



NWT Treaty #8 Tribal Corporation
Akaitcho IMA Implementation Office

MVEIRB EA1011-001 Public Hearing Presentation

Yellowknife, NT February 18 – 20, 2013

Presentation Outline

Five main areas of concern discussed in NWTT8TC Technical Report:

1. Caribou Impacts - Direct and Cumulative
2. Monitoring - Wildlife Effects and Air Quality
3. Traditional Knowledge
4. Aboriginal Party Participation in Environmental Monitoring and Management
5. Closure

Caribou Impacts – Direct and Cumulative

Akaiicho Dene First Nations (AKFNs) Traditional Knowledge strongly suggest that the existing mines have had an undeniable impact on the Bathurst Caribou herd and have contributed to the very significant decline in the herd numbers.

The proponent does not propose any specific mitigations to minimize regional impacts upon caribou, and the AKFNs are concerned that the impacts associated with the development may result in part of the traditional range being isolated from caribou use.

The proposed project may be one of ten mines that would exist across the Bathurst Caribou range within a five year period.

Recommended Measure #1

- a) The proponent must contribute towards any regional cumulative effects framework that may become operational during the lifespan of the mine.
- b) The Government of Canada and the Government of the Northwest Territories must be required to develop and implement a meaningful strategy for the management of cumulative effects as they relate to caribou.

This strategy should include clear data management mechanisms, thresholds, and adaptive response mechanisms.

Monitoring – Wildlife Effects

Akaiicho Dene First Nations require the collaborative development of a Wildlife Effects Monitoring Program (WEMP).

Any WEMP should include a clear monitoring program, appropriate resources for party participation and review, and agreed upon reporting and approval mechanism, and finally a dispute resolution system that is efficient and timely.

WEMP development and implementation should be based upon best practices from existing mines in the Akaiicho Territory

Recommended Measure #2

The proponent must be required to develop the Wildlife Effects Monitoring Program collaboratively with the Aboriginal Parties.

Initial work on the development of the WEMP should commence in advance of any regulatory authorization, and be completed in partnership with the Aboriginal Parties.

Such a measure is required as the Land and Water Board has been explicit in stating that requiring a WEMP is outside of the scope of the current permits and licenses it is authorized to issue.

A WEMP without an enabling Measure is therefore unenforceable.

Monitoring – Air Quality

The Akaitcho Dene First Nations require the collaborative development of an Air Quality Management Plan (AQMP).

AQMP development and implementation should also be based upon best practices from existing mines in the Akaitcho Territory.

The Parties, Boards and regulators lack any legislative authority to enforce Air Quality measures.

This gives a proponent complete freedom to emit any level of pollution up until they are releasing acutely toxic emissions.

This is not acceptable.

Recommended Measure #3

The proponent must be required to collaboratively design an Air Quality Management Plan, including regular post-commissioning stack testing, with the Aboriginal Parties.

Part of this plan should be a local sediment sampling program to establish current levels of persistent pollutants.

Traditional Knowledge

The Akaitcho First Nations wish to ensure that their valuable traditional knowledge with respect to the Thor Lake region informs best design, management, and monitoring practices.

Recommended Measure #4

The proponent must be required to demonstrate in a detailed, structured manner how it will secure relevant traditional knowledge and use it to adapt the design and management of the project.

Aboriginal Party Participation in Environmental Monitoring and Management

The Akaitcho Dene First Nations have a responsibility to monitor and manage the lands and resources in their traditional territories.

At the other mines across the Akaitcho Territory, agencies and/or forums and/or processes have been developed to promote and ensure Aboriginal Party participation in project-specific environmental monitoring and management.

Recommended Measure #5

The proponent must be required to work collaboratively with the Akaitcho Dene First Nations to develop and implement a robust approach to meaningfully involving the First Nations in the environmental stewardship of the project. Such an approach must include provisions for data gathering and reporting, feedback and communications, securing expertise and fostering capacity, and informing adaptive management.

This approach should be based upon best practices at other mine projects in the Akaitcho Territory and also upon best practices internationally.

In this specific instance, given the radioactive nature of the tailings, strict independent auditing must be imposed in order to prevent environmental damage.

Closure

The lack of component based closure objectives and criteria make it difficult to know what the proponents ultimate vision for the site is.

Recommended Measure #6

The proponent must be required to develop a closure and reclamation plan collaboratively with the Aboriginal Parties for the project. This plan should include immediate development of component based closure objectives, delineated within a specific timeframe.