 necessarily written every word you're going to say.

17 And so, it's -- it's really important
18 that if you're going to put the work into an
19 undertaking or a task that you try to remember what
20 they were trying to get at in the first place.
21 Sometimes the exact wording of the task doesn't capture
22 that. So think big, use the transcripts, use the
23 search function to -- to catch those ideas.

24 June 8th is the date by which the
25 undertakings will be due. That's two (2) weeks after

1 this.

2 And with that, I'm going to give some
3 quick introductions of the panel staff and Review Board
4 staff. I'm going to ask the technical parties to --
5 the Board's technical advisors to introduce themselves,
6 and then we'll go around the room to have the parties
7 in attendance identify themselves, as well.

8 I've said before, I'm Alan, I'm the
9 manager of Environmental Impact Assessment, the Review
10 Board. And to my left is Chuck Hubert. He's the panel
11 manager for the Gahcho Kue Environmental Impact Review
12 panel.

13 Paul Mercredi is an environmental
14 assessment officer with the Review Board. Simon
15 Toogood, can you wave Simon? He can wave. Simon
16 Toogood is an environmental assessment officer with the
17 Review Board, and so is Shannon Hayden, Shannon Hayden
18 who's sitting next to Simon. They may be out of the
19 line of fire at the moment, but we will all be taking
20 some turns at the -- at the -- facilitating the
21 session.

22 Which technical advisors for the panel
23 are here? Okay. Dave, can you come up to a microphone
24 and introduce yourself briefly, please?

25 MR. DAVE TYSON: Dave Tyson. I'm with

1 Tetra Tech, and I'm an advisor to the panel.

2 THE FACILITATOR: Thanks, Dave. And
3 Stacey Menzies, who I -- I didn't see over by the door
4 there, is our acting community liaison for the Review
5 Board, and she is helping in more ways that I can count
6 here today.

7 Okay. Now we're going to ask the other
8 parties to identify themselves. We may as -- and
9 including the people -- it's nice to know who you're
10 talking to. Why don't we start over there. Actually,
11 no, we'll start with John King. Please use a
12 microphone, and -- and then we'll go around the table,
13 then we'll -- we'll get around here and we'll go kind
14 of clockwise. Thanks.

15 MR. JOHN KING: John King, Natural
16 Resources Canada, and I'm from Ottawa. I'm here for
17 today and tomorrow.

18 MR. LIONEL MARCINKOSKI: Lionel
19 Marcinkoski, with AANDC.

20 MR. MICHAEL TOLLIS: I'm Mike Tollis.
21 I'm a wildlife manager for Lutsel K'e Dene First
22 Nation.

23 MS. STEPHANIE POOLE: Stephanie Poole.
24 I work for the NWT Treaty 8 Tribal Corporation, and the
25 Akaitcho IMA implementation office.

1 MS. VELMA STERENBURG: Velma
2 Sterenburg, mineral development division, AANDC.

3 MR. FRANCIS JACKSON: Francis Jackson,
4 water resources, AANDC.

5 MR. GREG BLACK: Greg Black, Transport
6 Canada, navigable waters protection officer.

7 MS. LAURA JONES: And I'm Laura Jones,
8 also with Transport Canada, but environmental affairs.

9 MR. ERIN YAXLEY: Erin Yaxley, Board
10 relations secretariat, AANDC.

11 MR. GLENN SORENSON: Glenn Sorenson,
12 GNWT, minerals, oils, and gas.

13 MS. KIM HEISLER: Kim Heisler, I'm a
14 summer student for the mineral, oil, and gas division.

15 MR. RANDY FREEMAN: Randy Freeman,
16 director of lands for Yellowknives Dene.

17 MR. ELMAR PLATE: Elmar Plate, working
18 for LGL Limited out of Victoria. I'm representing the
19 Deninu Kue First Nation.

20 MS. KRIS JOHNSON: Kris Johnson,
21 Government of the Northwest Territories, industry,
22 tourism, and investment.

23 MR. GREG BRADY: Greg Brady, industry,
24 tourism, investment, GNWT.

25 MR. BEN LINAKER: Ben Linaker, ENR,

1 summer student.

2 MS. SARAH TRUE: Sarah True, regional
3 EA coordinator for ENR North Slave Region.

4 MS. KATE WITHERLY: Kate Witherly,
5 Northern Projects Management office.

6 MS. SARAH LACEY-MCMILLAN: Sarah-Lacey
7 McMillan, with Environment Canada, environmental
8 assessment coordinator.

9 MR. JAMES HODSON: James Hodson, with
10 Canadian Wildlife Service of Environment Canada.

11 MR. SHAFIC KHOURI: Shafic Khouri,
12 environmental assessment and regulatory analyst,
13 Department of Environment and Natural Resources,
14 Government of Northwest Territories.

15 THE FACILITATOR EHRLICH: Okay. Ann,
16 can we go over to you now, and we'll keep moving.

17 Oh, sorry, Loretta. I didn't see you
18 behind the -- behind the -- the wall of man that is
19 Pete Cott.

20 MS. LORETTA RANSOM: I'm Loretta
21 Ransom, environmental assessment analyst with GNWT.

22 MS. ANNE WILSON: Yeah, Anne Wilson,
23 with Environment Canada.

24 MS. LISA LOWMAN: Lisa Lowman, with
25 Environment Canada.

1 MR. BRUCE HANNA: Bruce Hanna, DFO.

2 MR. PETE COTT: Pete Cott, DFO. Thanks
3 for the introduction, Alan.

4 THE FACILITATOR EHRLICH: You're
5 welcome. There's no one else hiding behind you, is
6 there?

7 DR. KATHY RACHER: I tried. I didn't
8 fit. Kathy Racher, technical director on behalf of the
9 Mackenzie Valley Land and Water Board.

10 THE FACILITATOR EHRLICH: And...

11

12 (BRIEF PAUSE)

13

14 MR. DANIEL JOHNSON: Dan Johnson, JDS
15 with the Proponent.

16 MR. TERRY KRUGER: Terry Kruger, from
17 De Beers.

18

19

20 (BRIEF PAUSE)

21

22 MS. CATHIE BOLSTAD: Good afternoon.
23 Cathie Bolstad, De Beers Canada.

24 MR. STEPHEN LINES: Good afternoon,
25 everyone. Stephen Lines, De Beers Canada.

1 MS. VERONICA CHISHOLM: Good afternoon.
2 Veronica Chisholm, manager for the Gahcho Kue Project,
3 for De Beers Canada.

4 MR. JOHN FAITHFUL: Good afternoon.
5 John Faithful, Golder Associates.

6 MR. WAYNE CORSO: Wayne Corso, JDS.

7 MR. BILL HORNE: Bill Horne, EBA
8 Engineering.

9 MS. LEAH RUSSELL: Leah Russell, De
10 Beers Canada.

11 MR. CRAIG BLACKIE: Craig Blackie, De
12 Beers Canada.

13 MR. DON CHORLEY: Don Chorley, Golder
14 Associates.

15 MR. MICHAEL HERRELL: Mike Herrell,
16 Golder Associates.

17 MR. NATHAN SCHMIDT: Nathan Schmidt,
18 Golder Associates.

19 MR. GARY ASH: Gary Ash, Golder
20 Associates.

21 MS. AMY LANGHORNE: Amy Langhorne,
22 Golder Associates.

23 MR. KYLE HODGSON: Kyle Hodgson, Golder
24 Associates.

25 MS. KRISTINE MASON: Kristine Mason,

1 Golder Associates.

2 MS. KELSEY LOROZIGNO: Kelsey

3 Lorozigno, Golder Associates.

4 MR. RYAN RODIER: Ryan Rodier, with De
5 Beers.

6 THE FACILITATOR EHRLICH: Thanks. And
7 for the -- the gentleman who just came in, we're going
8 through the room just trying to get everyone's name
9 there. Stacey, thanks.

10 ELDER GEORGE MARLOWE: My name's George
11 Marlowe from Lutsel K'e, Elder. And I'm -- I'm very
12 happy to be here. And maybe I'll talk a little jokes,
13 and then a little story after about that -- about that
14 land, Gahcho Kue land. Thank you.

15 THE FACILITATOR EHRLICH: One (1) --
16 thank you, all, for -- for introducing yourselves.
17 Thank you all for coming. It is very important that
18 you all sign the sign-in sheet at the door because
19 that's how Lorraine and Digi-Tran are going to get the
20 proper spellings of your names. Otherwise, you'll see
21 your names misspelled many times, and it's important
22 that you sign it. So if you didn't sign on the way in
23 please make a point of doing that.

24 Because this is a face-to-face
25 opportunity to resolve some issues, I think I just want

1 to reinforce the -- the nature of the discussion here.

2 We're working hard to promote a constructive dialogue

3 in a setting that's as non-adversarial as possible.

4 It does not have the formality of a
5 review board hearing. This is not a hearing. Panel
6 members are not here. It is open to the public. But
7 it is a chance to discuss and work through different
8 issues in a very efficient manner.

9 This is quite important to the panel.
10 The panel remains deeply committed to a timely, as well
11 as effective review. It's -- bearing this in mind --
12 and one (1) of the reasons we go to the effort of
13 organizing these kinds of sessions is because not only
14 does it solve the issues, but it does so in a timely
15 manner that is part of how the panel is required to
16 operate.

17 With that I am going to wish you the
18 best of luck at working through as many issues as
19 possible, figuring out which are the few that you'll
20 really need the panel to weigh in on, seeing what can
21 be taken off the table now, providing information where
22 you can and doing so forward in a good faith. Thank
23 you very much.

24 I now relinquish the chair to panel
25 manager Chuck Hubert.

1 THE FACILITATOR HUBERT: Thanks very
2 much, Alan. Chuck Hubert, panel manager. Excuse me.

3 We'll perhaps call on Ann -- Alan in the
4 future for cameos, you know, periodically.

5 With that I'd like to move on to -- to
6 the topics for today, and, in particular, presentations
7 from De Beers, so, please.

8

9 PRESENTATION BY DE BEERS CANADA:

10 MS. VERONICA CHISHOLM: Veronica
11 Chisholm, from De Beers. The first presentation we
12 have today is on the 2012 EIS Supplement that was
13 submitted in -- on April 23rd. But before we do that
14 we thought we would just do a brief project description
15 just to sort of help with terminology and just a --
16 it's meant to be a refresher. I'll try not to go into
17 too much detail, but it's meant as sort of an
18 orientation for us all.

19

20 (BRIEF PAUSE)

21

22 MS. VERONICA CHISHOLM: So I'm going to
23 give a -- a brief overview of the project description
24 for Gahcho Kue. And John Faithful will provide just a
25 bit of a summary on the Environmental Impact Review

1 submissions that we provided to date, just following up
2 on Alan's introduction. As well, he's going to talk
3 about the key elements of the supplemental mitigations
4 and the structure of the 2012 EIS document that we
5 submitted in April, and then finally the key findings
6 from that supplement.

7 So on the project description itself,
8 I'm -- I'm just going to touch on a few areas. I'm
9 going to -- I'm going to review again where the project
10 is located. I'm going to speak to the ore bodies
11 within Kennady Lake. I'm going to talk a little bit
12 about the mining method, just as a review, a little bit
13 on the project duration, as well as the employment, and
14 just touch on waste management and water management, as
15 well as the closure activities. Again, it's just
16 intended to be a refresher.

17 So the Gahcho Kue project is located
18 approximately 280 kilometres northeast of Yellowknife,
19 here. Winter access is going to be along the Tibbitt-
20 to-Contwoyto winter road. At kilometre 271 there's a
21 120 kilometre spur road.

22 It's -- already has an existing permit
23 for the exploration camp, so we are proposing as part
24 of this project to increase the annual volumes along
25 that road in the wintertime. The closest community to

1 the Gahcho Kue project is Lutsel K'e, which is situated
2 about a 140 kilometres south/southeast of the Gahcho
3 Kue Project. Our Snap Lake project is located
4 applicant 80 kilometres away.

5 And for those of you on web cast, I'm
6 not sure entirely how that works, but I am on Slide 5.
7 This is just a photograph of Kennady Lake. Kennady
8 Lake itself is approximately 870 hectors in size, or
9 8.7 square kilometres. It represents about 1 percent
10 of what Lac de Gras is. And that's just given to you
11 as a reference point.

12 Our kimberlite deposits are situated
13 within Kennady Lake. The deposits are 5034, here,
14 Herne and Tuzo. This peninsula here I'll try and point
15 out on a few maps, that's where existing camp is, just
16 for a reference.

17 Whoops, a little bit too fast. The
18 kimberlites are situated under Kennady Lake,
19 immediately under Kennady Lake, and this requires us to
20 either fully or partially de-water Kennady Lake to
21 safely access those kimberlite deposits.

22 Hi, Alan.

23 THE FACILITATOR EHRLICH: Veronica, I -
24 - I'm very sorry to interrupt, but I just talked with
25 Chuck and I neglected to put in the opening comments

1 that the presentation that you are now speaking
2 towards, the graphics that you're displaying are posted
3 on our website. They've only been posted there about a
4 half-an-hour ago.

5 So anyone who is listening on the web
6 cast may not have seen them there earlier, but we
7 encourage you to go to our website, open up -- you'll
8 see our -- our -- on our homepage As a recent posting.

9 You'll see the presentation, please go
10 to it. I notice that Veronica has conscientiously
11 included slide numbers and is naming those slide
12 numbers. These are very useful visuals that De Beers
13 is presenting and so I -- I do want to make sure that
14 people who aren't in the room are able to follow it.

15 And, sorry, that was my omission from
16 the opening comments. Thanks for letting me interrupt.

17 MS. VERONICA CHISHOLM: No problem.
18 And, a number of these slides we presented actually
19 during the EIS analysis session. And on various other
20 sessions, I'm sure, people have heard me give this talk
21 before, but bear with me.

22 So, as I mentioned, the kimberlites are
23 situated immediately under Kennady Lake. And that's
24 what's requiring us to either fully or partially
25 dewater Kennady Lake to safely access those ore

1 deposits. I mentioned that I'll reference -- keep
2 trying to reference this peninsula, just for your own -
3 - this is where our exploration camp is.

4 The project duration, I'm on slide 7 --
5 8 -- 8, I can't read that number, small.

6 So, essentially, there's a construction
7 period that will take two (2) years. During that time
8 is when we're going to be undertaking the dewatering
9 activities, as well as construction of the
10 infrastructure to prepare for mining.

11 The operational period will be
12 approximately eleven (11) years, at which time we'll be
13 mining 5034, Hearne and Tuzo. We'll be opening them up
14 sequentially. And, where possible -- and there's
15 certain key times during the operation that we can
16 commence recreation -- recreation -- reclamation
17 activities. And we'll be doing that throughout our
18 operations of the project.

19 The closure period is estimated to start
20 in year 12 until the end of year 13, but that doesn't
21 mean our monitoring activity would cease. It would
22 continue.

23 So, just to give you a sense of where
24 our operating mine sits, relative to Ekati and Diavik
25 and Snap Lake, we -- depending on the permitting, the

1 environmental review process and the permitting
2 process, should we be successful, we're estimating
3 could be anywhere between 2014 and 2015 for a
4 construction period. And then following that, we'll
5 have an operation period. You'll notice that Ekati and
6 Diavik are scheduled to shut down their operation
7 periods within that 2020 -- 2021, 2022 period.

8 Just to highlight some of the employment
9 that we're offering through the proposed Gahcho Kue
10 project. At peak construction, we're looking at about
11 seven hundred (700) employees, with operation being
12 about three hundred and seventy-two (372). And then a
13 hundred or less full time employees at closure.
14 Although it's -- as I mentioned before, although it's
15 smaller than both the Ekati and the Diavik mines, it's
16 an important economic time in terms of diamond --
17 diamond productions and when things are opening and
18 closing.

19 Kimberlite processing. Three million
20 tons of kimberlite will be mechanically processed on
21 site annually. Ore will be crushed and screened
22 through a staged process for separating out the
23 diamonds. There will be a fine and coarse processed
24 kimberlite, as a waste stream.

25 The fine processed kimberlite will be

1 associated with a slurry. Process water will be
2 sourced from within Kennady Lake and recycled from the
3 water management pond. And I'll get into the water
4 management plan details in a few slides.

5 I'm not going to go through all the
6 details, because it seems really small on the slide,
7 but the -- the waste management plan, I think what --
8 the important message I want to deliver is, we're going
9 to be salvaging soil from the lake bed and from
10 overburden, both in the construction of the dikes as
11 well as in for reclamation. We'll also have a mine
12 rock stream, a processed kimberlite stream that will
13 consist of fine PK and coarse PK, and we'll also have
14 some general waste on site that we'll either be
15 disposing on site or off site, depending on how it's
16 classified.

17 And just to remind you of our plan, I'll
18 just give you a general sense of where things are --
19 we're proposing to be. The fine PK facility is located
20 here, up at this portion of Kennady Lake. The coarse
21 PK is sched -- is -- will be placed here. And then we
22 have the west and south mine rock piles here. The pits
23 are located within here.

24 And I should be reminding people what
25 slide I'm on, so now I'm on 14. Thanks, John. Thank

1 you.

2 The water management. A big part of
3 this project is water management, and we've had a
4 number of discussions on our water management plan.
5 The key objectives, of course, is that we're dewatering
6 Kennady Lake to the maximum extent possible to safely
7 access those ore bodies. We're going to be utilizing a
8 passive treatment in the control area, and the control
9 area is what we're going to establish around Kennady
10 Lake. And discharge water, when the water quality --
11 we'll only discharge water when the water meets water
12 quality discharge requirements.

13 We'll utilize available containment
14 volumes within the control area for water management as
15 required, such as the mined-out pits. We'll minimize
16 the environmental impacts to adjacent and downstream
17 waters during construction, operation, and closure
18 phases of the project. We'll reestablish the flow
19 regime -- a flow regime at closure, as well as create
20 self-sustaining ecosystems.

21 And just to step you through it, I know
22 people have seen our animations before, but I just
23 thought I'd walk through it again because we're going
24 to have a discussion on -- on the dikes and the waste
25 management this afternoon, so I will endeavour to get

1 this right.

2 So as some of you know, and -- and also
3 from a number of the information responses I think
4 people have gathered that we are partitioning Ken --
5 Kennady Lake as a way to explain our water management
6 plan.

7 So we have eight (8) areas identified
8 within the lake, one (1) through eight (8). The first
9 part of the water management plan will be to establish
10 these parameter dikes located around Kennady Lake.
11 This will essentially set up our control area, and will
12 limit water from flowing into Kennady Lake. That's the
13 water management stage 1.

14 In construction period 2, we'll start to
15 pump the water to the north to Lake N11, as well as
16 through area 8. This will also allow us the
17 opportunity to build some internal dikes that will help
18 us access those ore bodies.

19 During operation -- now, this is sort of
20 a maximum picture of during operations where we
21 actually have the open pits placed within here.
22 They'll be some additional internal dikes. This will
23 be around Tuzo dike that will be constructed through.

24 This is the location of our fine PKC
25 facility. I think it's important to note that after

1 year 5 the fine PK will be placed within the pits. So
2 we'll be doing that backfilling. So at year 5 we'll
3 begin reclamation of the fine PK facility.

4 I think I'm not aiming it right. So at
5 closure, just to complete the animation for you, this
6 is where -- what will be situated on the landscape when
7 we're completed mining, and we've refilled Kennady
8 Lake.

9 I think what's important to note
10 throughout that whole process will be monitoring the
11 water quality, the sediment quality within Kennady
12 Lake, and so if there needs to be any mitigations
13 applied we'll have ample time to respond to that.

14 At the closure, in the closure
15 landscape, we'll have the fine PKC facility located in
16 the northern part here. We'll have the coarse PK
17 facility. We'll have the south mine rock pile, and the
18 west nor -- mine rock pile. And before we connect the
19 water, once we've refilled Kennady Lake through area 8,
20 this will be carefully monitored to determine that
21 we've met all of our water quality objectives at
22 closure.

23 So just to highlight some of the closure
24 activities, we'll be -- sorry, for those of you -- I
25 have to keep remembering, I'm on the webcast slide

1 number 19.

2 We'll remove all the potentially
3 hazardous material from site. We'll construct
4 additional fish compensation on habitat enhancement
5 structures near Kennady Lake. That will be before we
6 dewater. We'll have an opportunity to do that. We may
7 even start that within operations.

8 We'll refill Kennady Lake using natural
9 runoff supplemented by water withdrawal from Lake N11.
10 Upon refilling the lake and achieving appropriate water
11 quality, we'll breach or partially remove Dike A.

12 Dike A is the dike that's between area 7
13 -- I'll just flip back because I think that's an
14 important one to point out.

15 Dike A will be here. So before we -- we
16 breach that dike we will be testing the water quality
17 to ensure that we meet the objectives that we lay out
18 for the project.

19 And then, as I mentioned before, the
20 monitoring will continue at the beginning of
21 construction, throughout the whole life of this
22 project, and well into closure so that we can determine
23 any site-specific mitigations that are required.

24 And I think that's it for just the 101.
25 It wasn't that bad, refresher course. So I'm going to

1 have John Faithful move on to the EIS supplement and
2 some of the highlights in that supplement.

3

4 (BRIEF PAUSE)

5

6 MR. JOHN FAITHFUL: John Faithful,
7 Golder Associates. Thank you, Veronica. For the next
8 little while I've got a brief presentation. I'm going
9 to talk about the -- the 2012 EIS supplement that was
10 submitted to -- to the Board in -- in April.

11 There's about four (4) -- four (4)
12 sections to this presentation. The first one is to
13 just describe how the document fits into the num -- the
14 submissions that Alan discussed a little bit earlier
15 with respect to -- to those that are supporting the
16 project through the environmental impact review
17 process. I'm going to provide a bi -- a brief revisit
18 to the supplemental mitigation that Veronica alluded to
19 in her overview of the project description. I'll talk
20 about the structure of the EIS supplement document the
21 -- and then provide a brief summary of the key findings
22 pre -- that have been presented in -- in the EIS
23 supplement.

24 Alan had a fairly thorough review of the
25 documentation that has been submitted to the -- the

1 Board in support of the environmental impact review
2 process. He talked about the EIS that was submitted in
3 December, 2010, and the deficiency statements that
4 resulted from the review of the EIS that was -- that
5 was made available in March.

6 There were five (5) conformity issues
7 for De Beers to -- to address. Three (3) were related
8 to socio-ec issues, one (1) related to permafrost, and
9 the fifth one related to the nutrient assessment that
10 was conducted as part of the EIS. The socio-ec
11 conformity issues were addressed and submitted to the
12 Board on May the 3rd, 2011. And the permafrost and the
13 nutrient conformity issues were addressed and submitted
14 on July the 15th.

15 The nutrient assessment issue resulted
16 in the revisions of three (3) key sections of the EIS.
17 They were sections 8, 9, and 10. They were the aquatic
18 key lines of inquiry, being water quality in fish in
19 Kennady Lake, downstream water effects and long-term
20 biophysical effects, closure and reclamation. The
21 update or the conclusions of that EIS update projected
22 that in the long-term Kennady Lake would be moderately
23 productive, and concluded that no significant adverse
24 effects to aquatic life in Kennady Lake and downstream
25 water bodies would be expected.

1 It was -- it would be -- it was
2 predicted that Kennady Lake would be more productive as
3 a result of increased phosphorous after the lake was
4 refilled and reconnected to downstream waters,
5 primarily being sourced from seepage flows and drainage
6 from the fine PKC facility. This increase in
7 productivity would mean that there would be potential
8 for increased algal growth, increased aquatic plants,
9 increased aquatic benthic organisms and -- and fish
10 that would attenuate downstream.

11 The EIS update, as a result of the
12 conclusions, identified that supplemental mitigation
13 would be required to reduce the projected long-term
14 phosphorous concentrations thereby reducing the
15 potential effects of the project on the environment.
16 Because of this, following the submission of the 2011
17 update, De Beers' has continued geochemistry testing of
18 the mine rock and kimberlite material that was sourced
19 from site, and evaluated mitigation strategies to
20 reduce the extent of the phosphorous that was predicted
21 in Kennady Lake as a result of the sourcing from the
22 fine PKC facility.

23 The supplemental mitigation that is
24 presented in the EIS-20 -- EIS supplement shows a
25 reduced size of the fine PKC facility. This, in

1 association with updated geochemistry testing, has
2 resulted in phosphorus concentrations in Kennady Lake
3 in the long term to be considerably lower than
4 presented in the 2011 EIS update.

5 All of this information is presented in
6 the 2012 EIS supplement, a detailed project description
7 describing the supplemental mitigation and also
8 revisions to the assessment based on the findings of
9 the -- well, based on the revised assessment given the
10 supplemental mitigation. The EI supplement was
11 submitted to the Board on March the 23rd.

12 There are a number of other submissions
13 that have been associated with the EI process to-date.
14 As Alan mentioned, there were responses to all of your
15 Information Requests that were presented to the Board
16 between March 30th and April 6th. In addition to those
17 -- that documentation, as part of the environmental
18 impact review process, has been the submission of
19 various monitoring documents resulting from work that
20 was conducted in 2011.

21 This work is focussed on aquatic and
22 terrestrial work, such as climate and hydrology
23 updates, a channel and stream bank erosion assessment,
24 low trophic organisms, fish, and aquatic resources,
25 water quality and sediment quality work within the

1 local study area of the project, a fish tissue
2 assessment, and also an update to the wildlife
3 monitoring.

4

5 (BRIEF PAUSE)

6

7 MR. JOHN FAITHFUL: I'm now on slide
8 22. I'm sorry, I forgot that previously. The next --
9 the next few slides focus on the supplemental
10 mitigation.

11 Veronica in her presentation outlined
12 the -- the footprint of -- that shows the -- the
13 reclaimed structures of the project. Well, this --
14 this figure shows the reclaimed structures of the
15 project. But Veronica pointed out the location of --
16 of some of the key facilities within the project, those
17 being the -- the west mine rock pile and the south mine
18 -- south mine rock pile, the coarse PK pile, and the
19 locations of the pits.

20 What I'd like you to focus on over the
21 next couple of slides is really the fine PKC facility,
22 or the fine processed kimberlite containment facility.
23 In the project description of the 2011 EIS, the fine
24 PKC facility extended from area 1 to area 2. It
25 effectively split the A watershed, which is this

1 watershed that extends from the eastern side of the
2 fine PKC facility up through Lake A3. It meant that
3 Lake A3, which originally -- well, which currently
4 flows into Kennady Lake, would be raised to a point
5 where its flows were diverted into the adjacent N
6 watershed.

7 Under the supplemental mitigation, the
8 fine PKC facility is reduced in size by approximately
9 83 hectares. What the supplemental mitigation shows is
10 that the A watershed is now avoided, and that the A --
11 that Lake A3 remains part of the A watershed that
12 drains through Lake A2 and A1 back into Kennady Lake at
13 closure.

14 During the period of operations when the
15 controlled area is established, and Kennady Lake
16 isolated from its upper watersheds and downstream
17 watershed, the A watershed will be diverted through to
18 area 8 via pipeline to Lake J1B, which is just to the
19 northwest of area 8.

20 As a result of the smaller fine PKC
21 facility, there's additional fine PK material and waste
22 rock to be -- to be coped with, looking for a better
23 word there.

24 MS. VERONICA CHISHOLM: Mitigated.

25 MR. JOHN FAITHFUL: Mitigated -- well,

1 no, "dealt with" is more appropriate. As a result of
2 the -- the supplemental mit -- mitigation is -- is
3 therefore a modification to the waste management plan.
4 And as a result, additional fine PK material and -- and
5 mine rock will be deposited elsewhere.

6 The fine PK will be deposited in 5034
7 and Hearn pits. And the additional mine rock will be
8 stored within the west mine rock pile.

9 Now, importantly to note, that if you
10 look back to the 2010 project description, and back
11 forward to the 2012 project description, you'll see
12 that the -- the base or the surface area of the -- or
13 the footprint of the west mine rock pile remains the
14 same. However, the height slightly changes in the
15 supplemental mitigation. The west mine rock pile will
16 be higher than the original 2010 EIS project
17 description.

18 I'm on slide 24. This slide provides a
19 summary of some of the key changes associated to the --
20 to the mine plan or the project description, compared
21 to the 2010 EIS project description.

22 There's a small or fine PKC facility
23 reduced by approximately 83 hectares. The fine PKC
24 facility now no longer covers Lakes A1 and A2 in the A
25 watershed. During operations the A watershed is

1 diverted away from Kennady Lake. It's directed to area
2 8 via pipeline through Lake J1B. And Lake A3 is no
3 longer permanently diverted to the N watershed. At
4 closure, this watershed is reconnected to flow back
5 into Kennady Lake.

6 As a result of the requirements to
7 update the waste management plan, the fine PK -- the
8 excess fine PK that would have been deposited in the
9 original fine PKC facility is dir -- directed and
10 deposited in the 5034 and Hearn pits. And the
11 additional mine rock is deposited in the west mine rock
12 pile.

13 I'm on slide 25. So the purpose of the
14 2012 EIS Supplement was to provide a written record to
15 describe the supplemental mitigation associated with
16 the fine PKC facility to address the high phosphorous
17 concentrations that were being predicted in Kennady
18 Lake at closure.

19 The supplement also provides a -- an
20 avenue to assess the effects of this mitigation to the
21 terrestrial and the aquatic environments, and any other
22 components of the 2010/2011 EIS that is affected by
23 those changes brought about through the reduction in
24 the size of the fine PKC facility.

25 What we've endeavoured to do with

1 respect to the EIS supplement document, is to try and
2 keep the structure as similar as possible to the
3 previous versions that have been presented, try and
4 maintain the same section numbering which -- which
5 pertains to the, you know, the general introductory
6 sections that you saw in the -- in the earlier versions
7 of the EIS, and, specifically, address the key lines of
8 inquiry and subjects of note as had been outlined
9 previously.

10 You will find that within that document,
11 each -- each of the sections that require some revision
12 will start off with a summary of the findings of the
13 previous version of the EIS. It will then provide a
14 table that outlines each of the key changes that will
15 be presented in that particular section. And -- and
16 those changes are presented in -- in an easy table
17 format to readily identify what the key issues that
18 have been -- identify the key issues that have been
19 addressed. And then the final section, the final
20 subsection of each section, provides an updated
21 assessment.

22 I'm on page -- slide 26. There's a lot
23 of information that I'm not going to speak to directly
24 on this slide. What it really -- what it does is -- is
25 provides a road map to -- to a person who is

1 potentially going to access the 2012 EIS supplement.

2 And look to -- look specifically to which sections have
3 been revised.

4 In some cases sections will not have
5 been revised. In other cases there will be minor
6 revisions. They are outlined in the -- in this table
7 on -- on the right-hand side. And, more importantly,
8 it provides you with the relevant EIS sections that
9 have been -- have -- that have had some -- some sort of
10 more intensive or comprehensive update as a regard --
11 as -- as related to the supplement -- supplemental
12 mitigation. Excuse me.

13 One (1) of the key differences with the
14 project description over what I've described with
15 respect to how updates have been provided to the
16 section is that the project description has been
17 provided on a word-by-word basis -- a word-for-word
18 basis. So they've -- we've taken the 2010 EIS version
19 of the project description, provided the changes to
20 that document as they pertain to the supplemental
21 mitigation, and identified those changes in yellow
22 highlighted text or the text that's been highlighted in
23 yellow.

24 It's pretty important and it allows the
25 -- the reader to identify specifically how the

1 supplemental mitigation has -- has changed the project
2 description as it currently stands. In our view, the
3 project description has to be a stand-alone document,
4 and this is the document that now pertains to the
5 project description for the proposed project.

6 The next slide on page 28 is more of a
7 focus on some of the key appendices that have been
8 updated, or -- or new -- new appendices provided with
9 respect to the aquatics assessment that's listed in the
10 2012 EIS supplement. You'll note that there's a number
11 of additional appendices in section 8 in -- compared to
12 the previous EIS. This is -- this is to allow us to
13 update the hydrology assessment and also to provide
14 some -- from new modelling work that was undertaken to
15 predict and project dissolved oxygen and nutrients in
16 Kennady Lake.

17 Like the project description that I
18 mentioned in the previous slide, two (2) appendices,
19 the water quality modelling appendix and the
20 geochemistry testing appendix, have been kept word-for-
21 word with alterations based on the supplemental
22 mitigation provided and highlighted -- highlighted in
23 yellow.

24 I'm on slide 28. What I'm going to
25 provide over the next couple of slides is really the

1 summary of the key findings of the aquatics and the
2 terrestrial assessment as it pertains to the -- to the
3 supplemental mitigation.

4 So if we remember back to the slide
5 where we showed the change in the footprint of the fine
6 PKC facility, ultimately that reduces the amount of
7 disturbed habitat within the LSA, also within the --
8 the actual project footprint, by approximately 83
9 hectares.

10 As a result of the change in the
11 disturbed habitat, which is -- which is lower than --
12 than what was presented in the 2010 EIS, there's no
13 change to the conclusions with respect to the impacts
14 on the abundance and habitat -- abundance and
15 distribution of caribou as a result of the project. So
16 no significant effects is the conclusion to the
17 abundance and distribution of caribou, that particular
18 assessment endpoint within the terrestrial -- within
19 the caribou key line of inquiry.

20 I'm on slide 29. Similar to caribou,
21 the other subjects of note with respect to the
22 terrestrial environment. As subjects of note, vege --
23 vegetation, carnivore mortality, ungulates, species and
24 risk of birds. Again, the conclusions of the
25 assessment that were presented in the 2010 EIS remain

1 the same. The amount of disturbed area is reduced so
2 that the conclusions around significant adverse effects
3 -- around the no-significant-adverse-effects findings
4 remain the same.

5 I'm on slide 30. The key findings of
6 the aquatics environ -- environment focussed on
7 sections 8, 9, and 10, as water quality and fish in
8 Kennady Lake, the downstream water effects, and the
9 long term biophysical effects, closure and reclamation.

10 The size of the fine PKC facility is
11 reduced, and in -- and in -- in support -- and in
12 addition to the updated geochemistry testing, the
13 sources of phosphorous that -- that force -- sources of
14 the higher phosphorous in Kennady Lake are now lower
15 than predicted in the 2011 EIS update.

16 With those findings and -- and -- oh,
17 sorry, not with those findings. Taking into account
18 that there's a smaller fine PKC facility, there was a -
19 - there was a need to update the water balance. And
20 so, from a hydrological perspective, an update to the
21 assessment of hydrology was required, but as a
22 consequence of the smaller facility and the minor
23 change with respect to the water balance there were no
24 changes in the conclusions around the assessment of
25 flows and water levels in Kennady Lake and immediately

1 downstream to that presented in the 2010 EIS -- or 2011
2 EIS update.

3 With respect to water quality,
4 phosphorous concentrations were -- were reduced in
5 Kennady Lake in the long-term by approximately a half,
6 changing from .018 milligrams per litre down to a
7 projected long-term concentration of 0.009 milligrams
8 per litre. That maintains Kennady Lake in the long-
9 term to return to oligotrophic conditions or a low
10 productivity state, which is generally consistent with
11 the baseline conditions. Although it -- although the -
12 - the projected concentrations are higher than the
13 baseline conditions, there will be some -- there is
14 some predicted increases in productivity in Kennedy
15 Lake.

16 As a result of the updated geochemistry
17 testing, smaller fine PKC facility fewer metals, fewer
18 maximum concentrations of metals which occur
19 immediately after refilling of Kennady Lake are
20 projected to be higher than CCME water quality
21 guidelines. In the 2010/2011 EIS update four (4)
22 metals were predicted to be higher than CCME
23 guidelines: iron, chromium, cadmium, and copper. Under
24 the new assessment only cadmium and copper are now
25 predicted to be higher than CCME water quality

1 guidelines.

2 But it's my understanding currently that
3 the -- the guideline -- the CCME water quality
4 guideline for cadmium is being revised and there is a
5 pending update to that water quality guideline which
6 will be higher than the current CCME water quality
7 guideline for cadmium. And once that is actually
8 officiated it's my understanding that cadmium will be
9 taken off the table with respect to being higher than
10 CCME water quality guidelines. And this -- that
11 represents an initial screening stage of the aquatics
12 assessment.

13 The predicted copper concentration. The
14 maximum copper co -- concentration that's been modelled
15 is just above the CCME water quality guideline, taking
16 into account some of the dependencies like hardness.
17 It -- the guideline is currently two (2) and the
18 maximum concentration in Kennady Lake following closure
19 is about 2.3 micrograms per litre.

20 The next slide is slide 31. The next
21 stage of the cre -- screening process to determine
22 effects to aqua -- aqua -- the aquatic ecosystem is an
23 aquatic health assessment. That was reassessed based
24 on the updated water quality modelling conducted for
25 the EIS supplement.

1 The conclusions of the assessment remain
2 unchanged from the 2011 EIS update with copper being
3 now the only substance of potential concern in Kennady
4 Lake being above chronic effects benchmark. However,
5 for the reasons that I provided before, given the
6 maximum concentration being so close to both the CCME
7 water quality guideline and also the chronic effects
8 benchmark, the potential for adverse effects to aquatic
9 biota in Kennady Lake was projected to be low.

10 In addition to the aquatic health
11 assessment, and also the water quality assessment, the
12 fish and fish habitat component was reassessed. The
13 lower trophic communities were found to be more
14 productive -- well, were predicted to be more
15 productive than baseline conditions but to now remain
16 consistent with oligotrophic conditions or low
17 productivity -- or low productive environment.

18 There would still be an increase in
19 productivity based on -- over -- over baseline
20 conditions, but much less than predicted in the 2011
21 EIS update. As a result of this change in -- in
22 productivity, there'd be an increased food base and
23 there'd be likely an increase growth and -- and
24 productive capacity for forage and large-bodied fish.

25 Over-wintering habitat for fish would

1 still be suitable in the refilled Kennady Lake over
2 that that was pre -- predicted in the 2011 EIS update.
3 And the fish species assemblage within Kennady Lake
4 will be similar to -- to baseline conditions.

5

6 (BRIEF PAUSE)

7

8 MR. JOHN FAITHFUL: With respect to the
9 recovery of Kennady Lake, the EIS is -- is maintaining
10 the timeline for re -- recovery that was presented in -
11 - in that EIS version. We know that -- expecting a
12 functional aquatic ecosystem within five (5) years of
13 reconnection to the downstream environment, which
14 includes the preshents -- presence of fish spe -- fish
15 species.

16 However, the steady-state condit --
17 conditions around the recovery of Kennady Lake would
18 remain unchanged. And we'd maintain that to take
19 around sixty-five (65) years. The refilled Kennady
20 Lake, as we mentioned before, would return to
21 oligotrophic conditions but, as a result of the
22 increased nutrients, would be more productive than
23 baseline but much less than that presented in the 2011
24 EIS Update.

25 And so the conclusions were drawn in --

1 on -- to the aquatic assessment in the 2011 EIS update
2 that impacts to both the suitability of -- of water
3 within Kennady Lake watershed and downstream water
4 bodies to support a viable and self-sustaining aquatic
5 ecosystem, and on the abundance of Arctic grayling,
6 lake trout, and northern pike would remain unchanged to
7 that presented in the 2011 EIS, and that no significant
8 adverse affects were predicted within those
9 environments.

10 So in -- in summary, the 2012 EIS
11 supplement provides a -- a comprehensive description of
12 the supplemental mitigation that's been assessed. It
13 discusses the smaller fine PKC facility, the
14 modifications to the mine rock, and processed
15 kimberlite management. It assesses the disturbed
16 habitat area that's -- that -- that is now smaller than
17 presented in the previous EIS. It outlines the
18 assessment to the aquatic environment based on a
19 reduced phosphorus concentration in Kennady Lake at
20 closure. And ultimately arrives at the same conc --
21 conclusions that were presented in the 2011 EIS, that
22 being that no significant adverse effects are predicted
23 for the terrestrial and aquatic environments.

24

25

(BRIEF PAUSE)

1 MR. JOHN FAITHFUL: So, Chuck, that --
2 that sort of ends the 2012 EIS supplement part of our
3 presentation.

4

5 QUESTION PERIOD:

6 THE FACILITATOR HUBERT: Chuck Hubert,
7 with the panel. Thanks very much for that
8 presentation. That was clear, concise, and -- and
9 valuable information, a good update. And the panel
10 does appreciate the efforts that De Beers put into
11 making a -- a simplified way of understanding what in
12 the EIS update was new information and what was -- what
13 was past information so that parties don't need to go
14 back to -- to previous documents. So that's -- the
15 panel is than -- thankful for that.

16 I understand that De Beers is -- is okay
17 with questions at this point or would you like to
18 proceed with your other presentation?

19 MS. VERONICA CHISHOLM: Veronica
20 Chisholm from De Beers. We're open, you know, these
21 are free technical sessions and so whatever they -- you
22 would like to do, Chair.

23 THE FACILITATOR HUBERT: Questions then
24 from parties of -- of De Beers' presentation.

25

1 (BRIEF PAUSE)

2

3 MR. PETER COTT: It's Pete Cott from
4 the Department of Fisheries. I've just got a question
5 about the assessment of water quality parameters from
6 the -- from what was just presented.

7 In the 2011 water quality and sediment
8 quality supplemental monitoring report, there was
9 indication within that report that a few other metals
10 were also elevated above CCME guidelines, including
11 aluminium and iron. Now is that what you were -- were
12 talking about in terms of changes since the -- the
13 original submission? Because we just got this report
14 and -- and there -- it did indicate a few metal
15 parameters that were -- that were elevated. Thank you.

16 MR. JOHN FAITHFUL: John Faithful,
17 Golder Associates. Pete, the -- the report you're
18 referring to is the supplemental monitoring report for
19 water quality and sediment quality. And so, that's
20 providing an outline of the baseline monitoring for --
21 for water quality and sediment quality that was
22 conducted in 2011.

23 I was speaking more specifically to the
24 -- to the -- the EA assessment. And the predicted
25 concentrations with respect to those -- the predicted

1 exceedances to CCME concentrations factor into account
2 that there -- there are occasions where baseline
3 concentrations of certain parameters, like the ones
4 that you just mentioned, do occur or are measured at
5 times above CCME guidelines.

6 MR. PETER COTT: Okay. Pete Cott, from
7 the Department of Fisheries. Thank you.

8 THE FACILITATOR HUBERT: Thank you. I
9 believe I saw a hand at the back? Yeah, if you could
10 just please go to the microphone or -- and -- thanks.

11

12 (BRIEF PAUSE)

13

14 MR. RANDY FREEMAN: Okay. I'm Randy
15 Freeman, F-R-E-E-M-A-N, with the Yellowknives Dene.
16 Last year in the sessions that were held at the Prince
17 of Wales Northern Heritage Centre, we heard very
18 briefly about a drilling program that was going to look
19 at the limits of Tuzo pit. Because as of last fall you
20 didn't know how far down that kimberlite pipe went. My
21 first question, I guess, is was that drilling -- was
22 that drilling program undertaken? Do you know now how
23 far down that kimberlite goes?

24 And if you do know that it's
25 significantly further down than you had originally

1 anticipated, does any of this change? Does the -- the
2 length at which the mine will operate change? Does
3 the, you know, cumulative effects change on caribou, or
4 -- you know, I mean, all of these sorts of questions
5 could have some, you know, changes to them if you know
6 about Tuzo pit.

7 MR. ANDREW WILLIAMS: Andrew Williams,
8 De Beers Canada. Randy, yeah, we completed some
9 exploration drill holes just earlier this year, though
10 very exploratory in nature, we were just looking to see
11 just what might be down there, at depth. We did get
12 some intersections as just above 600 metres in depth,
13 but we only drilled five (5) holes. So, those holes
14 would not be useful for any future mine planning. But
15 there would be some opportunity for the mine, once it's
16 in operation, to look at whether or not it could extend
17 the life of the mine.

18 MR. RANDY FREEMAN: Are you optimistic
19 that it will?

20 MR. ANDREW WILLIAMS: Sorry, Randy, I'm
21 a geologist. I'm always optimistic. It's very early
22 days yet. We'll -- there will have to be a lot more
23 drilling to be done before we can assure ourselves if
24 we would have a deeper pit. But at the moment, it's
25 not expected to make any change to our current

1 presentation or the impacts that we've assessed.

2 MR. RANDY FREEMAN: But in future years
3 it may?

4 MS. VERONICA CHISHOLM: Veronica
5 Chisholm, from De Beers. Andrew has a habit of turning
6 off the microphone when he speaks, so he just sort of
7 said that, you know, just to summarize, the -- the
8 current drilling program does not indicate that there's
9 going to be any fundamental change to our project plan.
10 But, of course, as we progress and we gather more
11 information, if there is an update, that would be
12 provided. Thanks.

13 THE FACILITATOR HUBERT: Thank you.
14 Anything else on the presentation from De Beers from
15 people in the audience?

16

17 (BRIEF PAUSE)

18

19 THE FACILITATOR HUBERT: Okay, thanks a
20 lot.

21

22 (BRIEF PAUSE)

23

24 MS. STEPHANIE POOLE: Good afternoon.
25 My name is Stephanie Poole, that's P-O-O-L-E. I have a

1 few questions regarding the De Beers presentation.

2 My first question. In the very
3 beginning of the presentation you had said that Kennady
4 Lake will be fully or partially dewatered. And for the
5 purposes of this environmental impact review, I would
6 like to know which of those two (2) that it is, fully
7 or partially. My next question is just kind of random,
8 but when you talk about dewatering, where -- where does
9 that water go?

10 And then when you were speaking about
11 closure and reclamation, there was a slide that said
12 that Dike A will be breached and/or removed at closure.
13 And so is it only Dike A, or all of the dikes, and
14 which is it, breached or removed?

15 Regarding the water quality, it says
16 that Kennady Lake returns to an oligotrophic
17 conditions. It's my understanding that there is life
18 in Kennady Lake, and it is a eutrophic lake. And so
19 I'm just wondering, maybe with all of the government
20 agencies in one (1) room they can tell me why this lake
21 has been defined in this way.

22 And then when you were speaking about
23 reclamation, you made the statement that reclamation
24 will begin on the 5034 pit in year 5 with backfilled
25 mine rock and fine PK. And then later on in your

1 presentation you made some comments about the
2 supplement -- the supplemental EIS and how the fine PK
3 facility footprint had been reduced. And I'm guessing
4 that these two (2) are related, that it's been reduced
5 because you're planning on putting some of it into this
6 pit.

7 But I'm wondering -- like you're just
8 saying that, and this is your plan, and -- and in these
9 modern times of adaptive management it just makes me
10 wonder, you know, like what kind of guarantee can you
11 give us that this will happen because I think similar
12 plans were -- were made for your mine at Snap Lake
13 where the underground pit would be backfilled with a
14 paste. And -- and that to-date has still not happened.
15 So when this is not happening, that means that more
16 tailings are being stored on the land than what was
17 planned for, and that this will effect your tailings
18 management plans, and this could mean an increase in
19 phosphorus to Kennady Lake.

20 So I want to know what kind of
21 guarantees you -- De Beers can give us that this plan
22 of filling up that pit 5034 in year 5 will actually
23 occur because a lot of your mitigations rely on that
24 fact.

25 And then from Steve Ellis, he says that

1 on slide 14 it says:

2 "Re-establish a flow regime and self-
3 sustaining ecosystem in the refilled
4 Kennady Lake after closure."

5 Does this mean it will re-establish
6 something similar to the state of the environment pre-
7 mine, or that it will be some different flow regime and
8 ecosystem?

9 So I think that's one (1), two (2),
10 three (3), four (4), five (5), six (6) questions.

11 THE FACILITATOR HUBERT: Excellent
12 questions. Thanks very much. Hopefully De Beers
13 managed to scribble those down.

14

15 (BRIEF PAUSE)

16

17 THE FACILITATOR HUBERT: Chuck Hubert,
18 with the panel. As we're waiting for De Beers to
19 organize their responses I'd just like to mention that
20 there is coffee in the back of the room, and water as
21 well. We'll have an official break in a half hour or a
22 little more than that, but we do have things available
23 to keep people keen and alert in -- in the back of the
24 room.

25

1 (BRIEF PAUSE)

2

3 MS. VERONICA CHISHOLM: Veronica
4 Chisholm, from De Beers. I think I'm ready to respond
5 to your question, Stephanie, but I might ask you to
6 repeat one (1) if I mess that up and I don't get it
7 right. So I appreciate that because you really paid
8 attention to my presentation and maybe I wasn't -- I
9 sometimes use the words "or" instead of "and."

10 So with respect to your first question
11 on Kennady Lake, will it be partially or fully
12 dewatered, is actually it will be partially and fully
13 dewatered in certain areas. In the slide that I
14 presented in the -- and maybe I'll just bring up that
15 presentation. A picture says a thousand words they
16 say.

17

18 (BRIEF PAUSE)

19

20 MS. VERONICA CHISHOLM: Sorry.

21

22 (BRIEF PAUSE)

23

24 MS. VERONICA CHISHOLM: We're just
25 bringing up the slide for the people on webcast. So

1 just -- I kind of did go through this kind of quickly,
2 so I appreciate those questions, Stephanie.

3 So when I talked about it being
4 partially and fully dewatered it really isn't an
5 either/or. We will be sectioning off Kennady Lake.
6 And as I mentioned, there's areas 1 through 8 within
7 here. So in certain portions of Kennady Lake they will
8 be fully dewatered. And then in some portions of the
9 lake they'll only be partially dewatered during
10 operations.

11 And part of the reason for that is that
12 if we can keep some of the water within Kennady Lake
13 and not do a fully dewatering, then that will reduce
14 the amount of time to refill Kennady Lake at closure.
15 So I -- I'm hoping that response is clearer, Stephanie,
16 on that.

17 MS. STEPHANIE POOLE: Sure. Yeah. I
18 have more questions now, but just keep going.

19 MS. VERONICA CHISHOLM: Well, this is -
20 - this is precisely what these technical sessions are
21 about. So if we're not clear, I want to be clear. The
22 second question I think -- and I'll turn to you for a
23 nod to make sure I get it correct, you asked, during
24 the dewatering phase where will the water go.

25 And that was discussed within the 2010

1 EIS submission as well as in the 2011. We will be
2 pumping water. And as -- I can illustrate on this
3 figure, which is slide number -- my eyes aren't
4 working. Is that fif --

5 THE FACILITATOR HUBERT: Sixteen.

6 MS. VERONICA CHISHOLM: Sixteen.

7 Thanks, Chuck. Slide number 16. So when we're
8 dewatering we'll be pumping water up through N11, which
9 will head -- go to the north, as well as through area
10 8, through here. And so the water will be put into the
11 N watershed. And I don't whether, John, if you want to
12 add any clarification to the watersheds in terms of
13 where the dewatering will go.

14

15 (BRIEF PAUSE)

16

17 MR. JOHN FAITHFUL: When the -- John
18 Faithful, Golder Associates. When Kennady Lake is --
19 is isolated and the controlled area established around
20 the -- the main basin of Kennady Lake, the upper
21 watersheds -- the upper watersheds -- and I talked a
22 little bit earlier about the -- the A watershed here,
23 so that's one (1) of the upper watersheds of Kennady
24 Lake that -- that has a series of small lakes that
25 flows into Kennady Lake. You also have a number of

1 other small lake watersheds, the -- the B watershed,
2 the C water -- the C watershed, which is down here. I
3 think this is -- comprises the D watershed, and then
4 the E watershed down here.

5 Those -- those particular watersheds, to
6 isolate Kennady Lake, have to be diverted so that we
7 can -- a series of constructed dikes to actually turn
8 the water away and make that flow into the N watershed,
9 which is adjacent to it. And so in addition to the --
10 the actual pump dewatering that Veronica discussed for
11 the Kennady Lake basin, there will also be the
12 temporary diversion of those upper watersheds to the
13 adjacent N watershed.

14

15 (BRIEF PAUSE)

16

17 MR. JOHN FAITHFUL: John Faithful,
18 Golder Associates. The A watershed as I mentioned in -
19 - in the presentation that I gave, during the period of
20 operations it will temporarily be diverted to area 8
21 via a pipeline through Lake J1B, which is the A --
22 that's the A watershed. It will be diverted through
23 to, I think this lake here, Lake J1B, into area 8, and
24 allowed to drain naturally into area 8.

25 MS. VERONICA CHISHOLM: Veronica

1 Chisholm, from De Beers. One (1) other thing that I wa
2 -- one (1) other point I wanted to make on this,
3 Stephanie, is that the water all collectively flows
4 towards Lake 410. And unfortunately, I don't have a --
5 a map that I included here, but there is a map at the
6 back that talks about the flow, the natural flow in and
7 around Kennady Lake and where the dewatering would go.

8 So I certainly will take some time at a
9 break to go through that. I think, correct me if I'm
10 wrong, I think the next question you had was whether
11 Dike A will be breached or will it -- whether it would
12 be removed. It will be removed. And just to
13 illustrate where dike A is, it's between area 7 and
14 area 8, here. And that would be reconnecting Kennady
15 Lake once the lake is filled and once the water quality
16 within Kennady Lake reaches the water quality criteria
17 and discharge criteria.

18 I think the next question you had was on
19 oligotrophic and eutrophic?

20 MS. STEPHANIE POOLE: Sorry, the last
21 question was in regards to Dike A and also the rest of
22 the dikes.

23

24 (BRIEF PAUSE)

25

1 MR. BILL HORNE: At -- at closure --
2 oh, Bill Horne, EBA Engineering. At -- at closure, as
3 -- as Veronica said, Dike A will be removed. We also
4 have -- I'll go from the north around the side of the
5 lake. We also have Dike D, it will remain. Dike E
6 will just be breached. Dike F will be breached. And
7 Dike G will be breached.

8 The other internal dikes within --
9 within Kennady Lake, we have Dike K, we have a few more
10 that aren't show on this particular figure. Dike K,
11 Dike N, Dike B, they will be cut down to below lake
12 level and then provide fish habitat at closure. Dikes
13 H will remain, it will be incorporated. Dikes H and I
14 will be incorporated with the waste rock dump at
15 closure. Does that answer your question?

16

17 (BRIEF PAUSE)

18

19 MS. STEPHANIE POOLE: Let -- let's just
20 go through it again, because it's a lot of dikes. So
21 Dike A will be removed; Dike D will remain; Dike E, F,
22 and G will be breached; other internal dikes not shown
23 on this presentation will be cut down to below lake
24 level and provide fish habitat. And that's all I got.
25 Were there more?

1 THE FACILITATOR HUBERT: You can --

2 MR. BILL HORNE: Bill Horne, EBA.

3 You've just about got it. The -- the other internal
4 dikes, say Dike K, which is shown on there, it will be
5 cut down to below lake level. Dike N, which is on the
6 other side of area 6, will also be cut down below lake
7 level. Dike B, which is at the top of area 4, will be
8 cut down below lake level. Dike L will remain, but
9 there will be no water behind it. It'll just be our
10 closed off fine PK area. And Dike D, the same thing.
11 There will be no water behind it, it will just be a
12 very thin layer of tailings, about 2 metres of
13 tailings, and then our cover. Dike A1, which I forgot
14 to mention, it will be the same as Dike D. It will
15 remain, but there won't be any water there. It will
16 just be about 2 metres of tailings, about 2 metres of
17 cover.

18 THE FACILITATOR HUBERT: Thanks. Just
19 a reminder that once you're finished talking if you can
20 turn your mic off. Because there's only one (1)
21 allowed at one (1) time.

22 MS. VERONICA CHISHOLM: Veronica
23 Chisholm, from De Beers. Stephanie, I also want to
24 point you to the April, 2012, EIS supplement, Table
25 3.9-1. It's within Section 3. It provides a table

1 listing all of the dikes, the construction year, the
2 dike type and consequences, the characteristics of the
3 dikes, and the fate of the dikes. So we've provided a
4 description here, but there's far more detail in this
5 table. So just as a reference point for you as well.
6 Thanks.

7 Should we carry on, on the next
8 question? So just to confirm, I think your next
9 question was on ogi -- oligotrophic versus eutrophic
10 and what the status of the lake is. Is that correct?

11 MS. STEPHANIE POOLE: Yes.

12 MS. VERONICA CHISHOLM: You're nodding
13 yes. I'll have John Faithful respond to that.

14 MR. JOHN FAITHFUL: John Faithful,
15 Golder Associates. Stephanie, the -- a trophic
16 condition is -- is typically used to characterize the
17 potential productivity of the lake. Kennady Lake, both
18 in -- in baseline conditions and also the long-term
19 projected condition of -- of Kennady Lake is -- is for
20 it to be -- remain oligotrophic.

21 Oligotrophic is -- is commonly used to
22 distinguish low-productivity lakes. And that's
23 characterized by generally low nutrient concentrations,
24 to characterize them from, say, a eutrophic lake, which
25 has ample nutrient supply and is generally a lot more

1 productive.

2 In -- in general, the trophic status is
3 -- is linked quite strongly to phosphorous
4 concentrations. And I think there is a -- a range of
5 phosphorous concentrations assigned to various trophic
6 status in the Canadian Council for the Minis --
7 Ministry of Environment reference to -- in 2004, which
8 talks about a phosphorous framework. And we can
9 provide a reference to -- to that document if you like.
10 And it presents a -- a series of phosphorous
11 concentrations and what the -- and what -- what the
12 various trigger levels are for that trophic condition.
13 And they extend from being ultra-oligotrophic, which is
14 really low phosphorous concentrations, through to
15 hyper-eutrophic conditions, which are very high
16 phosphorous concentrations.

17 Now, although it's -- Kennady Lake has
18 been characterized as an oligotrophic lake, i.e., being
19 a -- a low productivity lake, it doesn't necessarily
20 mean that -- that the lakes don't have the capacity to
21 support aquatic biota. There are generally limited
22 nutrients, but that doesn't mean to say that there will
23 not be phytoplankton, which are a sort of fine algal
24 species, and aquatic plants that exist in the lake.

25 Nor will there -- nor will it limit the

1 amount of fish that are in the lake. In fact, I think
2 lake trout prefer cold, low nutrient conditions, and
3 thrive in those conditions as has been determined from
4 a lot of the -- the monitoring that's been undertaken
5 in that region.

6 So just to sort of correct your
7 statement that the oligotrophic -- that Kennady Lake is
8 an olig -- oligotrophic lake, it's projected to remain
9 oligotrophic in -- in the post-closure period. And
10 it's not a eutrophic lake, which would imply much
11 higher nutrient conditions.

12 MS. STEPHANIE POOLE: So is that a task
13 to provide me with that document?

14 MR. JOHN FAITHFUL: John Faithful,
15 Golder Associates. I will provide you with a reference
16 to that document.

17 MS. VERONICA CHISHOLM: One (1) other
18 point of reference just -- there's a glossary within
19 the -- within our submission for the 2012 EIS, as well
20 as the 2010. And in that glossary we have the
21 definitions for all the terms we use, and that is in
22 Section 16. Where we specifically define "eutrophic"
23 and "oligotrophic," that would be in page 16-8 and 16-
24 9, just for your reference.

25 THE FACILITATOR HUBERT: Thank you for

1 that response. Does that, Stephanie, satisfy your
2 information and that question?

3 MS. STEPHANIE POOLE: I guess so. I
4 understand the difference, so I don't need to be
5 pointed out to that. But I would like the link to the
6 document that was referred to in your response.

7 MR. JOHN FAITHFUL: John Faithful,
8 Golder Associates. Yes, we'll provide that.

9 THE FACILITATOR HUBERT: Thank you.
10 And you'll provide that tomorrow?

11 MS. VERONICA CHISHOLM: Veronica
12 Chisholm, De Beers. I think we can -- yeah, we'll
13 provide that at the latest tomorrow. If we can try and
14 provide that this afternoon we will, as well.

15 And Stephanie, I only wanted to point
16 out this glossary section. It wasn't intended to sort
17 of -- I understand that you know the difference but
18 just so that you were consistent with the definition
19 that we tended to use in the document. That's the only
20 reason why I pointed that out.

21 I'm -- I'm wondering so we can -- yeah,
22 so I'm just wondering if maybe you can help me on
23 question number 5. Would you mind repeating that one
24 (1) so I'm clear on that, Stephanie?

25 MS. STEPHANIE POOLE: I have two (2)

1 questions remaining. One (1) is my own and one (1) is
2 Steve Ellis. Which one (1) do you mean?

3 MS. VERONICA CHISHOLM: Veronica
4 Chisholm, De Beers. I think it was the reclamation
5 year 5, so I -- just so I'm clear would you mind
6 repeating that? Thank you.

7 MS. STEPHANIE POOLE: So in your
8 presentation it says that:

9 "Reclamation will begin on 5034 pit
10 in year 5 with backfilled mine rock
11 and fine PK."

12 And then later on in your presentation
13 you make reference to the fine PKC facility having a
14 smaller footprint, and then a bunch of assumptions and
15 assess -- assessments about how this will mitigate, and
16 -- and everything is fine, and so forth, because of it.

17 But what I'm asking De Beers for is --
18 is a guarantee. What kind of guarantee can you give us
19 that --that this will happen, that reclamation and that
20 the fine P -- PK will go into the pit in year 5 because
21 similar commitments were made, you know, at your Snap
22 Lake mine for filling up the underground with paste.
23 And that has not happened. It wasn't happened -- it
24 didn't happen as you described it. And it's still not
25 happening.

1 So what I'm saying is that your --
2 you're giving us your plan of what's going to happen,
3 but no guarantees that it will occur. And -- and if it
4 doesn't, then there are serious impacts to the
5 environment that could happen. There will be tailings
6 management issues, there could be increased phosphorus
7 during -- you know, due to long-term storage of the PK.
8 And then all of these other predictions that you --
9 you've -- you've made that are related to the smaller
10 footprint would also be affected as well.

11 So I'm just -- I'm just wondering, you
12 know, like -- because nowadays companies are allowed --
13 you know, proponents are allowed to -- to use adaptive
14 management at their leisure. So, you know, like what
15 kind of guarantees can you give us that the -- the fine
16 PK will go into the 5034 pit in year 5?

17 MS. VERONICA CHISHOLM: Veronica
18 Chisholm from De Beers. Thank you for the
19 clarification around that question, Stephanie. Our
20 intention is to follow the mine plan as we laid out.
21 Our intention -- our commitment is to design the
22 project as laid out in the EIS. There will be some
23 additional detailed engineering, but the commitment now
24 is to reduce the size of the fine PKC facility. And in
25 order to do that our commitment is to move the fine PK

1 into 5034 pit starting at year 5.

2 With respect to Snap Lake, I'll ask
3 Cathie to speak more about Snap Lake. She has more
4 information on that. But it's -- it's my understanding
5 that the paste technology is on track for the
6 operational life of Snap Lake. However, I'll just ask
7 Carrie if she -- Cathie if she'd like to provide some
8 additional words on that.

9 MS. CATHIE BOLSTAD: Thanks, Veronica.
10 It's Cathie Bolstad, De Beers Canada. Stephanie, I --
11 I think you may recall during the Snap Lake water
12 license hearings we talked about the paste deposition
13 at the Snap Lake mine. And -- and certainly De Beers'
14 commitment remains today for paste deposition in the
15 underground.

16 In December, when we provided an update
17 on -- on the paste deposition for the Snap Lake mine,
18 we spoke about 2008 and 2009, the economic downturn
19 which had resulted in a change in the production rate
20 at the Snap Lake mine, and, therefore, a change in the
21 underground development ahead of us in -- in terms of
22 giving us places in which to deposit the paste at that
23 time. And -- and at this time, De Beers remains on
24 track for the life of mine for the presentage (sic) of
25 paste that is to be deposited in the underground.

1 I'm not a paste expert, but certainly I
2 can per -- you know, obtain a little bit obfermation --
3 information and provide an update on that if required.
4 But that is -- De Beers' commitment remains on the Snap
5 Lake mine, to mine to the plan that was presented.

6 THE FACILITATOR HUBERT: Thank you very
7 much. And Chuck Hubert with the panel. I'd just like
8 to -- to mention that, from the panel's perspective,
9 commitments made by the developer, in this case, De
10 Beers, become part of the project. And -- and the --
11 the panel uses commitments and takes them extremely
12 seriously.

13 A commitment made by a developer -- the
14 assumption by the panel is that that is -- is part of
15 the project design and is certainly used in the Board's
16 -- or in the panel's determination of significant
17 adverse impacts. And the -- I know the -- the -- the
18 commitments which become part of project design are
19 followed up on by our sister boards, the land and water
20 boards, during the licensing phase.

21 Any last, I guess, answer to one (1) of
22 the questions before we break?

23 MS. VERONICA CHISHOLM: Veronica
24 Chisholm, from De Beers. I think Steve Ellis'
25 question, maybe, Stephanie, could you help me out with

1 that one (1) again? Thank you.

2 MS. STEPHANIE POOLE: I'll -- I'll
3 repeat Steve Ellis' questions. And -- and just for
4 you, Chuck, later on we're going to discuss commitments
5 further and in detail. Steve Ellis says that on slide
6 14 it says:

7 "Re-establish a flow regime and self-
8 sustaining ecosystem in the refilled
9 Kennady Lake after closure. Does
10 this mean it will reestablish
11 something similar to the state of the
12 environment pre-mine or that it will
13 be something diff -- or that it will
14 be some different flow regime and
15 ecosystem?"

16 MS. VERONICA CHISHOLM: Veronica
17 Chisholm, from De Beers. Thanks, Stephanie, for the
18 clarification. Yes, it will be something similar to
19 pre-disturbance conditions.

20

21 (BRIEF PAUSE)

22

23 THE FACILITATOR HUBERT: Thanks very
24 much. We have time maybe for one (1) more quick
25 question. And then we'll take a break and move on to

1 the second half of De Beers' presentation. So anybody
2 care to -- yes, in the back, please. And state your
3 name, please.

4 MR. ELMAR PLATE: It's Elmar Plate,
5 from LGL Limited. I have two (2) questions. One (1)
6 is -- actually nowhere I've found mentioning of what's
7 actually happening to the fish when you're pumping out
8 the lake. And there's also no mentioning of when you
9 lower a lake and dewater it -- so there will probably
10 be -- very oligotrophic lakes, there's probably a
11 thousand fish per hectare or something, is quite often
12 the number that's -- you'll see when -- from my
13 experience from looking at a lot of lakes.

14 So there's probably about eight hundred
15 and seventy thousand (870,000) fish or something --
16 somewhere around eight hundred thousand (800,000) fish
17 in that lake if you count all the juveniles with it.
18 So that's quite a high number of fish. So I was just
19 wondering what happens to them when you dewater and
20 pump the lake out. Is there anything in front of the
21 pumps that collects the fish, that brings them
22 somewhere else to different lakes, that gathers the big
23 ones for food, things like that.

24 So that was one (1) thing I was
25 interested in. And another one -- and we can -- the

1 second question is I ha -- still have a problem with
2 your modelling of the winter volume for fish. We can
3 discuss it more in the next -- probably tomorrow, but
4 just to put into your mind already, there's a lower
5 bound for the oxygen concentrations of 6.5 milligrams
6 per litre and 5.5 milligrams per litre, but there's no
7 upper bound on that model.

8 And as you -- all the Fisheries' people
9 know, fish cannot live very well and -- and very
10 healthy -- healthy way below 5.5/6.5 milligrams per
11 litre. But the same is also true for very high oxygen
12 saturations. So if you go to oxygen saturations that
13 are far beyo -- beyond 100 percent -- in the wintertime
14 they will probably be around 13/14 milligrams per
15 litre, you also have problems for fish. And there's no
16 upper bound on your model. So I think the volume that
17 -- that you've calculated for a potential of a winter
18 habitat for fish is probably not quite correct. I
19 think it's going -- going to be quite a bit lower than
20 what you are suggesting.

21 So I would like you to include, please,
22 into the model, the upper bound too, not only the lower
23 bound, because when you look at the graphs you can see
24 actually the oxygen saturations go up to -- in your
25 model only go up to 13 milligrams per litre. When you

1 measure them actually, in the lake under the ice, they
2 go up to 19 milligrams per litre. So there's something
3 wrong with the model, not quite describing what's
4 reality in the lake. And I would like you to please
5 take one (1) more look at that, probably clarify that.
6 Probably there can be a calibration process based on
7 your real data that you collected. And then there can
8 be a recalculation of the volumes for over-wintering
9 survival for the fish.

10 So there's the two (2) questions, number
11 1, it's just a very general question, what happens to
12 the fish in the lake, and also whether you have an idea
13 of how many there are approximately. And then the
14 second question is whether you could probably
15 recalibrate that model or put an upper bound on it.
16 Thank you.

17 THE FACILITATOR HUBERT: Thanks very
18 much. And for the transcriber can you say your name
19 once more. Thanks.

20 MR. ELMAR PLATE: So my name is Elmar,
21 it's spelled E-L-M-A-R. And it's Plate, or Plate, the
22 -- like the plate you eat from, is the easiest. And I
23 work for LGL Limited.

24

25 (BRIEF PAUSE)

1 MS. VERONICA CHISHOLM: Veronica
2 Chisholm, from De Beers. I'll answer the first
3 question. So with respect to the fish salvage, we did
4 put in a fish-out plan in -- submitted as part of the
5 EIS. It was in Section 8.10.3.2. Sorry, that's
6 8.10.3.2. And so generally with the fish-out we're yet
7 to provide a lot of -- develop the full details on
8 that, but there are some protocols that are provided by
9 DFO on doing fish-outs. We will develop -- our
10 commitment is to develop a detailed plan for a fish-out
11 in advance, well in advance of that fish-out.

12 And in February and March we also had a
13 -- went around to a series of community visits. And at
14 that time we were very fortunate, because a number of
15 the community members provided really good suggestions
16 on the fish-out. And so our intention is to do more
17 community site visits this summer at the Gahcho Kue
18 project as well as follow-up in the fall. And some of
19 those same questions that I had regarding fish-outs and
20 fish compensation plans, et cetera, posed within the
21 communities would be asked again for some additional
22 information.

23 So I hope that answers question number 1
24 somewhat. And I'll have John speak to question number
25 2.

1 (BRIEF PAUSE)

2

3 MR. JOHN FAITHFUL: John Faithful,
4 Golder Associates. Elmar, was that correct? Thank for
5 your que -- thanks for your questions. With -- with
6 respect to your second question regarding the -- the
7 consideration of an upper bound in our volume estimates
8 for suitable habitat for fish, I'd like to ask you and
9 also, I guess, ask the Chair for -- to -- for that
10 question to be deferred to tomorrow's discussion on
11 water quality in Kennady Lake?

12 MR. ELMAR PLATE: I think that makes
13 sense.

14 THE FACILITATOR HUBERT: I think what I
15 heard was that there's some consensus to talk about
16 this further tomorrow, in the more detailed talk about
17 fish. So, let's -- and aquatic environment, so let's
18 do it -- it that way then.

19 So, with that, I'd like to take about a
20 ten (10) minute break. Thanks, everybody, for
21 questions and answers. And we'll see you in about ten
22 (10) minutes to continue. Thanks.

23

24 --- Upon recessing at 3:03 p.m.

25 --- Upon resuming at 3:20 p.m.

1 THE FACILITATOR HUBERT: Okay. Good
2 afternoon once again, everybody. It's about 3:20. At
3 this time John King with NRCan has asked if a colleague
4 of his from Ottawa can ask De Beers a question or two
5 (2). If we can keep it to about ten (10) minutes for
6 questions. I believe there's somebody on
7 teleconference, and if we can hook up with that now
8 that would be excellent, please.

9 MS. SHARON SMITH: Yeah, it's Sharon
10 Smith here from NRCan. Can you hear me okay?

11

12 (BRIEF PAUSE)

13

14 THE FACILITATOR HUBERT: Good
15 afternoon. Is this Sharon Smith in Ottawa?

16 MS. SHARON SMITH: Yeah. Yeah, it is.
17 Can you hear me okay?

18 THE FACILITATOR HUBERT: We can hear
19 you loud and clear. If you can address your question
20 right now, De Beers would be pleased to answer it. Go
21 ahead.

22 MS. SHARON SMITH: Okay. Thanks very
23 much. I just had a couple questions about the design
24 of the numerous dikes and the geotechnical
25 investigations that have been conducted.

1 And one (1) of the things -- we had
2 quite a bit of information sent to us in response to
3 our Information Requests, and I was just curious as to
4 whether there's been any detailed investigations done
5 of the overburden material because there didn't seem to
6 be much testing or -- or anything like that so far in
7 the information that I received.

8

9 (BRIEF PAUSE)

10

11 THE FACILITATOR HUBERT: Thank you for
12 that questions. De Beers is just preparing a response,
13 and will respond momentarily. Thanks.

14

15 (BRIEF PAUSE)

16

17 MR. BILL HORNE: It's Bill Horne from
18 EBA. We -- we did send the information that we have on
19 the overburden material in the Information Request to
20 NRCAN. And there's some particle size analysis in
21 there, and we've got numerous drill holes to give us an
22 idea of the quantities of the -- the overburden.

23 And -- and really I -- I think that's
24 the information that we have. And -- and for the
25 overburden material, we -- we will have some additional

1 mater -- some additional information from boreholes
2 drilled for the dike design. But I -- I think
3 basically what we have so far is -- is enough for the
4 designs that we have in place.

5 We do -- right now the amount of till
6 that we've got planned is about -- for the dike
7 construction we're -- we're using about 50 percent of
8 the matil -- till that we -- we've estimated is on
9 site. Most of the till is coming from the stripping of
10 the pits, so lake bed sediments.

11 Does that answer your question?

12 MS. SHARON SMITH: Yeah. I'll have to
13 have a closer look at some of the material that you
14 sent, but thanks for that.

15 Related to that, for a number of the
16 dikes there didn't seem to be any boreholes, or any
17 ground temperature measurements there. And the ones
18 that I'm specifically wondering about are dikes A1, D,
19 E, F, G, and H, because the -- because these seem to be
20 the ones where you're going to key the liners into, as
21 you say, competent permafrost.

22 And I was just wondering do you know for
23 sure that there -- it's frozen conditions at these
24 alignments? Because I noticed that some of them will
25 cross streams, so they may be fairly warm. And you may

1 also have some water impounded behind them, which would
2 warm things up. And I'm just wondering what -- what
3 information you do have available on the thermal
4 conditions and what more work that you might do to get
5 a better idea of that.

6 MR. BILL HORNE: You -- you're
7 absolutely right. Those -- oh, Bill Horne, EBA. We
8 have limited information from -- from dikes A1, D, E,
9 F, and G. We -- we do have geophysics for those dikes
10 which basically show the depth of rock, but there has
11 been no drilling at those locations and no ground
12 temperature cables installed. And that is in the plan
13 before the final design is done. There will be a full-
14 blown geotechnical investigation for those dikes and --
15 and the design will be modified accordingly depending
16 on what we find.

17 MS. SHARON SMITH: Just -- just related
18 to that, I notice that you do have some temperature
19 measurements at other locations but there only seem to
20 be measurements for, I think, April and May of 2004, if
21 I'm not mistaken. And I'm just wondering if you have
22 better information from those places as well?

23 MR. BILL HORNE: Bill Horne, EBA.
24 There's -- there's two (2) locations where that
25 information was provided to you. One (1) was in the

1 IR, which -- which was taken directly out of the
2 geotechnical investigation. That information also
3 shows up in the -- in the EIS. And in the EIS we've
4 got -- from those same holes we've got temperature
5 readings from the early spring, March, April, May. And
6 then we've got another reading from August.

7 So we've got the ground temperatures in
8 thirty-four (34) boreholes. In addition to that, we
9 have some ground temperature measurements that were
10 done back in '97. And those readings we've got -- they
11 were taking weekly readings over a seven (7) month
12 period.

13 MS. SHARON SMITH: But you -- so you
14 have an idea -- the -- the temperature profiles that I
15 saw you couldn't really get an idea of the summer thaw
16 depth from them, so that's why I'm asking whether you
17 have a better idea of the summer thaw depths at those
18 sites now.

19 MR. BILL HORNE: Bill Horne, EBA. Like
20 -- like I said, the -- we have ground temperatures from
21 August which give a pretty good indication of the
22 summer thaw depths.

23 MS. SHARON SMITH: Okay. So in -- one
24 (1) of the -- the questions in -- I had, and -- and I
25 was a bit confused, is I know that all your water

1 quality analysis has been done assuming that you don't
2 have -- there are no permafrost conditions in the waste
3 rock piles or -- or the process PK.

4 But what I'd like some clarification on
5 is the dike performance, especially these ones: A1, D,
6 E, F, G and H. I think that's all of them. Are they
7 dependent on a frozen foundation or not? Because it
8 wasn't very clear to me. And -- and you are going to -
9 - you do mention that you're going to key the liner
10 into this competent permafrost. So we're ju -- we're
11 just a little confused about what the primary
12 containment mechanism is versus the secondary.

13 MR. BILL HORNE: Bill Horne, EBA. The
14 dikes -- the dikes have a geomembrane liner in them, so
15 the -- the liner is the primary containment for those
16 structures. The liner has to be tied into something,
17 so. And -- and as I mentioned, for those particular
18 dikes we've only got geophysics, we don't have
19 geotechnical information.

20 So the -- the liner will either be tied
21 into bedrock or it will be tied into permafrost. Now,
22 there is -- it sounds like there's a conflict here
23 because we're saying we're not designing the project
24 assuming there's permafrost, but that is really for the
25 long-term conditions, and -- and that's for -- to

1 generate conservative water quality model results.

2 As far as the dam design goes, the --
3 the majority of the dams, E, F, and G, are -- will only
4 be used for the life of mine and for the temporary
5 closure phase. And assuming there's permafrost there
6 today, which we will confirm or -- or not, we will use
7 permafrost for those dikes. And over the short --
8 relatively short period of time for the mine life and
9 the -- and the tech -- and the interim closure period
10 the -- the permafrost will remain.

11 For dikes A1 and D, again, for the --
12 those dikes will only see water when -- when the fine
13 PK area is in -- is in use, so basic -- or area 2 fine
14 PK area is in use, which is about four (4) years. And
15 then we'll move into closure period and -- for that
16 facility, which will happen much -- at an earlier time
17 than the mine closure, the pro -- the progressive
18 reclamation.

19 So tho -- those dams will -- are only
20 going to see water for about four (4) years, five (5)
21 years, and then they will basically have mine rock and
22 of course PK to fill the -- the dams up. So it's
23 basically going to be a dry cover. So they're --
24 they're not going to be water-retaining structures.
25 And even the fine PK against those dikes is only a

1 couple of metres thick. So they're -- they're very low
2 structures.

3 So the period of time when -- when they
4 will see water, permafrost will exist. In detailed
5 design we will also carry out some thermal analysis to
6 -- to look at the thermal behaviour over the operating
7 period. So I hope that -- does that clarify it?

8 MS. SHARON SMITH: Yeah, that's
9 helpful, Bill, thanks.

10 MR. BILL HORNE: Okay.

11 MS. SHARON SMITH: And if I can just
12 ask one (1) more question about the materials that
13 you're going to build the dikes out of. You mentioned,
14 I think, using the mine rock and also the overburden
15 that you strip from the pits and other excavations as
16 your construction material.

17 So -- I mean, we had asked if there was
18 going to be any other borrow sites, and I just wanted
19 to clarify that that you don't have to get aggregate
20 from anywhere else, like the eskers that you did some
21 testing on.

22 MR. BILL HORNE: Bill Horne, EBA. No,
23 that is the plan. The plan is to not use the eskers.

24 MS. SHARON SMITH: Okay.

25 MR. BILL HORNE: We'll basically just

1 use mine rock, till, and -- and crushed rock.

2 MS. SHARON SMITH: And do you know from
3 the work that you've done so far on the overburden and
4 the geotechnical investigations, that you'll have
5 enough suitable material available in the overburden?

6 MR. BILL HORNE: All -- all the
7 information indicates that basically we're -- we're
8 using half of the overburden for dike construction, so
9 we have enough material available.

10 MS. SHARON SMITH: M-hm.

11 MR. BILL HORNE: If the estimates -- if
12 we find the estimates are -- are low we do have some
13 options to use -- some other materials rather than
14 overburden for some of the -- some of the dikes.

15 MS. SHARON SMITH: Would that be using
16 the -- the crushed rock or something like that instead
17 of actually excavating somewhere else?

18 MR. BILL HORNE: That's correct.

19 MS. SHARON SMITH: I think that's all I
20 had for now, at least all that I've got in my notes
21 here. And I'll just maybe listen to the rest of the
22 conversation this afternoon and -- and that. But
23 thanks very much for -- for accommodating me, it's
24 greatly appreciated. And thanks to the Board folks and
25 -- and to De Beers.

1 THE FACILITATOR HUBERT: Chuck Hubert
2 with the Gahcho Kue panel. Thanks very much, Sharon,
3 for joining us. We appreciate your questions and I
4 hope the answers proved helpful to you.

5 If we can move on maybe to -- since
6 we're on the topic of dike and dam construction, if
7 there's anything from the audience that people would
8 like to ask, this is a good time.

9

10 (BRIEF PAUSE)

11

12 MS. STEPHANIE POOLE: Stephanie Poole,
13 Akaitcho IMA office. I have a couple of questions
14 regarding some things that were -- some questions that
15 were asked. I have a follow-up question from Steven
16 Ellis, and I'll start with that one and then just one
17 (1) other question after that.

18 When he asked his question about the
19 environment around Gahcho Kue and then you had stated
20 that the environment around Gahcho Kue will be similar
21 post-closure to pre-mine conditions. In -- in what
22 ways is the post-closure environment different from the
23 pre-mine environment, because you had said it would be
24 similar, not the same.

25 And then if you could just provide us

1 with a list of these things, because there are so many,
2 it's such a big proposal. Yeah, it's just -- it's
3 going to be a useful tool, you know, for -- for
4 explaining to the community the changes the mine will
5 bring in the long-term and also for us to judge the
6 complete -- the completeness of the list.

7 Like it should actually be a list. And
8 I'm hoping that this could be taken as an undertaking
9 for De Beers to -- to provide the differences: in what
10 ways is the post-closure environment different from the
11 pre-mine environment, like an actual list, how
12 everything will be different as an undertaking, please.

13 THE FACILITATOR HUBERT: Thanks for
14 that request. We'll give De Beers a second or two (2)
15 to provide a response. Thanks.

16

17 (BRIEF PAUSE)

18

19 MS. VERONICA CHISHOLM: Veronica
20 Chisholm, from De Beers. Thanks, Stephanie, for that
21 question. For the impact assessment, all the potential
22 effects and the changes at closure are provided in
23 Section 8 on aquatic systems. That includes -- there's
24 lists: changes in fish, changes in water quality,
25 changes in sediment. All of that is information of

1 changes within Kennady Lake and to the downstream
2 environment that's in Section 9 of the EIS.

3 I mean, we can go back and -- and maybe
4 what we need to do is I can give you the specific
5 sections on how it's laid out. But, essentially, that
6 was a requirement of the impact assessment, is to list
7 out all the differences in predicted changes as part of
8 that documentation.

9 So, I'm not sure what additional
10 information, and we'll be -- I mean, I'm happy to go
11 through that in detail but, you know, I think maybe --
12 maybe there's a -- we can go through that section. And
13 we'll be talking specifically to Kennady Lake and the
14 downstream environments and the changes at closure
15 tomorrow and on Thursday. So I -- I'm just wondering
16 what the value would be of -- of that list?

17 MS. STEPHANIE POOLE: So, what you're
18 telling me is that the information is described in
19 different areas of the EIS and I should just compile my
20 own list? Or would it be appropriate for De Beers just
21 to compile their own information and provide me with
22 the list as I'm requesting it? That would be most
23 helpful to me. And I think I've already stated the
24 reasons why we're requesting this list.

25 So, I just needed, you know, like a

1 straightforward answer from De Beers whether or not
2 they will be able to provide us with a list. You know,
3 whether it means going through your own EIS and putting
4 all the little lists together into a master list and
5 submitting it to us. You know, that's fine. But just
6 some kind of -- an easily accessible list of
7 everything, instead of having to go through the whole
8 entire document and find all of the little teeny lists
9 and put them together ourselves. That would be really
10 helpful.

11 THE FACILITATOR HUBERT: Thanks very
12 much. If I can just jump in. I think it -- it might
13 be valuable for -- for parties and -- and the panel,
14 too. Since the -- the documentation provided by De
15 Beers was, you know, is a generous amount of material
16 there, as far as the pa -- the number of pages. And if
17 -- if that could perhaps be collated in a way that is
18 most useful to -- to parties, and perhaps discuss that
19 between you. I think that could be valuable. Thanks.

20 MS. VERONICA CHISHOLM: Veronica
21 Chisholm, from De Beers. We're happy to pull that
22 together, Stephanie, into a list. We'll reference the
23 section which might provide a little more detail and
24 context. We're just trying to understand the level of
25 detail that you would re -- that you want to see in

1 that list. So, we can list them all out for you and
2 then reference back to the key discussion points in the
3 section.

4 Is -- is -- would that be what you were
5 looking for?

6 MS. STEPHANIE POOLE: I'm definitely
7 not looking for an index to where I can find the
8 information in the EIS. I'm looking for a whole new
9 list of all of the things -- pull them out of the EIS,
10 make me a master list of all of the changes between how
11 it is now and how it will be after the mine closes. Is
12 that clear?

13 MS. VERONICA CHISHOLM: Veronica
14 Chisholm, from De Beers. Yeah, I think that's clear.
15 We'll provide -- we'll pull that information together
16 into a list and -- and hopefully it'll provide the
17 amount of detail that Stephanie is looking for. And if
18 it isn't, I'm sure she'll tell us. Thanks.

19 THE FACILITATOR HUBERT: Thanks very
20 much. And we'll call that Undertaking number 1, if we
21 can, please.

22

23 (BRIEF PAUSE)

24

25 MS. STEPHANIE POOLE: Okay. But just

1 to be clear, I would like a lot of detail. Should I
2 just go on with my next question? Okay.

3 This is in regards to Elmar's question
4 about the fish-out. De Beers answered that De Beers
5 would develop a fish-out plan prior to doing the fish-
6 out. In other words, this would likely be after this
7 environmental impact review is completed.

8 However, the fish-out plan must be
9 subject to scrutiny through this environmental impact
10 review, as what De Beers does with eight hundred
11 thousand (800,000) fish will certainly be a cause of
12 concern at the First Nation level. And it will be a
13 potential source of significant adverse environmental
14 effects.

15 To just say, We'll worry about the
16 details of the fish-out some other time is -- is not
17 right, and it must be part of this assessment process.
18 So if you don't have a fish-out plan now for us to
19 review, De Beers should commit to do so during this
20 technical session. So I'm not sure if that's a task or
21 an undertaking, but I'll let the Review Board staff
22 decide on that one.

23 THE FACILITATOR HUBERT: Thanks very
24 much. What is the timeline for the more detailed fish-
25 out plan from De Beers?

1 MS. VERONICA CHISHOLM: Veronica
2 Chisholm from -- from De Beers. Well, we're currently
3 trying to get input on the preliminary fish-out plan
4 that we presented in the EIS. And so we were wanting
5 to compile that input through the summer site visits,
6 as well as the fall community sessions. So a more
7 detailed fish-out plan could be compiled following
8 that, which could be closer till September/October.

9 I -- I just don't want to pre-empt those
10 discussions because I think they're really important to
11 get the community and traditional knowledge input onto
12 that fish-out. And we already had some really good
13 input at some of the preliminary community meetings.
14 And then the comment was made in those community
15 meetings, Well it would be good to go out and visit the
16 site, and then once we're at the site we can provide
17 you with more specific information.

18 So I -- I'm not purposely trying to
19 avoid the question of providing more detail on the
20 fish-out. It was more or less we wanted to provide
21 that opportunity for communities to provide that input
22 to us on the fish-out.

23 On -- one (1) other point, and I meant
24 to make this with Elmar's statement earlier. I guess
25 we wanted to have the opportunity to talk about the

1 estimate of eight hundred thousand (800,000) fish. We
2 have a different opinion on how many fish there would
3 be. We thought that the best time to talk about that
4 would be tomorrow when we talk about Kennady Lake
5 because our full aquatics team would be present.

6 Again, I'm not trying to avoid the
7 question, I just thought that -- that we could provide
8 more detail around that and more detail around our
9 estimates for the fish population within Kennady Lake
10 tomorrow.

11 THE FACILITATOR HUBERT: Okay, thanks.
12 Would it be possible for De Beers to commit to
13 providing a more detailed fish-out plan, say by
14 October, prior to preparation of parties' technical
15 reports?

16

17 (BRIEF PAUSE)

18

19 MS. STEPHANIE POOLE: Did you say
20 October?

21 THE FACILITATOR HUBERT: I did.

22

23 (BRIEF PAUSE)

24

25 MS. VERONICA CHISHOLM: Veronica

1 Chisholm, from De Beers. Yes, Chuck, I think -- I
2 think we can make that commitment for October in
3 advance of the technical sessions. We're hoping that
4 DFO, which we did provide the preliminary fish-out
5 protocol in the EIS, will also provide some input on
6 that document as well. So it would be input from the
7 communities as well as from DFO, end of October.

8 THE FACILITATOR HUBERT: Thanks very
9 much. Towards the end of October then, please, would
10 be excellent. Is -- is that satisfactory to -- to
11 Stephanie?

12 MS. STEPHANIE POOLE: You said that the
13 information would be received in October prior to --
14 did you say technical submissions or sessions? Will
15 there be another technical session -- prior to what
16 Review Board step in this process?

17 THE FACILITATOR HUBERT: I hope I said
18 technical report preparation is -- and if not -- if I
19 didn't say that, that's what I meant, sorry.

20 MS. STEPHANIE POOLE: So does that mean
21 that reviewers will have time to comment on -- on what
22 is delivered in near late October, 2012?

23 THE FACILITATOR HUBERT: Certainly
24 parties have the opportunity to comment at any time to
25 the panel on submissions from De -- De Beers, the

1 developer. And those comments will be placed on the
2 public registry. So the answer is, yes.

3 MS. STEPHANIE POOLE: Okay. I'm good.

4 THE FACILITATOR HUBERT: Chuck Hubert,
5 with the panel. Thanks very much. We have another
6 presentation from De Beers environmental monitoring
7 framework that we'd like to get to. So if -- unless
8 there's a further question on dike construction right
9 now, which there is, go ahead.

10 MS. LAURA JONES: Can you hear me?
11 Yeah, it's Laura Jones with Transport Canada. And I
12 just wanted a clarification for Stephanie because you
13 had brought up a question about -- you wanted to know
14 all the details about the dike removal plans and
15 whether they'd be breached or removed and details on
16 them.

17 And just so that you're aware, like De
18 Beers is aware that any dikes placed in navigable
19 waters require approval through Transport Canada
20 because they're subject to the Navigable Waters
21 Protection Act. And so they're plans that they have
22 for dikes and they're dike closure won't actually be
23 finalized until they work through approvals with us.
24 So the plans definitely could change in that process.

25 So I just wanted to let you know that.

1 I don't think that Transport Canada would request that
2 they would have to remove all the dikes, but the
3 details definitely would have to get approved through
4 us.

5

6 (BRIEF PAUSE)

7

8 MS. STEPHANIE POOLE: And so is that
9 Transport Canada process -- is that a review process?
10 It's Stephanie Poole.

11 MS. LAURA JONES: It's an approval
12 process that does have place for input from community
13 and First Nations.

14 MS. STEPHANIE POOLE: Thank you.

15 MS. LAURA JONES: You're welcome.

16 THE FACILITATOR HUBERT: Thanks very
17 much. Chuck Hubert, with the panel. If -- please go
18 ahead.

19 ELDER GEORGE MARLOWE: My name is
20 George Marlowe from Lustel K'e. Just listening to you
21 guys, the panel over there. And for me, I -- I'm from
22 Lutsel K'e. You know that. And I'm a hunter. You're
23 talking about that land, Gahcho Kue land, just like
24 next door, just like my -- my yard, that one there.

25 You know, when you want to do something

1 like that you should really respect our Lutsel K'e
2 people, really respect. That's our yard right there
3 you're talking about. I'm happy that you're going to
4 put mine. I'm very happy. But that, first of all,
5 maybe we should talk about that, how big a land -- land
6 per -- land use permit we need so that piece of land,
7 40 x 40 square miles or less, whatever, we got to work
8 inside that land. You cannot work in -- whole way like
9 that. Because when I look at that -- I flew there a
10 couple times there, in that river -- storage that
11 water, it's got to go back to Aylmer Lake and back to a
12 Turley Lake (phonetic), McLeod Bay, Great Slave Lake.

13 In the future, maybe forty (40) years,
14 fifty (50) years, you got to think about that. I'll be
15 gone by that time, but I'm putting something for my
16 kids, and then some people -- young people's children,
17 and also your children too need a job. So thing --
18 things like that.

19 Don't be like what happened to McMurray,
20 that oil sand. After forty (40) years those Dene
21 people talk about -- it's too late I told them. You
22 should have talked at beginning, from the start, so it
23 could have been good water. It could have been flowing
24 -- that water still goes down Mackenzie River. It
25 doesn't go to us, but that mine, Gahcho Kue -- in the

1 future it'll go down to a Turley Lake and McLeod Bay.

2 So we need that land use permit right
3 now. How many square miles you need? So really -- I
4 said to Lutsel K'e again, you got to work with Lutsel
5 K'e really close because that -- that land -- I could
6 tell you exactly, it's true. Only me, I'm still alive
7 since 1956. But my uncle Peter trapped before me. And
8 him and his friend Eddie was supposed to come but he
9 cannot walk good, so -- but pure. But that trapping's
10 got -- still -- still got the trap line there.

11 But in '56 I used dog team. And I --
12 when -- that project, 2010, that map you could show
13 there, it's -- you know, I used to go there with dog
14 team too. Me and Rick Noise (phonetic), and my uncle
15 Drybone, Andrew Cadillac (phonetic), Letcho (phonetic)
16 Chief Lockhart. I don't know how many people. We used
17 to go hunting there and trap there. That's the same
18 lake where we went that -- out there, Joe Lockhart and
19 Rick Noise shot caribou right -- south end of that --
20 that -- or that Kennady Lake. And I -- I knew right
21 where as soon as I land about four (4) years ago.

22 So for me, when you talk about that
23 mine, I'm happy you talk about it. We've got to talk
24 about environment. We talk about caribou. Talk about
25 fish. We don't want to spoil nothing. We'll all work

1 equal, the same, good. Everybody will be happy. The
2 company will be happy. You guys will be -- everybody
3 in here will be happy if you work right.

4 But I said again, you got to respect
5 Lutsel K'e people because that's just like our -- our
6 ni -- just like our yard right there. And we still --
7 people -- those young people, they still go. Like
8 Samuel there, he still goes there. But I'm old, but I
9 still go out -- out to me too. I'm old. Like I said,
10 I'm only 73 right now. Right, Bruce? Thank you. I
11 just wanted to share that with you a little bit. And
12 then later maybe I could say something again. Thank
13 you very much.

14 THE FACILITATOR HUBERT: Thank you very
15 much. And we look forward to your comments over the
16 next few days. With that, can we please have De Beers
17 continue with their presentation.

18

19 CONTINUED PRESENTATION BY DE BEERS CANADA:

20 MR. STEPHEN LINES: Thank you, Chuck.
21 It's Stephen Lines with De Beers. I don't know if
22 maybe you want to grab the lights for the -- okay.
23 Thank you.

24 So I think George's comments there were
25 quite timely with the next presentation that we're

1 going to get into on environmental monitoring and
2 management. It's -- it's an ongoing area of work for
3 De Beers. And we're quite pleased today to be able to
4 present an update on where we are with the development
5 of monitoring programs for the mine.

6 Just before I start I'm going to assume
7 that people have both a copy of the environmental
8 monitoring and management framework document that I
9 believe Leah has already circulated, or is in the
10 process of circulating.

11 As well as, there is a concept diagram
12 that is being circulated as well. And I'm going to be
13 going through that as part of the presentation. And it
14 just describes some of the man -- the monitoring plans
15 that we're looking to develop, as well as how we would
16 go about incorporating adaptive management into the
17 project.

18 So, with that, the document -- the
19 framework document that you're receiving, it's also a
20 response to some of the information requests that we've
21 received recently. And it follows through on some of
22 the statements that were made in the EIS regarding
23 monitoring, where we would endeavour to advance some of
24 those plans as we moved through the EIR process as well
25 as the regulatory process.

1 Okay, so just to go through the agenda
2 for my presentation. Really, what it's going to
3 provide is an overview of the document that I think is
4 pub -- posted on the public registry as of today, that
5 you're getting in hard copy.

6 So first I just wanted to talk about the
7 scope of the document, so what it covers, and then the
8 objective of it, so why we -- why De Beers chose to put
9 it together at this time in the process. And then I'm
10 going to go over the approach to monitoring and
11 adaptive management for the project, and then talk a
12 little bit about how De Beers would like to incorporate
13 consideration of both local and traditional knowledge
14 into its environmental management and monitoring
15 programs.

16 And then, based on some of the
17 discussions that we've had with both communities and
18 regulators to date, I'm going to provide just a little
19 bit more detail on where we are with monitoring plans
20 when it comes to wildlife, as well as some of the
21 monitoring that would be proposed for the aquatic
22 ecosystem. And there's a couple of other key
23 monitoring programs as well that I'll just touch on.

24 So, for the scope of the framework
25 document, my -- I want to be quite clear in where we

1 are with that -- with the document and with monitoring.
2 So, the intent of it is to outline an approach and
3 where we see monitoring headed for the project.

4 We acknowledge that the EIR process is -
5 - still has a way to go and that there is a regulatory
6 process to come following a positive EA approval. So
7 there is a lot of work that remains to be done and a
8 lot of discussion that remains to take place between
9 regulators, communities, and De Beers. There is a
10 panel decision that would have to be considered as well
11 as a decision from the Mackenzie Valley Land and Water
12 Board.

13 So this document that you have been
14 given to review, and we're hoping to get feedback on,
15 is really intended as a place to start the conversation
16 about mon -- environmental management and monitoring.
17 And the intent is to remain flexible as we learn more
18 information from regulators and communities. And, of
19 course, the feedback that we get from everybody would
20 be then considered for the development of draft
21 management plans and monitoring plans that we would
22 look to provide as part of a water licence and land use
23 permit application.

24 So essentially what that means is that
25 the environmental monitoring and management framework

1 document outlines what we're proposing to monitor at
2 this point in time, based on what we've learned to
3 date. And it doesn't include how we would necessarily
4 go about monitoring it. There is -- there are some
5 details in the document that cover some proposed
6 methods, but they are at a high level. So it's --
7 again, it's a starting point.

8 The objective of the document is to
9 demonstrate, from De Beer's perspective, that we're
10 taking early steps towards the development of
11 environmental management and monitoring plans. So, we
12 want to demonstrate that we're being proactive and
13 responsive to what we're hearing from communities and
14 regulators.

15 It's also a good document as it
16 consolidates a lot of the monitoring that was proposed
17 in various sections of the EIS. And we heard from
18 Stephanie just earlier how some of the things are
19 spread out and difficult to find, so this consolidates
20 a lot of the monitoring that has been proposed.

21 Another objective of the document was to
22 identify linkages between the various environmental
23 monitoring plans, and where communication needs to take
24 place between disciplines.

25 And it also identifies where

1 coordination between some of the different monitoring
2 plans can occur. For example, it's better to start
3 thinking about coordinating SNP monitoring that would
4 take place under a water licence, and how we go about
5 developing the aquatic effects monitoring program so
6 that when it comes time to monitor we're not
7 duplicating efforts on both a field level and a
8 reporting level.

9 Another objective of the document is to
10 provide a mechanism whereby parties to the EIR and to
11 the regulatory process, so both regulators and
12 communities, how they can be involved in adaptive
13 management decisions for the project.

14 So out of the monitoring that's
15 proposed, there are quite a few annual reports that get
16 produced. So it describes how parties come together to
17 review those reports, and then how adaptive management,
18 if needed, takes place.

19 And then finally, the document does
20 provide additional information on specific monitoring
21 programs, and we'll get into those in a little bit.

22

23 (BRIEF PAUSE)

24

25 MR. STEPHEN LINES: Okay, so just to

1 get into the overall monitoring and management approach
2 that's described, or illustrated in the diagram that
3 was handed out, and I believe it was available on the
4 web site, as well.

5 So let's say when you look at it, it
6 appears as a rather complex flow diagram of how the
7 different plans work together, but in reality it's just
8 made up of two (2) frameworks: one (1) for monitoring
9 and one (1) for adaptive management.

10 And ultimately this is a -- a usual
11 process, I would say, for going through monitoring and
12 adaptive management, where you start with your
13 management actions for -- for key effects that have
14 been identified.

15 You move through a monitoring program to
16 monitor how effective those management actions are.
17 And then we report on them, review the reports, and
18 decide if any supplemental actions are necessary, and
19 then we continue doing -- doing that loop.

20 So in -- in more detail, this is what
21 the concept diagram illustrates, and I'll go through it
22 in a little bit more detail.

23

24 (BRIEF PAUSE)

25

1 MR. STEPHEN LINES: So on the bottom
2 part of the concept diagram, there is what we're
3 referring to as the monitoring program framework. So
4 that starts at the bottom with the two (2) boxes, and
5 those outline the major environmental management plans
6 that would be developed for the mine.

7 So these generally refer to waste
8 management and surface water management. So under
9 waste management, for example, plans would include
10 waste management for the -- for the landfill. It would
11 include incineration management, hazardous waste
12 management, and so on.

13 Under the surface water management plan,
14 and an example of a plan that's already been developed,
15 is the downstream flow mitigation, and this -- so
16 there's other surface management plans that would be
17 developed under that.

18 Effluent discharge management, the plan
19 for addressing water in the containment ponds and
20 transfer to the water management pond, those would all
21 be covered under the surface water management plan.

22 Out of that flows the various monitoring
23 plans, so that's the second row of boxes. So those
24 just outline the different monitoring plans that would
25 be developed for the mine. And those are quite typical

1 of what we find at other mine sites. So that ranges
2 from air quality through the aquatic environment,
3 wildlife, groundwater and so on.

4 The next row of boxes is the larger sort
5 of environmental monitoring programs under which the
6 various monitoring plans fall under. So when we look
7 at the box on the -- on the right side, referred to as
8 the TEMP, that's the Terrestrial Ecosystem Monitoring
9 Program. And under that there are two (2) plans: the
10 Wildlife monitoring plan, as well as the soil and
11 vegetation monitoring plan. So those are the two (2)
12 components that make up the overall Terrestrial
13 Ecosystem Monitoring Program.

14 So, of course, the purpose of developing
15 the management monitoring system is to assess the
16 effectiveness of the management actions that are put in
17 place to mitigate effects, and, as well, to verify
18 impact predictions as best possible.

19 So on an annual basis the outcome of the
20 various monitoring plans is -- are annual reports. So
21 whatever monitoring takes place in a given year, De
22 Beers would produce annual reports to report on those
23 programs.

24 Those reports would then be reviewed by
25 both De Beers and a committee of advisors that would

1 provide recommendations on how effective the mitigation
2 has been and areas for potential additional study.
3 That mechanism and that committee we're referring to
4 was an Adaptive Management Advisory Committee which
5 would be made up of regulators, as well as interested
6 communities who could appoint a representative.

7

8 (BRIEF PAUSE)

9

10 MR. STEPHEN LINES: So the committee
11 would carry out the adaptive management response
12 framework which is illustrated in the top half of the
13 concept diagram that was distributed. And at the end
14 of each year, once the committee has done its job, they
15 would provide a summary report of what they reviewed
16 and the outcomes of that review. And that report would
17 be publically available.

18

19 (BRIEF PAUSE)

20

21 MR. STEPHEN LINES: So just to explain
22 the adaptive management response framework at a high
23 level, the committee would undertake the -- the
24 response framework, and essentially they have three (3)
25 options to consider following the review of the

1 reports.

2 The first option would be to continue --
3 a recommendation to continue monitoring. So if effects
4 are being managed and they're within the predictions
5 that were made, monitoring could continue.

6 A second option: if effects are greater
7 than predicted or if there's an emerging issue that's
8 identified, the committee would recommend the
9 preparation of a monitoring response plan. So that can
10 entail either immediate changes to the operations at
11 site to mitigate that emerging issue or it could
12 involve the more targeted monitoring study to identify
13 the cause of the change.

14 And the third option would be to adjust
15 the monitoring effort where as appropriate. So, for
16 example, if it is felt that an effect needs a more
17 rigorous monitoring approach, then the effort could be
18 increased. Or if people feel that the effects are
19 managed and negligible, then the monitoring effort
20 could be decreased and the -- the effort focussed in
21 another area.

22 So, as you know, De Beers -- we did some
23 community visits earlier this year. We went to all of
24 the communities and we heard a lot of feedback, both on
25 the project and on monitoring. And I think there was a

1 -- a strong interest in community participation in
2 monitoring.

3 So, De Beers has made the commitment
4 that we will try and un -- and include TK, traditional
5 knowledge, into the monitoring and management plans
6 that we developed. And where that's not always
7 possible, we would look to undertake TK specific
8 monitoring studies.

9 It's De Beers' expectation that some of
10 the TK studies that are currently being undertaken by
11 the different communities, that that would provide
12 input on what we could monitor during construction,
13 operations, and closure. And that, of course, is an
14 ongoing conversation, not just through this process,
15 but through the various development phases of the
16 project.

17 Just to -- to add to that, if -- and if
18 we do have TK specific monitoring programs, it would be
19 also the expectation at the end of the day when those
20 results are available that they are share -- also
21 shared with the adaptive management committee so that
22 there's a collaboration amongst the parties involved
23 and it's not just De Beers presenting results. If
24 there are results from a TK study, those could be
25 shared with the committee as well; or, if there's

1 results from a regional program, those as well could be
2 shared.

3 Just to move on to some of the more
4 detailed information with respect to the actual
5 monitoring plans for some of the environmental
6 components. Our approach, when it comes to wildlife,
7 is to build on what has been learnt at the other mine
8 sites. This was something that we were asked to do as
9 part of the terms of reference, and we feel that it's
10 good practice to continue that when moving into the
11 monitoring.

12 So, essentially, what that means is that
13 we don't want to repeat the same studies that have been
14 undertaken. We would rather build on them and look at
15 new areas.

16 A core part of the monitoring that's
17 proposed for wildlife is a site surveillance monitoring
18 program. So, that involves recording observations of
19 wildlife, undertaking systematic and frequent checks of
20 the different facilities that may attract wildlife, or
21 where wildlife may be -- where wildlife could encounter
22 hazards around site. The air strip is an example of
23 that.

24 That site surveillance monitoring would
25 provide direct feedback into the operations at site.

1 So, if an issue was identified, it could be adjusted
2 and fixed very quickly.

3 In addition to the site surveillance
4 monitoring, De Beers is also proposing to participate
5 in regional wildlife monitoring programs. We've had
6 some good discussions in both the communities and with
7 ENR on undertaking a collaborative regional monitoring
8 program for grizzly bears, as well as participating in
9 the caribou management strategy.

10 I think that approach responds to some
11 of the comments we received in the communities where
12 people are very interested and want to know what's
13 happening with populations of animals. So, they want
14 to know what's happening with caribou overall.

15 When it comes to participating in those
16 regional programs, understanding each party's role and
17 responsibility is quite important. So, additional
18 discussion is required in order to really implement
19 those programs.

20 And, ultimately, at the end of the day
21 when we design some of the wildlife monitoring
22 programs, we want to remain flexible and adaptive.
23 There are often new study methods that come out and new
24 issues that are identified. So, we don't want to be
25 locked into one (1) approach to monitoring. We want to

1 remain flexible so that we can make the just --
2 adjustments as necessary.

3 We've heard comments over concern for
4 potential hunting along the spur road, the winter
5 access road. The information that we presented
6 indicated that when we've used that spur road in the
7 past we haven't seen much activity, if any, in the
8 past. But we've heard from the communities that if it
9 is open, they may want to use it and it is a public
10 road, as you know.

11 So we've come up with three (3) options
12 to monitor non-mine use of that road. And the options
13 are on the table and they include similar protocols to
14 what we have at Snap Lake.

15 So, one (1) of them is we have
16 protective services that drives the road frequently and
17 on regular -- at regular times. And they would be
18 doing that same drive up and down the road for the
19 Gahcho Kue project. It would be quite feasible to
20 develop a reporting form so that if protective --
21 protective services saw anybody using the road for non-
22 mine reasons, then it would just be recorded and
23 included in an annual report.

24 Another option being considered to
25 monitor the road would be stationing a community

1 monitor at a monitoring station along the road. Snap
2 Lake currently has a coffee shop along its stretch of
3 its winter road. And it's quite possible that we could
4 establish a similar location along our road and have
5 somebody monitoring road use. Reporting and stopping
6 by to check in is not mandatory, it's voluntary. But
7 observations would be made and they could be included
8 in an annual report.

9 The third option for monitoring road
10 access is, again, through ENR currently mon -- has a
11 monitoring station along the Tibbitt-to-Contwoyto
12 winter road. And that's funded through the winter road
13 -- road joint venture. So, through that joint venture
14 it is possible that ENR could establish an additional
15 monitoring location further up towards kilometre 271.

16 For caribou, we would have a focus site
17 surveillance monitoring program to record observations
18 of caribou in the vicinity of the mine site. Again,
19 there is possibility for TK specific studies that we'd
20 be looking to hear input from the communities on, and
21 De Beers would contribute to regional and population
22 level monitoring.

23 The carnivores as well, so bears and
24 wolverine, the monitoring would be focussed, again, at
25 activity around site through systematic checks and

1 reporting that would be included in the annual report.
2 And we are looking at participating in regional
3 monitoring programs. So the grizzly bear program
4 between ENR, De Beers, Ekati and Diavik has come a long
5 way over the last six (6) months. So, that's something
6 to -- to build on.

7 For raptors, the closest nest from the
8 mine site is about 18 kilometres away. So, there isn't
9 a real site monitoring program in place for raptors, as
10 it's unlikely the mine would have any effect on raptor
11 species. We would do site monitoring to see if any
12 nests were built on mine -- mine site infrastructure
13 and we would have to avoid those if that were the case.

14 Regardless of the low potential for
15 impact, De Beers has included in the monitoring
16 framework document participating in the five (5) year
17 peregrine falcon regional program, so that's something
18 that we will continue to participate in.

19 And then when it comes to the birds, as
20 well for water birds, it would be a site-based
21 monitoring program for use of some of the mine facility
22 and infrastructure, such as containment ponds and the
23 water management pond.

24 And for the shore birds and song birds,
25 we'd be looking to participate in more of a regional

1 program, and that is outlined in the document, what
2 those programs are.

3

4 (BRIEF PAUSE)

5

6 MR. STEPHEN LINES: So moving on to the
7 aquatics. The intent of the aquatic ecosystem
8 monitoring is to verify the short- and long-term
9 effects from the project, so that is both in the
10 receiving environment, and in the downstream lakes.

11 We would look to evaluate the
12 effectiveness of our mitigation and, again, to verify
13 some of the impact predictions that are made.

14 And I mentioned before, we're looking to
15 start this discussion now so that we can avoid
16 duplicating effort when it comes to monitoring; that's
17 particularly important when we look at the aquatic
18 environment.

19

20 (BRIEF PAUSE)

21

22 MR. STEPHEN LINES: So when it -- the
23 AEMP refers to the aquatic effects monitoring program.
24 The document does outline what components of the inqui
25 -- of the aquatic environment we would monitor as part

1 of the AEMP.

2 At a high level they include the
3 hydrology. So when we talk about dewatering portions
4 of Kennady Lake, and monitoring the water levels in the
5 downstream environment, and the flow at the stream
6 outlets, is an important part of the hydrological
7 monitoring. That would be coupled with monitoring
8 weather, so meteorological monitoring, and undertaking
9 snow surveys. That would give us a good idea of the
10 quantity of runoff that we would have in any given
11 year.

12 The water quality monitoring would
13 consist of a set of core sampling locations, so that
14 would include the water management pond, and areas in
15 the immediate receiving environment. And then we would
16 also establish downstream monitoring locations, fixed
17 locations that would occur through Kirk Lake.

18 We do have monitoring baseline locations
19 in these project lakes right now, so it's something
20 that we could build on in developing an AEMP.

21 And just to, I guess, expand on this a
22 little bit further, De Beers does intend to undertake a
23 meeting with regulators this summer to talk about the
24 aquatic baseline programs that we have undertaken, and
25 that we are undertaking this year, with the hopes of

1 having a little bit more direction towards the
2 development of the AEMP.

3 Also for sediment quality, this would be
4 undertaken at similar locations to the water -- water
5 monitoring, if possible. So it includes areas within
6 the water management pond, and the receiving
7 environment.

8 The data collected here would be
9 compared to data collected at reference lakes, and De
10 Beers was out earlier this summer, and I believe again
11 in the middle -- sorry, earlier this summer, it's not
12 summer yet.

13 MS. CATHIE BOLSTAD: It feels like
14 summer.

15 MR. STEPHEN LINES: It does. It is
16 warm. Earlier this year, and again this summer, to
17 look at possible reference lakes for an AEMP program.
18 So that is ongoing work.

19 The lower trophics: So plankton,
20 zooplankton, and phytoplankton, those would be part of
21 the AEMP as well. We have received feedback from the
22 Yellowknives Dene, as well as Environment Canada and
23 DFO on the approach to including the lower trophics in
24 the AEMP. So right now we're -- don't have a set
25 approach for that, but it's the subject of ongoing

1 discussion, and we've had some really good input on
2 that.

3 And finally for the AEMP, there's of
4 course a fish component. So that would include health
5 and tissue analysis for fish in the down -- in the
6 receiving environment, and downstream.

7 We did undertake fish tissue analysis
8 last year, so we do have a good baseline to build upon.
9 Population surveys for larger fish would also occur, as
10 well as fish migration surveys. So that would, again,
11 speak to monitoring fish passage downstream of area --
12 area 8, in particular.

13 So other monitoring plans just to
14 mention that are described in the document, we have
15 outlined the soil and vegetation monitoring plan that
16 would be part of the Terrestrial Ecosystem Program. So
17 we would establish permanent plots before construction
18 that would be monitored through construction, operation
19 and closure.

20 There is mention or some description
21 about groundwater monitoring plan. So there are a
22 total of four (4) groundwater monitoring wells. Two
23 (2) of them would likely get destroyed as we mined the
24 pits given their current location is in the way, but
25 there is groundwater monitoring. There's two (2) other

1 wells that exist that can provide good information.

2 The groundwater monitoring would also
3 include monitoring the quantity and quality of wa -- of
4 groundwater that comes into the -- into the pits so
5 that we have an -- a good idea of what the water
6 quality in the water management pond is likely to be.

7 We've received a lot of feedback on air
8 quality monitoring. So that would largely consist of
9 three (3) components. There would be stations set up
10 around the perimeter of the mine site in key locations
11 to monitor air quality and dust dep -- deposition in
12 particular.

13 Upon commissioning of the generators, so
14 what we use to generate electricity at site, they burn
15 diesel and they have emissions associated with them.
16 We would undertake an emissions test to verify that
17 they're meeting the requirements of what -- what we
18 purchased them and what we say they can meet. We would
19 undertake testing for that to show that they do meet
20 it.

21 And, as well, once we commission the
22 incinerator, the company that we purchased the
23 incinerator from would, hopefully, come to site and
24 undertake a stack test, and if not, De Beers would
25 undertake an initial stack test to show that our

1 incinerator is capable of meeting the standards.

2 And then finally there is a Progressive
3 Reclamation Program described in the document that
4 outlines once we clean up an area, how it will -- how
5 it would be monitored to ensure that it recovers.

6 So there is quite a bit of information
7 on monitoring, and an adaptive management approach in
8 the document that was circulated. We did really try
9 and take a proactive approach to presenting, monitoring
10 and opening up the discussion during the EIR phase.

11 We did mention that again we're looking
12 for some input on TK and where we can include
13 traditional knowledge in those -- in those plans and
14 where other opportunities might exist.

15 The proposed Adaptive Management
16 Advisory Committee, we think that's a very good
17 opportunity to include regulators and communities in
18 the monitoring and how we evolve with management at
19 site. The intent there is to share information amongst
20 parties.

21 And again, at the end of the day,
22 particularly when it comes to the regional monitoring
23 programs that are mentioned in the document, the
24 collaboration amongst the parties involved is -- is
25 very important. So it's a starting point for the

1 discussion and we hope to obtain feedback not only this
2 week, but we understand this is a session that prepares
3 parties as well for formulating their second round of
4 Information Requests.

5 And our engagement with the regulators
6 and communities is ongoing. So this opens up an
7 ongoing discussion on monitoring and management for the
8 project. And that's it.

9

10 (BRIEF PAUSE)

11

12 THE FACILITATOR HUBERT: Chuck Hubert,
13 with the panel. Thanks very much for that excellent
14 presentation. It's about 4:30 at the moment. If we
15 had maybe fifteen (15) minutes of questions. And then
16 we'll -- we'll wrap it up. But I would like to give
17 parties the opportunity to -- to ask a question or two
18 (2). And if we can have the lights at the back please.
19 Thanks.

20

21 (BRIEF PAUSE)

22

23 QUESTION PERIOD:

24 MR. BRUCE HANNA: Bruce Hanna, DFO.

25 Just a couple of points, and one (1) small question, I

1 guess. In the Environmental Monitoring and Management
2 Framework, one (1) of the things that's proposed is
3 looking at small bodied fish that are going into the
4 lake as it's refilling.

5 And as we've discussed, we would think
6 that no fish should be allowed into the lake until the
7 water quality is actually met. And it's not just the
8 small forage species that would be affected that way,
9 it's juvenile life stages of the larger bodied fish,
10 but just to put that point out there.

11 The other one (1) as everyone knows
12 sufficient baseline is very important to have an
13 effective aquatic effects monitoring program because
14 that's what you're using to compare to during
15 construction and -- in mining operations to see if
16 there is an effect. And I know De Beers is aware of
17 that, but I'm not sure exactly how many years of
18 baseline are -- are proposed in total.

19 And the other small question was: If
20 there is a monitoring agency set up like all the other
21 diamond mines, if that happens for Gahcho Kue, do you
22 envision the adaptive management advisory committee,
23 that role being taken by them, or -- or being a
24 separate entity.

25 That's it for now. Thanks.

1 (BRIEF PAUSE)

2

3 MR. STEPHEN LINES: Stephen Lines for
4 De Beers. Thank you, Bruce, for those comments.

5 Just on the last point that you
6 mentioned, the advisory committee is not intended to
7 duplicate an agency, nor is it the intent that the role
8 of the committee would be taken up by an agency.

9 The intent is that the advisory
10 committee would replace the model of having an agency.

11

12 (BRIEF PAUSE)

13

14 THE FACILITATOR HUBERT: Thanks very
15 much for that response. Anything further from DFO?

16

17 (BRIEF PAUSE)

18

19 MR. JOHN FAITHFUL: John Faithful with
20 Golder Associates. Just to provide a brief response to
21 -- to Bruce's comment around small fish, or small
22 forage fish and juveniles -- juvenile fish species that
23 -- that may make their way back into Kennady Lake
24 during the -- the refilling period.

25 I think part of the -- part of the

1 monitoring as -- as is envisioned, and I think it's
2 laid out in -- in IR response DFO and EC-50 is that
3 water quality will be tracked, and there is -- there is
4 management capabilities to -- to hold back those
5 diversions until water quality is deemed sufficient in
6 Kennady Lake for -- for those dikes to be breached.

7 MR. BRUCE HANNA: Yeah, Bruce Hanna,
8 DFO. As I understood it, fish were going to -- small
9 fish were going to be let in, and then water quality
10 monitoring would determine if there was a problem, and
11 if at that stage there was a problem, adaptive
12 management would be in place, and mitigation would be
13 there.

14 Where in BHP, for instance, when the pit
15 lakes are full, they've got fish barriers -- complete
16 fish barriers in place until water quality is met.
17 Then they could reconnect, or with Diavik they would
18 pump flood behind the pit walls, or behind the dikes,
19 and when water quality is met then they would breach it
20 -- reconnect it with Lac de Gras at that time.

21

22 (BRIEF PAUSE)

23

24 MR. JOHN FAITHFUL: John Faithful,
25 Golder Associates. Bruce, I was hopefully suggesting

1 when I previously spoke, it was that if monitoring
2 indicates in Kennady Lake that water quality is -- is
3 not suitable for fish to be allowed back into -- in --
4 well, to allow fish back into it through the
5 reconnection of the upper watersheds, then those --
6 those -- the dikes -- the -- the breaching of those
7 dikes will be held off.

8

9 (BRIEF PAUSE)

10

11 MR. PETE COTT: So it's -- it's Pete
12 Cott from Department of Fisheries. So -- so it seems
13 like from what you said that fish will not be allowed
14 back into Kennady Lake until water quality objectives
15 are met.

16 Is that right?

17 MR. JOHN FAITHFUL: John Faithful,
18 Golder Associates. That's correct, Pete.

19 MR. PETE COTT: Okay. Pete Cott, here.
20 That -- thanks, that -- that addresses our questions.

21

22 (BRIEF PAUSE)

23

24 MS. LORETTA RANSOM: Hi. I'm Loretta
25 Ransom with the Government of the Northwest

1 Territories. And with -- I just wanted to make, I
2 guess, one (1) question, one (1) point. With respect
3 to the plans that you did talk about, our -- our
4 quality expert will be here at some point throughout
5 this week to ask a couple of questions.

6 And we will also have our biologist
7 available on Friday to ask questions about the
8 information you've provided, and to be available to
9 talk about the programs that we do have and how this
10 might fit together.

11 I do have another question, I guess,
12 related to what Bruce brought up with respect to the
13 adaptive management advisory committee. I'm sure
14 there'll be more discussion about this committee, but I
15 just wanted a bit more information on how you see this
16 committee functioning.

17 You know, there's always a lot of talk
18 about monitoring agencies and other technical advisory
19 committees and what not. And I get the general idea
20 behind the committee, but I just wanted to get your
21 picture of how long you see it functioning for.

22 Who do you see -- I know you mentioned
23 regulators and communities, but who do you see
24 participating on it? Do you see it having some sort of
25 teeth, I guess? I just wanted to get a better picture

1 so that we are able to provide input on that type of
2 committee. Thanks.

3

4 (BRIEF PAUSE)

5

6 THE FACILITATOR HUBERT: Thanks. Is --
7 is this -- Chuck Hubert, with the Panel.

8 Is this something De Beers can answer
9 now, or would like to think about and answer tomorrow?

10 MR. STEPHEN LINES: Thanks, Chuck.
11 It's Stephen Lines for De Beers. I -- I'd be glad to
12 provide an answer.

13 So there are just three (3) parts to
14 that. I think the -- the first part was concerning the
15 duration and how long the advisory committee would be
16 in place for. And the intent of that was that it would
17 be in place for the duration of the project, from
18 construction through operations and closure. I think
19 throughout those time periods there's good opportunity
20 to receive input on monitoring and management.

21 Regarding who would participate in the
22 advisory committee, we're certainly hoping that the
23 communities would provide a representative that would
24 sit on the advisory committee, regardless of what's
25 being discussed. I think from a regulatory level, I'm

1 not sure that DFO would want to participate in wildlife
2 discussions, so there -- it's possible, but...

3 So there's -- there's an opportunity to
4 have maybe some smaller focus committees, whether that
5 -- one (1) for aquatics and one (1) for wildlife, those
6 are possibilities but, again, the communities would be
7 invited to sit on both.

8 And as far as the third question, with -
9 - regarding the, I guess, the teeth for such a
10 committee. The committee would be responsible for
11 providing input and -- and advice directly to De Beers.
12 At the end of the day, it's De Beers' responsibility to
13 manage the mine site appropriately and for us to
14 monitor our mitigations and our effects appropriately.

15 So it is an advisory role, but having
16 said that, regardless of a committee or an agency, the
17 backstop at the end of the day is always the permits
18 and licences that are issued to De Beers in order to
19 build the mine.

20 And that's the same for all of the
21 projects, and we do have to comply with those. The
22 Board system is a public system. It's transparent.

23 Our monitoring reports would not only be
24 filed through an advisory committee, but also through a
25 water licence and land use permit, they'd be available

1 to the public, and posted on the public registry.

2 And those -- conditions of those
3 licences are enforceable, so that's -- that's where the
4 teeth comes from.

5

6 (BRIEF PAUSE)

7

8 MR. MIKE TOLLIS: Mike Tollis, Lutzel
9 K'e Dene First Nation. Just regarding that -- that
10 committee, Stephen, you said that -- I don't know if I
11 -- if I misinterpreted, but you -- you said it could be
12 in place of -- of an agency, a monitoring agency.

13 I don't know if that's the right way to
14 go to replace an independent watchdog that the -- with
15 an advisory committee to De Beers made up from people
16 that De Beers selects. So I think it's more important
17 to have a monitoring agency, and maybe have community
18 members and regular -- regulators on that -- on that
19 agency instead of in an advisory role.

20

21 Just a couple other questions. In terms
22 of the regional programs, recently the diamond mines
23 have been kind of consolidating their efforts on -- on
24 wildlife monitoring among -- among other programs. But
25 is the Gahcho Kue project going to be part of this

1 regional study, and contribute to it? I think we
2 recommend that they are a part of it. It's better to
3 have a bigger understanding of the com -- of the
4 cumulative impacts.

5 In terms of the winter road monitoring,
6 it was mentioned in the EIS about fragmentation of --
7 of habitat and travel routes of the wildlife.

8 Does the monitoring for the winter road
9 include some way of determining how the road is
10 impacting travel routes though the area, and if so,
11 could you elaborate on them?

12 And just another issue with -- with the
13 winter road. I read earlier on in -- in some of the
14 EIS that it was suggested that there be a winter road
15 from Thompson's Landing up the Gahcho Kue, and I was
16 just wondering if that was -- if that was a possibility
17 now, or in the future. Thank you.

18

19

20 (BRIEF PAUSE)

21

22 THE FACILITATOR HUBERT: Thanks for
23 that series of questions. We'll give De Beers the
24 opportunity to answer.

25

1 (BRIEF PAUSE)

2

3 MR. STEPHEN LINES: Thank you, Mike.

4 It's Stephen Lines for De Beers. I'll answer the first
5 question that was asked, and then Veronica is going to
6 cover the other three (3).

7 To address the -- the agency, I just
8 want to clarify that it's not De Beers that would
9 appoint people to the advisory committee. De Beers
10 would simply extend an invitation to regulators that
11 have expertise in the area and, at the same time, they
12 would extend an invitation to communities, and the
13 communities could appoint whoever they chose to
14 participate, and that would be an open process.

15 As far as an independent -- the
16 independent nature of the committee, again, the --
17 people bring their own expertise to the table. It's a
18 forum where people can share perspectives, whether it's
19 on project specific data that De Beers collects, or
20 whether it's on TK programs that De Beers supports,
21 communities and undertaking, or whether it's regional
22 data on wildlife that ENR may bring to the table.
23 These are just -- these are different perspectives that
24 are -- that are shared in that forum. And I think the
25 -- the boards right now that issue the land use permits

1 and the licenses, they are independent. They're at
2 arm's length of all the people sitting in this room.

3 So again, those conditions are
4 approvals. They do come from an independent panel of
5 decision makers and they're conditions and they're
6 requests for what we monitor and how we manage the
7 sites. They -- those are enforced. So that's I think
8 where the key independent nature of the process comes
9 from.

10 So I'll ju -- I'll pass to Veronica to
11 respond to the other three (3).

12 MS. VERONICA CHISHOLM: Veronica
13 Chisholm, from De Beers. So your question, Mike, I
14 think, and correct me if I'm wrong, was on
15 participations in regional studies and partnership with
16 regional studies and what De Beers' commitment is
17 around that.

18 De Beers, if you look in this study
19 report, and I know we just put this on to people today,
20 it actually provides a list, but we are looking at
21 partnerships. And one (1) that's in discussion right
22 now is the Grizzly Bear Monitoring Program. And our
23 commitment on that is we agree, in principle, to doing
24 collaborative monitoring with the other diamond mines.
25 It only makes sense.

1 De Beers -- Gahcho Kue is not an
2 approved project, as we all know, which is why we're
3 sitting here. We wanted to spend the year doing some
4 consultation on that plan and on that program before we
5 did any implementation on that program, but the intent
6 is to participate at that level on some of those
7 regional partnerships.

8 And also, as Stephen mentioned, we're
9 already -- Gahcho Kue, although not approved, is
10 supporting a number of regional monitoring programs in
11 the region, specifically the wolf study that's being
12 undertaken by Dean Cleff in ENR. We're providing
13 contributions for that. We're providing contributions
14 to a Regional Sediment Study Program that's going on.
15 So we -- we think that that partnership and that
16 looking at cumulative effects from all the companies'
17 perspective is the way to go.

18 I think your next question was on the
19 winter road and winter road monitoring and whether we
20 would be looking at caribou. I'm wondering if we can
21 defer that conversation to when all of our wildlife
22 experts are at the table, and that's scheduled for
23 Friday, if that would be acceptable.

24 I'm just -- I'd like to have a bigger
25 context, and the wildlife team and that -- and have all

1 the folks, including ENR, at the table when we talk
2 about monitoring along the winter road, if that would
3 be acceptable.

4 I'll let you respond to that. I'll deal
5 with the last question. The last question was on
6 Thompson Landing. That's currently not in our mine
7 plan or as part of our project plan for the Gahcho Kue
8 project. So you can counter respond, I guess, to those
9 questions. Thank you.

10 THE FACILITATOR HUBERT: Thanks very
11 much. Chuck Hubert, with the panel. I'd agree that it
12 is valuable to discuss more general wildlife and access
13 issues when there's more of those -- more of that
14 expertise is in the room. So I'd like to defer that
15 until that time, but...

16 And I believe we're at about ten to
17 5:00, so if you have a quick followup question, now
18 would be the time. And then I think we'll call it a
19 day. But go ahead if you have anything.

20

21 (BRIEF PAUSE)

22

23 MS. STEPHANIE POOLE: Can I say
24 something? I have a few questions. And I just wanted
25 to say something. My name is Stephenie Poole. I work

1 for Akaitcho IMA office.

2 In regards to the discussion surrounding
3 the Adaptive Management Advisory Committee, there's not
4 enough information being provided by De Beers in that
5 regard. Who will sit on that committee and how does De
6 Beers anticipate constituting this committee? You
7 know, you're just kind of being wishy washy, saying,
8 Oh, any regulatory people or is -- someone from all the
9 co -- communities can sit on there, but you're not
10 saying exactly how many members will be on there, how
11 many members from De Beers, how many members from
12 government agencies. Will there be non-government
13 organizations involved?

14 Which communities are you speaking of
15 that will have representatives on this committee?
16 There's clearly not enough information being given on
17 this committee, especially when they're attempting to
18 replace an independent environmental watchdog with this
19 fully funded De Beers committee which is totally
20 unheard of.

21 In your response, you said that the
22 backstop for all other diamond mines is the licensing
23 and permitting phase. But that is not the truth. It
24 is the environmental agreement which creates the
25 independent watch dog. And De Beers is trying to get

1 out from one (1) of the contractual tools used to
2 regulate all of the other diamond mines. And that's
3 not right.

4 So, I mean, you're trying to cut off the
5 conversation on what was just presented to us. I hope
6 we'll have time tomorrow morning to continue further.

7 THE FACILITATOR HUBERT: Thanks very
8 much. My intent in stopping at 5:00 was just for the
9 sake of time, not to cut anybody off. But, we have a
10 minute or two (2) for De Beers to respond to that, I
11 hope.

12

13 (BRIEF PAUSE)

14

15 MS. VERONICA CHISHOLM: Veronica
16 Chisholm, from De Beers. Thank you for your comments.
17 I know we just put this out today. We -- it is just
18 coming out. It is a proposed plan. We're here, in
19 part -- and there's more than one (1) opportunity
20 throughout the week to talk about this plan.

21 But we're -- we're here to get
22 information on where -- what more detail is required,
23 if this could be a viable plan. You know, I hear -- we
24 have an opinion, and -- and we're willing to work with
25 that. And we're willing to provide some more detail.

1 Of course, there would need to be
2 governance around this group. A governance structure,
3 a decision-making structure would need to be provided
4 for this group. We would need to have a terms of
5 reference issued for this group so that the scope of
6 the particular advisory group could be well defined.

7 This is what we call our init -- initial
8 stages of discussion and input. And so, we're looking
9 for the type of input that you just provided,
10 Stephanie. You know, that you need more detail around
11 these key areas.

12 And so we're -- we're willing to flesh
13 out those -- those levels of details in the discussion.
14 So, I think it's -- it's something that will come up
15 through the -- as we talk about Kennady Lake tomorrow,
16 as we talk about downstream environments on Thursday,
17 as we talk about caribou and wildlife monitoring on
18 Friday.

19 So there's plenty of opportunity to
20 provide input because this is -- this is intended to be
21 a framework for a monitoring approach. So, thank you.

22 MS. STEPHANIE POOLE: Just a couple
23 more things before we go, in regards to, you know, the
24 statements that were made and questions that were
25 asked. You -- you were trying to say that -- that the

1 boards, Mackenzie Valley Land and Water Board, the --
2 the water board, the review board, are independent
3 boards. But they aren't.

4 They are federal institutions. They are
5 not independent, and you can just -- I mean, it's
6 clear, plain as day, you just look at what the federal
7 government is doing right now through regulatory
8 improvement and you will see that these boards are not
9 independent at all.

10 And I want to know, because all the
11 other diamond mines have an independent monitoring
12 watch dog watching over it, will De Beers commit to a
13 similar watch dog agency for Gahcho Kue?

14 THE FACILITATOR HUBERT: Thanks very
15 much for those comments. Does De Beers have anything
16 further at this time, or -- or should we continue these
17 discussions once everybody has had the opportunity to
18 read the document and think about it a bit more and
19 prepare comments throughout the rest of the week? I'd
20 be interested in what De Beers thinks. Or...

21 MR. BRUCE HANNA: Yeah. Bruce Hanna
22 from DFO. One (1) thing I realized was lost in the
23 last few questions that we had was just the minimum
24 amount of baseline or minimum number of years of
25 baseline De Beers proposes prior to construction and

1 operations? That was it, just for a clarification.

2 MS. VERONICA CHISHOLM: Veronica
3 Chisholm, from De Beers. Bruce, I thought you were
4 going to provide a comment on whether the federal
5 government was independent or not. And -- or too
6 dependent, yeah, to Stephanie's comment. So, thank you
7 for your additional question and we'll be pleased to
8 answer that.

9 De Beers would like to take back the
10 feedback that we receive on this document, and -- and
11 we'll come up with a series of commitments around the
12 monitoring agency and the various things that Stephanie
13 has raised today.

14 So I think I've recorded the question
15 here, it's recorded on the transcript, and then we'll
16 follow up with that.

17 THE FACILITATOR HUBERT: With what kind
18 of a time line would follow up would that be?

19 MS. VERONICA CHISHOLM: I think we
20 would be looking toward the end of the technical
21 sessions to provide some comment on that.

22 THE FACILITATOR HUBERT: Thanks very
23 much. We'll consider that a task, I guess, in our
24 terminology. A task at the end of the -- the week.

25 With that, thanks everybody for

1 participating today, for showing up. I'd like to thank
2 every -- really everybody. People are what make these
3 events happen.

4 Tomorrow morning we will begin at 9:00.
5 I know today we went for the half day thing, which was
6 a nice sort of novel approach, but tomorrow it's a full
7 day.

8 So 9:00 a.m. tomorrow; see you guys
9 then.

10 MR. JOHN FAITHFUL: Chuck, John
11 Faithful, Golder Associates. I have that -- that
12 reference for Stephanie that we committed to provide.

13

14 --- Upon adjourning at 4:58 p.m.

15

16 Certified correct,

17

18

19 _____

20 Lorraine Douglas, Ms.

21

22

23

24

25

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0.009 54:7	11 34:12	2004 75:7	26 49:22	4:58 152:14
018 54:6	11:55 17:20	91:20	271 31:20	40
<u>1</u>	110 5:8	2008 80:18	125:15	108:7,13,2
1 1:23 7:23	12 34:20	2009 80:18	28 51:6,24	0
8:14 9:10	120 31:21	2010 6:20	280 31:18	410 71:4
17:25	13 34:20	42:3	28th 7:12	49 14:11
28:15	84:25	47:10,16,2	29 52:20	<u>5</u>
29:12 32:9	13/14 84:14	1 50:18	2nd 7:12	5 7:13 32:6
38:8,13	133 5:9	52:12,25		39:1,2
42:8 45:24	14 36:25	54:1 68:25	<u>3</u>	42:6 57:12
50:13	140 32:2	76:20	3 14:13	62:13
64:20 66:9	66:1 82:6	109:12	20:8,9	64:24
67:6 68:6	15 133:15	2010/2011	42:7,16	65:22
69:23	152 5:11	48:22	66:10	66:10
71:1,2	15th 42:14	54:21	73:25	77:23
73:20,21	16 69:7	2011 6:21	119:24	78:5,10,20
76:17	76:22,23	7:1,2,3	124:11	79:16 80:1
77:24	16-8 76:23	42:12	131:9	94:20
78:1,2	18 126:8	43:16	139:13	126:16
81:21	19 40:1 85:2	44:4,20	143:6	5.5 84:6
82:1,24	1956 109:7	45:23	144:11	5.5/6.5
83:5,24		53:15 54:1	3.9-1 73:25	84:10
85:5,11	<u>2</u>	56:2,20	3:03 87:24	5:00 146:17
86:23 89:1	2 20:13	57:2,23	3:20 87:25	148:8
91:25	21:25 34:7	58:1,7,21	88:2	50 90:7
92:24	38:14	60:7,22	30 5:5 53:5	108:14
95:12	45:24	69:1	30th 44:16	5034 32:13
97:17	51:18	2012 1:22	31 55:20	34:13 47:6
101:20	55:17 64:6	7:20 30:12	34 92:8	48:10
103:23	65:4 66:9	31:4 41:9	37 10:5	64:24
116:8,9	73:12,16	44:6 47:11	372 35:12	65:22 78:9
123:25	77:25 83:5	48:14 50:1	3rd 42:12	79:16 80:1
124:15	85:10	51:10		56 109:11
133:25	86:25 88:5	58:10 59:2	<u>4</u>	59 5:6
134:2,11	91:24	73:24	4 1:23 16:22	<u>6</u>
138:2	94:13	76:19	20:8 41:11	6 5:3 66:10
140:5	98:14	105:22	54:21	73:6 126:5
144:21	116:8	2014 35:3	66:10 73:7	6.5 84:5
148:1,19	117:4	2015 35:3	94:14,20	600 62:12
150:22	118:9,11	2020 35:7	109:21	65 57:19
1/2 14:13	130:23,25	2021 35:7	130:22	6th 44:16
20:8,9	133:18	2022 35:7	4:15 18:8	<u>7</u>
1:05 6:1	148:10	22 1:22 45:8	4:30 18:12	
10 42:17		23rd 30:13		
53:7		44:11		
87:20,22		24 47:18		
88:5				
100 84:13				

7 34:4 40:12 71:13 92:11 700 35:11 73 110:10 <hr/> 8 8 3:20 23:24 34:5 38:7,8,16 39:19 42:17 46:18,19 48:2 51:11 53:7 68:6 69:10 70:20,23,2 4 71:14 98:23 130:12 8.10.3.2 86:5,6 8.7 32:9 80 32:4 800,000 83:16 102:11 104:1 83 46:9 47:23 52:8 870 32:8 870,000 83:15 8th 21:24 <hr/> 9 9 42:17 53:7 76:24 99:2 9:00 152:4,8 97 92:10 <hr/> A a.m 152:8 A1 46:12 47:24 73:13	90:18 91:8 93:5 94:11 A2 46:12 47:24 A3 46:2,3,11 48:2 AANDC 3:11 23:19 24:2,4,10 able 7:6 19:12 33:14 100:2 111:3 139:1 absolutely 91:7 abundance 52:14,17 58:5 acceptable 145:23 146:3 access 31:19 32:21 33:25 37:7 38:18 50:1 124:5 125:10 146:12 accessible 100:6 accommodatin g 96:23 according 16:15,17 accordingly 91:15 account 53:17 55:16 61:1 achieving 40:10 acknowledge 113:4 across 12:20	Act 106:21 acting 23:4 actions 116:13,16, 18 118:16 activities 31:15 34:9,17 39:24 activity 34:21 124:7 125:25 actual 52:8 70:10 98:11 122:4 actually 17:16 18:22 23:10 33:18 38:21 55:7 65:22 67:12 70:7 83:6,7 84:24 85:1 96:17 98:7 106:22 134:7 144:20 adaptive 65:9 79:13 111:16 112:11 115:12,17 116:9,12 119:4,11,2 2 121:21 123:22 132:7,15 134:22 136:11 138:13 147:3 add 69:12 121:17 addition 12:8 44:16 53:12	56:10 70:9 92:8 123:3 additional 38:22 40:4 46:21 47:4,7 48:11 51:11 79:23 80:8 86:21 89:25 90:1 99:9 115:20 119:2 123:17 125:14 151:7 address 42:7 48:16 49:7 88:19 143:7 addressed 6:25 42:11,13 49:19 addresses 137:20 addressing 117:19 adjacent 37:16 46:5 70:9,13 adjourn 18:12 adjourning 152:14 adjust 120:14 adjusted 123:1 adjustments 124:2 advance 86:11 105:3 111:23 adverse 10:1 42:23 53:2	56:8 58:8,22 81:17 102:13 advice 140:11 advisor 23:1 advisors 22:5,22 118:25 advisory 119:4 132:16 134:22 135:6,9 138:13,18 139:15,22, 24 140:15,24 141:15,19 143:9 147:3 149:6 AEMP 127:23 128:1,20 129:2,17,2 1,24 130:3 afar 12:25 affairs 24:8 affected 48:22 79:10 134:8 affects 58:8 afraid 11:10 afternoon 16:7 17:25 26:22,24 27:1,4 37:25 63:24 77:14 88:2,15 96:22 against 6:23 94:25 agencies 64:20
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

138:18	109:6	33:19	147:6	112:10
147:12	allow 38:16	89:20 93:1	anticipated	113:2
agency	51:12	95:5	62:1	116:1
134:20	137:4	130:5,7	anybody 83:1	120:17
135:7,8,10	allowed	analyst	124:21	122:6
140:16	70:24	25:12,21	148:9	123:10,25
141:12,17,	73:21	and/or 64:12	anymore	129:23,25
19 143:7	79:12,13	Andrew	20:19	132:7,9
150:13	134:6	62:7,20	anyone 13:4	149:21
151:12	137:3,13	63:5	14:24 33:5	152:6
agenda 15:5	allows 50:24	109:15	anything	appropriate
112:1	alluded	animals	63:14	40:10 47:1
aggregate	41:18	123:13	83:20 89:6	99:20
95:19	already	animation	97:7	120:15
ago 11:10	14:11	39:5	135:15	appropriatel
15:3 33:4	31:22 84:4	animations	146:19	y
109:21	99:23	37:22	150:15	140:13,14
agreement	103:12	Ann 25:15	anywhere	approval
147:24	111:9	30:3	35:3 95:20	106:19
ahead 80:21	117:14	Anne 4:21	appear 12:6	107:11
88:21	145:9	25:22	APPEARANCES	113:6
106:9	alterations	annual 31:24	2:1 3:1	approvals
107:18	51:21	115:15	4:1	106:23
146:19	alternative	118:19,20,	appears	144:4
ahs 14:9	15:15	22 124:23	116:6	approved
aiming 39:4	aluminium	125:8	appendices	10:7 107:3
air 118:2	60:11	126:1	51:7,8,11,	145:2,9
122:22	am 29:17	annually	18	approving
131:7,11	32:6	35:21	appendix	8:9
Akaitcho	ambitious	answer	51:19,20	approximatel
3:19 23:25	18:13	19:1,12	applicant	y 31:18
97:13	among 141:24	72:15	32:4	32:8 34:12
147:1	amongst	81:21 86:2	application	46:8 47:23
Alan 1:12	121:22	88:20	113:23	52:8 54:5
2:2 6:5	132:19,24	90:11	applied	85:13
22:8 26:3	amount 52:6	100:1	39:13	April 7:20
30:2,3	53:1 68:14	106:2	appoint	30:13 31:5
32:22	76:1 90:5	139:8,9,12	119:6	41:10
41:14,24	100:15	142:24	143:9,13	44:16
44:14	101:17	143:4	appreciate	73:24
Alan's 31:2	150:24	151:8	13:7 59:10	91:20 92:5
alert 66:23	ample 39:13	answered	67:7 68:2	aqua 55:22
algal 43:8	74:25	answers 8:20	97:3	aquatic
75:23	Amy 3:2	86:23	appreciated	15:21
alignments	27:21	87:21 97:4	96:24	42:17,24
90:24	analysis	anticipate	approach	43:8,9
alive 18:3	7:13 15:15			44:21,24
				48:21
				55:22,23

56:8,10	72:10	3:2,3,4,5,	9:12	bas 50:17
57:12	150:3	6	available	base 47:12
58:1,4,18,	arm's 144:2	27:5,14,16	21:6 37:13	56:22
23	arrives	,18,20,22,	42:5 66:22	based 8:4
75:21,24	58:20	24 28:1,3	91:3	10:15
87:17	Ash 3:6	41:7 60:17	96:5,9	44:8,9
98:23	27:19	69:18	116:3	51:21
112:21	assemblage	70:18	119:17	55:23
115:5	57:3	74:15	121:20	56:19
118:2	assess 48:20	76:15 77:8	138:7,8	58:18 85:6
127:7,17,2	78:15	87:4	140:25	112:16
3,25	118:15	135:20	avenue 48:20	114:2
128:24	assessed	136:25	avoid 103:19	baseline
134:13	10:4 58:12	137:18	104:6	54:11,13
aquatics	63:1	152:11	126:13	56:15,19
51:9 52:1	assesses	association	127:15	57:4,23
53:6 55:11	58:15	44:1	avoided	60:20 61:2
104:5	assessment	assume 111:6	46:10	74:18
127:7	6:7 7:9	assuming	awarded 7:4	128:18,24
140:5	8:25 10:11	93:1,24	aware	130:8
Arctic 58:5	15:22	94:5	106:17,18	134:12,18
area	22:9,14,16	assumption	134:16	150:24,25
37:8,9,14	25:8,12,21	81:14	away 13:9	basic 94:13
38:11,16	42:9,15	assumptions	20:10 32:4	basically
39:19	44:8,9,23	78:14	48:1 70:8	90:3 91:10
40:12	45:2 49:21	assurance	126:8	94:21,23
45:1,24	51:9,13	9:16	awesome 21:4	95:25 96:7
46:15,18,1	52:2,18,25	assure 62:23	Aylmer	basin 69:20
9 47:12	53:21,24	attempting	108:11	70:11
48:1 53:1	54:24	147:17	<hr/>	basis 50:18
58:16	55:12,23	attendance	B	118:19
69:9,19	56:1,11	22:7	backfilled	Bay 108:12
70:20,23,2	58:1,18	attention	64:24	109:1
4 71:13,14	60:5,24	18:23 67:8	65:13	bear 11:9
73:6,7,10	98:21 99:6	attenuate	78:10	33:21
94:13,14	102:17	43:10	backfilling	126:3
111:2	assessments	attract	39:2	144:22
120:21	78:15	122:20	backstop	bearing
130:11,12	assigned	audience	140:17	29:11
132:4	75:5	63:15 97:7	147:22	bears 123:8
142:10	associated	aufeis 13:16	bad 40:25	125:23
143:11	36:1 44:13	A-U-F-I-E-S-	balance	become 7:4
areas 31:8	47:19	S 13:16	53:19,23	9:14
38:7 67:13	48:15	August	bank 44:23	81:10,18
68:6 99:19	131:15	92:6,21	barriers	bed 36:9
119:2	Associates	autonomy	136:15,16	90:10
122:15	2:22,23,24			bedrock
128:14	,25			
129:5				
149:11				
aren't 11:23				
33:14 69:3				

93:21	129:10	11:9,11,18	31:11,12	42:25 58:4
Beers 2:12	131:24	Ben 4:13	32:17	Bolstad 2:14
5:5,8	134:16	24:25	41:14	26:22,23
6:20,24	135:4	benchmark	69:22 81:2	80:9,10
7:21	139:8,11	56:4,8	84:19 89:2	129:13
8:16,21	140:11,12,	benthic 43:9	92:25	boreholes
9:23 15:17	18	best 13:12	110:11	90:1,16
16:2 19:2	141:15,16	19:1,3,12	112:12,19	92:8
26:17,23,2	142:23	29:18	115:21	borrow 95:18
5	143:4,8,9,	104:3	116:22	bottom
27:3,10,12	19,20	118:18	128:22	117:1,4
28:5	144:13,16,	better 46:22	129:1	bound 10:13
30:7,11	18 145:1	91:5,22	132:6	84:5,7,16,
33:12 42:7	147:4,6,11	92:17	138:15	22,23
43:17	,19,25	115:2	150:18	85:15 87:7
59:10,16,2	148:10,16	138:25	Black 3:23	box 118:7
0,24 62:8	150:12,15,	142:2	24:5	boxes
63:5,14	20,25	beverages	Blackie 2:18	117:4,23
64:1 65:21	151:3,9	18:2	27:11	118:4
66:12,18	Beer's 114:9	beyo 84:13	blown 91:14	Brady 4:5
67:4 71:1	BEERS 1:6	beyond 84:13	board 1:3,11	24:23
73:23	30:9	BHP 136:14	6:8	breach
77:12	110:19	bi 41:17	10:4,12	40:11,16
78:4,17	bees 12:11	bigger 142:3	11:5	136:19
79:18	begin 39:3	145:24	12:2,4	breached
80:10,13,2	64:24 78:9	Bill 2:21	14:17	64:12,14
3	152:4	27:7	16:25	71:11
81:4,10,24	beginning	72:1,2	22:3,10,14	72:6,7,22
82:17 83:1	8:24 40:20	73:2 89:17	,17 23:5	106:15
86:2	64:3	91:6,7,23	24:9 26:9	136:6
88:4,20	108:22	92:19	29:5 41:10	breaching
89:12	begrudge	93:13	42:1,12	137:6
96:25	13:22	95:9,10,22	44:11,15	break 17:20
98:9,14,20	behalf 26:8	,25	96:24	18:7 66:21
99:20	behaviour	96:6,11,18	102:21	71:9 81:22
100:1,15,2	95:6	biologist	105:16	82:25
1 101:14	behind 25:18	138:6	113:12	87:20
102:4,10,1	26:5	biophysical	140:22	breaks 11:12
9,25 103:2	73:9,11	42:20 53:9	150:1,3,8	17:24 18:6
104:12	91:1	biota 56:9	Board's 22:5	brief 11:15
105:1,25	136:18	75:21	81:15	15:4
106:6,18	138:20	birds 52:24	bodied	26:12,20
110:16,21	believe 8:7	126:19,20,	134:3,9	30:14,20,2
111:3	61:9 88:6	24	bodies 13:2	3
112:8,12	111:9	bit 12:12	31:10 37:7	41:4,8,17,
113:9	116:3	19:6 30:25	38:18	21 45:5
118:22,25	129:10			57:6 58:25
120:22	146:16			60:1 61:12
121:3,9,23	bell			
123:4				
125:21				
126:4,15				
128:22				

63:17,22	135:4	,25	cases 10:1	106:24
66:15	136:7,25	26:23,25	12:25	120:13
67:1,18,22	138:12	27:3,10,12	50:4,5	changed 51:1
69:15	150:21	30:9 62:8	cast 32:5	changes
70:15	151:3	80:10	33:6	47:14,19
71:24	Bruce's	106:11,19	catch 21:23	48:23
72:17	135:21	107:1,9	Cathie 2:14	49:14,16
82:21	build 38:17	110:19	26:22,23	50:19,21
85:25 87:1	95:13	129:22	80:3,7,9,1	53:24
88:12	122:7,14	Canadian	0 129:13	60:12 62:5
89:9,15	126:6	25:10 75:6	cause 102:11	98:4,22,24
97:10	128:20	capabilities	120:13	,25
98:17	130:8	136:4	CCME	99:1,7,14
101:23	140:19	capable	54:20,22,2	101:10
104:17,23	built 126:12	132:1	5	120:10
107:6	bunch 78:14	capacity	55:3,6,10,	changing
115:23	bureaucracy	7:11 13:9	15 56:6	54:6
116:24	8:9	56:24	60:10	channel
119:8,19	burn 131:14	75:20	61:1,5	44:23
127:4,20		capture	cease 34:21	characterist
133:10,21		21:21	Centre 61:17	ics 74:2
135:1,12,1	<u>C</u>	care 83:2	certain 9:13	characterize
7,20	cables 91:12	carefully	34:15 61:3	74:16,24
136:22	Cadillac	14:20	67:13 68:7	characterize
137:9,22	109:15	15:23	certainly	d 7:25
139:4	cadmium	39:20	13:6 71:8	74:23
141:6	54:23,24	caribou	80:13	75:18
142:20	55:4,7,8	16:10	81:1,15	check 6:22
143:1	cadre 19:4	52:15,17,1	102:11	125:6
146:21	calculated	9,20 62:3	105:23	checks
148:13	84:17	109:19,24	139:22	122:19
briefly	calendar	123:9,14	Certificate	125:25
22:24	20:15	125:16,18	5:11	Chief 109:16
61:18	calibration	145:20	Certified	children
bring 7:14	85:6	149:17	152:16	108:16,17
14:8 19:24	calisthenics	52:23	cetera 86:20	Chisholm
20:23	18:1	carnivores	chair 29:24	2:16
67:14 98:5	cameos 30:4	125:23	59:22 87:9	27:1,2
143:17,22	camp 31:23	Carrie 80:7	chance 7:16	30:10,11,2
bringing	32:15 34:3	carry 74:7	29:7	2 33:17
67:25	Canada 1:6	95:5	change 14:23	46:24
brings 7:22	2:12	119:11	52:5,10,13	59:19,20
83:21	3:9,23	case 7:11	53:23	63:4,5
brought	4:19 5:5,8	9:7	56:21	67:3,4,20,
48:23	7:21 23:16	10:3,14	62:1,2,3,2	24 68:19
106:13	24:6,8	81:9	5 63:9	69:6 70:25
138:12	25:7,10,23	126:13	80:19,20	71:1
Bruce 4:24				73:22,23
26:1				
110:10				
133:24				

74:12	111:10	35:18	71:3	79:21,23,2
76:17	clarificatio	closure	collects	5 80:14
77:11,12	n 69:12	15:12	83:21	81:4,13
78:3,4	79:19	31:15	143:19	86:10
79:17,18	82:18 93:4	34:19	com 142:3	105:2
81:23,24	106:12	35:13	comes 112:20	121:3
82:16,17	151:1	37:17,19	115:6	144:16,23
86:1,2	clarificatio	39:5,14,22	122:6	commitments
98:19,20	ns 8:17	,23 40:22	123:15	9:11 10:7
100:20,21	clarify 85:5	42:20	126:19	11:18,20
101:13,14	95:7,19	46:13	127:16	12:5 14:21
103:1,2	143:8	48:4,18	131:4	19:20,25
104:25	classified	53:9 55:18	132:22	78:21
105:1	36:16	58:20	141:4	81:9,11,18
144:12,13	clean 132:4	64:11,12	144:8	82:4
148:15,16	clear 13:8	66:4 68:14	coming 21:9	151:11
151:2,3,19	14:3,25	72:1,2,12,	28:17 90:9	committed
Choose 14:20	19:21 59:8	15 82:9	148:18	11:22
Chorley 2:23	68:21	94:5,9,15,	commence	29:10
27:13	77:24 78:5	17 98:22	34:16	152:12
chose 112:8	88:19 93:8	99:14	commencing	committee
143:13	101:12,14	106:22	6:1	118:25
chromium	102:1	121:13	commend 16:2	119:3,4,10
54:23	112:25	130:19	comment	,14,23
chronic	150:6	139:18	103:14	120:8
56:4,7	clearer	co 55:14	105:21,24	121:21,25
Chuck 1:13	68:15	147:9	135:21	132:16
2:3 11:10	clearly 12:9	coarse 35:23	151:4,6,21	134:22
18:13	147:16	36:13,20	comments	135:6,8,10
22:10	Cleff 145:12	39:16	6:10 32:25	138:13,14,
29:25 30:2	climate	45:18	33:16 65:1	16,20
32:25	44:22	coffee 11:12	106:1	139:2,15,2
59:1,6	clockwise	66:20	110:15,24	2,24
66:17 69:7	23:14	125:2	123:11	140:10,16,
81:7 82:4	close 12:9	cold 76:2	124:3	24
97:1 105:1	16:20 56:6	collaboratio	135:4	141:10,15
106:4	109:5	n 121:22	148:16	143:9,16
107:17	closed 73:10	132:24	150:15,19	147:3,5,6,
110:20	closer 90:13	collaborativ	commission	15,17,19
133:12	103:8	e 123:7	131:21	committees
139:7,10	closes	144:24	commissionin	138:19
146:11	101:11	collated	g 131:13	140:4
152:10	closest	100:17	commit 12:1	committing
Churchill	31:25	colleague	102:19	9:13
6:11	126:7	88:3	104:12	commonly
circulated	closing	collected	150:12	74:21
111:9,12		85:7	commitment	communicatio
132:8		129:8,9	19:23	n 114:23
circulating		collectively		communities
				56:13

86:21	99:19,21	concept	88:25	114:16,19
103:21	103:5	111:11	confirm 74:8	consolidatin
105:7	compiled	116:21	94:6	g 141:23
112:17	103:7	117:2	conflict	constituting
113:9,18	complete	119:13	93:22	147:6
114:13	39:5 98:6	concern 15:3	conformity	construct
115:12	136:15	56:3	6:22 7:1	40:3
119:6	completed	102:12	42:6,11,13	constructed
120:24	6:21 7:21	124:3	confused	20:4 38:23
121:11	20:25 39:7	concerning	92:25	70:7
123:6,11	62:8 102:7	139:14	93:11	construction
124:8	completeness	concerns	connect	15:6
125:20	98:6	17:4	39:18	34:6,9
132:17	complex	concise 59:8	conscientiou	35:4,10
133:6	15:25 16:1	concluded	sly 33:10	36:10
138:23	116:6	42:23	consensus	37:17
139:23	comply	conclusion	87:15	38:14
140:6	140:21	52:16	consequence	40:21 74:1
143:12,13,	component	conclusions	53:22	90:7 95:16
21	56:12	42:21	consequences	96:8 97:6
147:9,14	130:4	43:12	74:2	106:8
community	components	52:13,24	conservative	121:12
23:4 31:25	48:22	53:2,24	94:1	130:17,18
86:13,15,1	118:12	56:1 57:25	consider	134:15
7 98:4	122:6	58:21	119:25	139:18
103:6,11,1	127:24	condit 57:16	151:23	150:25
3,14	131:9	condition	considerable	constructive
107:12	comprehensiv	74:16,19	19:6	29:2
120:23	e 50:10	75:12	considerably	consultation
121:1	58:11	conditions	44:3	145:4
124:25	comprises	54:9,11,13	consideratio	containment
141:17	70:3	56:15,16,2	n 87:7	37:13
companies	conc 58:20	0	112:13	45:22
79:12	concentratio	57:4,17,21	considered	93:12,15
145:16	n 54:7	64:17	12:4	117:19
company	55:13,14,1	74:18	113:10,20	126:22
110:2	8 56:6	75:15	124:24	cont'd 3:1
131:22	58:19	76:2,3,11	consist	4:1
compare	concentratio	82:19	36:13	CONTENTS 5:1
134:14	ns 43:14	90:23 91:4	128:13	context 6:14
compared	44:2 48:17	93:2,25	131:8	21:13,14
47:20	54:4,12,18	97:21	consistent	100:24
51:11	60:25	141:2	54:10	145:25
129:9	61:1,3	144:3,5	56:16	contingency
compensation	74:23	conducted	77:18	15:16
40:4 86:20	75:4,5,11,	42:10	consolidates	continue
competent	14,16 84:5	44:20		34:22
90:21		55:24		40:20
93:10		60:22		
compile				

87:22	128:13	121:13	148:4,9	33:12 42:7
110:17	Corporation	130:4	cute 20:18	43:17
116:19	3:21 23:24	149:1		59:10,16,2
120:2,3,5	correct	court 10:14	<hr/> D <hr/>	0,24 62:8
122:10	68:23 71:9	cover	dam 94:2	63:5,14
126:18	74:10 76:6	73:13,17	97:6	64:1 65:21
148:6	84:18 87:4	94:23	dams	66:12,18
150:16	96:18	114:5	94:3,19,22	67:4 71:1
continued	137:18	143:6	Dan 26:14	73:23
5:8 43:17	144:14	covered	Daniel 2:19	77:12
110:19	152:16	117:21	26:14	78:4,17
continuity	correctly	covers 47:24	data 85:7	79:18
19:6	16:3	112:7	129:8,9	80:10,13,2
contractual	Corso 2:20	Craig 2:18	143:19,22	3
148:1	27:6	27:11	date 20:14	81:4,9,24
contribute	cost 9:19	cre 55:21	21:24 31:1	82:17 83:1
125:21	Cott 4:25	create 37:19	112:18	86:2
142:1	25:19 26:2	creates	114:3	88:4,20
contribution	60:3 61:6	147:24	Dave 2:8	89:12
s 145:13	137:11,12,	creek 13:18	22:23,25	96:25
control 9:25	19	criteria	23:2	98:9,14,20
37:8,14	Council 75:6	71:16,17	day 1:23	99:20
38:11	count 23:5	cross 90:25	15:5 16:22	100:1,14,2
controlled	83:17	crowd 17:23	17:17,20	1 101:14
46:15	counter	crushed	18:8,13	102:4,10,1
69:19	146:8	35:21	20:20	9,25 103:2
conversation	countries	96:1,16	121:19	104:12
96:22	12:21	cumulative	123:20	105:1,25
113:15	country	16:10 62:3	132:21	106:6,17
121:14	12:20	142:4	140:12,17	110:16,19,
145:21	couple 45:21	145:16	146:19	21 111:3
148:5	51:25	cup 16:18	150:6	112:8,12
coordinating	88:23 95:1	curious 89:3	152:5,7	113:9
115:3	97:13	current 55:6	days 7:14	114:9
coordination	108:10	62:25 63:8	20:9 62:22	118:21,25
115:1	112:22	130:24	110:16	120:22
coordinator	133:25	currently	de 1:6 2:12	121:3,9,23
25:3,8	138:5	46:3 51:2	5:5,8	123:4
coped 46:22	141:21	55:2,17	6:20,24	125:21
copper	149:22	103:2	7:21	126:4,15
54:23,24	coupled	121:10	8:16,21	128:22
55:13,14	128:7	125:2,10	9:23 15:17	129:9
56:2	course 37:5	146:6	16:2 19:2	131:24
copy 111:7	40:25	cut 72:11,23	26:17,23,2	134:16
112:5	63:10	73:5,6,8	5	135:4
cor 6:21	94:22		27:3,9,11	136:20
core 122:16	113:19		28:4	139:8,11
	118:14		30:7,9,11	140:11,12,
			32:10	18
				141:15,16
				142:23
				143:4,8,9,
				19,20
				144:13,16,

18 145:1 147:4,5,11 19,25 148:10,16 150:12,15, 20,25 151:3,9 deal 9:13,18 19:16 146:4 dealing 15:25 dealt 10:2 47:1 Dean 145:12 December 6:20 7:12 42:3 80:16 decide 9:12 102:22 116:18 decision 8:13 9:7 113:10,11 144:5 decision- making 149:3 decisions 10:15 115:13 decreased 120:20 dedicated 13:13 deemed 136:5 deeper 62:24 deeply 29:10 defer 145:21 146:14 deferred 87:10 deficiencies 6:25 deficiency	6:24 42:3 define 18:9 19:19 76:22 defined 64:21 149:6 definitely 101:6 106:24 107:3 definition 77:18 definitions 76:21 deliver 36:8 delivered 105:22 delivers 18:14 demonstrate 114:9,12 Dene 4:8 23:21 24:16 61:15 108:20 129:22 141:9 Deninu 4:10 24:19 dep 131:11 Department 4:24 25:13 60:4 61:7 137:12 dependencies 55:16 dependent 93:7 151:6 depending 34:25 36:15 91:15 deposit 80:22	deposited 47:5,6 48:8,10,11 80:25 deposition 80:12,14,1 7 131:11 deposits 32:12,13,2 1 34:1 depth 62:11,12 91:10 92:16 depths 92:17,22 derived 21:14 describe 20:24 41:13 48:15 described 50:14 78:24 99:18 116:2 130:14 132:3 describes 111:14 115:16 describing 44:7 85:3 description 9:15 15:5 30:14,23 31:7 41:19 44:6 45:23 47:10,11,1 7,20,21 50:14,16,1 9 51:2,3,5,1 7 58:11 74:4 130:20 design 7:17 79:21	81:15,18 88:23 90:2 91:13,15 94:2 95:5 123:21 designed 20:4 designing 93:23 designs 90:4 despite 13:12 destroyed 130:23 detail 30:17 74:4 82:5 99:11 100:23,25 101:17 102:1 103:19 104:8 112:19 116:20,22 148:22,25 149:10 detailed 44:6 79:23 86:10 87:16 89:4 95:4 102:24 103:7 104:13 122:4 details 36:4,6 86:7 102:16 106:14,15 107:3 114:5 149:13 determinatio n 81:16 determine 39:20 40:22 55:21	136:10 determined 6:25 76:3 determining 142:9 develop 86:7,9,10 102:5 111:15 124:20 developed 117:6,14,1 7,25 121:6 developer 7:16 9:11,18,19 12:1 18:10,25 19:22 20:1,12 81:9,13 106:1 developing 115:5 118:14 128:20 development 24:2 80:21 111:4 113:20 114:10 121:15 129:2 dewater 33:25 40:6 83:9,19 de-water 32:20 dewatered 64:4 67:12,13 68:4,8,9 dewatering 34:8 37:5 64:8 68:13,24 69:8,13 70:10 71:7 128:3
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

DFO 26:1,2	115:1	direct 13:4	138:14	76:13,16
86:9	116:7	122:25	144:21	77:6,19
105:4,7	117:24	directed	147:2	100:8
129:23	121:11	48:1,9	149:8,13	105:6
133:24	122:20	direction	discussions	111:8,18,19
135:15	143:23	129:1	10:17 37:4	9
136:2,8	difficult	directly	103:10	112:3,7,25
140:1	114:19	49:23 92:1	112:17	113:1,13
150:22	Digi-Tran	140:11	123:6	114:1,5,8,15,21
diagram	10:19	director	140:2	115:9,19
111:11	13:13	24:16 26:8	150:17	126:16
116:2,6,21	28:19	disagreement	displaying	127:1,24
117:2	dike 15:6	8:3,4	33:2	130:14
119:13	38:23	discharge	disposing	132:3,8,23
dialogue	40:11,12,15,16	37:10,11,12 71:17	36:15	150:18
29:2	64:12,13	117:18	disruptive	151:10
diamond 1:6	71:11,13,21	disciplines	18:21	documentatio
10:5 15:20	72:3,5,6,7	114:24	dissolved	n 41:25
35:16,17	,9,10,11,21	discourage	51:15	44:17 99:8
134:21	73:4,5,7,8	12:11	distinguish	100:14
141:22	,10,13,14	discuss 29:7	74:22	documents
144:24	74:2	82:4 84:3	distracted	44:19
147:22	90:2,6	100:18	11:18	59:14
148:2	93:5 96:8	146:12	distributed	dog 12:16
150:11	97:6	discussed	119:13	109:11,13
diamonds	106:8,14,22	41:14	distribution	147:25
35:23	2	68:25	52:15,17	150:12,13
Diavik 34:24	dikes 36:10	70:10	disturbed	Don 2:23
35:6,15	37:24	134:5	52:7,11	27:13
126:4	38:10,17,22 64:13	139:25	53:1 58:15	done
136:17	70:7 71:22	discusses	diversion	10:12,21
diesel	72:8,12,13	58:13	70:12	62:23 89:4
131:15	,20,22	discussing	diversions	91:13
diff 82:13	73:4	20:22	136:5	92:10 93:1
difference	74:1,3	discussion	diverted	96:3 113:7
77:4,17	88:24	8:2 17:2	46:5,17	119:14
differences	90:16,18	20:21	48:1,3	door 23:3
50:13 98:9	91:8,9,14	21:11 29:1	70:6,20,22	28:18
99:7	93:14,18	37:24	division	107:24
different	94:7,11,12	87:10	24:2,14	Douglas
9:1	,25 95:13	101:2	document	152:20
19:17,25	96:14	113:8	31:4	downstream
29:7 66:7	106:18,22	123:18	41:13,20	16:5 37:16
82:14	107:2	127:15	49:1,10	42:19,24
83:22	136:6,18	130:1	50:20	43:4,10
97:22	137:6,7	132:10	51:3,4	46:16 53:8
98:10,12	dir 48:9	133:1,7	75:9	54:1 57:13
99:19				58:3
104:2				99:1,14

117:15	37:17	EC-50 136:2	145:16	50:1,8,18
127:10	38:19,20	economic	efficiency	51:10,12
128:5,16	46:14	35:16	12:15	52:12,25
130:6,11	47:25	80:18	efficient	53:15
149:16	68:9,23	ecosystem	9:19 29:8	54:1,2,21
downturn	70:19 79:7	55:22	Effluent	55:25
80:18	80:11	57:12 58:5	117:18	56:2,21
DR 26:7	81:20	66:3,8	effort 18:15	57:2,9,11,24
draft 113:20	102:19	82:8,15	19:1,3	58:1,7,10,17,21
drain 70:24	121:12	112:22	29:12	59:2,12
drainage	132:10	118:8,13	120:15,17,19,20	65:2 69:1
43:5	134:14	127:7	127:16	73:24
drains 46:12	135:24	130:16	efforts	76:19
drawn 57:25	dust 131:11	ecosystems	12:15	79:22 86:5
drill 62:9	<hr/>	15:25	13:13	92:3
89:21	EA 25:3	37:20	59:10	99:2,19
drilled	60:24	Eddie 109:8	115:7	100:3
62:13 90:2	113:6	effect 65:17	141:23	101:8,9
drilling	earlier	120:16	Ehrlich 1:12	103:4
61:18,21,2	17:17 19:5	126:10	2:2 6:3,5	105:5
2 62:23	33:6 41:14	134:16	11:17	111:22
63:8 91:11	49:6 62:9	effective	25:15	114:17
drive 124:18	69:22	9:19 29:11	26:4,10	142:6,14
drives	94:16	116:16	28:6,15	EIS-20 43:24
124:16	103:24	119:1	32:23	either 15:17
dry 94:23	114:18	134:13	EI 44:10,13	20:21
Drybone	120:23	effectively	EIA 7:25	32:20
109:15	129:10,11,16	8:12 45:25	eight 38:7,8	33:24
due 21:25	early 62:21	effectiveness	83:14,16	36:14
79:7	92:5	s 118:16	102:10	93:20
dump 72:14	114:10	127:12	104:1	120:10
duplicate	easier 11:3	effects 10:2	EIR 111:24	either/or
135:7	19:14,15	16:8,11	113:4	68:5
duplicating	easiest	42:19,20,2	115:10	Ekati 34:24
115:7	85:22	4 43:15	132:10	35:5,15
127:16	easily 100:6	48:20	EIS 7:13	126:4
duration	eastern 46:1	52:16	30:12 31:4	elaborate
31:13 34:4	easy 49:16	53:2,8,9	33:19	142:11
139:15,17	eat 85:22	56:4,7,8	41:1,9,20,22	Elder
during 9:14	EBA 2:21	58:22 62:3	42:2,4,10,16,21	28:10,11
11:20	27:7 72:2	98:22	43:11,24	107:19
15:21	73:2 89:18	102:14	44:4,6	electricity
17:15 20:7	91:7,23	115:5	45:23	131:14
33:19	92:19	116:13	47:16,21	elegantly
34:7,15	93:13	118:17	48:14,22	8:3
	95:22	120:3,6,18	49:1,7,13	elements
		127:9,23		31:3
		134:13		
		140:14		

elevated 60:10,15	t 18:4	57:13	24:9	evening 16:21
eleven 34:12	endeavour 37:25	58:18 66:6	erosion 44:23	events 152:3
elf 13:19	111:23	75:7 79:5	error 14:14	everybody 87:20 88:2
E-L-F 13:19	endeavoured 48:25	82:12	errors 13:11,15,2	110:1,2
Ellis 65:25	endpoint 52:18	87:17	5 14:20	113:19
78:2 81:24	enforceable 141:3	97:19,20,2	eskers 95:20,23	150:17
82:3,5	enforced 144:7	2,23	especially 93:5	151:25
97:16	enforcing 10:23	98:10,11	147:17	152:2
Elmar 4:10	engagement 133:5	99:2	essentially 34:6 38:11	everyone 6:3,14
24:17 83:4	engineering 2:21 27:8	109:24	99:5	7:14 11:21
85:20	72:2 79:23	118:2	113:24	12:13,16
87:4,12	enhancement 40:4	127:10,18, 25	119:24	14:3 17:22
E-L-M-A-R	ENR 4:13	128:5,15	122:12	19:19
85:21	24:25 25:3	129:7,22	establish 37:9 38:9	21:15
Elmar's	123:7	130:6	125:4,14	26:25
102:3	125:10,14	environmenta 1 1:2	128:16	134:11
103:24	126:4	6:5,7,16,1	130:17	everyone's 28:8
else 10:25	143:22	9,22 7:9	established 46:15	everything 19:13 21:5
13:7 17:22	145:12	8:25 10:11	69:19	78:16
20:16 26:5	146:1	15:22	estimate 104:1	98:12
63:14	ensure 40:17	22:9,11,13	estimated 34:19 90:8	100:7
83:22	132:5	,16 24:8	estimates 87:7	evidence 10:15,18
95:20	entail 120:10	25:7,12,21	96:11,12	evolution 7:17
96:17	entire 100:8	30:25 35:1	104:9	evolve 132:18
elsewhere	entirely 9:24 32:6	37:16	estimating 35:2	exact 21:21
47:5	entity 134:24	41:16 42:1	et 86:20	exactly 109:6
elves	environ 53:6	44:17 64:5	eutrophic 64:18	120:16
13:20,21	environment 4:19	102:7,9,13	71:19	122:22
emerging	25:7,10,13	106:6	74:9,24	excavating 96:17
120:7,11	,23,25	111:1,7	76:10,22	excavations 95:15
emissions	43:15	112:14	evaluate 127:11	exceedances
131:15,16	52:22 53:6	113:16,25	evaluated 43:19	
employees	56:17	114:11,22		
35:11,13		117:5		
employment		118:5		
31:13 35:8		122:5		
encounter		134:1		
122:21		147:18,24		
encourage		environments 48:21		
18:25 21:8		58:9,23		
33:7		99:14		
encouraged		149:16		
16:25		envision 134:22		
encouragemen		envisioned 136:1		
		equal 110:1		
		Erin 3:14		

61:1	exploratory	107:16	70:17	69:3 72:10
excellent	62:10	110:14	74:13,14	figuring
18:21	extemporary	133:12	76:14 77:7	29:19
66:11 88:8	21:15	135:14	87:3	filed 140:24
105:10	extend 62:16	139:6	135:19	fill 94:22
133:13	75:13	142:22	136:24	filled 71:15
excess 48:8	143:10,12	146:10	137:17	filling
Excuse 30:2	extended	148:7	152:10,11	65:22
50:12	45:24	150:14	falcon	78:22
exist 75:24	extends 46:1	151:17,22	126:17	final 49:19
95:4 131:1	extent 37:6	facilitators	fall 61:19	91:13
132:14	43:20	11:4 16:16	86:18	finalized
existing	extremely	facilities	103:6	106:23
31:22	7:7 81:11	45:16	118:6	finally 31:5
32:15	eyes 69:3	122:20	fast 32:17	115:19
expand		facility	fate 74:3	130:3
128:21		36:19	fearsome	132:2
expect 18:1		38:25	10:22	findings
expectation	face-to-face	39:3,15,17	feasible	31:5 41:21
121:9,19	7:24 8:2	43:6,22,25	124:19	44:8 49:12
expected	28:24	45:21,22,24	February	52:1
42:25	facilitating	46:2,8,21	86:12	53:3,5,16,
62:25	13:3 22:20	47:22,24	federal 7:6	17
expecting	facilitator	48:9,16,24	150:4,6	fine
57:11	1:12,13	52:6	151:4	35:23,25
expects 12:2	6:3 11:17	53:10,18,2	feedback	36:13,19
experience	18:14 23:2	2 54:17	113:14,19	38:24
83:13	25:15	58:13 65:3	120:24	39:1,3,15
expert 81:1	26:4,10	78:13	122:25	43:6,22,25
138:4	28:6,15	79:24	129:21	45:21,22,2
expertise	30:1 32:23	126:21	131:7	3
19:7	59:6,23	fact 65:24	133:1	46:2,8,20,
143:11,17	61:8	76:1	151:10	21
146:14	63:13,19	factor 61:1	feel 120:18	47:4,6,22,
experts 19:4	66:11,17	fairly 41:24	122:9	23
145:22	69:5	90:25	feels 129:13	48:7,8,9,1
explain 38:5	73:1,18	fairness	felt 120:16	6,24 52:5
119:21	76:25 77:9	11:25	fewer 54:17	53:10,18
explaining	81:6 82:23	faith 29:22	field 115:7	54:17
98:4	85:17	Faithful	fif 69:4	58:13
explicitly	87:14	2:22	fifteen	64:25 65:2
19:19	88:1,14,18	27:4,5	133:15	73:10
exploration	89:11 97:1	30:24	fifth 42:9	75:23
31:23 34:3	98:13	41:1,6	fifty 108:14	78:11,13,1
62:9	100:11	45:7 46:25	figure 45:14	6,20
	101:19	57:8 59:1		79:15,24,2
	102:23	60:16		5
	104:11,21	69:17,18		94:12,13,2
	105:8,17,2			5 100:5
	3 106:4			

finished 73:19	86:4,6,10, 11,16	69:25 71:3 117:22	fortunate 86:14	front 10:16 83:20
fire 22:19	102:4,5,8, 16,18	fly 12:17	forty 108:13,20	frozen 90:23 93:7
first 4:10 21:20 23:21 24:19 30:11 38:8 41:12 61:21 64:2 67:10 86:2 102:12 107:13 108:4 112:6 120:2 139:14 141:9 143:4	103:3,7,12 ,20,22 104:13 105:4 fish-outs 86:9,19 fit 26:8 138:10 fits 41:13 five 7:13 42:6 57:12 62:13 66:10 94:20 126:16	focus 8:23 9:4 45:9,20 51:7 125:16 140:4 focussed 44:21 53:6 120:20 125:24 focussing 19:11 folks 96:24 146:1 followup 146:17 follow-up 86:18 97:15 food 56:22 83:23 fools 15:9 footprint 45:12 47:13 52:5,8 65:3 78:14 79:10 forage 56:24 134:8 135:22 force 53:13 forgot 45:8 73:13 form 17:8,14 124:20 formality 29:4 format 49:17 formulating 133:3 forth 78:16	forty-nine 14:11 forum 143:18,24 forward 13:1 29:22 47:11 110:15 foundation 93:7 fragmentatio n 142:6 framework 75:8 106:7 111:8,19 112:24 113:25 117:3 119:12,22, 24 126:16 134:2 149:21 frameworks 116:8 Francis 3:13 24:3 free 59:21 Freeman 4:8 24:15 61:14,15 62:18 63:2 F-R-E-E-M-A- N 61:15 frequent 122:19 frequently 124:16 Friday 16:10 138:7 145:23 149:18 friend 109:8	full 35:13 86:7 91:13 104:5 136:15 152:6 fully 32:20 33:24 64:4,6 67:11,12 68:4,8,13 147:19 function 21:23 functional 57:12 functioning 138:16,21 fundamental 63:9 funded 125:12 147:19 funding 7:3,7 future 30:4 62:14 63:2 108:13 109:1 142:17
fish 15:12 16:6 40:4 42:18 43:9 44:24 45:1 53:7 56:12,24,2 5 57:3,14 72:12,24 76:1 83:7,11,15 ,16,18,21 84:2,9,15, 18 85:9,12 86:3,20 87:8,17 98:24 102:5,11,2 4 104:1,2,9 109:25 130:4,5,7, 9,10,11 134:3,6,9 135:21,22 136:8,9,15 ,16 137:3,4,13 Fisheries 4:25 60:4 61:7 84:8 137:12 fish-out	flip 40:13 flood 136:18 flow 37:18,19 48:4 66:2,7 70:8 71:6 82:7,14 116:6 117:15 128:5 flowing 38:12 108:23 flows 43:5 46:4,5 53:25			<hr/> G <hr/> Gahcho 1:6 6:4 22:11 27:2 28:14 30:24 31:17 32:1,2 35:9 86:17 97:2,19,20 107:23 108:25 124:19 134:21 141:25 142:15

145:1,9	28:10	74:15	25 131:2,4	142:7
146:7	107:19,20	76:15 77:8	group	half 15:5
150:13	George's	87:4	149:2,4,5,	20:8,9
Gary 3:6	110:24	135:20	6	54:5 66:21
27:19	geotechnical	136:25	groups 7:4	83:1 96:8
gas 24:12,14	88:24	137:18	growth 43:8	119:12
gather 63:10	91:14 92:2	152:11	56:23	152:5
gathered	93:19 96:4	gone 108:15	guarantee	half-an-hour
38:4	German 13:24	goofy 14:4	65:10	33:4
gathers	gets 17:7	governance	78:18	hand 61:9
83:22	getting	149:2	guarantees	handed 116:3
general 7:24	14:21	government	65:21	Hanna 4:24
36:14,18	112:5	7:6 24:21	79:3,15	26:1
49:5 75:2	Giant 13:15	25:14	guess 61:21	133:24
85:11	given 32:10	64:19	77:3 81:21	136:7
138:19	44:9 56:5	137:25	87:9	150:21
146:12	113:14	147:12	103:24	happen 8:14
generally	118:21	150:7	128:21	13:25
54:10	128:10	151:5	134:1	18:16
74:23,25	130:24	grab 110:22	138:2,11,2	65:11
75:21 86:6	147:16	graphics	5 140:9	78:19,24
117:7	gives 7:9	33:2	146:8	79:2,5
generate	8:22	graphs 84:23	151:23	94:16
94:1	giving 79:2	Gras 32:10	guessing	152:3
131:14	80:22	136:20	65:3	happened
generators	glad 139:11	grayling	guideline	7:18 21:12
131:13	Glenn 4:2	58:5	55:3,4,5,7	65:14
generous	24:11	great 19:3	,15,17	78:23
100:15	globe 12:22	108:12	56:7	108:19
gentleman	glossary	greater	guidelines	happens 9:10
28:7	76:18,20	120:6	54:21,23	13:18
geochemistry	77:16	greatly	55:1,10	83:19
15:11	GNWT 4:2	96:24	60:10 61:5	85:11
43:17 44:1	24:12,24	Greg 3:23	guys 107:21	134:21
51:20	25:21	4:5	110:2	happy 7:10
53:12	goal 18:13	24:5,23	152:8	28:12
54:16	Golder	grizzly 11:9	<hr/> H <hr/>	99:10
geohydrology	2:22,23,24	123:8	ha 84:1	100:21
15:11	,25	126:3	habit 63:5	108:3,4
geologist	3:2,3,4,5,	144:22	habitat	109:23
62:21	6	ground 90:17	15:12 16:6	110:1,2,3
geomembrane	27:5,13,16	91:11	40:4	hard 15:24
93:14	,18,19,22,	92:7,9,20	52:7,11,14	16:16 29:2
geophysics	23 28:1,3	groundwater	56:12,25	112:5
91:9 93:18	41:7 60:17	118:3	58:16	hardness
George 3:17	69:18	130:21,22,	72:12,24	55:16
	70:18		84:18 87:8	haven't
				124:7

having 7:7,25 8:6,9 9:9 10:17 13:24 21:4 78:13 100:7 129:1 135:10 138:24 140:15	heart 8:8 hectare 83:11 hectares 46:9 47:23 52:9 hectors 32:8 height 47:14 Heisler 4:3 24:13 held 1:19 17:6 61:16 137:7 help 30:15 38:17 77:22 81:25 helpful 95:9 97:4 99:23 100:10 helping 23:5 helps 17:19 Heritage 61:17 Herne 32:14 Herrell 2:24 27:15 he's 22:10 31:2 Hi 6:3 32:22 137:24 hiding 26:5 high 48:16 75:15 83:18 84:11 114:6 119:22 128:2 higher 47:16 53:14 54:12,20,2 2,25 55:6,9 76:11	highlight 35:8 39:23 highlighted 50:22 51:22 highlights 41:2 hiss 12:10 Hodgson 3:3 27:23 Hodson 4:20 25:9 hold 7:23 18:19,22 136:4 holes 62:9,13 89:21 92:4 homepage 33:8 homework 20:17 honest 18:15 hook 88:7 hope 86:23 95:7 97:4 105:17 133:1 148:5,11 hopefully 66:12 101:16 131:23 136:25 hopes 128:25 hoping 68:15 98:8 105:3 113:14 139:22 hopped 6:18 Horne 2:21 27:7 72:1,2 73:2 89:17 91:6,7,23 92:19	93:13 95:10,22,2 5 96:6,11,18 hosted 7:13 hour 66:21 Hubert 1:13 2:3 22:10 29:25 30:1,2 59:6,23 61:8 63:13,19 66:11,17 69:5 73:1,18 76:25 77:9 81:6,7 82:23 85:17 87:14 88:1,14,18 89:11 97:1 98:13 100:11 101:19 102:23 104:11,21 105:8,17,2 3 106:4 107:16,17 110:14 133:12 135:14 139:6,7 142:22 146:10,11 148:7 150:14 151:17,22 humility 14:8 hundred 35:11,12,1 3 83:14,16 102:10 104:1 hunter 107:22 hunting 109:17	124:4 hydrological 53:20 128:6 hydrology 13:24 15:10 16:6 44:22 51:13 53:21 128:3 hyper- eutrophic 75:15 <hr/> I <hr/> i.e 75:18 ice 13:17,19 85:1 I'd 30:5 37:23 45:20 66:19 81:7 87:8,19 93:4 139:11 145:24 146:11,14 150:19 152:1 idea 85:12 89:22 91:5 92:14,15,1 7 128:9 131:5 138:19 ideas 21:23 identified 38:7 43:12 50:21 116:14 120:8 123:1,24 identifies 114:25 identify 22:7 23:8 49:17,18 50:25
----------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

114:22	45:7,8	0,22 7:9	impose 10:3	56:22
120:12	47:18	8:25	impounded	57:22 79:6
I'll 6:15	48:13	22:9,11	91:1	120:18
15:8 18:9	49:22,23	30:25	improvement	increases
28:12	51:24	41:16 42:1	150:8	54:14
30:16	52:20 53:5	44:18 64:5	incineration	independent
32:14 34:1	61:14	98:21 99:6	117:11	141:14
36:3,17	62:20,21	102:7,9	incinerator	143:15,16
40:13	64:19	118:18	131:22,23	144:1,4,8
41:19	65:3,7	126:15	132:1	147:18,25
67:14	67:4 68:15	127:13	include	150:2,5,9,
68:22 72:4	71:9	impacting	84:21	11 151:5
74:13	77:21,22,2	142:10	114:3	index 101:7
80:2,6	4 78:5,17	impacts	117:9,11	indicate
82:2	79:1,11	15:21,25	121:4	60:14 63:8
86:2,24	81:1 90:18	16:7,11	124:13	indicated
90:12	91:2,21	37:16	128:2,14	124:6
96:21	92:16 98:8	52:13 58:2	130:4	indicates
97:16	99:9,10,15	63:1 79:4	131:3	96:7 137:2
102:21	,22	81:17	132:12,17	indication
108:14	101:6,8,18	142:4	142:9	60:9 92:21
112:23	102:20	implement	included	industry
116:21	103:18	123:18	33:11 71:5	24:21,23
143:4	104:6	implementati	124:23	inflections
144:10	106:3	on 23:25	125:7	14:6
146:4	107:21,22	145:5	126:1,15	information
illustrate	108:3,4,15	implemented	includes	7:19
69:2 71:13	109:6,23	20:3	57:14	8:15,17,19
illustrated	110:8,9,10	imply 76:10	98:23	29:21 38:3
116:2	111:6,12	important	129:5	44:5,15
119:12	112:9,18	7:7 10:25	including	49:23
illustrates	134:17	14:19	15:11,13	59:9,12,13
116:21	137:24	17:5,13	23:9 60:10	63:11 77:2
im 16:5	138:13	19:11	129:23	80:4 81:3
I'm 15:4	139:25	21:17	146:1	86:22
17:21	144:14	28:17,21	incorporate	89:2,3,7,1
22:2,4,8,2	145:20,24	29:9 35:16	112:12	8,19,24
5	IMA 3:19	36:8 38:25	incorporated	90:1
23:1,16,20	23:25	39:9 40:14	72:13,14	91:3,8,22,
,21	97:13	50:24	incorporatin	25 92:2
24:7,13,18	147:1	103:10	g 111:16	93:19 96:7
25:20	imagine 11:2	123:17	increase	98:25
28:11	immediate	127:17	12:15	99:10,18,2
30:22	120:10	128:6	31:24 43:6	1 101:8,15
31:8,9,10,	128:15	132:25	56:18,23	103:17
11 32:5,24	immediately	134:12	65:18	105:13
33:20 34:4	32:19	141:16	increased	111:20
36:5,25	33:23	importantly	43:3,8,9	113:18
39:4,25	53:25	47:9 50:7		115:20
40:25	54:19			
41:8,17	impact 1:3			
	6:5,7,16,2			

122:4	31:16	introducing	120:7,11	83:4 84:19
124:5	77:16	28:16	123:1	85:11,21
131:1	113:15	introduction	142:12	88:2,9
132:6,19	135:6	26:3 31:2	143:25	89:17
133:4	149:20	introduction	issued 6:24	90:23
138:8,15	intensive	s 22:3	140:18	94:22
147:4,16	50:10	introductory	149:5	96:23 98:2
148:22	intent	49:5	issues 8:23	99:5
infrastructure	113:2,17	investigatio	9:3,4,13,1	106:11
re 34:10	127:7	n 91:14	6,18	107:10,11
126:12,22	132:19	92:2	16:5,14	108:11,21
init 149:7	135:7,9	investigatio	19:9,10	109:6,13
initial	139:16	ns 88:25	28:25	110:21
55:11	145:5	89:4 96:4	29:8,14,18	111:2,19
131:25	148:8	investment	42:6,8,11,	112:2
149:7	intention	24:22,24	13	114:6,7,15
innocently	79:20,21	invitation	49:17,18	115:2
13:19	86:16	143:10,12	79:6	116:7
input	interact 9:2	invited	123:24	121:9,23
103:3,5,11	interest	140:7	146:13	122:9
,13,21	11:25	involve	it'll 73:9	125:3,6
105:5,6	121:1	120:12	101:16	126:10
107:12	interested	6:17 7:4,8	109:1	128:19
121:12	14:24	8:1 12:11	it's 6:21	129:11,25
125:20	83:25	13:20	7:7	132:25
130:1	119:5	115:12	10:10,13	133:14
132:12	123:12	121:22	13:9 14:19	134:4,7,9
139:1,20	150:20	132:24	15:16	136:1
140:11	interim 94:9	147:13	16:7,10,22	137:11
149:8,9,20	internal	involves 9:3	18:5,13,18	139:11
inqui 127:24	38:17,22	122:18	20:3,4,19	140:2,12,2
inquiry	72:8,22	IR 92:1	21:17 23:9	2 141:16
42:18 49:8	73:3	136:2	28:21	142:2
52:19	interrupt	iron 54:23	29:11	143:4,8,17
inside 108:8	32:24	60:11	30:16,17	,18,20,21
installed	33:16	isn't 68:4	31:15,22	149:14
91:12	intersection	101:18	35:14,15	150:5
instance	s 62:12	126:8	36:15	151:15
136:14	interview	isolate 70:6	38:25 48:1	152:6
instead 18:2	18:22,23,2	isolated	50:24	I've 6:9,10
67:9 96:16	4	46:16	55:2,8	14:11,12
100:7	interviews	69:19	60:3 61:24	16:3 22:8
141:19	18:20	issue 8:4,8	62:15,21,2	41:8 50:14
institutions	intrigued	17:17	4 64:17	60:4 83:6
150:4	12:23	42:15	65:4 71:13	96:20
intend	introduce		72:20	99:23
128:22	22:5,24		73:25	151:14
intended			75:17	
			76:8,10	<hr/>
			78:24	J1B 46:18
			80:4,10	48:2
				70:21,23

Jackson 3:13 24:3	jump 17:22 100:12	7,19 58:3,19	126:8	146:7 150:13
James 4:20 25:9	June 21:24	64:3,16,18 65:19 66:4	Kim 4:3 24:13	Kyle 3:3 27:23
January 7:20	juvenile 134:9 135:22	67:11 68:5,7,12, 14	kimberlite 32:12,21 35:19,20,2	<hr/> L <hr/>
JDS 2:19,20 26:14 27:6	juveniles 83:17 135:22	69:18,20,2 3,25 70:6,11 71:7,14,16 72:9	4,25 36:12 43:18 45:22 58:15 61:20,23	Lac 32:10 136:20
job 108:17 119:14	<hr/> K <hr/>	74:17,19 75:17 76:7 82:9 87:11 99:1,13 104:4,9 109:20	kimberlites 32:18 33:22	LACEY- MCMILLAN 25:6
Joe 109:18	Kate 4:17 25:4	128:4 135:23 136:6 137:2,14 149:15	kinds 29:13	laid 79:20,22 99:5 136:2
John 2:22 3:8 23:11,15 27:4,5 30:24 36:25 41:1,6 45:7 46:25 57:8 59:1 60:16 69:11,17 70:17 74:13,14 76:14 77:7 86:24 87:3 88:3 135:19 136:24 137:17 152:10	Kathy 2:10 26:7,8	Kennedy 54:14	King 3:8 23:11,15 88:3	lake 10:4 15:10,13 16:5 31:11 32:3,7,8,1 3,18,19,20 33:23,25 34:25 36:2,9,20 37:6,10 38:5,8,10, 12,15 39:8,12,19 40:5,8,9,1 0
Johnson 2:19 4:4 24:20 26:14	K'e 3:16 23:21 28:11 32:1 107:20,22 108:1 109:4,5 110:5 141:9	key 31:3,5 34:15 37:5 41:21 42:16,18 45:16 47:19 49:7,14,17 ,18 50:13 51:7 52:1,19 53:5 90:20 93:9 101:2 112:22 116:13 131:10 144:8 149:11	knew 109:20	42:19,22,2 4
joining 97:3	keen 66:23	Khoury 4:15 25:11	knowledge 16:12 103:11 112:13 121:5 132:13	43:2,3,21 44:2 46:2,3,4,1 1,12,15,18 48:1,2,5,1 8 51:16 53:8,14,25 54:5,8,15, 19 55:18 56:4,9 57:1,3,9,1 7,20 58:3,6,19 64:4,16,18 ,20 65:12,19 66:4 67:11 68:5,7,9,1 2,14 69:18,20,2 4,25
joint 125:13	Kelsey 3:5 28:2	kids 108:16	Kris 4:4 24:20	
jokes 28:12	Ken 38:4	kilometre 31:20,21 125:15	Kristine 3:4 27:25	
Jones 3:24 24:7 106:10,11 107:11,15	Kennady 15:10,13 16:5 31:11 32:7,13,18 ,19,20 33:23,25 36:2,20 37:6,9 38:5,10,12 39:7,11,19 40:5,8 42:19,22,2 4 43:2,21 44:2 46:4,12,15 48:1,5,17 51:16 53:8,14,25 54:5,8,19 55:18 56:3,9 57:1,3,9,1	kilometres 31:18 32:2,4,9	Krugger 2:13 26:16	
ju 93:10 144:10			Kue 1:6 4:10 6:4 22:11 24:19 27:2 28:14 30:24 31:17 32:1,3 35:9 86:17 97:2,19,20 107:23 108:25 124:19 134:21 141:25 142:15 145:1,9	
judge 98:5				
judicial 10:13				
July 7:1 42:14				

70:1,6,11, 21,23 71:4,7,15, 16 72:5,9,11, 23 73:5,6,8 74:10,17,1 9,24 75:17,18,1 9,24 76:1,2,7,8 ,10 78:22 80:2,3,6,1 1,13,17,20 81:5 82:9 83:8,9,17, 20 85:1,4,12 87:11 90:10 99:1,13 104:4,9 108:11,12 109:1,18,2 0 124:14 125:2 128:4,17 134:4,6 135:23 136:6 137:2,14 149:15 lakes 47:24 69:24 74:22 75:20 83:10,13,2 2 127:10 128:19 129:9,17 136:15 land 26:9 28:14 65:16 81:19 107:23 108:5,6,8 109:2,5,21 113:11,22 140:25 143:25	150:1 landfill 117:10 Landing 142:15 146:6 lands 24:16 landscape 39:6,15 Langhorne 3:2 27:21 large-bodied 56:24 largely 131:8 larger 118:4 130:9 134:9 last 10:3 61:16,19 71:20 81:21 126:5 130:8 135:5 146:5 150:23 late 105:22 108:21 later 6:18 64:25 78:12 82:4 110:12 latest 77:13 Laura 3:24 24:7 106:10,11 107:11,15 lay 40:17 layer 73:12 layers 8:9 Leah 2:17 27:9 111:9 learn 113:17 learned	114:2 learnt 122:7 least 96:20 leaving 19:13 leisure 79:14 length 62:2 144:2 less 11:13 19:15 35:13 56:20 57:23 103:20 108:7 Letcho 109:15 lets 7:4 let's 72:19 87:17 116:5 letting 33:16 level 72:12,24 73:5,7,8 100:24 102:12 114:6 115:7,8 119:23 125:22 128:2 139:25 145:6 levels 53:25 75:12 128:4 149:13 LGL 24:18 83:5 85:23 liaison 23:4 licence 113:22 115:4 140:25	licences 140:18 141:3 license 80:12 licenses 144:1 licensing 81:20 147:22 life 19:14 40:21 42:24 62:17 64:17 80:6,24 94:4,8 134:9 lights 110:22 133:18 likely 10:2 56:23 102:6 130:23 131:6 limit 38:12 75:25 limited 24:18 75:21 83:5 85:23 91:8 limits 61:19 Linaker 4:13 24:25 line 22:19 52:19 109:10 151:18 liner 93:9,14,15 ,16,20 liners 90:20 lines 2:12 26:24,25 42:18 49:7 110:20,21 115:25	117:1 119:10,21 127:6,22 129:15 135:3 139:10,11 143:3,4 link 77:5 linkages 114:22 linked 75:3 Lionel 3:11 23:18 lip 16:18 Lisa 4:22 25:24 list 98:1,6,7,1 1 99:6,16,20 ,22,24 100:2,4,6, 22 101:1,9,10 ,16 144:20 listed 51:9 listen 12:21 96:21 listening 33:5 107:20 listing 74:1 lists 98:24 100:4,8 litre 54:6,8 55:19 84:6,11,15 ,25 85:2 little 6:18 12:12 20:18 28:12,13 31:11,12 32:17 41:8,14 66:22 69:22 81:2 93:11
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

100:4,8,23 110:11 112:12,18 115:21 116:22 128:22 129:1 live 84:9 lives 19:15 local 45:1 112:13 located 31:10,17 32:3 36:19,23 38:10 39:15 location 38:24 45:15 125:4,15 130:24 locations 45:19 91:11,19,2 4 128:13,16, 17,18 129:4 131:10 locked 123:25 Lockhart 109:16,18 long 11:10 15:3,8 18:5 44:3 53:9 54:8 126:4 138:21 139:15 longer 47:24 48:3 long-term 42:19,22 43:13 54:5,7 74:18 79:7 93:25 98:5	127:8 loop 116:19 Loretta 4:6 25:17,20 137:24 Lorozigno 3:5 28:2,3 Lorraine 10:19 28:19 152:20 lost 150:22 lot 7:25 9:2 10:21 15:8 16:20 49:22 62:22 63:20 65:23 72:20 74:25 76:4 83:13 86:7 102:1 113:7,8 114:16,20 120:24 131:7 138:17 loud 88:19 low 44:24 54:9 56:9,16,17 74:23 75:14,19 76:2 95:1 96:12 126:14 lower 44:3 52:11 53:14 56:13 83:9 84:4,19,22 129:19,23 Lowman 4:22 25:24 low- productivi ty 74:22	LSA 52:7 luck 29:18 lunch 17:21 18:7 Lustel 107:20 Lutsel 3:16 23:21 28:11 32:1 107:22 108:1 109:4 110:5 Lutzel 141:8 <hr/> M <hr/> Mackenzie 1:2,11 26:9 108:24 113:11 150:1 main 16:8 69:20 maintain 49:4 57:18 maintaining 57:9 maintains 54:8 major 117:5 majority 94:3 maker 8:13 makers 9:7 144:5 man 25:18 111:14 manage 140:13 144:6 manageable 8:11 managed 20:3 66:13	120:4,19 management 15:7,10,11 25:5 31:14 36:3,4,7 37:2,3,4,1 4,25 38:5,9,13 47:3 48:7 58:15 65:9,18 79:6,14 111:2,8,16 112:11,14 113:16,21, 25 114:11 115:13,17 116:1,9,12 ,13,16 117:5,8,9, 10,11,12,1 3,16,18,20 ,21 118:15,16 119:4,11,2 2 121:5,21 123:9 126:23 128:14 129:6 131:6 132:7,15,1 8 133:7 134:1,22 136:4,12 138:13 139:20 147:3 manager 6:6,7 22:9,11 23:21 27:2 29:25 30:2 mandatory 125:6 manner 29:8,15 map 49:25 71:5 109:12 maps 32:15	March 6:21 7:2 42:5 44:11,16 86:12 92:5 Marcinkoski 3:11 23:18,19 Marlowe 3:17 28:10,11 107:19,20 Mason 3:4 27:25 master 100:4 101:10 mater 90:1 material 19:16,18 40:3 43:18 46:21 47:4 89:5,19,25 90:13 95:16 96:5,9 100:15 materials 8:10 95:12 96:13 matil 90:8 matter 9:5,6 15:23 matters 14:15 maximum 9:25 37:6 38:20 54:18 55:14,18 56:6 may 1:22 18:18 22:18 23:8 33:6 40:6 42:12 63:3 80:11 90:25 91:20 92:5 122:20,21 124:9 135:23
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

143:22	measurements	95:13	61:10 63:6	117:6,25
maybe 28:12	90:17	127:14	microphones	118:1
64:19	91:19,20	132:23	10:24	122:7
67:8,14	92:9	135:6	middle 9:9	124:22
77:22	measures	138:22	17:2,15	125:18
81:25	10:3,6	142:6	129:11	126:8,10,1
82:24	mechanically	145:8	migration	2,21
96:21 97:5	35:20	mentioning	130:10	131:10
99:3,11,12	mechanism	83:6,8	Mike 2:24	140:13,19
108:5,13	93:12	Menzies 2:6	23:20	146:6
110:12,22	115:10	23:3	27:15	mined 130:23
133:15	119:3	Mercredi 2:7	141:8	mined-out
140:4	media	22:13	143:3	37:15
141:17	18:17,18,1	merits 10:12	144:13	mineral
McLeod	9	mess 67:6	miles 108:7	24:2,14
108:12	meet 7:11	message 36:8	109:3	minerals
109:1	16:24	met 9:17	milligrams	24:12
McMillan	40:17	39:21	54:6,7	mines 15:20
4:19 25:7	131:18,19	134:7	84:5,6,10,	35:15
McMurray	meeting 6:4	136:16,19	14,25 85:2	134:21
108:19	12:7,17	137:15	million	141:22
mean 18:9	17:14,16	metal 60:14	35:19	144:24
34:21 43:7	128:23	metals	mind 29:11	147:22
62:4 65:18	131:17	54:17,18,2	77:23 78:5	148:2
66:5	132:1	2 60:9	84:4	150:11
75:20,22	meetings	meteorologic	mine 10:5	minimize
78:2 82:10	7:22,24	al 128:8	13:15	37:15
95:17	17:3,6,10	method 31:12	34:24	minimum
99:3,10	103:13,15	methods	36:11,22	150:23,24
105:20	meets 37:11	114:6	39:17,18	mining 31:12
148:4	members 29:6	123:23	43:18	34:10,13
150:5	86:15	metres 62:12	45:17,18	39:7
meaning	141:18	73:12,16	47:5,7,8,1	134:15
14:23	147:10,11	95:1	3,15,20	Minis 75:6
21:13	mention	M-hm 96:10	48:11	minister
meaningfully	66:19	mic 73:20	58:14	10:7
7:5,8	73:14 81:8	Michael 3:16	62:2,14,15	Ministry
means 65:15	93:9	23:20	,17 64:25	75:7
100:3	130:14,20	27:15	65:12 66:7	minor 50:5
113:24	132:11	micrograms	78:10,22	53:22
122:12	mentioned	55:19	79:20	minute 87:20
meant	33:22 34:1	microphone	80:13,17,2	148:10
30:16,17	35:14	12:9,10,12	0,24 81:5	minutes
46:2	40:19	13:6 17:18	94:4,8,17,	14:13
103:23	44:14	22:23	21 95:14	17:21
105:19	51:18	23:12	96:1 98:4	87:22 88:5
measure 85:1	57:20 61:4		101:11	133:15
measured	68:6 70:18		108:4,25	
61:4	93:17		109:23	
			111:5	

misinterpret ed 141:11	modern 65:9	117:3,22,2 4	move 30:5 41:1 79:25	124:2
misspelled 28:21	modification 47:3	118:5,6,8, 10,11,13,1	82:25 94:15 97:5	neglected 32:25
mistaken 91:21	modification s 58:14	5,20,21 120:3,5,9, 12,15,17,1	116:15 122:3	negligible 120:19
misunderstan ding 8:5	modified 91:15	9,25 121:2,5,8, 18	moved 111:24	nest 126:7
mit 47:2	moment 12:18 22:19	122:5,11,1 6,17,24	moving 25:16 122:10 127:6	nests 126:12
mitigate 78:15 118:17 120:11	62:24 133:14	123:4,5,7, 21,25	MVEIRB 2:2	ni 110:6
Mitigated 46:24,25	momentarily 89:13	125:1,5,9, 11,15,17,2 2,24	MVLWB 2:10	nice 23:9 152:6
mitigation 41:18 43:12,19,2 3 44:7,10 45:10 46:7,9 47:2,15 48:15,20 50:12,21 51:1,22 52:3 58:12 117:15 119:1 127:12 136:12	mon 113:16 125:10	126:3,9,11 ,15,21 127:8,16,2 3	<hr/> N <hr/> N11 38:15 40:9 69:8	nod 68:23
45:10 46:7,9 47:2,15 48:15,20 50:12,21 51:1,22 52:3 58:12 117:15 119:1 127:12 136:12	monitor 114:1 115:6 116:16 121:12 124:12,25 125:1 127:25 131:11 140:14 144:6	128:4,7,8, 12,16,18 129:5 130:11,13, 15,21,22,2 5 131:2,3,8 132:7,9,18 ,22 133:7 134:1,13,2 0 136:1,10 137:1 138:18 139:20 140:23 141:12,17, 24 142:5,8 144:22,24 145:10,19 146:2 149:17,21 150:11 151:12	name's 28:10 Nathan 2:25 27:17 Nation 4:11 23:22 24:19 102:12 141:9 Nations 107:13 natural 3:8 23:15 25:13 40:8 71:6 naturally 70:24 nature 29:1 62:10 143:16 144:8 navigable 24:6 106:18,20 nd 29:12 necessarily 21:16 75:19 114:3 necessary 11:11 116:18	nodding 74:12 Noise 109:14,19 non 124:21 non- adversaria l 29:3 non- government 147:12 non-mine 124:12 nor 39:18 75:25 135:7 normally 17:12 north 25:3 38:15 69:9 72:4 northeast 31:18 northern 25:5 39:16 58:6 61:17 northwest 15:20 24:21 25:14 46:19 137:25 no- significan
mitigations 31:3 39:12 40:23 65:23 140:14	monitored 39:20 130:18 132:5	139:20 140:23 141:12,17, 24 142:5,8 144:22,24 145:10,19 146:2 149:17,21 150:11 151:12		
mitigations 31:3 39:12 40:23 65:23 140:14	monitoring 16:11 34:21 39:10 40:20 44:19 45:3 60:8,18,20 76:4 106:6 111:1,5,8, 14,23 112:10,14, 19,21,23 113:1,3,16 ,21,25 114:4,11,1 6,20,23 115:1,3,5, 14,20 116:1,8,11 ,15	month 92:11 months 126:5 morning 17:25 21:6 148:6 152:4 mortality 52:23		
model 84:7,16,22 ,25 85:3,15 94:1 135:10	modelled 55:14			
modelled 55:14	modelled 55:14			
modelling 51:14,19 55:24 84:2	modelling 51:14,19 55:24 84:2			
moderately 42:22	moderately 42:22			

t-adverse-effects 53:3	114:8,21 115:9	108:20	124:9 143:14	28:25 38:17 40:6 62:15
note 38:25 39:9 47:9 49:8 51:10 52:21,22	objectives 37:5 39:21 40:17 137:14	oils 24:12 okay 22:23 23:7 25:15 59:16 61:6,14 63:19 88:1,10,17 ,22 92:23 95:10,24 101:25 102:2 104:11 106:3 110:22 112:1 115:25 137:19	opening 5:3 6:9 32:25 33:16 34:13 35:17 132:10	103:21,25 105:24 132:17 133:17 139:19 140:3
notes 96:20	122:18 125:7,17		openness 9:22	142:24 148:19
nothing 109:25	obtain 81:2 133:1		opens 133:6	149:19 150:17
notice 33:10 35:5 91:18	obviously 11:21		operate 29:16 62:2	opposed 19:13
noticed 90:24	occasions 61:2		operating 34:24 95:6	optimistic 62:18,21
novel 152:6	occur 54:18 61:4 65:23 79:3 115:2	old 110:8,9	operation 34:15 35:5,6,11 37:17 38:19 62:16 130:18	option 120:2,6,14 124:24 125:9
November 7:12	128:17 130:9	olig 76:8		
nowadays 79:12	Oceans 4:25	oligotrophic 54:9 56:16 57:21 64:16 71:19 74:9,20,21 75:18 76:7,8,9,2 3 83:10		options 96:13 119:25 124:11,12
nowhere 83:6	o'clock 18:7		operational 34:11 80:6	order 11:9 79:25 123:18 140:18
NPMO 4:17	October 104:14,20 105:2,7,9, 13,22		operations 34:18 38:20 40:7 46:14 47:25 68:10 70:20 120:10 121:13 122:25 134:15 139:18 151:1	ore 31:10 33:25 35:21 37:7 38:18
NRCan 88:3,10 89:20	offering 35:9	omission 33:15		
NT 1:21	office 23:25 25:5 97:13 147:1	one-on-one 17:4		organisms 43:9 44:24
num 41:13	officer 22:14,16 24:6	ones 9:5 19:11 61:3 83:23 90:17,20 93:5		organization s 147:13
numerous 88:24 89:21	offices 12:20	ongoing 7:17 111:2 121:14 129:18,25 133:6,7	opinion 104:2 148:24	organize 66:19
nutrient 42:9,13,15 74:23,25 76:2,11	official 66:21		opportunitie s 9:21 16:21 132:14	organizing 29:13
nutrients 51:15 57:22 75:22	officiated 55:8	open 18:18 29:6 33:7 38:21 59:20	opportunity 8:18,22 9:12,17 11:1 14:22 16:23	orientation 30:18
NWT 3:19 23:24	ogi 74:9	onto 17:7,17 103:11		original 47:16 48:9 60:13
<hr/> O <hr/>	oh 25:17 53:16 72:2 91:7 147:8			originally 46:3 61:25
obfermation 81:2	oil 24:14			
objective 112:8				

others 8:16	wintering 56:25 85:8	61:3	12:1 14:16	66:15
Otherwise 28:20	oxygen 51:15	partially 32:20	15:24	67:1,18,22
Ottawa 23:16	84:5,11,12	33:24	16:23	69:15
88:4,15	,24	40:11	17:12	70:15
ourselves		64:4,7	18:11	71:24
62:23	<hr/> P <hr/>	67:11,12	19:1,15	72:17
100:9	p.m 6:1	68:4,9	20:12	82:21
outcome	87:24,25	participant	22:4,6	85:25 87:1
118:19	152:14	7:3,6	23:8	88:12
outcomes	pa 100:16	participants	59:13,24	89:9,15
119:16	page 5:2	12:19	100:13,18	97:10
outlets	49:22 51:6	participate	104:14	98:17
128:6	76:23	123:4	105:24	101:23
outline	pages 100:16	126:18,25	115:10,16	104:17,23
60:20	paid 67:7	139:21	121:22	107:6
113:2	panel	140:1	132:20,24	115:23
117:5,24	6:6,19,21,	143:14	133:3,17	116:24
127:24	25 7:13	145:6	partitioning	119:8,19
outlined	8:12,22	participatin	38:4	127:4,20
45:11 49:8	9:8	g 12:24	partnership	133:10,21
50:6 127:1	10:3,14	13:10	144:15	135:1,12,1
130:15	11:4 17:1	123:8,15	145:15	7 136:22
outlines	22:3,10,12	126:2,16	partnerships	137:9,22
49:14	,22 23:1	138:24	144:21	139:4
58:17	29:5,9,10,	152:1	145:7	141:6
114:1	15,20,24	participatio	party 13:1	142:20
132:4	30:2	n 121:1	party's	143:1
outside	59:7,9,15	participatio	123:16	146:21
18:20,24	66:18	ns 144:15	pass 144:10	148:13
overall	81:7,11,14	particle	passage	pauses 14:5
116:1	97:2	89:20	130:11	peak 35:10
118:12	100:13	particular	passive 37:8	pending 55:5
123:14	105:25	18:10 30:6	past 59:13	peninsula
overburden	106:5	49:15	124:7,8	32:14 34:2
36:10	107:17,21	52:17 70:5	paste 65:14	people 7:18
89:5,19,22	113:10	72:10	78:22	8:6,7
,25 95:14	133:13	93:17	80:5,12,14	10:20,23
96:3,5,8,1	139:7	130:12	,17,22,25	11:12,23
4	144:4	131:12	81:1	12:21,24
overnight	146:11	149:6	Paul 2:7	13:2,21
20:22	panel's	particularly	22:13	15:18 16:8
overview	81:8,16	9:20	PAUSE 11:15	17:11 21:8
30:23	paper 8:1	127:17	26:12,20	23:9
41:19	parameter	132:22	30:20 41:4	33:14,20
112:3	38:10	parties	45:5 57:6	36:24
over-	parameters	7:8,17,20	58:25 60:1	37:22 38:4
	60:5,15	8:12,23	61:12	63:15
		9:6,16,20	63:17,22	66:23
				67:25 84:8
				97:7
				108:2,16,2
				1 109:16

110:5,7 111:7 120:18 123:12 141:15 143:9,17,1 8 144:2,19 147:8 152:2 people's 108:16 per 54:6,8 55:19 81:2 83:11 84:6,10,14 ,25 85:2 108:6 percent 32:9 84:13 90:7 peregrine 126:17 performance 93:5 perhaps 17:8 30:3 100:17,18 perimeter 131:10 period 5:6,9 34:7,11,19 35:4,5,7 38:14 46:14 59:5 70:19 76:9 92:12 94:8,9,15 95:3,7 133:23 135:24 periodically 30:4 periods 35:7 139:19 permafrost 13:24 42:8,12 90:21 93:2,10,21 ,24	94:5,7,10 95:4 permanent 130:17 permanently 48:3 permit 31:22 108:6 109:2 113:23 140:25 permits 140:17 143:25 permitting 34:25 35:1 147:23 person 18:23 49:25 perspective 53:20 81:8 114:9 145:17 perspectives 143:18,23 pertain 50:20 pertains 49:5 51:4 52:2 Pete 4:25 25:19 26:2 60:3,17 61:6 137:11,18, 19 Peter 60:3 61:6 109:7 phase 68:24 81:20 94:5 132:10 147:23 phases 37:18 121:15 phonetic 3:5 108:12 109:14,15	phosphorous 43:3,14,20 48:16 53:13,14 54:4 75:3,5,8,1 0,14,16 phosphorus 44:2 58:19 65:19 79:6 photograph 32:7 physical 16:13 phytoplankton 75:23 129:20 picture 38:20 67:15 138:21,25 piece 108:6 pike 58:6 pile 11:9 39:17,18 45:17,18 47:8,13,15 48:12 piles 36:22 93:3 pipe 61:20 pipeline 46:18 48:2 70:21 pit 61:19 62:6,24 64:24 65:6,13,22 78:9,20 79:16 80:1 136:14,18 pits 36:22 37:15 38:21 39:1 45:19 47:7 48:10 90:10 95:15	130:24 131:4 PK 36:13,19,2 1 39:1,3,16 45:18 46:21 47:4,6 48:7,8 64:25 65:2 73:10 78:11,20 79:7,16,25 93:3 94:13,14,2 2,25 PKC 38:24 39:15 43:6,22,25 45:21,24 46:2,8,20 47:22,23 48:9,16,24 52:6 53:10,18 54:17 58:13 78:13 79:24 placed 36:21 38:21 39:1 106:1,18 places 15:19 80:22 91:22 plain 150:6 plan 16:12,15,1 7 36:4,7,17 37:4 38:6,9 47:3,20 48:7 63:9 65:8,21 79:2,20 81:5 86:4,10 91:12 95:23	102:5,8,18 ,25 103:3,7 104:13 117:13,14, 18,21 118:10,11 120:9 130:15,21 145:4 146:7 148:18,20, 23 plankton 129:19 planned 65:17 90:6 planning 62:14 65:5 plans 65:12,18 86:20 106:14,21, 24 111:14,24 112:19 113:21 114:11,23 115:2 116:7 117:5,9,16 ,23,24 118:6,9,20 121:5 122:5 130:13 132:13 138:3 plant 15:15 plants 43:8 75:24 plate 4:10 24:17 83:4 85:20,21,2 2 87:12 pleasantly 6:13 please 11:6,7 17:14
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

18:19,24	126:22	104:12	58:8,22	33:1,9
22:24	Poole 3:19	118:18	60:24,25	41:8,12
23:11	23:23	121:7	99:7 120:7	45:11
28:23 30:7	63:24,25	125:3,14	predictions	59:3,8,18,
33:9 61:10	68:17	129:5,17	79:8	24 63:1,14
83:2,3	71:20	140:2	118:18	64:1,3
84:21 85:4	72:19	post-closure	120:4	65:1
88:8 98:12	74:11	76:9	127:13	67:8,15
101:21	76:12	97:21,22	pre-	70:19
105:9	77:3,25	98:10	disturbanc	72:23
107:17	78:7 82:2	posted	e 82:19	78:8,12
110:16	97:12	33:2,3	pre-empt	83:1 106:6
133:18	99:17	112:4	103:9	110:17,19,
pleased 7:5	101:6,25	141:1	prefer 18:2	25 111:13
88:20	104:19	posting 33:8	76:2	112:2
111:3	105:12,20	potential	preliminary	133:14
151:7	106:3	9:3,25	103:3,13	presentation
plenty	107:8,10,1	43:7,15	105:4	s 30:6
149:19	4	56:3,8	pre-mine	presented
plots 130:17	146:23,25	74:17	82:12	33:18
point 8:11	149:22	84:17	97:21,23	41:22
10:9 14:13	P-O-O-L-E	98:21	98:11	43:24
16:9 28:23	63:25	102:13	preparation	44:4,5,15
32:11,14	population	119:2	104:14	49:3,15,16
40:14 46:4	104:9	124:4	105:18	52:12,25
59:17 71:2	125:21	126:14	120:9	54:1
73:24 74:5	130:9	potentially	prepare	57:10,23
76:18	populations	10:1 40:2	34:10	58:7,17,21
77:15	123:13	50:1	150:19	60:6 67:14
103:23	portion	practice	prepared	81:5 103:4
114:2,7	36:20	122:10	19:3	124:5
132:25	portions	pre 41:22	prepares	148:5
134:10	68:7,8	57:2 66:6	133:2	presenting
135:5	128:3	precedent	preparing	33:13
138:2,4	posed 86:20	10:13	89:12	121:23
pointed	positions	precisely	presence	132:9
45:15	17:10	68:20	57:14	presents
77:5,20	positive	predict	present 7:22	75:10
points 101:2	113:6	15:24	18:18	presents
133:25	possibilitie	51:15	104:5	s 13:23
politely	s 140:6	predicted	111:4	presumably
11:13	possibility	15:21	presentage	pretty 19:21
pond 36:3	125:19	43:2,20	80:24	50:24
117:20	142:16	48:17	presentation	92:21
126:23	possible	53:15	5:5,8	previous
128:14	29:3,19	54:14,22,2	14:12	6:6,12
129:6	34:14 37:6	5 55:13	30:9,11	49:3,13
131:6	49:2	56:14,20		51:12,18
ponds 117:19		57:2		58:17

59:14	116:11	132:3	93:23	15:16
previously	121:14	134:13	109:12	150:25
45:8 49:9	143:14	144:22	111:17	proposing
137:1	144:8	145:4,5,14	112:11	31:23
primarily	processed	programs	113:3	36:19
43:5	35:20,23,2	111:5	115:13	114:1
primary	5 36:12	112:15,23	120:25	123:4
93:11,15	45:22	115:21	121:16	protection
Prince 61:16	58:14	118:5,23	124:19	24:6
principle	processing	121:18	127:9	106:21
144:23	35:19	123:5,16,1	128:19	protective
prior 8:23	produce	9,22 126:3	133:8	124:16,20,
102:5	15:17 16:2	127:2	139:17	21
104:14	118:22	128:24	141:25	protocol
105:13,15	produced	132:23	143:19	105:5
150:25	115:16	138:9	145:2	protocols
pro 94:17	production	141:22,24	146:7,8	86:8
proactive	80:19	143:20	projected	124:13
114:12	productions	145:10	42:21	proved 97:4
132:9	35:17	progress	43:13	provide 7:6
probably	productive	63:10	54:7,12,20	20:12
11:7	42:23 43:2	progressive	56:9 74:19	30:24
83:9,10,14	56:14,15,1	94:17	76:8	41:17,21
84:3,14,18	7,24 57:22	132:2	projects	48:14
85:5,6,14	75:1	project 1:6	25:5	49:13
problem	productivity	7:15,18	140:21	51:13,25
33:17 84:1	43:7	9:1,15	promised	72:12,24
136:10,11	54:10,14	13:20,21	20:1	75:9
problems	56:17,19,2	16:1 19:22	promises	76:13,15
84:15	2 74:17	20:3 27:2	12:2 19:22	77:8,10,13
proceed	75:19	30:14,23	promote 29:2	,14 80:7
59:18	professional	31:7,9,13,	proper 28:20	81:3 86:7
process 6:18	13:12	17,24	Proponent	97:25
9:3 12:16	profiles	32:1,3	26:15	98:9,15
35:1,2,22	92:14	34:4,18	proponents	99:21
36:1 39:10	program	35:10	9:23 79:13	100:2,23
41:17 42:2	61:18,22	37:3,18	proposal	101:15,16
44:13,18	63:8 115:5	40:18,22	98:2	103:16,20,
55:21 85:6	116:15	41:16,19	proposed	21 104:7
93:3	117:3	43:15 44:6	7:15 35:9	105:4,5
102:17	118:9,13	45:1,13,15	51:5	112:3,18
105:16	122:1,18	,16,23	112:21	113:22
106:24	123:8	47:10,11,1	114:5,16,2	115:10,20
107:9,12	125:17	50:14,16,1	0 115:15	119:1,15
111:10,24,	126:3,9,17	9	122:17	121:11
25 112:9	,21	51:1,3,5,1	132:15	122:25
113:4,6	127:1,23	5,17	134:2,18	131:1
115:11	129:17	52:8,15	148:18	135:20
	130:16	63:9 79:22	proposes	139:1,12,2
		81:10,15,1		3 148:25
		8 86:18		149:20

151:4,21	purchased	5:6,9 13:8	133:15	126:10
152:12	131:18,22	20:7 21:14	137:20	raptors
provided	pure 109:9	59:5 60:4	138:5,7	126:7,9
31:1	purpose 19:8	61:21	141:21	rate 80:19
50:15,17,1	48:13	64:2,7	142:23	rather 96:13
9 51:8,22	118:14	67:5,10	146:9,24	116:6
56:5 63:12	purposely	68:22	149:24	122:14
74:3 80:16	103:18	71:10,18,2	150:23	re 57:10
86:8,15	purposes	1 72:15	quick 22:3	100:25
91:25	64:5	74:8,9	82:24	reaches
98:22	putting 65:5	77:2,23	146:17	71:16
100:14	100:3	79:19	quickly 8:3	reader 50:25
138:8	108:15	81:25	68:1 123:2	readily
147:4		82:25 84:1	quite 7:5	49:17
149:3,9		85:11,14	16:25 29:9	readiness
provides	<hr/>	86:3,23,24	75:3	16:2
47:18	Q	87:6,10	83:11,18	reading
48:19	quality	88:4,19	84:18,19	14:1,2,4
49:20,25	15:12 16:6	90:11	85:3 89:2	92:6
50:8 58:11	37:10,12	95:12	110:25	readings
73:25	39:11,21	97:15,17,1	111:3	92:5,10,11
144:20	40:11,16	8 98:21	112:25	ready 67:4
providing	42:18	102:2,3	115:15	real 9:22
20:14	44:25	103:19	117:25	85:7 126:9
29:21	51:19 53:7	104:7	123:17	reality 85:4
60:20	54:3,20,25	106:8,13	124:19	116:7
103:19	55:3,5,6,1	133:17,23,	125:3	realized 8:1
104:13	0,15,24	25 134:19	132:6	150:22
140:11	56:7,11	138:2,11	quotation	really 13:7
145:12,13	60:5,7,8,1	140:8	6:11	21:8,17
pub 112:4	9,21 64:15	143:5	<hr/>	29:20 36:6
public 18:17	71:15,16	144:13	R	45:21
29:6 106:2	87:11 93:1	145:18	Racher 2:10	49:24
112:4	94:1 98:24	146:5,17	26:7,8	51:25 67:7
124:9	118:2	151:7,14	raised 46:4	68:4 75:14
140:22	128:12	questions	151:13	86:15
141:1	129:3	8:20	random 64:7	89:23
publically	131:3,6,8,	13:1,4,6	Randy 4:8	92:15
119:17	11 134:7	14:21	24:15	93:24
pull 100:21	136:3,5,9,	19:2,13	61:14	100:9
101:9,15	16,19	59:17,23	62:8,18,20	103:10,12
pump 38:15	137:2,14	62:4 64:1	63:2	108:1,2
70:10	138:4	66:10,12	range 75:4	109:3,5
83:20	quantities	68:2,18	ranges 118:1	112:2
136:18	89:22	78:1 81:22	Ransom 4:6	113:15
pumping	quantity	82:3 83:5	25:20,21	123:18
69:2,8	128:10	85:10	137:24,25	130:1
83:7	131:3	86:19	raptor	
pumps 83:21	quasi 10:12	87:5,21		
	que 87:5	88:6,23		
	question	89:12		
		92:24		
		97:3,13,14		

132:8	94:18	47:23	54:19	124:17
152:2	132:3	53:1,11	134:4	141:18
reason 68:11	recognize	54:4 58:19	135:24	regulate
77:20	14:2 19:4	65:3,4	refresher	148:2
reasons 7:23	recommend	reduces 52:6	30:16	regulators
29:12 56:5	120:8	reducing	31:16	112:18
99:24	142:2	43:14	40:25	113:9,18
124:22	recommendati	reduction	regard 50:10	114:14
reassessed	on 120:3	48:23	147:5	115:11
55:23	recommendati	reel 16:19	regarding	119:5
56:12	ons 119:1	reestablish	64:1,15	128:23
recalculatio	reconnect	37:18	86:19 87:6	132:17
n 85:8	136:17,20	82:10	97:14	133:5
recalibrate	reconnected	re-establish	111:22	138:23
85:15	43:4 48:4	66:2,5	139:21	141:18
recall 80:11	reconnecting	82:7	140:9	143:10
receive	71:14	refer 117:7	141:9	regulatory
139:20	reconnection	reference	regardless	25:12
151:10	57:13	6:23	126:14	111:25
received	137:5	32:11,16	139:24	113:5
6:19 89:7	record 8:10	34:1,2	140:16	115:11
105:13	14:18	74:5	regards	139:25
111:21	17:7,18	75:7,9	71:21	147:8
123:11	48:14	76:15,18,2	102:3	150:7
129:21	125:17	4 78:13	147:2	reinforce
131:7	recorded	100:22	149:23	29:1
receiving	124:22	101:2	regime 37:19	relate 19:18
13:3	151:14,15	122:9	66:2,7	related
111:19	recording	129:9,17	82:7,14	42:7,8,9
127:10	122:18	149:5	region 25:3	50:11 65:4
128:15	recovers	152:12	76:5	79:9 90:15
129:6	132:5	referred	145:11	91:17
130:6	recovery	77:6 118:7	regional	138:12
recent 33:8	15:13	referring	25:2 122:1	relations
recently	57:9,10,17	60:18	123:5,7,16	24:10
9:24	recreation	117:3	125:21	relative
111:21	34:16	119:3	126:2,17,2	34:24
141:22	recycled	refers	5 132:22	relatively
recessing	36:2	127:23	141:22	94:8
87:24	red 11:6	refill 40:8	142:1	relevant
reclaimed	reduce	68:14	143:21	50:8
45:13,14	43:13,20	refilled	144:15,16	relieved
reclamation	68:13	39:7,19	145:7,10,1	6:13
34:16	79:24	43:4	4	relinquish
36:11 39:3	reduced	57:1,19	registry	29:24
42:20 53:9	43:25 46:8	66:3 82:8	106:2	rely 65:23
64:11,23		refilling	112:4	remain 52:25
78:4,9,19		40:10	141:1	53:4
			regular	

56:1,15	141:14	111:20	74:13	resulted
57:18 58:6	147:18	133:4	89:13	42:4,15
72:5,13,21	report 10:6	144:6	144:11	44:2 80:19
73:8,15	17:15	require	146:4,8	resulting
74:20 76:8	60:8,9,13,	49:11	148:10	44:19
94:10	17,18	106:19	responded	results 17:9
113:17	105:18	required	8:16	94:1
123:22	116:17	8:18 29:15	responds	121:20,23,
124:1	118:22	37:15	123:10	24 122:1
remaining	119:15,16	40:23	response	resuming
8:23 78:1	124:23	43:13	68:15	87:25
remains	125:8	53:21 81:3	77:1,6	retroactively
29:10	126:1	123:18	89:2,12	y 14:23
46:11	144:19	148:22	98:15	return 54:9
47:13	reporting	requirement	111:20	57:20
80:14,23	17:9 115:8	99:6	119:11,22,	returns
81:4	124:20	requirements	24 120:9	64:16
113:7,8	125:5	6:23 37:12	135:15,20	review
Remarks 5:3	126:1	48:6	136:2	1:3,11
remember 6:6	reports 8:24	131:17	147:21	6:5,8,16
10:21 11:3	104:15	requires	responses	9:1,14
21:3,12,19	115:15,17	32:19	7:21 38:3	10:4,11
52:4	116:17	requiring	44:14	11:5 12:4
remembering	118:20,22,	33:24	66:19	14:17 18:8
10:10	24 120:1	resolve 8:3	responsibili	22:3,9,11,
39:25	140:23	16:25 17:4	ties	14,17 23:4
remind 36:17	representati	20:21	7:10,11	29:5,11
reminder	ve 119:6	28:25	responsibili	30:25
73:19	139:23	resolved 9:8	ty 123:17	31:9,12
reminding	representati	17:11	140:12	35:1
36:24	ves 12:25	resources	responsible	41:16,24
removal	18:19	3:8 23:16	140:10	42:1,4
106:14	147:15	24:4 25:13	responsive	44:18 64:5
remove	representing	44:24	114:13	102:7,10,1
40:2,11	24:18	respect	rest 71:21	9,21
107:2	represents	41:15 49:1	96:21	105:16
removed	32:9 55:11	50:15 51:9	150:19	107:9
64:12,14	reputation	52:13,21	restaurant	113:14
71:12	10:22	53:23 54:3	17:23	115:17
72:3,21	request	55:9 57:8	result 17:8	116:17
106:15	89:19	60:25	43:3,11,21	119:16,25
repeat 67:6	98:14	67:10 80:2	46:20	150:2
82:3	107:1	86:3 87:6	47:1,4	reviewed
122:13	requesting	108:1,2	48:6	118:24
repeating	99:22,24	110:4	52:10,15	119:15
77:23 78:6	requests	122:4	54:16	reviewers
replace	7:19	138:2,12	56:21	105:21
135:10	8:16,17,19	respond	57:21	revised 44:9
	44:15 89:3	39:13 67:4		50:3,5

55:4	134:23	satisfy 77:1	,20 50:16	36:18
revision	135:7	saturation s	51:11	87:13
49:11	140:15	84:12,24	73:25	144:25
revisions	141:19	saw 49:6	76:22	sent 89:2
42:16 44:8	room 8:6,8	61:9 92:15	77:16 86:5	90:14
50:6	13:2,4,5	124:21	98:23	separate
revisit	15:19	scat 11:9	99:2,12	134:24
41:17	18:20 22:6	sched 36:21	100:23	separating
Rick	28:8 33:14	schedule	101:3	35:22
109:14,19	64:20	16:20	sectioning	September
right-hand	66:20,24	scheduled	68:5	7:3
50:7	144:2	35:6	sections	September/
rigorous	146:14	145:22	41:12	October
120:17	round	Schmidt 2:25	42:16,17	103:8
risk 52:24	8:15,19	27:17	49:6,11	sequentially
river	133:3	schoolboy-	50:2,4,8	34:14
108:10,24	routes	ish 20:18	53:7 99:5	series 69:24
road	142:7,10	scope	114:17	70:7 75:10
31:20,21,2	row 117:23	112:7,24	sediment	86:13
5 49:25	118:4	149:5	39:11	142:23
124:4,5,6,	run 16:19	screened	44:25	151:11
10,12,16,1	runoff 40:9	35:21	60:7,19,21	serious 79:4
8,21,25	128:10	screening	98:25	seriously
125:1,3,4,	Russell 2:17	55:11,21	129:3	81:12
5,9,12,13	27:9	scribble	145:14	Service
142:5,8,9,	Ryan 2:15	66:13	sediments	25:10
13,14	28:4	script 21:5	90:10	services
145:19	<hr/>	scrutiny	seeing 29:20	124:16,21
146:2	<hr/>	102:9	seem 89:5	session 7:13
rock	safely 32:21	search 21:23	90:16,19	11:21
36:12,22	33:25 37:6	searchable	91:19	12:14,18
39:17,18	sake 148:9	21:5	seems 36:6	18:17 19:5
43:18	salvage 86:3	second 68:22	137:12	20:2,11,14
45:17,18	salvaging	83:1 84:1	seen 9:22	,24 21:12
46:22	36:9	85:14 87:6	13:13 33:6	22:21
47:5,7,8,1	sampling	98:14	37:22	33:19
3,15 48:11	128:13	117:23	124:7	102:20
58:14	Samuel 110:8	120:6	seepage 43:5	105:15
64:25	sand 108:20	133:3	selects	133:2
72:14	Sarah 4:14	secondary	141:16	sessions 1:5
78:10	25:2,6	93:12	self 66:2	13:16
91:10 93:3	Sarah-Lacey	secretariat	82:7	16:21
94:21	4:19 25:6	24:10	self-	29:13
95:14	satisfactory	section	sustaining	33:20
96:1,16	105:10	49:4,15,19	37:20 58:4	59:21
Rodier 2:15			send 89:18	61:16
28:4			sense 6:14	68:20
role 123:16			34:23	103:6

105:3,14 151:21 setting 29:3 seven 35:11 92:11 seventy 83:15 seventy-two 35:12 Shafic 4:15 25:11 Shannon 2:5 22:17 share 110:11 121:20 132:19 143:18 shared 121:21,25 122:2 143:24 Sharon 88:9,15,16 ,22 90:12 91:17 92:13,23 95:8,11,24 96:2,10,15 ,19 97:2 she'd 80:7 sheet 28:18 she'll 101:18 shiny 11:6 shop 125:2 shore 126:24 short 8:2 94:7,8 127:8 shot 109:19 showed 52:5 showing 152:1 shown 72:22 73:4	shows 43:24 45:12,14 46:9 92:3 shut 35:6 sic 13:17 80:24 sidebar 17:3,13 sign 17:12 28:18,22 significant 10:1 42:23 52:16 53:2 58:7,22 81:16 102:13 significantl y 61:25 sign-in 28:18 signs 11:6,19 similar 49:2 52:20 57:4 65:11 66:6 78:21 82:11,18 97:20,24 124:13 125:4 129:4 150:13 Simon 2:4 22:14,15,1 8 simplified 59:11 simply 143:10 sister 81:19 sit 20:15 139:24 140:7 147:5,9 site 35:21 36:14,15 40:3 43:19	86:17 90:9 103:5,16 116:4 120:11 122:17,22, 24,25 123:3 125:16,18, 25 126:8,9,11 ,12 131:10,14, 23 132:19 140:13 site-based 126:20 sites 92:18 95:18 118:1 122:8 144:7 site- specific 40:23 sits 34:24 sitting 18:4 22:18 144:2 145:3 situated 32:1,12,18 33:23 39:6 six 66:10 126:5 Sixteen 69:5,6 sixty-five 57:19 size 8:11 32:8 43:25 46:8 48:24 53:10 79:24 89:20 Slave 25:3 108:12 slide 32:6 33:11 34:4	36:6,25 39:25 45:7 47:18 48:13 49:22,24 51:6,18,24 52:4,20 53:5 55:20 64:11 66:1 67:13,25 69:3,7 82:5 slides 33:18 36:4 45:9,21 51:25 slightly 47:14 slip 16:18 slurry 36:1 small 34:5 36:6 47:22 69:24 70:1 133:25 134:3,8,19 135:21 136:8 smaller 19:10 35:15 46:20 53:18,22 54:17 58:13,16 78:14 79:9 140:4 Smith 88:9,10,15 ,16,22 90:12 91:17 92:13,23 95:8,11,24 96:2,10,15 ,19 Snap 10:4 32:3 34:25 65:12 78:21 80:2,3,6,1	1,13,17,20 81:4 124:14 125:1 snow 128:9 SNP 115:3 socio- cultural 16:13 socio-ec 42:8,10 socio- economic 16:7,14 soil 36:9 118:10 130:15 solve 29:14 solved 17:16 somebody 88:6 125:5 someone 13:5 147:8 somewhat 86:24 somewhere 13:7 18:24 83:16,22 96:17 song 126:24 sophisticate d 10:8 Sorenson 4:2 24:11 sorry 11:18 25:17 32:24 33:15 39:24 45:8 53:17 62:20 67:20 71:20 86:5 105:19 129:11 sort 17:3
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

18:11	57:3,15	22:3,4	124:25	127:6,22
30:15,17	75:24	102:21	stations	129:15
38:19 50:9	126:11	stage 38:13	131:9	135:3
59:2 63:6	134:8	55:11,21	status 74:10	139:10,11
75:23 76:6	135:22	136:11	75:2,6	141:10
77:16	specific	staged 35:22	stay 12:12	143:3,4
118:4	20:14 21:7	stages 134:9	18:3	145:8
138:24	99:4	149:8	steady-state	Stephenie
152:6	103:17	stand-alone	57:16	146:25
sorts 62:4	115:20	51:3	step 37:21	steps 114:10
sound 12:10	121:7,18	standards	105:16	Sterenburg
sounded	125:19	132:1	Stephanie	3:12
20:18	143:19	standing	3:19 23:23	24:1,2
sounds 14:3	specifically	19:4	63:24,25	Steve 65:25
93:22	6:10 49:7	stands 51:2	67:5	78:2 81:24
source	50:2,25	start 6:10	68:2,15,17	82:3,5
102:13	60:23	23:10,11	71:3,20	Steven 97:15
sourced 36:2	76:22	34:19	72:19	stick 16:20
43:5,18	90:18	38:14 40:7	73:23	stopping
sources	99:13	49:12	74:11,15	125:5
53:13	145:11	97:16	76:12	148:8
sourcing	speed	108:22	77:1,3,15,	storage 79:7
43:21	7:15,18	111:6	24,25 78:7	108:10
south 36:22	spelled	113:15	79:19	stored 47:8
39:17	85:21	115:2	80:10	65:16
45:17,18	spellings	116:12	81:25	story 28:13
109:19	28:20	127:15	82:2,17	straightforw
south/	spend 145:3	starting	97:12	ard 100:1
southeast	split 45:25	80:1 114:7	98:20	strategies
32:2	spoil 109:25	132:25	99:17	43:19
span 16:13	spoke 80:18	starts 117:4	100:22	strategy
spe 57:14	137:1	state 54:10	101:6,17,2	123:9
speak 10:24	spread	66:6 82:11	5 104:19	stream 35:24
12:9 14:6	114:19	83:2	105:11,12,	36:12
31:10	spring 92:5	stated 97:19	20	44:23
49:23 80:3	spur 31:21	99:23	106:3,12	128:5
86:24	124:4,6	statement	107:8,10,1	streams
130:11	square 32:9	6:20,22,24	4 114:18	90:25
speaking	108:7	64:23 76:7	146:23	stretch
12:8 17:18	109:3	103:24	149:10,22	125:2
21:15 33:1	Stacey 2:6	statements	151:12	strip 95:15
60:23	23:3 28:9	42:3	152:12	122:22
64:10,22	stack	111:22	Stephanie's	stripping
147:14	131:24,25	149:24	151:6	90:9
speaks 63:6	staff 1:11	station	Stephen 2:12	strong 121:1
species	11:5 12:4	125:1,11	26:24,25	
52:23	13:3	stationing	110:20,21	
			115:25	
			117:1	
			119:10,21	

strongly 18:25 75:3	49:20	supplemental 31:3 41:18	125:17	103:25
structure 31:4 41:20 49:2 149:2,3	substance 56:3	43:12,23 44:7,10 45:9 46:7,9 47:2,15 48:15 50:11,20 51:1,21 52:3 58:12 60:8,18 65:2 116:18	surveys 128:9 130:9,10	104:3,4 108:5,21 109:22,23, 24
structures 40:5 45:13,14 93:16 94:24 95:2	successful 35:2	sufficient 134:12 136:5	survival 85:9	112:6,11 128:3,23 138:3,9,17 146:1 148:20 149:15,16, 17
student 24:14 25:1	suggested 142:14	suggesting 84:20 136:25	sustaining 66:3 82:8	talked 32:24 42:2 68:3 69:21 80:12 108:22
studies 121:8,10 122:13 125:19 144:15,16	suggestions 86:15	supplemented 40:9	system 118:15 140:22	talking 14:12 19:20,25 23:10 60:12 73:19 99:13 107:23 108:3
stuff 9:7 14:17,22 16:13 20:5	suitability 58:2	supply 74:25	systems 98:23	
subject 11:19 102:9 106:20 129:25	suitable 57:1 87:8 96:5 137:3	support 42:1 53:11 58:4 75:21	<hr/> T <hr/>	
subjects 49:8 52:21,22	summarize 63:7	supporting 41:15 145:10	table 5:1 19:10 23:12 29:21 49:14,16 50:6 55:9 73:24,25 74:5 124:13 143:17,22 145:22 146:1	talks 17:10 71:6 75:8
submission 43:16 44:18 60:13 69:1 76:19	summary 30:25 41:21 47:19 49:12 52:1 58:10 119:15	supports 143:20	tailings 65:16,17 73:12,13,1 6 79:5	target 16:9
submissions 31:1 41:14 44:12 105:14,25	summer 24:14 25:1 86:17 92:15,17,2 2 103:5 128:23 129:10,11, 12,14,16	supposed 109:8	taking 12:19 22:19 53:17 55:15 92:11 114:10	targeted 120:12
submit 14:17	supplement 30:12 31:6 41:1,2,9,2 0,23 43:24 44:6,10 48:14,19 49:1 50:1,11 51:10 55:25 58:11 59:2 65:2 73:24	sure 8:19 16:17 32:6 33:13,20 68:17,23 90:23 99:9 101:18 102:20 134:17 138:13 140:1	talk 15:6,9 18:3 19:20,24 28:12 31:2,11 33:20 41:9,19 64:8 87:15,16	task 21:19,21 76:12 102:20 151:23,24
submitted 7:19 30:13 31:5 41:10,25 42:2,11,13 44:11 86:4		surface 47:12 117:8,13,1 6,21		tasks 18:8,9 20:17,19,2 0 21:1,9
submitting 8:24 100:5		surprised 11:23 12:22		team 104:5 109:11,14 145:25
subsection		surrounding 147:2		tech 2:8 23:1 94:9
		surveillance 122:17,24 123:3		technical 1:5 6:4 7:22,24 8:24 13:15 14:14

20:2,24	122:9	146:9	32:10,15	23:8
21:12	141:21	148:16	33:23	thereby
22:4,5,22	142:5	149:21	38:12	43:14
26:8 59:21	149:4	151:6	40:12,13,2	there'd
68:20	terrestrial	152:1	4 50:22	56:22,23
102:20	44:22	thankful	51:9 55:14	therefore
104:14	48:21	59:15	58:12,16	47:3 80:20
105:3,14,1	52:2,18,22	thanks	59:14	there'll
5,18	58:23	23:2,14	60:19	15:9
138:18	118:8,12	26:2	63:25 66:9	138:14
151:20	130:16	28:6,9	69:23	there's 8:15
technically	Territories	30:1 33:16	70:22	9:17,21
15:1	15:20	36:25 59:7	72:24	13:16
technology	24:21	61:10	74:22 76:4	16:18
80:5	25:14	63:12,19	77:19	19:5,6,15
teeny 100:8	138:1	66:12 69:7	83:12,18	20:16 26:5
teeth 138:25	Terry 2:13	73:18 74:6	86:5 89:23	31:20
140:9	26:16	80:9	92:16	34:6,14
141:4	test	82:17,23	93:6,25	41:11
teleconferen	131:16,24,	85:17,19	95:8	46:21
ce 88:7	25	87:5,20,22	96:18,19	47:22
TEMP 118:8	testing	88:22	99:2 100:5	49:22
temperature	40:16	89:13	101:14	51:10
90:17	43:17 44:1	90:14 95:9	102:20	52:12
91:12,18	51:20	96:23,24	105:19	53:18 63:8
92:4,9,14	53:12	97:2	108:2	68:6 73:20
temperatures	54:17 89:6	98:13,15,2	109:17	74:4 76:18
92:7,20	95:21	0	110:5	83:8,10,14
temporarily	131:19	100:11,19	115:14	84:4,6,15
70:20	Tetra 2:8	101:18,19	116:2	85:2,10
temporary	23:1	102:23	117:14,23	87:15 88:6
70:12 94:4	text 50:22	104:11	118:8	89:4,20
ten 87:20,21	thank	105:8	120:7	91:24
88:5	28:14,16,1	106:5	121:6	93:22,24
146:16	7 29:22	107:16	122:16	94:5 97:7
tended 77:19	36:25 41:7	133:13,19	125:12	98:23
term 44:3	60:15	134:25	126:5,17	99:12
53:9 54:9	61:7,8	135:14	127:16	106:8
terminology	63:13	137:20	132:16	112:22
30:15	76:25 77:9	139:2,6,10	133:8	117:16
151:24	78:6 79:18	142:22	134:2,14,2	120:7
terms 6:23	81:6 82:1	146:10	5 137:18	121:22,25
35:16	85:16 87:4	148:7	140:20	130:3,25
60:12	89:11	150:14	141:3,13	138:17
69:12	107:14	151:22,25	144:7,21	139:19
76:21	110:10,12,	that's 10:16	145:11,14,	140:3
80:21	14,20,23	12:3 15:7	22 146:6	146:13
	135:4	16:25	148:2	147:3,16
	142:17	17:2,5,16	thaw	148:19
	143:3	19:23	92:15,17,2	149:19
		21:25	2	thermal 91:3
		28:19 29:3	themselves	
			22:5,7	

95:5,6	39:10	144:19	129:1	109:9
they'd	40:21	148:17	track 21:1	travel
106:15	138:4	151:13	80:5,24	142:7,10
140:25	139:19	152:1,5	tracked	treatment
they'll 12:6	148:20	Tollis 3:16	11:21	15:15 37:8
38:22 68:9	150:19	23:20	136:3	Treaty 3:20
they're	Thursday	141:8	traditional	23:24
13:9,14	16:4 99:15	tomorrow	16:12	Tribal 3:20
94:23,24	149:16	15:7 19:24	103:11	23:24
95:1	Tibbitt	23:17	112:13	tried 26:7
103:10	31:19	77:10,13	121:4	trigger
106:20,21,	Tibbitt-to-	84:3 87:16	132:13	75:12
22 120:4	Contwoyto	99:15	transcribed	trophic
131:17	125:11	104:4,10	10:19 12:7	44:24
144:1,5	tied	139:9	13:18	56:13
147:17	93:16,20,2	148:6	14:10,15,1	74:15
they've	1	149:15	6	75:2,5,12
11:24 13:6	till	152:4,6,8	transcriber	trophics
33:3 50:18	90:5,8,9	tomorrow's	85:18	129:19,23
136:15	96:1 103:8	87:10	transcript	trout 58:6
thick 95:1	timeline	tons 35:20	5:11 12:6	76:2
thin 73:12	57:10	Toogood 2:4	13:12 14:3	true 4:14
third 120:14	102:24	22:15,16	17:7,8	25:2 84:11
125:9	timely	tool 9:24	21:4	109:6
140:8	29:10,14	21:4 98:3	151:15	truth 147:23
thirty-four	110:25	tools 148:1	transcriptio	try 12:9
92:8	tired 11:5	top 73:7	n 10:22	14:9 15:24
thirty-seven	tissue 45:1	119:12	transcriptio	16:17,19,2
10:5	130:5,7	topic 97:6	nist 13:23	4 18:12
tho 94:19	TK	topics 30:6	transcripts	21:1,19
Thompson	121:4,7,10	total 10:5	10:25	30:16
146:6	,18,24	130:22	14:1,8	32:14
Thompson's	125:19	134:18	21:22	49:1,3
142:15	132:12	totally	transfer	77:13
thorough	143:20	147:19	117:20	121:4
41:24	to-Contwoyto	touch	transparent	132:8
thousand	31:20	31:8,14	140:22	trying 17:21
67:15	to-date	112:23	Transport	19:8 21:20
83:11,15,1	44:13	tourism	3:23	28:8 34:2
6 102:11	65:14	24:22,24	24:5,8	100:24
104:1	today 8:8	toward	106:11,19	103:3,18
three-and-a-	10:17 15:5	151:20	107:1,9	104:6
half 14:13	19:2	towards 33:2	trap	147:25
thrive 76:3	23:6,17	71:4 105:9	109:10,17	148:4
throughout	30:6,12	114:10	trapped	149:25
34:17	80:14 94:6	125:15	109:7	Turley
	111:3		trapping's	108:12
	112:4			

109:1	5	52:23	37:13	46:24
turn 68:22	understand	unheard	utilizing	59:19 63:4
70:7 73:20	8:20 15:14	147:20	37:7	67:3,20,24
turning 63:5	59:16	unless 106:7		68:19 69:6
turns 8:4	77:4,17	unlikely	<hr/>	70:10,25
22:20	100:24	126:10	V	72:3 73:22
Tuzo 32:14	understandin	update 42:21	Valley	74:12
34:13	g 11:22	43:11,17	1:2,11	76:17
38:23	13:23	44:4 45:2	26:9	77:11 78:3
61:19 62:6	55:2,8	48:7 50:10	113:11	79:17 80:9
twixt 16:18	59:11	51:13	150:1	81:23
type 74:2	64:17 80:4	53:15,19,2	valuable	82:16 86:1
139:1	123:16	0 54:2,21	9:20 59:9	98:19
149:9	142:3	55:5	100:13,19	100:20
typical	understood	56:2,21	146:12	101:13
117:25	8:21 16:3	57:2,24	value 99:16	103:1
typically	136:8	58:1	various 8:10	104:25
74:16	undertake	59:9,12	12:19 17:4	143:5
typographica	20:10	63:11	33:19	144:10,12
l 13:11,15	119:23	80:16 81:3	44:19	148:15
14:20	121:7	111:4	75:5,12	151:2,19
Tyson 2:8	128:22	updated 44:1	114:17,22	version
22:25	130:7	49:20 51:8	117:22	49:13
	131:16,19,	53:12	118:6,20	50:18
	24,25	54:16	121:15	57:11
	undertaken	55:24	151:12	versions
<hr/>	51:14	updates	vege 52:22	49:3,6
ultimately	61:22 76:4	44:23	vegetation	versus 74:9
8:12 9:6	121:10	50:15	52:23	93:12
52:6 58:20	122:14	upon 6:1	118:11	via 46:18
116:10	128:24	40:10	130:15	48:2 70:21
123:20	129:4	87:24,25	Velma 3:12	viable 58:4
ultra-	145:12	130:8	24:1	148:23
oligotroph	undertaking	131:13	venture	vicinity
ic 75:13	21:11,19	152:14	125:13	125:18
Um 14:11	34:8	upper 46:16	verbatim	Victoria
ums 14:5,9	98:8,12	69:20,21,2	12:6 21:3	24:18
un 121:4	101:20	3 70:12	verify	view 51:2
unchanged	102:21	84:7,16,22	118:17	visit 103:15
56:2 57:18	122:19	85:15 87:7	127:8,12	visits
58:6	123:7	137:5	131:16	86:13,17
uncle	128:8,25	upstream	Veronica	103:5
109:7,14	143:21	16:5	2:16	120:23
underground	undertakings	useful 33:12	27:1,2	visuals
65:13	20:6,10,13	62:14 98:3	30:10,22	33:12
78:22	21:10,25	100:18	32:23	volume
80:15,21,2	unfortunatel	usual 116:10	33:10,17	84:2,16
	y 71:4	utilize	41:7,18	87:7
	ungulates		45:11,15	

volumes	5 16:6	94:24	17:15	wells 130:22
31:24	24:4 26:9		133:2	131:1
37:14 85:8	31:14	waters 24:6	138:5	Wendy
voluntary	36:1,3	37:17 43:4	148:20	10:21,22
125:6	37:2,3,4,1	106:19,20	150:19	we're 7:5,10
	0,11,14	watershed	151:24	10:17
	38:5,9,12,	45:25	weekend 15:8	16:4,19
<hr/>	13,15	46:1,6,10,	weekly 92:11	18:9,12
<hr/>	39:11,19,2	11,17	weeks 20:13	19:20,25
wa 71:1	1	47:25	21:25	20:11,25
131:3	40:9,10,16	48:3,4	weigh 29:20	23:7 28:7
waiting	42:18,19,2	58:3	weight 10:13	29:2 34:8
66:18	5 44:25	69:11,22	welcome 6:4	35:2,9,10
Wales 61:17	51:19	70:1,2,3,4	26:5	36:8,19
walk 37:23	53:7,8,19,	,8,13,18,2	107:15	37:5,7,9,2
109:9	23,25	2	we'll	3 39:7
wall 25:18	54:3,20,25	watersheds	18:12,15	59:20
walls 136:18	55:3,5,6,1	46:16	22:6	66:18
warm 90:25	0,15,24	69:12,21,2	23:11,12,1	67:24
91:2	56:7,11	3	3 25:16	68:21 69:7
129:16	58:2,3	70:1,5,12	30:3	82:4 86:6
warn 14:7	60:5,7,19,	137:5	34:12,13,1	90:7
Warnock	21 64:9,15	wave 10:20	7 35:4	93:10,23
10:21	66:20	22:15	36:11,13,1	96:7 97:6
washy 147:7	68:12,24	Wayne 2:20	4	99:24
wasn't 40:25	69:2,8,10	27:6	37:11,13,1	100:21,24
67:8 77:16	70:2,8	ways	5,18 38:14	103:2,16
78:23 93:8	71:3,15,16	9:1,10,18	39:2,13,15	105:3
waste	73:9,11,15	11:1 23:5	,16,17,24	110:25
15:6,11	80:11	97:22	40:2,3,6,8	111:3,15
31:14	81:19	98:10	,11 62:22	113:14
35:24	87:11 91:1	weather	66:21 69:8	114:1,9,12
36:7,14	92:25	128:8	77:8,12	,13 115:6
37:24	94:1,12,20	web 32:5	82:25	117:2
46:21 47:3	95:4 98:24	33:5 116:4	87:21	119:3
48:7 72:14	108:11,23,	webcast	94:15	127:14
93:2	24	12:14,18	95:25	129:24
117:7,9,10	113:11,22	39:25	98:14	132:11
,11	115:4	67:25	99:10,13	139:22
watch 147:25	117:8,13,1	website	100:22	145:2,8,12
150:12,13	126:20,23	33:3,7	101:15,20	,13 146:16
watchdog	128:4,12,1	we'd 17:5	102:15	148:18,21,
141:14	4 129:4,6	57:18	109:25	24,25
147:18	131:5,6	106:7	115:21	149:8,12
watching	134:7	125:19	133:16	west 36:22
150:12	136:3,5,9,	126:25	142:23	39:18
water	16,19	Wednesday	146:18	45:17
15:10,12,1	140:25	15:7	148:6	47:8,13,15
	150:1,2	week 16:22	151:7,11,1	48:11
	water-		5,23	we've 8:1
	retaining			9:22 11:6
				13:13

19:21 20:9 37:3 39:7,19,21 48:25 50:18 63:1 74:3 89:21 90:6,8 92:3,4,6,7 ,10 93:18 109:23 111:20 112:17 114:2 123:5 124:3,6,8, 11 130:1 131:7 134:5 whatever 18:3 59:21 108:7 118:21 whereby 115:10 whether 62:16 69:11 71:10,11 85:12,14 89:4 92:16 100:1,3 106:15 140:4 143:18,20, 21 145:19 151:4 whistles 11:19 whoever 14:1 143:13 whole 6:17 39:10 40:21 100:7 101:8 108:8 Whoops 32:17 who's 10:21 22:18	who've 6:12 wield 11:11 wildlife 16:11 23:21 25:10 45:2 112:20 118:3,10 122:6,17,1 9,20,21 123:5,21 140:1,5 141:24 142:7 143:22 145:21,25 146:12 149:17 Williams 62:7,20 willing 148:24,25 149:12 Wilson 4:21 25:22 win/wins 9:22 wind 19:10 winnowing 9:4 Winston 6:11 winter 31:19,20 84:2,17 124:4 125:3,12 142:5,8,13 ,14 145:19 146:2 wintertime 31:25 84:13 wish 29:17 wishy 147:7 withdrawal 40:9 Witherly	4:17 25:4 wolf 145:11 wolverine 125:24 wonder 65:10 wonderful 9:17 11:1 wondering 64:19 65:7 77:21,22 79:11 83:19 90:18,22 91:2,21 99:15 142:16 145:20 word-by-word 50:17 word-for 51:20 word-for- word 50:17 wording 21:21 wordings 21:7 work 7:8 13:14 15:24 16:16,22 19:8 20:20 21:18 23:24 29:7 44:19,21,2 2,25 51:14 85:23 91:4 96:3 106:23 108:7,8 109:4,25 110:3 111:2 113:7 116:7 129:18 146:25 148:24	working 20:22 24:17 29:2,18 69:4 works 32:6 world 9:2 worry 102:15 worth 10:10 wrap 133:16 wrap-up 18:11 write 14:7 writing 12:5 19:14 20:11 written 8:10 14:2,5 15:2 19:15,18 20:12 21:16 48:14 wrong 11:1 14:15 15:8 71:10 85:3 144:14 <hr/> Y <hr/> yard 107:24 108:2 110:6 Yaxley 3:14 24:9 yellow 50:21,23 51:23 Yellowknife 1:21 31:18 Yellowknives 4:8 24:16 61:15 129:22 yet 62:22 86:6 129:12	you'll 6:6 11:7 28:20 29:19 33:7,9 35:5 47:11 51:10 77:10 83:12 96:4 young 108:16 110:7 yourself 22:24 yourselves 20:22 28:16 you've 8:18 17:13,16 20:24 73:3 79:9 84:17 96:3 138:8 <hr/> Z <hr/> zooplankton 129:20
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------