

22nd B.C. MEND Workshop

Considering Different Perspectives when Defining Acceptable Levels of Environmental Contamination

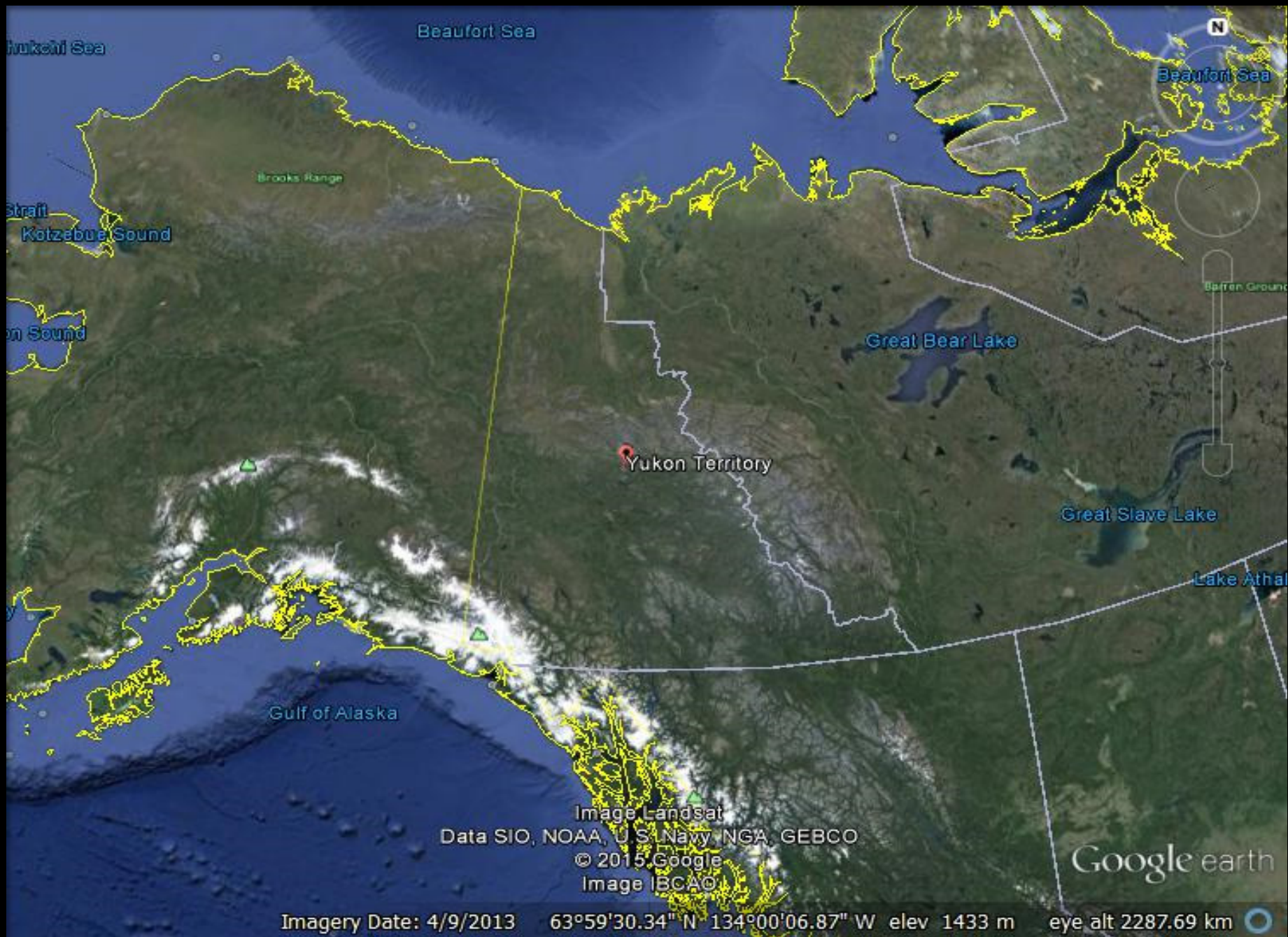


Josee Lemieux Tremblay, Mining Reclamation Coordinator, First Nation of Na-
Cho Nyäk Dun

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Nyäk Dun, Bill Slater, Slater Environmental



Photo: Evan Rensch, 2012



Chukchi Sea

Beaufort Sea

Beaufort Sea

Brooks Range

Straits
Kotzebue Sound

Sound

Great Bear Lake

Yukon Territory

Great Slave Lake

Lake Athabasca

Gulf of Alaska

Image Landsat

Data SIO, NOAA, U.S. Navy, NGA, GEBCO

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Image IBCAO

Google earth

Imagery Date: 4/9/2013 63°59'30.34" N 134°00'06.87" W elev 1433 m eye alt 2287.69 km

First Nation of Nacho Nyak Dun's Traditional Territory



This map is produced for information purposes only.





FIRST NATION OF NACHO NYAK DUN

FINAL AGREEMENT





Photo: Evan Rensch, 2012

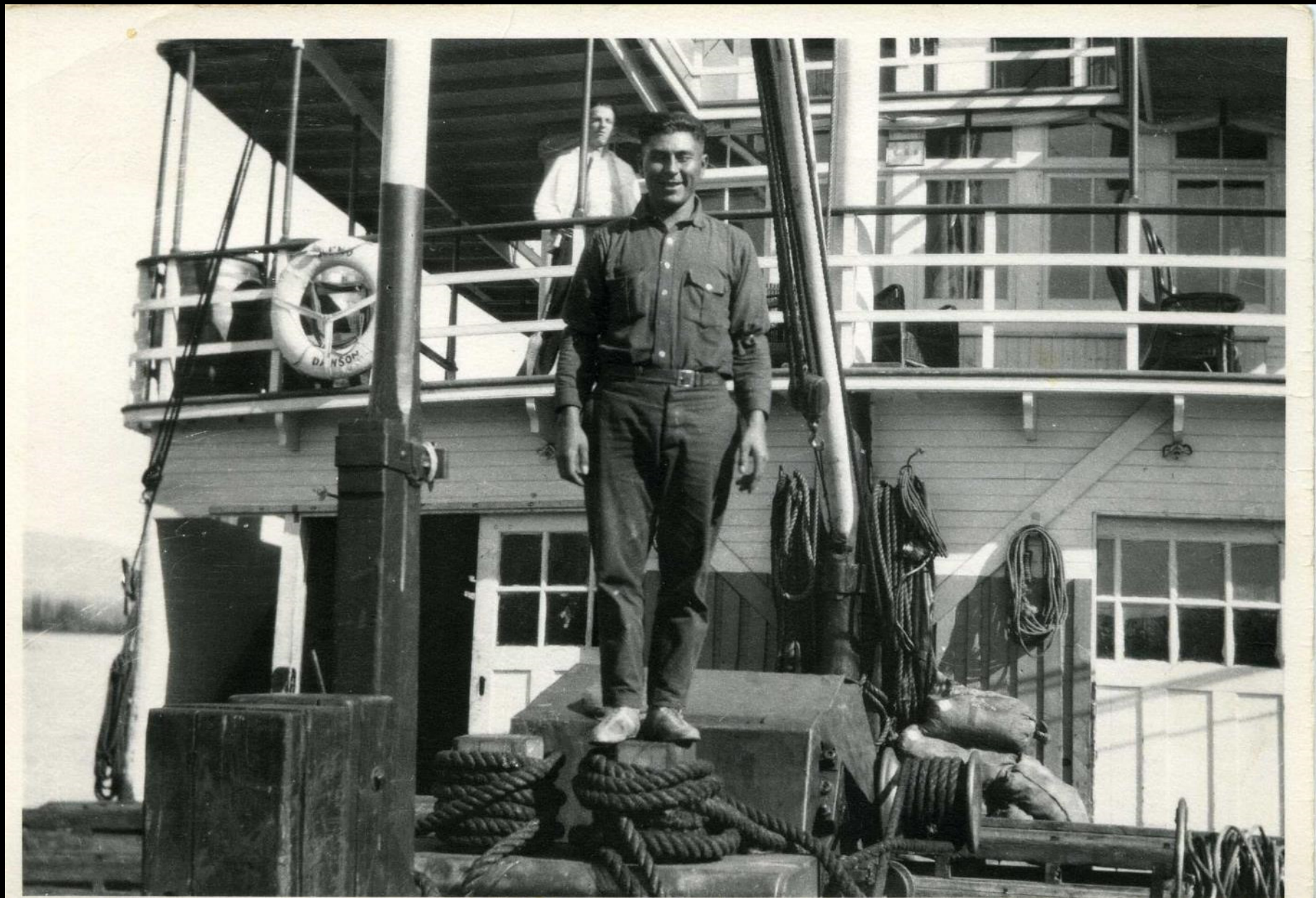


Photo: Yukon Archives, Dave Hager Collection



Photo: Evan Rensch, 2012



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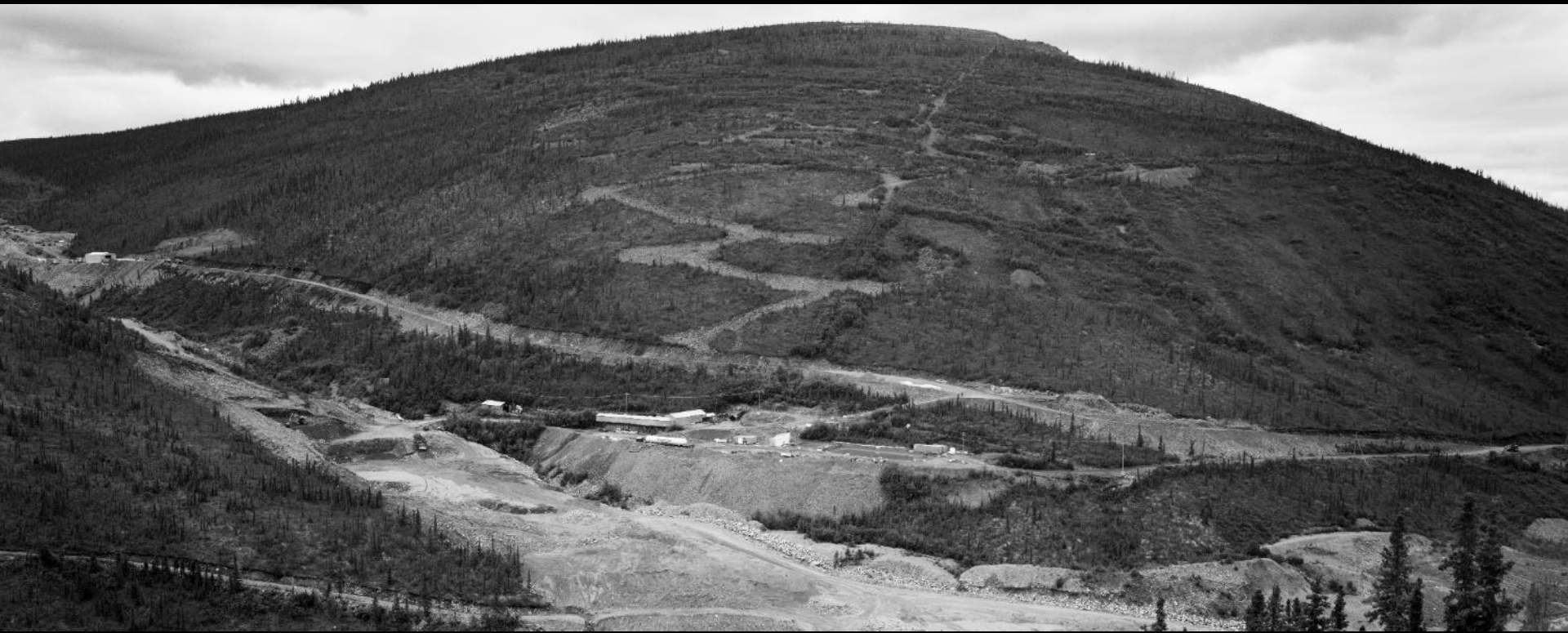


Photo: Evan Rensch, 2012

NND Governance Policy – Core Purpose

The purpose of the Council is to protect the collective rights of all citizens of the First Nation of Nacho Nyak Dun, ensuring the continuation of our role as custodians of the territory's lands, waters and resources, and to promote a healthy and vibrant community in which all citizens live and work in a safe and responsible manner with respect for the elders, the community, and the traditions of the First Nation.





Photo: Evan Rensch, 2012

- Contaminants from mining will affect people's subsistence and cultural activities, often leading to effects on health and community vitality.
- Scientific interpretation about thresholds or guidelines does not always provide resolution.
- Affected by past experience, trust, perception, understanding and opportunities.

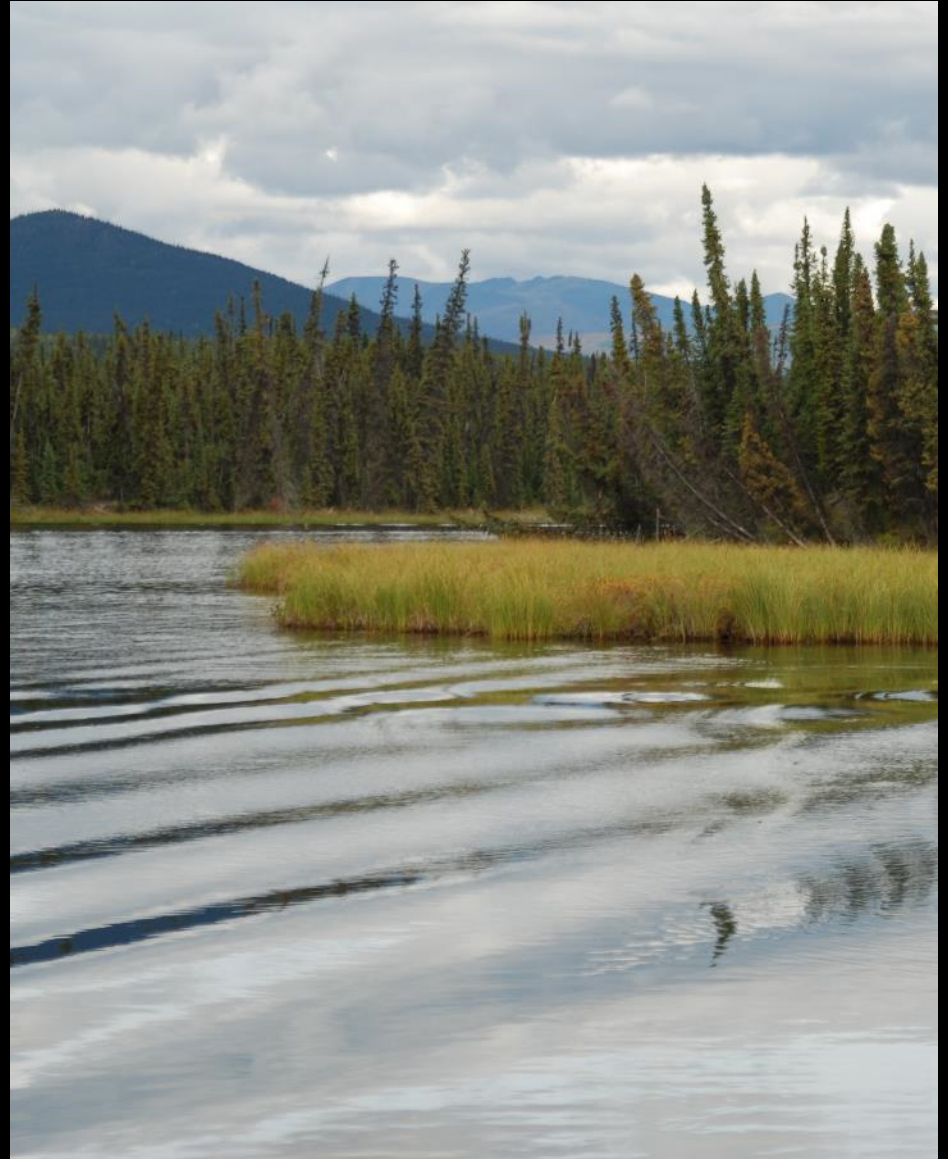
Approaches to Setting Water Quality Objectives



- Use Protection
 - Preventing effects on specific uses
- Non-Degradation
 - Maintain natural conditions

Use Protection

- Scientific interpretation of what is protective
- Assumptions about what “uses” matter
- Foreclosure on future opportunities



Non-Degradation

- Treaty requirements
- Different perspectives about values
- Traditional law
- High value or high risk waters
- Effects that science doesn't see



Site-specific Objectives



- Most procedures focus on use protection
 - Water Effects Ratio
 - Resident Species
 - Recalculation Procedure
- Background concentration procedure
 - Non-degradation, depending on how it is applied

Treaty Requirements



- Government obligation to honour treaty rights – Section 35 of constitution
- Treaties establish rights:
 - Water rights
 - Harvesting rights
- Right to have water remain substantially unaltered, i.e., non-degradation



Example No. 1

Environmental Monitoring Program



Water Sampling



Joint Sampling Program with Industry



Benthic Assessment of Creek and drainages





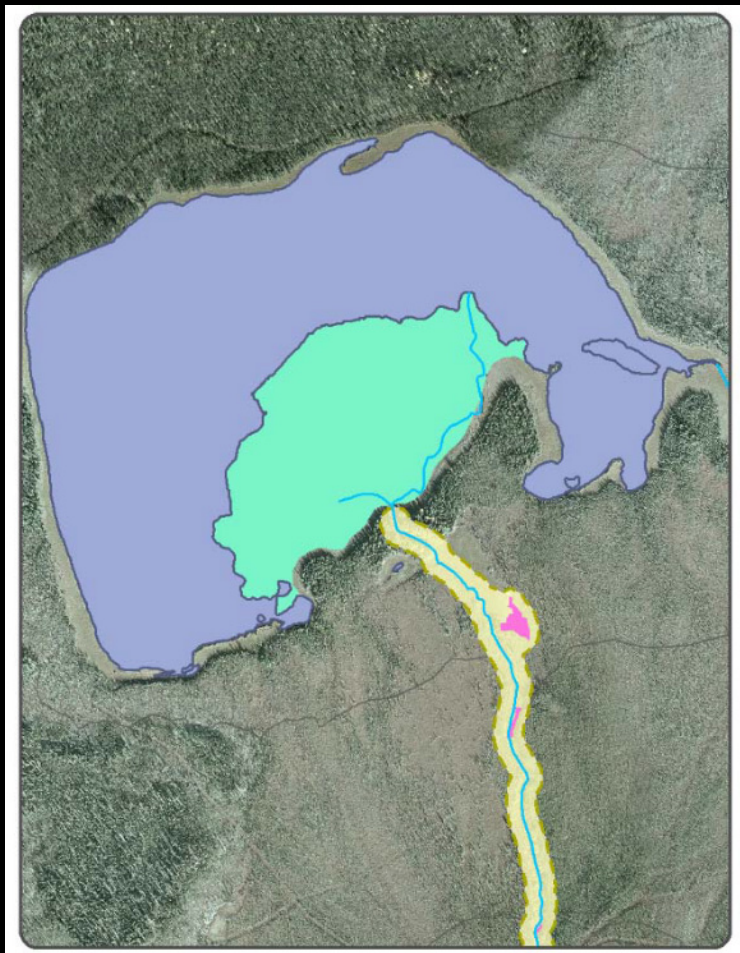
Example No. 2

Wernecke Tailings Reclamation



Reclamation

Priorities for Lake and delta



- Limiting water flushing of tailings
- Land use and aesthetics, restore the land
- Limit high level of loading from up-gradient
- Encourage physical stability in the lake

Conclusions



Photo: Evan Rensch, 2012

- Decision making about water quality should consider a range of perspectives
- Science provides one perspective but it is not the only one. Most often science begins with a value-based decision about what is important
- Collaboration builds trust which helps everyone make better decisions

Questions?

