Richard Dwyer

From: info@nirb.ca

Sent: Tuesday, November 23, 2010 2:26 PM

To: info@makik.ca

Cc: landsdirector@qia.ca; rcunningham@gov.nu.ca; mpotvin@gov.nu.ca; 'Distribution List'
Subject: NIRB File No. 09MN003: NIRB Letter to NM Regarding Translation of EIS Guidelines
Attachments: 101123-09MN003-NIRB Ltr to NM Re Translation of EIS Guidelines-ODTE.pdf

Follow Up Flag: Follow up Flag Status: Flagged

Dear Joan Scottie;

Please see the attached correspondence from the Nunavut Impact Review Board in response to the Nunavummiut Makitagunarningit's media release dated November 18, 2010. If you have any additional questions or concerns regarding this matter, please contact Sophia Granchinho, Technical Advisor, at (867) 983-4607 or sgranchinho@nirb.ca.

Regards,

Tannis Bolt Environmental Administrator

Nunavut Impact Review Board 29 Mitik, PO Box 1360 Cambridge Bay, NU X0B 0C0

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NIRB File No. 09MN003

November 23, 2010

Joan Scottie Vice-Chairperson Nunavummiut Makitagunarningit Box 1554, Iqaluit NU XOA 0H0

Sent via email: info@makik.ca

Re: NIRB Procedures for the Translation of EIS Guidelines

Dear Joan Scottie:

On behalf of the Nunavut Impact Review Board (NIRB or Board), I wanted to reply to the concerns raised by Nunavummiut Makitagunarningit regarding the translation of the NIRB's *Draft* Guidelines for the Preparation of an Environmental Impact Statement (EIS Guidelines) for AREVA Resources Canada's Kiggavik project (the Project). These EIS Guidelines are being prepared pursuant to Section 12.5.2 of the Nunavut Land Claims Agreement (NLCA), which directs the Board to, "upon soliciting any advice it considers appropriate, issue guidelines to the proponent for the preparation of an impact statement". On November 15, 2010 the NIRB distributed the *Draft* EIS Guidelines (in English) and a *Revised Draft* Scope of the Project (in both English and Inuktitut) to its public distribution list for the Project.

As an institution of public government operating within the Nunavut Settlement Area, the NIRB is required pursuant to NLCA 12.2.17 to conduct its business in Canada's official languages (English and French), and upon the request of any of its board members, also in Inuktitut. Sections 12.2.24 and 12.2.26 of the NLCA further require the Board to conduct its public hearings in both official languages, and again also in Inuktitut upon request of any board member, applicant or intervener. At this time there is no specific provision of the NLCA or other legislation, rules or bylaws which require the NIRB to translate its EIS Guidelines into Inuktitut.

To date the NIRB's practice has been to consult with the public on the scope of the Project under review ("Scoping"), and in order to do this in a meaningful way, all materials are translated into Inuktitut prior to being distributed with a request for public input. The results from this public scoping process are then used by the Board in the preparation of EIS Guidelines, which are the technical direction provided by the NIRB to the proponent regarding the detailed information to be provided to facilitate the technical review of a Project. As EIS Guidelines are highly

technical in nature and written for the proponent and not a public audience, to date these documents have not been translated into Inuktitut by the NIRB, just as proponents have not been required to submit an EIS which is fully translated into Inuktitut, but rather must translate the popular and executive summaries which are less technical in nature.

The NIRB endeavours to conduct a public review process which encourages effective public participation, and as such the Board recognizes the importance of providing Inuktitut translation and interpretation. In addition to the concerns raised by Nunavummiut Makitagunarningit, recently the Qikiqtani Inuit Association (QIA) also requested that the Board consider translating the EIS Guidelines issued for the Mary River Project into Inuktitut, to better encourage participation by the public. Upon consideration of QIA's request, however, the NIRB has encountered difficulties with the translation of certain sections of its EIS Guidelines which involve technical concepts and terminology that do not readily translate into Inuktitut. As such, the Board has recently requested assistance with this initiative from the Director of Official Languages with the Government of Nunavut department of Culture, Language, Elders and Youth, but at this point, we are uncertain regarding the timing and availability of this assistance. As a result, we do not know when or if meaningful translations of these technical aspects of the documentation can be completed at this time.

In closing, the NIRB appreciates the concerns raised by Nunavummiut Makitagunarningit and QIA regarding the need for NIRB documents to be made available in Inuktitut, and the Board is working to address these concerns by ensuring that to the extent possible (given the constraints noted above) the documentation that supports public participation in the NIRB's processes is translated. To this end, the NIRB is currently endeavouring to translate key sections of the EIS Guidelines for the Mary River Project and also key provisions of the *Draft* EIS Guidelines for the Kiggavik Project, and we will make these documents available for information purposes as soon as meaningful translations have been completed.

If you have any additional questions or concerns regarding this matter, please contact Sophia Granchinho, Technical Advisor, at (867) 983-4607 or sgranchinho@nirb.ca.

Sincerely,

Ryan Barry

Ryan Barry

Director, Technical Services Nunavut Impact Review Board

cc: Stephen Bathory, QIA

Rhoda Cunningham, GN-CLEY Michel Potvin, GN-CLEY Kiggavik Distribution List