



NIRB File No.: 09MN003

AANDC File No.: 5510-5-25-3

DFO File No.: 08-HCAA-CA7-00002

NRCan File No: NT-070

EC File No.: 4703 001 006

July 5, 2013

Tammy Van Lambalgen
Vice President Regulatory Affairs & General Counsel
AREVA Resources Canada Inc.
817 – 45th Street West
Saskatoon, SK S7K 3X5

Sent via email: Tammy.VanLambalgen@areva.ca

Re: The NIRB's Preliminary Hearing Conference Decision for AREVA's Kiggavik Project Proposal

Dear Ms. Van Lambalgen:

From June 4-6, 2013 the Nunavut Impact Review Board (NIRB or Board) held a Preliminary Hearing Conference (PHC) in Baker Lake, Nunavut to hear discussion by parties and AREVA Resources Canada Ltd. (AREVA or the Proponent) on seven issues to be considered within the next steps of the NIRB's Review of the Kiggavik Project, including information to be included within the Proponent's submission of a Final Environmental Impact Statement (FEIS) and further preparations for a Final Hearing.

Seven issues were addressed during the PHC:

1. Anticipated date for submission of the Final Environmental Impact Statement
2. Date, time and location of the Final Hearing
3. Timetable for the exchange of documents and information requests prior to the hearing
4. Formulation of issues for the hearing
5. Procedures to be followed in the hearing
6. Equipment, language, interpretation, translation and transcript requirements
7. Other matters that may aid in the simplification of the hearing

The Board has enclosed its *Preliminary Hearing Conference Decision Concerning the Kiggavik Project* (the “PHC Decision”), which outlines the Board’s findings on each of the seven issues listed above and further, includes direction to the Proponent for information it is required to include within its future FEIS submission. The following are highlights from the enclosed PHC Decision:

The Final Hearing

The dates for the Final Hearing will be set following the successful conclusion of the NIRB’s compliance review of AREVA’s FEIS submission against the requirements outlined in the enclosed PHC Report. The venue for the Final Hearing will be the community of Baker Lake, Nunavut where technical presentations will be organized by specific technical topics, followed by a less formal community roundtable session. The Board is committed to taking steps to ensure the attendance and participation of a broad range of representatives from potentially affected communities at both technical and community roundtable sessions.

Once accepted by the NIRB, the FEIS will be subject to a minimum 80 day technical review period¹. The NIRB may schedule another meeting of technical experts (i.e. a technical meeting) and/or pre-hearing conference. Following the technical review of the FEIS, the Board will formulate the issues for the Final Hearing.

The Final Hearing will proceed in accordance with the NIRB Rules of Procedure, dated September 3, 2009. The Board has decided to vary Rule 18.2 to require notice of a meeting of technical experts, should one be required, to the Proponent and project distribution list at least 30 days before the technical meeting. The Board has also decided to vary Rule 20.1(b) to require notice of another PHC, should one be scheduled, to the Proponent and project distribution list at least 30 days before the PHC.

Commitments from AREVA, Additional Issues and Specific Direction

The Board believes that AREVA will address the majority of the parties’ outstanding concerns by complying with the specific direction and implied intention of the NIRB’s EIS Guidelines and by fully satisfying its commitments as set out in Appendices 1 and 2 of the PHC Decision. In addition to the commitments put forward by AREVA, the Board has provided specific direction to the Proponent for its preparation of an FEIS submission, summarized as follows:

- Collection and analysis of additional or updated baseline data;
- Provision of draft versions of various mitigation and/or monitoring plans;
- Updated effects assessment for various terrestrial wildlife species;
- Further discussion and clarification of best management practices;
- Evaluation and assessment of alternative road options and potential public access;
- Consideration of the recent listing of polar bear as a Species of Special Concern;
- Evaluation of effluent discharge scenarios and support for method selected;

¹ As requested by the Kivalliq Inuit Association during the PHC, a further 20 days will be provided for parties to review the FEIS, in addition to the Board’s usual 60 day technical review period.

- Provision of further discussion and analysis of community-level impacts;
- Reconsideration of the potential effects of the Kiggavik Project on caribou;
- Collection, incorporation and integration of additional Inuit Qaujimajatuqangit, including the use of other Aboriginal Traditional Knowledge;
- Revisions to the cumulative effects assessment;
- Provision of an updated analysis of labour force projections and discussion of AREVA's hiring targets; and
- Provision of non-confidential updates regarding negotiations with the Kivalliq Inuit Association with respect to the required Inuit Impact and Benefits Agreement.

AREVA is expected to respond to these specific issues in the FEIS and is further encouraged to respond directly to all of the issues that have arisen over the course of the Technical Meeting and the PHC. Additionally, the Board reiterates the need for the Proponent to ensure that all information and assessment details provided within the FEIS meet the requirements as set out in the EIS Guidelines issued by the NIRB on May 3, 2011. Recognizing the significant period of time that AREVA has suggested will be required to prepare its FEIS, the Board expects that the Proponent will be well-positioned to undertake the collection of additional baseline information and analysis recommended by parties to support the assessment of potential project interactions and impacts.

The Board has recommended within the enclosed PHC Decision that a number of parties including the Proponent, the Governments of Nunavut and Canada, and the Kivalliq Inuit Association among others continue consultation and engagement efforts during the time leading up to the anticipated submission of the Kiggavik FEIS. The Board believes that it will be essential for parties to actively engage the public during this time to maintain public awareness, to improve public knowledge, and to ensure active engagement during the final phase of the NIRB's review of the Kiggavik Project. The NIRB also intends to undertake additional public engagement activities and information sessions to achieve these objectives. The Board may also seek updates from parties over the coming year regarding consultation activities undertaken and associated issues or concerns identified by parties which may inform this public Review.

Given the need to ensure that members of the public can conceptualize the scope and scale involved with this proposed mining development, the NIRB recommends that AREVA consider developing a physical model of the proposed Kiggavik Project, built to scale and made available within the community of Baker Lake.

At this time, the NIRB thanks AREVA and all parties for the cooperative and open dialogue that has thus far, allowed the NIRB's Review process to unfold in an efficient and effective manner. The Board looks forward to receiving AREVA's FEIS submission in September 2014 and to proceeding through the remaining steps of the Review process for the Kiggavik Project.

If you have any questions regarding the enclosed PHC Decision or the NIRB's Review of the Kiggavik Project, please contact Sophia Granchinho, Senior Technical Advisor at (867) 793-4633 or via email at sgranchinho@nirb.ca.

Sincerely,

A handwritten signature in black ink that reads "Ryan Barry". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ryan Barry
Executive Director
Nunavut Impact Review Board

cc: Diane Martens, AREVA Resources Canada Ltd.
Kiggavik Distribution List
The Honorable Bernard Valcourt, Minister of Aboriginal Affairs and Northern Development
Mayor Joe Aupaluktuq, Hamlet of Baker Lake
Sandra Inutiq, Inuit Uqausinginnik Taiguusiliuqtiit
Luis Manzo, Kivalliq Inuit Association
Agnes Simonfalvy, Government of Nunavut
Brian Torrie, Canadian Nuclear Safety Commission

Enclosed: Nunavut Impact Review Board Preliminary Hearing Conference Decision Concerning the
Kiggavik Project (*July 5, 2013*)