



NIRB File No.: 09MN003

February 6, 2015

To: Kiggavik Distribution List

Sent via email

Re: Draft Agenda for the upcoming Final Hearing for the NIRB's Review of AREVA Resources Canada Inc.'s Kiggavik Uranium Mine Project Proposal

Dear Parties,

On November 12, 2014 the Nunavut Impact Review Board (NIRB or Board) provided formal notice that the Final Hearing for its Review of AREVA Resources Canada Inc.'s (AREVA or the Proponent) proposed Kiggavik Uranium Mine Project (NIRB File No. 09MN003) would be held in Baker Lake from March 2 to 14, 2015, with the week of March 16-20, 2015 also tentatively scheduled. Following the receipt and acceptance of applications for intervenor status, on December 19, 2014 the Board notified parties that it expected the two week period from March 2 to March 14, 2015 would offer sufficient time to cover all required items for the Final Hearing.

The upcoming Final Hearing will be structured to provide a public forum for discussion of technical issues that have been identified and which remain unresolved, issues of public concern, and other matters considered relevant to the NIRB's assessment of the Kiggavik Uranium Mine project proposal. Discussions during the Final Hearing are anticipated to assist the NIRB with identifying issues to be addressed in its Final Report to the Minister of Aboriginal Affairs and Northern Development (the Minister) for this assessment.

The NIRB has attached a *Draft* Hearing Agenda for the information of parties (see **Appendix A**), and hereby invites comments from interested parties regarding the ordering of specific topics and appearance of intervenors, as well as the time currently allotted to agenda items, including intervenor's presentations. Comments on the draft agenda may be submitted directly to the NIRB at info@nirb.ca or by fax at (867) 983-2594; comments will be accepted until **5:00 p.m. MST February 16, 2015**.

FINAL HEARING: MARCH 2-14, 2015

NOTE: All attendees at the Final Hearing are advised that any times given in the attached *Draft* Final Hearing Agenda are approximate and the order of presenters and time given for presentations are subject to change at the Moderator's discretion during the Hearing. **Consequently, the participants are advised to ensure their travel and other logistical**

arrangements are sufficiently flexible to accommodate modifications to the proposed timing and order of presenters throughout the Final Hearing.

Technical Sessions: March 2-7, 2015

The objective of the technical sessions portion of the agenda is to facilitate presentations and questioning by technical experts regarding the conclusions of the Proponent's Final Environmental Impact Statement (FEIS), with a focus on the unresolved issues and concerns raised within parties' final written submissions to the NIRB. Prior to the technical presentations by Intervenor, the Proponent is scheduled to present an overview of its project proposal, followed by a presentation of the conclusions regarding potential impacts and required mitigation identified in its FEIS, as well as its responses to parties' technical review comments. Intervenor and the Board Members will be permitted to ask questions at suitable points throughout this portion of the agenda.

The NIRB requests that the Proponent's presentations be organized by thematic FEIS volume to assist with the tracking of issues throughout.

Intervenor participating during the technical session portion of the agenda are advised that each Intervenor with status at the Hearing will be granted 30 minutes with which to present evidence to the Board. Additional time will be allotted for the questioning of each Intervenor at the conclusion of each presentation. Intervenor are requested to also structure their presentations to follow the thematic volumes of the FEIS, providing a brief synopsis of significant issues resolved through the preceding technical review and identification of those issues remaining unresolved (with accompanying recommendations) as raised within their final written submissions to the NIRB.

Intervenor may request additional time to present evidence during the Hearing. The grant of additional time is at the discretion of the Board. The Board directs that all Intervenor's requests for additional time to present evidence to the Board be submitted to the NIRB at info@nirb.ca, no later than **5:00 pm MST February 16, 2015**.

With respect to the format for technical presentations, the NIRB requests that parties structure their presentations as follows:

1. Provide a brief description of Intervenor mandate and relevant legislation, policies, guidelines, etc.;
2. Address the major project components as relevant to your intervention:
 - a. Winter Access Route and All-Weather Access Road
 - b. Kiggavik and Sissons Mine sites
 - c. Baker Lake facilities and shipping;
3. Present issues in a manner that parallels parties' final written submissions and is in keeping with the intent and general format of the NIRB's May 3, 2011 EIS Guidelines (noting that where no issue exists, that specific component and/or Guideline need not be included in the presentation):
 - a. Baseline

- b. Methodologies
- c. Ecosystemic & Socio-Economic Effects
- d. Monitoring & Mitigation;
- 4. Discuss specific issues that pertain to the Intervenor; and
- 5. Provide a listing of summary recommendations for the Board's consideration.

Following each technical presentation, the Proponent, other Intervenors, and the NIRB will be given an opportunity to question and cross-examine the presenter(s) and the evidence provided. **Parties are advised to ensure that personnel with the necessary expertise to answer any questions arising during the technical sessions are readily available.**

Community Roundtable Sessions: March 9-14, 2015

Given the importance placed on ensuring public input for the Board's Review process, the NIRB has invited five (5) representatives from each of the seven (7) potentially affected communities to participate in the Community Roundtable Session portion of the Final Hearing. The Proponent and Intervenors will be expected to also deliver plain language summary presentations during the Community Roundtable Session, with a directed focus on associating comments and concerns with major project components rather than the thematic volumes of the FEIS. Intervenors are advised to also highlight the mandate and jurisdiction of their respective organization or agency, to assist community representatives and the general public with accurately directing their questions and comments to the appropriate party.

During the Community Roundtable Session, the Proponent is expected to deliver a series of summary presentations specific to each major project component, highlighting the conclusions regarding potential impacts and required mitigation identified in its FEIS. Each of these presentations should be no longer than 25 minutes in length. Following each presentation, community members (including members of the general public in attendance) will have an opportunity to question the Proponent and other Intervenors based on the information and evidence presented.

As indicated in its Pre-Hearing Conference Decision, **the Board requires that each of the following Intervenors ensure sufficient technical expertise is available for not only the technical sessions of the Final Hearing but also the community roundtable portions of the Final Hearing:**

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| ▪ Nunavut Tunngavik Inc. | ▪ Athabasca Denesuline |
| ▪ Kivalliq Inuit Association | ▪ Baker Lake Hunters and Trappers Organization |
| ▪ Government of Nunavut | ▪ Beverly and Qamanirjuaq Caribou Management Board |
| ▪ Canadian Nuclear Safety Commission | ▪ Canadian Arctic Resources Committee |
| ▪ Aboriginal Affairs and Northern Development Canada | ▪ Hamlet of Baker Lake |
| ▪ Environment Canada | ▪ Lutsel K'e Dene First Nation |
| ▪ Fisheries and Oceans Canada | ▪ Nunavummiut Makitaganarningit |
| ▪ Natural Resources Canada | ▪ Paula Kigjugalik Hughson |
| ▪ Transport Canada | |

Hearing Agenda & Attendance

The NIRB will consider comments and suggested revisions to the Draft Agenda prior to finalizing the Hearing Agenda. The finalized Agenda will be provided for the information of all parties on or before **February 20, 2015**.

The NIRB requests that parties planning to attend the upcoming Final Hearing provide our office with an indication of the number of representatives to be in attendance, including their names, positions and respective area(s) of expertise or authority. Parties are advised that each intervenor will be limited to one (1) seat at the table during the technical session of the Final Hearing for the purposes of questioning other intervenors and the Proponent. A separate table will be provided for individuals presenting evidence to the Board during technical presentations. Likewise, parties will be asked to be seated in the audience during the community roundtable sessions and agencies addressing questions from the public will be requested to move forward to speak at a microphone as required.

Presentations

Parties are advised that all presentation materials are to be provided in English and Inuktitut, and French if possible. Parties are further reminded that presentations will serve as formal exhibits to the Hearing proceedings, and that filing of additional materials at the Final Hearing will be undertaken on an as-needed basis. The NIRB asks that all parties endeavor to provide sufficient printed copies of their presentation materials for the technical sessions and community roundtable portions of the Hearing, including translated versions, noting that up to 150 copies each of English and Inuktitut may be required.

The NIRB requests that all parties submit their technical presentations and plain language summary presentations for the upcoming Hearing via email to info@nirb.ca, on or before **February 25, 2015**. We appreciate the efforts of parties to provide presentation materials as requested, as the NIRB will utilize these materials to prepare comprehensive information packages for community roundtable participants in advance of the Hearing.

Summary of Important Dates

February 16, 2015	Parties to provide comments regarding <i>Draft</i> Agenda, timing, format of presentations to the NIRB
February 16, 2015	Parties to provide confirmation of planned attendance at the Hearing, including number of representatives
February 20, 2015	NIRB to release final Hearing Agenda
February 25, 2015	Parties to provide presentations (English and Inuktitut) and plain language summaries to the NIRB

The NIRB appreciates the efforts of all parties in preparation for the upcoming Final Hearing and looks forward to continuing constructive discussions with all parties at the Final Hearing for the Review of the Kiggavik Uranium Mine project proposal.

Should you have any questions or require clarification regarding the next steps in the Board's Review of the proposed Kiggavik Uranium Mine Project, please contact Heather Rasmussen, Technical Advisor, at (867) 983-4606 or at hrasmussen@nirb.ca.

Sincerely,



Tara Arko
Director, Technical Services
Nunavut Impact Review Board

cc: Diane Martens, AREVA Resources Canada Inc.
Ronald Robillard, Athabasca Denesuline Né Né Land Corporation
Joan Scottie, Baker Lake Hunters and Trappers Organization
Ross Thompson, Beverly and Qamanirjuaq Caribou Management Board
David Gladders, Canadian Arctic Resources Committee
Dennis Zettler, Hamlet of Baker Lake
Peter Unger, Lutsel K'e Dene First Nation
Jack Hicks, Nunavummiut Makitagunarningit
Paula Kigjugalik Hughson

Attached: Appendix A: *Draft* Final Hearing Agenda (NIRB File No. 09MN003)

APPENDIX A: DRAFT FINAL HEARING AGENDA

NIRB File No.: 09MN003 – Kiggavik Uranium Mine project proposal
Proponent: AREVA Resources Canada Inc.
Location: Community Hall, Baker Lake
Dates: March 2-14, 2015

Times: **All times given are approximate. The order of presenters and time given for presentations are subject to change at the Chairperson's discretion during the Hearing:**

Technical Sessions:	9:00 am – 5:00 pm
Community Roundtable Sessions:	9:00 am – 5:00 pm
Evening Sessions:	6:30 pm – 9:00 pm

Monday March 2, 2015 – Day 1

General Opening

1. Opening Remarks by the Chairperson with introductions, overview of procedural history, structure of proceedings, etc. *(30 minutes)*
2. Identification of motions or objections

Technical session

3. Swearing in/affirmation of Proponent's witnesses and marking of exhibits
4. Presentations by the Proponent - Note: time for questions by Board Members and Intervenor will be provided following presentations:
 - i. Introduction & Overview *(40 minutes)*
 - ii. Atmospheric Environment *(40 minutes)*
 - iii. Terrestrial Environment *(40 minutes)*
 - iv. Freshwater Environment *(40 minutes)*

Close of Day 1

Tuesday March 3, 2015 – Day 2

General Opening

5. Opening Remarks by the Chairperson

Technical session (Continued from Day 1)

6. Presentations by the Proponent (cont'd) - Note: time for questions by Board Members and Intervenor will be provided following presentations:
 - i. Marine Environment *(40 minutes)*

- ii. Public Participation and Engagement (*40 minutes*)
- iii. Socio-Economics (*40 minutes*)
- iv. Human Health (*40 minutes*)
- v. Accidents and Malfunctions (*40 minutes*)

Close of Day 2

Wednesday March 4, 2015 – Day 3 (includes scheduled evening session)

General Opening

- 7. Opening Remarks by the Chairperson

Technical session (Continued from Day 2)

- 8. Presentations from registered Intervenor – Note: witnesses appearing on behalf of registered Intervenor will be sworn in/affirmed and exhibits will be marked in advance of testimony being given. Unless otherwise indicated, each Intervenor has been allotted 30 minutes for their presentations. Following each Intervenor’s presentation there will be time for questions by Board Members, other Intervenor and the Proponent.
 - i. Nunavut Tunngavik Incorporated/Kivalliq Inuit Association (*60 minutes*)
 - ii. Government of Nunavut (*60 minutes*)
 - iii. Aboriginal Affairs and Northern Development Canada (*30 minutes*)
 - iv. Canadian Nuclear Safety Commission (*60 minutes*)

Close of Day 3

Thursday March 5, 2015 – Day 4

General Opening

- 9. Opening Remarks by the Chairperson

Technical session (Continued from Day 3)

- 10. Presentations from registered Intervenor – Note: witnesses appearing on behalf of registered Intervenor will be sworn in/affirmed and exhibits will be marked in advance of testimony being given. Unless otherwise indicated, each Intervenor has been allotted 30 minutes for their presentations. Following each Intervenor’s presentation there will be time for questions by Board Members, other Intervenor and the Proponent.
 - i. Environment Canada (*30 minutes*)
 - ii. Fisheries and Oceans Canada (*30 minutes*)
 - iii. Natural Resources Canada (*30 minutes*)
 - iv. Transport Canada (*30 minutes*)
- 11. Presentations from registered Intervenor – Note: witnesses appearing on behalf of registered Intervenor will be sworn in/affirmed and exhibits will be marked in advance of testimony being given. Unless otherwise indicated, each Intervenor has been allotted

30 minutes for their presentations. Following each Intervenor's presentation there will be time for questions by Board Members, other Intervenor's and the Proponent.

- i. Hamlet of Baker Lake (30 minutes)
- ii. Baker Lake Hunters and Trappers Organization (30 minutes)

Close of Day 4

Friday March 6, 2015 – Day 5

General Opening

12. Opening Remarks by the Chairperson

Technical session (Continued from Day 4)

13. Presentations from registered Intervenor's – Note: witnesses appearing on behalf of registered Intervenor's will be sworn in/affirmed and exhibits will be marked in advance of testimony being given. Unless otherwise indicated, each Intervenor has been allotted 30 minutes for their presentations. Following each Intervenor's presentation there will be time for questions by Board Members, other Intervenor's and the Proponent.

- i. Athabasca Denesuline (30 minutes)
- ii. Beverly and Qamanirjuaq Caribou Management Board (30 minutes)
- iii. Canadian Arctic Resources Committee (30 minutes)
- iv. Nunavummiut Makitagunarningit (30 minutes)

Close of Day 5

Saturday March 7, 2015 – Day 6

General Opening

14. Opening Remarks by the Chairperson

Technical session (Continued from Day 5)

15. Presentations from registered Intervenor's – Note: witnesses appearing on behalf of registered Intervenor's will be sworn in/affirmed and exhibits will be marked in advance of testimony being given. Unless otherwise indicated, each Intervenor has been allotted 30 minutes for their presentations. Following each Intervenor's presentation there will be time for questions by Board Members, other Intervenor's and the Proponent.

- v. Lutsel K'e Dene First Nation (30 minutes)
- vi. Paula Kigjugalik Hughson (30 minutes)

Close of Day 6

Monday March 9, 2015 – Day 7

General Opening

16. Opening Remarks by the Chairperson

Community Roundtable Session

17. Summary presentation by the Proponent – **Introduction and Overview** (30 minutes)
18. Summary presentation by the Proponent – **Kiggavik and Sissons sites** (30 minutes)
19. Questioning of the Proponent and Intervenors by community representatives
20. Presentations by members of the public who have advised the Chairperson that they wish to speak on this topic

21. Summary presentation by the Proponent – **Baker Lake facilities and marine shipping** (30 minutes)
22. Questioning of the Proponent and Intervenors by community representatives
23. Presentations by members of the public who have advised the Chairperson that they wish to speak on this topic

24. Summary presentation by the Proponent – **All-Weather Access Road and Winter Road** (30 minutes)
25. Questioning of the Proponent and Intervenors by community representatives
26. Presentations by members of the public who have advised the Chairperson that they wish to speak on this topic

27. Summary presentation by the Proponent – **Transport of Yellowcake to Points North, Saskatchewan** (30 minutes)
28. Questioning of the Proponent and Intervenors by community representatives
29. Presentations by members of the public who have advised the Chairperson that they wish to speak on this topic

Close of Day 7

Tuesday March 10, 2015 – Day 8

General Opening

30. Opening Remarks by the Chairperson

Community Roundtable Session

31. Questioning of the Proponent by community members – *continued*
32. Presentations by Intervenors. Note: following each Intervenor's presentation there will be time for questions by community representatives and members of the public. Each

Intervenor has been allotted 30 minutes for their presentations, unless otherwise indicated:

- i. Nunavut Tunngavik Incorporated/Kivalliq Inuit Association (*45 minutes*)
- ii. Government of Nunavut (*45 minutes*)
- iii. Aboriginal Affairs and Northern Development Canada (*45 minutes*)
- iv. Canadian Nuclear Safety Commission (*45 minutes*)

33. Questioning of the Proponent or Intervenors by community members

34. Presentations by members of the public who have advised the Chairperson that they wish to speak on this topic

Close of Day 8

Wednesday March 11, 2015 – Day 9 (schedule evening session)

Opening

35. Opening Remarks by the Chairperson

Community Roundtable Session

36. Presentations by Intervenors. Note: following each Intervenor's presentation there will be time for questions by community representatives and members of the public. Each Intervenor has been allotted 30 minutes for their presentations, unless otherwise indicated:

- i. Environment Canada
- ii. Fisheries and Oceans Canada
- iii. Natural Resources Canada
- iv. Transport Canada
- v. Hamlet of Baker Lake
- vi. Baker Lake Hunters and Trappers Organization

37. Questioning of the Proponent or Intervenors by community members

38. Presentations by members of the public who have advised the Chairperson that they wish to speak on this topic

Close of Day 9

Thursday March 12, 2015 – Day 10

Opening

39. Opening Remarks by the Chairperson

Community Roundtable Session

40. Presentations by Intervenor. Note: following each Intervenor's presentation there will be time for questions by community representatives and members of the public. Each Intervenor has been allotted 30 minutes for their presentations, unless otherwise indicated:

- i. Athabasca Denesuline
 - a. Beverly and Qamanirjuaq Caribou Management Board
 - b. Canadian Arctic Resources Committee
 - c. Lutsel K'e Dene First Nation
 - d. Nunavummiut Makitagunarningit
 - e. Paula Kigjugalik Hughson

41. Questioning of the Proponent or Intervenor by community members

42. Presentations by members of the public who have advised the Chairperson that they wish to speak on this topic

Close of Day 10

Friday March 13, 2015 – Day 11

Opening

43. Opening Remarks by the Chairperson

Community Roundtable Session

44. Presentations by members of the public who have advised the Chairperson that they wish to speak on this topic

Close of Day 11

Saturday March 14, 2015 – Day 12

Opening

45. Opening Remarks by the Chairperson

46. Closing Remarks – Proponent and Intervenor (3 hours)

47. Closing Remarks – community members

48. Close of Day 12 - Note: While the agenda has been set to close the Hearing following the conclusion of the morning session on Day 12, parties are advised that the agenda may be subject to change and that the Hearing may extend into the afternoon and/or evening if required.