

May 31, 2019

From: Michael Dawe (Ya'thi Néné Land and resource Office)

To: Nicole Frigault, Environmental Assessment Specialist

Canadian Nuclear Safety Commission

By email: cpsc.ea-ee.ccsn@canada.ca

Comments concerning the NexGen Energy Ltd. Rook I Project Description

CEAA Reference number: 80171

Ms. Nicole Frigault

Environmental Assessment Specialist

Canadian Nuclear Safety Commission

Attention: Nicole Frigault

Attached please find a submission containing comments on the NexGen Energy Ltd. Project Description from the Ya'thi Nene Land and Resource Office.

Thank You.

Michael L. Dawe, M.SEM

Environmental Consultant

Saskatoon, SK

Written Submission from
Ya'thi Néné Land and Resource Office

In the Matter of;
NexGen Energy Ltd. Rook I Project Description



Garrett Schmidt
Executive Director
Ya'thi Néné Land and Resource Office
Saskatoon, SK
<Personal Information Redacted>

Introduction

The Ya'thi Néné Land and Resource Office (Ya'thi Néné), on behalf of the Athabasca First Nations of Black Lake, Fond du Lac and Hatchet Lake, and the municipalities of Camsell Portage, Stony Rapids, Uranium City, and Wollaston Lake, have reviewed the Rook I Project, *Project Description*, as submitted by NexGen Energy Ltd. A summary of comments pertaining to the *Project Description* is contained within the document below. By participating in the *Project Description* review, Ya'thi Néné expects to begin building a positive and long-lasting relationship with NexGen Energy Ltd and looks forward to collaborating throughout the lifecycle of this project.

Ya'thi Néné is well informed regarding resource extraction and energy projects located throughout our Traditional Territory in the Athabasca Basin. The organization is mandated to be the interface between industry and community. We interact with various stakeholders and industries to understand and participate in a multitude of current and future projects occurring throughout the Athabasca Basin.

Comments

Section 2.0

2.4 Water Management

The sustainable and responsible use of water resources should be a top priority for NexGen when operating the Rook I Project site. Residents use the multiple lakes, ponds, and rivers for a variety of purposes and highly value the environmental protection of water. Community members will want to be assured that water resources are safe and respected. All efforts should be made to design a water management system that minimizes fresh water intake by reusing and recycling water on-site whenever possible. Additionally, it is important to closely monitor groundwater and the release of effluent from any site related activity back into the environment. Effluent must be properly treated and tested before release. All monitoring results should be made available and regularly reviewed with Athabasca Basin communities.

2.7 Waste Management

The Project as currently identified includes both on-site and off-site disposal of the identified waste streams expected to be generated as part of the Project. Due to the remoteness of the site, it is encouraged that NexGen will recycle and reuse as many materials as possible during all phases of the operation. Waste management programs will decrease the amount of materials going to a landfill or dump site, while also decreasing the environmental footprint of the Project.

The Underground Tailings Management Facility will be a topic of interest for members of the Athabasca Basin, as tailings management methods can pose significant environmental concerns. Ya'thi Néné looks forward to learning more about the proposed tailings management facility of the Rook I Project site.

2.8 Human Resources

“NexGen will focus on maximizing employment of a local workforce, derived from northern Saskatchewan” (NexGen Energy Ltd., 2019). It is highly recommended that NexGen make a proactive commitment of hiring a certain percentage of its workforce from the Athabasca Basin communities during all phases of the project lifecycle. Effective training and education programs will positively benefit all organizations involved in the Rook I Project.

2.9 Project Decommissioning and Closure

In order to achieve effective decommissioning and closure of the Rook I Project, the end of state conditions must be reflective of pre-disturbance conditions and meet designated land use objectives. This process will only occur through proactive engagement and communication with local land users, and the development of the decommissioning plan that has been written in collaboration with all potentially impacted groups. Traditional land users from the Athabasca Basin will have valuable insights when developing a plan to return the site to a state free of access restrictions and suitable for recreational and traditional land uses.

Section 3.0

3.1 Regional Environmental Studies

It should be noted that the Rook I Project site will also be subject to the CNSC’s Independent Environmental Monitoring Program. The information obtained from these monitoring programs help Ya’thi Néné inform community members of environmental activity and associated monitoring at various Project sites. Athabasca Basin traditional land users will want to participate in the environmental monitoring programs and community members will want to be informed of results.

Section 4.0

4.2.3 Surface Water and Aquatic Environment

Many Athabasca Basin community members are traditional land users that rely on hunting, fishing and trapping to support their families and communities. Protection of the ecological systems that support traditional land use is critical.

4.2.4 Terrestrial Environment

It is recommended that NexGen proactively plan to optimize the footprint of the Rook I Project site to reduce its impact on the terrestrial environment. Efficient planning to optimize the movement of heavy vehicles and equipment will help in reducing the footprint of the site.

4.2.7 Socio-Economic Environment

“Potential effects from the Project to the socio-economic environment will likely be assessed through predicting positive and negative changes to a number of components such as employment, training, economic development and community services” (NexGen Energy Ltd., 2019). NexGen should contract local or community owned businesses for services and employ residents from the Athabasca Basin with defined employment objectives. There are many positive socio-economic opportunities that come with

a new uranium mine site development, and Ya'thi Néné anticipates to see as many of these benefits made available to local/community owned businesses and residents as possible.

Section 5.0

5.1 Regulatory Engagement

The exploration program completed to-date has been subject to regulation and permitting under the authority of the Government of Saskatchewan. NexGen appears to be progressing through the proper regulatory channels with regards to the Rook I Project, and according to Table 5.1-1: *Summary of NexGen Regulatory Engagement Activities To-Date* (NexGen Energy Ltd., 2019), has been engaging with a variety of provincial ministries and agencies.

The anticipated process of regulatory engagement going forward involves written correspondence, meetings, workshops and guided site tours. This process should continue throughout the various development phases of the project.

5.2 Indigenous Engagement

The Rook I Project site is located within the traditional Treaty 8 territory of the Fond du Lac First Nation and Black Lake First Nation. As part of a Collaboration Agreement, Ya'thi Néné works with both Fond du Lac and Black Lake as well as other northern communities (Hatchet Lake First Nation [Treaty 10], Uranium City, Camsell Portage, Stony Rapids and Wollaston Lake) on a variety of environmental and socio-economic projects. As such, Ya'thi Néné requests to be formally engaged on all aspects of the Rook I Project as there will be direct impacts to communities located within the Athabasca Basin.

Section 5.2 Indigenous Engagement states, “NexGen is committed to conducting meaningful engagement with Indigenous communities potentially affected by, or with expressed interest in the Project and to maintaining relationships with these communities throughout all phases of the Project” (NexGen Energy Ltd., 2019). It is encouraging to see positive statements such as this, but to accomplish meaningful engagement there needs to be a well-established plan with clearly defined goals and commitments that are mutually agreed upon between NexGen and the Athabasca Basin communities.

“It is critical that exploration companies respect and value the relationship Indigenous peoples have with the environment, the rights of Indigenous peoples with respect to the land, and recognize the importance of full and open discussion with interested or effected Indigenous communities regarding the development, operation and decommissioning of the Project” (NexGen Energy Ltd., 2019). Achieving the following engagement objectives will encourage a positive path forward for the Rook 1 Project;

1. Develop sustainable relationships with the Athabasca communities based on trust and respect;
 - Trust and respect are developed over time. It is encouraging to see that NexGen has been proactive in engaging with various Indigenous groups but disappointing that minimal to no

engagement has occurred with the Athabasca communities especially since the proposed project site is within the Traditional Territory of the Athabasca Denesuline. Ya'thi Néné expects the relationship between the Athabasca Basin communities and NexGen will grow and evolve as the Project advances.

2. Clear communication using appropriate language and approved formats;
 - Being honest and accommodating with communication will benefit NexGen's engagement strategies and relationships.
 - Translation of this information into a form that is effectively understood by community members will be important.
3. Provide Athabasca Basin communities with proactive and accurate information on the Project including information about potential environmental effects and monitoring results, training and employment opportunities and business development opportunities for all phases of the Project;
 - Ya'thi Néné has the capacity to assist in achieving this objective and can work closely with NexGen to develop and deliver information in a form that will be most appropriate.
4. Understand how the proposed development of the Project may impact Indigenous peoples' ability to use the land for hunting, fishing, trapping;
 - Concerns regarding these topics should become evident as early engagement activities occur. Ya'thi Néné expects continued conversations regarding these topics throughout the duration of the project. It will be beneficial to have up-to-date monitoring reports and information available to present and share during community engagement meetings. Ya'thi Néné would also recommend NexGen representatives be available for community meetings. Members will have questions for company representatives and will appreciate NexGen representatives visiting the communities. Ya'thi Néné will be available to help organize, prepare and guide these interactions.

5.2.1 Identified Communities

NexGen has developed a list of communities identified for engagement throughout the project. This list of communities is outlined in 'Table 5.2-1: Indigenous Groups Identified in Relation to the Rook I Project' (NexGen Energy Ltd., 2019). The communities outlined on the list have already been engaged with in some aspect and have expressed interest in continual follow-up. The environmental, social, and economical (both positive and negative) impacts of this project are wide reaching and will impact numerous communities throughout Northern Saskatchewan and particularly within the Athabasca Basin. For this reason, Ya'thi Néné expects NexGen to develop a presence and relationship with Athabasca Basin communities, and to increase engagement efforts with these communities.

5.2.3 Indigenous Engagement Plan

NexGen has developed an engagement plan specific to the Project and the Environmental Assessment process. The proposed Indigenous Engagement Plan follows a relatively standard approach and should accomplish most of the objectives as outlined by NexGen. Ya'thi Néné would recommend that a high degree of flexibility be maintained throughout the duration of the engagement process, as timelines and deliverables may change depending on feedback and insights provided from community leadership and members.

5.2.3 Capacity Funding to Support Engagement

Funding opportunities need to be clearly communicated and widely promoted, particularly to impacted communities. Additionally, there should be a relatively flexible period of time to accept applications and funding proposals.

The availability of funding to support land use studies, technical reviews, community workshops, and continued engagement will be beneficial for supporting a long lasting, and positive relationship between NexGen, industry regulators and the Athabasca Basin communities.

Closing Remarks

The NexGen Rook I Project is located within the Traditional Territory of the Athabasca Denesuline. Ya'thi Néné looks forward to building and maintaining a positive relationship with NexGen Energy Ltd. as the project continues to develop. We appreciate the opportunity to review and provide comments on the Rook I Project Description and participate early in the Environmental Assessment development and Indigenous engagement process. Such engagement opportunities are critical to ensure the consistent and timely flow of information from proponents to communities. Ya'thi Néné highly values knowledge sharing and meaningful engagement as it is essential to ensure our community members are meaningfully informed.

Works Cited

NexGen Energy Ltd. (2019). *Rook I Project*. Saskatoon : NexGen Energy Ltd.