



MiningWatch Canada

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MININGWATCH CANADA SUBMISSION ON NUNAVUT LAND USE PLAN

TO: Sharon Ehaloak, Executive Director Nunavut Planning Commission, Cambridge Bay NT

CC: Adrian Boyd, Director of Policy NPC; Ross Thompson, Executive Director BQCMB

FROM: Ramsey Hart, Canada Program Coordinator (ramsey@miningwatch.ca)

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MiningWatch Canada is a national, independent non-governmental organization focussed on improving policies and practices related to mining in Canada and Canadian companies operating internationally. We have monitored and participated in the review processes for a number of mineral exploration and mining projects in Nunavut. Most recently and substantively we have participated in the review of the Kiggavik Uranium Project and the Government of Nunavut's uranium review. We would like to take this opportunity to make two specific recommendations for the Nunavut Land Use Plan.

1. Exploration and Mining in Caribou Calving and Post-Calving Grounds

From our participation in the Kiggavik guidelines workshop, other aspects of the Kiggavik review, and through our monitoring of other exploration and development proposals in Nunavut and elsewhere, we are aware of the potential for acute conflicts between mineral exploration activities, mineral development, and critically important habitat for barren-ground caribou.

We recommend that the Nunavut Land Use Plan exclude mineral exploration and development activities in the most critical of caribou habitats: calving and post-calving areas. This exclusion should extend to ancillary facilities and infrastructure that may be proposed for access to other areas for exploration and development.

We are aware that this proposed conservation measure has been put forward by the Beverly-Qamanirjuaq Caribou Management Board, Nunavut's three regional wildlife boards; Kivalliq Hunters and Trappers Organizations: Arviat HTO, Baker Lake HTO, Chesterfield Inlet HTO, Repulse Bay HTO, the Athabasca Denesuline Né Né Land Corporation, Fort Smith Metis

Council, Lutsel K'e Dene First Nation, Metis Nation of NWT and the World Wildlife Federation.

We defer to the above groups, whose specific expertise and experience with caribou far exceeds ours, for further delineation and description of the specific areas needing protection.

This reasonable and important conservation measure will lead to greater clarity and certainty for companies undertaking prospecting and exploration work in Nunavut. Absent such a prohibition the aforementioned conservation and hunting organizations will be likely oppose applications for exploration work on a case-by-case basis resulting in conflicts and creating an environment that could be perceived as hostile to the mineral exploration sector. This is not a hypothetical scenario but has already occurred with junior mining company UraVan's proposed exploration program in 2008.

With the proposed prohibition, companies and those working to save the caribou will avoid the time-consuming and damaging conflict regarding industrial activities in these sensitive habitats and will benefit from a more efficient use of their limited resources.

2. Demonstration of Local Support Prior to Permitting Uranium Mining

Because of the risks of managing radioactive wastes associated with uranium mining, and the controversial and high-risk aspects of the nuclear fuel chain, mining uranium raises a higher level of concern in communities than most other kinds of mining. This added level of concern is warranted and needs to be addressed if a uranium project is to achieve a social license to operate. (MiningWatch's position is that new uranium mines are unnecessary and undesirable but we respect the authority of communities to come to their own conclusions.)

We submit that the requirement of the Keewatin Regional Land Use Plan for a demonstration of approval by the people in the affected region is an important policy for addressing the concerns about uranium mining, and that it should be included in the Nunavut Land Use Plan.

The government of Nunavut did complete a policy review on uranium, but there were concerns about the objectivity of the information provided, there was limited opportunity for Nunavummiut to inform the final decision, and the review lacked a transparent consultation process. From our communications with Nunavummiut we must conclude that there remains a great deal of concern about uranium mining among the population of Baker Lake, and across Nunavut.

We recommend that in addition to established review and licensing procedures, advanced exploration and uranium mine proposals be required to demonstrate the Free Prior and Informed Consent (FPIC) of the affected communities in a transparent and accountable manner. As per established international-norms for FPIC, such as the UN Declaration on the Rights of Indigenous Peoples, the specifics of such a process must be developed with the affected communities and conducted in a manner that is acceptable and consistent with their values and customs.