



Orano Canada Inc.

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February 9, 2023

Ms. Sharon Ehaloak
Executive Director
Nunavut Planning Commission
P.O. Box 1797
Iqaluit NU, X0A 0H0
submissions@nunavut.ca

Dear Ms. Ehaloak,

Re: Orano Canada's Final Written Comments on the 2021 Draft Nunavut Land Use Plan

Orano Canada Inc. (Orano) appreciates the opportunity to review and provide feedback on the 2021 Draft Nunavut Land Use Plan (DNLUP). Orano first submitted comments via letter dated September 27, 2021. Please accept these comments in addition to Orano's original submission.

Orano has been exploring for uranium, developing mines, and producing uranium concentrate in Canada for over fifty-five (55) years with projects located in Saskatchewan, Nunavut, Quebec and Alberta.

In Nunavut, Orano currently holds forty-two (42) Mineral leases over two projects (in house titles "Kiggavik" and "St. Tropez" projects), where many of the leases have been active for thirty-five (35) years. Total expenditures to date on the two projects are approximately \$181,017,700.00. Total mineral resources on the Kiggavik project are estimated to be approximately 130 million pounds U_3O_8 . As noted in the Kiggavik Initial Feasibility Study completed in 2011, the total taxes and royalties generated with the operation of the Kiggavik project to various government agencies were estimated at \$945 million. The study also outlined that over 60% of the workforce would be local drawing people from communities in Nunavut and NWT.

Orano understands that developing projects in Canada requires adherence to some of the most stringent environmental requirements in the world and uses Inuit Qaujimajatuqangit (IQ), rigorous scientific investigations, and leading-edge engineering methods and technologies to develop projects that generate social and economic benefits while protecting the environment.

General Observations of the DNLUP

DNLUP Removes High Mineral Potential Land from Development. We at Orano realize the tremendous untapped mineral potential and the world class opportunity of Nunavut. Orano was encouraged by the Government of Canada's recent release of the Critical Mineral Strategy (2022) suggesting the sustainable extraction and production of Critical Minerals necessary and supportive of Canada

and its position as a leader in the low-carbon economy. Uranium, as identified as a critical mineral in the Critical Mineral Strategy, is the primary fuel in nuclear power plants which is the second largest source of low-carbon electricity. With the expected increase in the number of nuclear reactors, CANDU refurbishments, and the building of small modular reactors (SMR's) demand for uranium is expected to rise worldwide.

The DNLUP does not protect our existing rights. Grandfathering can only be effective if it protects the concept to mine and allows the associated design flexibility beyond linear infrastructure and impartial to a particular mine component or footprint. As noted by others, maintaining design flexibility is an integral part of the project assessment process. It allows for the adaption to changing conditions, new information or incorporation of new technologies. Our company has existing leases and must now evaluate the heavily worded DNLUP and the consequences that the plan may have on our particular project and its feasibility. We recommend the NPC be clear on their grandfathering terms and ensure that it provides Orano the confidence to sustain our existing leases.

The DNLUP should not take an overly restrictive approach predicated on a poorly supported assumption that the decline of caribou populations is related to developmental activity. Further, when considering caribou calving grounds and restrictions, the NPC should consider the scientific methods and various surveying tools tested by human observers and any information or influence that is not science or IQ based be excluded from the plan. Attempting to regulate wildlife issues via a land use plan further limits the future ability of the regulatory regime to assess and consider non-development related changes and factors. Orano believes land use and caribou herds can readily co-exist. The DNLUP cannot be misused as a caribou protection plan.

It is recommended that the NPC prioritize use of Land Use Policy Option 4 outlined in the 2021 Options and Recommendations to provide clear guidance to Inuit landowners and Institutes of Public Governance (IPG's) in the valued components associated with land use in specific areas for this first-generation plan. By identifying spatial-linked valued component sensitivities, this information would have the advantage of providing clear and effective inputs and allow for a comprehensive co-management of the existing and effective systems such as the NWMB, NIRB, NWB, Wildlife Act, and RIAs to fulfil their obligations as outlined by the Nunavut Agreement. In this first-generation plan, limited and conditional use designations should be restricted to situations where these designations are absolutely necessary and evidently able to attain the intended benefits, and where no other option would produce the desired outcome.

We also recommend that any future changes be informed by scenario analysis and modelling, including evaluation of economic impacts, to support well informed land use decisions that fully consider changing demographics and future social and economic needs. The NPC should also publish all environmental values gathered to date, both as a guide to land users and managers but also to facilitate plan improvements and designation revisions going forward. This will help inform IPGs, land managers and resource developers what's important and the actions required by all to protect valued ecosystem components.

Comments Specific to Orano's Kiggavik and St. Tropez Projects

Existing leases are to be grandfathered in, but in Appendix A: Existing Rights there are two notable errors:

- a. Kiggavik leases are identified as being owned by Orano, but as per the Mining Records office these are officially owned by Urangesellschaft Canada Limited (a subsidiary of Orano).
- b. St. Tropez leases (owned by Orano) are absent from the list.

Orano recommends verifying information via the Mining Records office to ensure completeness and accuracy of the list. Add St. Tropez to list of leases in Appendix A: Existing Rights.

Additionally, an area that follows the path of the Kiggavik proposed all-season access road (north option has been designated a "limited use" area. This also covers a portion of Orano's St. Tropez leases. This area is attributed to the Kivalliq-Manitoba linear infrastructure corridor within which the following incompatible uses are prohibited:

- i. Oil and gas exploration and production;
- ii. Mineral exploration and production; and
- iii. Permanent facilities and infrastructure other than those supporting the construction of the corridor.

Orano notes the Kivalliq-Manitoba Linear Infrastructure feature lines up with the proposed plan for the Kivalliq Hydro-Fibre Link (<https://www.kivalliqlink.ca/about>), with the exception of the portion from Baker Lake to Kiggavik.

Orano requests further information on the extension of the Kivalliq-Manitoba Linear Infrastructure feature, particularly the portion that extends from Baker Lake to Kiggavik. Orano also requests confirmation that St. Tropez leases, as existing leases, will be grandfathered in and included in the list of leases in Appendix A: Existing Rights and, as such, will continue to be allowed to explore and produce minerals on the areas covered by the Kivalliq-Manitoba Linear Infrastructure feature.

In Summary

We recommend the NPC reflect on the direction initially provided to them, namely to:

- a. achieve an appropriate and flexible balance of economic, cultural and conservation interests, recognizing the interdependence of these values;
- b. work effectively as an integral part of an overall regulatory system as laid out in the Nunavut Agreement and enabling legislation, and provide guidance to other institutions of the regulatory process, including impact review and land and water licensing; and



- c. Be implementable, and guide and support government departments and agencies in the delivery of their mandates within the regulatory system.

Such a reassessment could also ensure:

1. The Plan is aligned with other provisions of the Nunavut Agreement,
2. Allow Nunavut to fulfil a meaningful and deepening role within Canada,
3. Respect the results of IPG and Inuit land management processes,
4. Promote evidence-based caribou management,
5. Meet the needs of Nunavut's youth, and
6. Aid and trust land managers in making value-based decisions.

Based on the concerns and apparent miss-alignment with direction provided by the Signatories, Orano does not support the 2021 DNLUP. We support the position of the GN and RIAs that the DNLUP is unsupportive of the economic trajectory that Nunavut is aiming for post Devolution. The general support for the adoption of Option 4 allows for required designations to be implemented on a case-by-case basis by the respective regulatory bodies, and is workable within an evolving economic environment, and as well suitable for a first-generation land use plan.

Again, we thank you for providing us this opportunity to comment and contribute on this historically important document and process for Nunavut.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Robbins", is written over a blue circular stamp.

John Robbins
Vice President, Exploration

- C. CIRNAC Minister
- C. Premier (PJ Akeeogok)
- C. Minister (Honorable David Vandel)
- C. NTI President (Aluki Kotierk)
- C. MP (Lori Idlout)