



Comments on the ***Revised Draft Guidelines for the Preparation of an Environmental Impact Statement*** for AREVA Resources Canada Inc's Kiggavik Project (NIRB File No. 09MN003)

February 27, 2011

The following comments were prepared in conjunction with JT Consulting, and have been approved by the Baker Lake Hunters and Trappers Organization board. Intervener funding was used to hire JT consulting to conduct interviews with ten Elders and hunters who are experts on the area Areva Resources Inc proposes to construct the "Kiggavik" uranium mine and associated infrastructure. Furthermore, a workshop was held with eight Elders and hunters who are experts on the area in which the project would be located (five of which were also interviewed individually), as well as eight board members of the Baker Lake Hunters and Trappers Organization. While the focus of these interviews and workshop was on Areva Resources Inc's "road options" that have been presented to the community, many other topics were also discussed. The following comments are based on information that was provided and issues that were raised during the interviews and workshop.

Richard Aksawnee, Baker Lake HTO President

Translation of Draft Guidelines into Inuktitut

All of the Elders and hunters interviewed agreed that the Draft Guidelines for Areva's Environmental Impact Statement should be translated into a dialect of Inuktitut, used in Baker Lake. Furthermore, at the workshop, all participants agreed that the Environmental Review of Areva's Kiggavik proposal should be put on hold until the draft guidelines can be translated into Inuktitut. We are therefore requesting that the Nunavut Impact Review Board pause the review for Areva's "Kiggavik" proposal, until such a time as the draft guidelines for the related Environmental Impact Statement can be properly translated into Inuktitut and a vocabulary can be developed to properly explain to Elders and other unilingual Inuit the issues associated with uranium mining. While we are aware that there are a number of difficulties associated with translating technical terminology from English into Inuktitut, we feel that the issues that the community of Baker Lake are faced with are too important to neglect due process and the full involvement of Elders and other unilingual Inuit during this review. Some Inuit in Baker Lake feel that, while many people have spoken to Elders in the community, their input *is* being neglected. In the words of one Elder: "People have been coming up here for years and years asking all kinds of questions and at times it's like we're just speaking into the air and nothing ever gets done."

Some Elders and hunters are questioning why they signed the Nunavut Land Claims Agreement in the first place. They entered into the agreement with the intention that they would gain greater control over the type and pace of development on Inuit lands, and a greater say in the approval, planning and operation of development projects. Some feel that, despite signing the agreement, this has not taken place. As the same Elder (quoted above) put it:

Under the Nunavut agreement, we were told we would be able to take part in the process... we were supposed to have some input in the process. Our concerns were supposed to be heard and voiced and they would be used...but...as soon as we got our Nunavut agreement signed, it's like all these...like Agnico and Areva... they just started going full blast into full swing and they seem to be just skipping processes and going right ahead with opening mines and making roads and our concerns seem to be sidestepped...like it's just an afterthought.

While the specific wording of the land claims agreement may not require the Nunavut Impact Review Board to translate Draft Guidelines for Environmental Impact Statements, a failure to do so would clearly run contrary to the general "spirit of the land claim" as it is understood by many Inuit. Some feel it would be disrespectful to Elders to neglect to translate these guidelines. Others point out that Elders should be able to comment on all details of this proposed project, rather than a simple "yes/no" answer to the Kiggavik mine and a simple choice between three road options. For Elders to participate in a meaningful way, all important documents (including the draft guidelines for Environmental Impact Statements) must be translated into Inuktitut, and vocabulary must be developed to properly explain to Elders the issues associated with uranium mining.

For these reasons, we request that the Kiggavik review be immediately put on hold until a vocabulary can be developed that allows the draft guidelines to be translated into the Baker Lake

dialect of Inuktitut.

Section 2.5: Traditional Knowledge

“The Proponent must incorporate into the EIS the TK to which it has access or that it may reasonably be expected to acquire through appropriate due diligence, in keeping with appropriate ethical standards and without breaching obligations of confidentiality.”

The wording of this passage is too vague. Given that Areva has been active in the community for years and has access to a great deal of resources, it would not be unreasonable to request that they interview all Elders in the community to collect baseline Traditional Knowledge on wildlife, Inuit harvesting activities, local social issues and Inuit cultural values. Furthermore, Traditional Knowledge regarding how these may be impacted by the Kiggavik proposal should also be sought from all Elders.

Section 7.5: Traditional Knowledge

“It [the Proponent] shall explain how it integrated TK and popular science, including the manner in which it reconciled any apparent discrepancies between the two.”

While this is of obvious importance, the draft guidelines do not require the Proponent to explain how it reconciled discrepancies between the Traditional Knowledge provided by different Inuit. The guidelines seem to treat Traditional Knowledge as if it were an objective body of empirical facts, rather than subjective and personal knowledge that varies between individuals (Kublu, Laugrand and Oosten, 1999:9-10). To help address this issue, the guidelines should require the Proponent to explain how it dealt with discrepancies within Traditional Knowledge.

Section 7.8: Cumulative Effects Assessment

This section makes no reference to a need to utilize Traditional Knowledge in the Proponent's analysis of cumulative impacts. Due to the fact that Inuit have a great deal of experience with the impacts of mineral exploration and other industrial activity on wildlife in the region, the guidelines should require the Proponent to utilize Traditional Knowledge in their assessment of cumulative effects.

Additionally, this section seems to characterize cumulative impacts in a very narrow sense, limited primarily to mining and exploration activities. Some Inuit have complained that other activities (for example, other aircraft not used for mining and exploration) cause disruptions to wildlife. Accordingly, the scope of the cumulative effects assessment should be broadened to include activities other than mining and exploration.

Section 9.4.18: Roads Management Plan

As a number of Inuit have complained that they are having difficulty crossing the road to the Meadowbank gold mine by snowmobile in the winter (due to build-ups of snow on either side of the road), the Proponent should have to address how they intend to mitigate the impacts roads may have on snowmobile travel during the winter months.

References

Kublu, Laugrand and Oosten. (1999). *Interviewing Inuit Elders, v. 1*. Iqaluit: Nunavut Arctic College