



EA0607-003 Ur Energy Uranium Exploration Screech Lake

Information Request Submissions Review and Reasons for Decision

Submissions from the BQCMB

IR Number: BQCMB-1

Source: BQCMB

To: Ur Energy

Issue: Scope of Development – Project Description - Timing

Preamble:

Inconsistent and incomplete information is provided concerning the time period and seasons during which development is proposed. The developer's land use permit application and their environmental screening study are particularly vague regarding the timing of proposed work after the first March-May 2007 drilling program.

Request:

Please provide information about the maximum time period proposed for this development and the timeframe and months in which exploration work would occur after the first March-May 2007 drilling season.

Review/Decision

This submission was combined with several other submissions into IR0607-003-05 'Timing of Activities'.

IR Number: BQCMB-2

Source: BQCMB

To: Ur Energy

Issue: Scope of Development – Project Description – Aircraft use

Preamble:

The permit application states that all movement of equipment and personnel will be by helicopter, but does not provide details concerning the timing, frequency or number of flights that will occur for the drilling program or during camp set-up or removal.

Request:

Please describe the number, timing, type and frequency of flights required for camp set up, support and removal, and for moving crews during the exploration work (to/from and within the study area), as well as whether an airstrip is required for fixed wing aircraft.

Review/Decision

This submission was combined with several other submissions into IR0607-003-06 'Air Traffic'.

IR Number: BQCMB-3

Source: BQCMB

To: Ur Energy

Issue: Effects of drilling activities on wildlife

Preamble:

The application states that “temporary displacement and stress on individuals” will likely result from noise, lights and dust generated by drilling activities (p. 63), and that disturbance to wildlife resulting from these activities will be frequent (p. 64). The authors acknowledge that the use of mufflers and best work practices will at best “partially mitigate” these effects. They then conclude that “residual impacts to wildlife and wildlife habitat are anticipated to be minor in magnitude” and that both overall impacts on wildlife and cumulative impacts “are anticipated to have a negligible environmental consequence” (p. 64). The permit application states that the impact of noise is reversible.

Request:

Please provide information to support these statements including:

The best practices that will be used to mitigate the effects of drilling activities, including practices intended to reduce effects on caribou.

Methods and results of the analysis conducted to determine that residual impacts will be minor.

Methods and results of the analysis conducted to determine that overall impacts on wildlife and cumulative impacts will have a negligible environmental consequence.

Review/Decision

This submission was combined with several other submissions into IR0607-003-9 'Methods and Conclusions'. The combined IR asks the developer to provide the methods used to derive a number of conclusions presented in its application.

IR Number: BQCMB-4

Source: BQCMB

To: Ur Energy

Issue: Wildlife impacts and mitigation measures

Preamble:

The application states that “While potential migration routes exist within the target area mitigation measures throughout the drilling Program will be taken to reduce the interaction and disturbance of any migratory animals, local birds, and vegetation within the target area.” (p. 63)

Request:

Please identify the measures that will be used to mitigate impacts to migratory animals, birds and vegetation.

Review/Decision

This submission was combined with several other submissions into IR0607-003-07 'Best Practices'. The combined IR asks the developer to identify and describe 'best practices' or mitigation proposed for a number of issues.

IR Number: BQCMB-5

Source: BQCMB

To: Ur Energy

Issue: Caribou impacts and mitigation measures – Spring migration

Preamble:

Although the proponent correctly identifies the project area as being located on a primary spring migration route for barren ground caribou, they propose that drilling activity occur during the caribou spring migration period (April and May). It is unclear whether the proponent recognizes the vulnerability of pregnant caribou during this period or the risk that disturbance may impose on the health of caribou cows or their fetuses, particularly during the month of May when cows are in poorest condition and may be weakened by further stresses. The permit application and application fail to adequately describe potential impacts to barren ground caribou during spring migration and mitigation measures to address these issues.

Request

Please identify the following:

- Direct and indirect impacts of camp set up, support and maintenance, and exploration activities on caribou during spring migration.
- Mitigative actions that will be taken to avoid or mitigate potential impacts while caribou are migrating through the study area, particularly where drilling will occur within 5 km of key water crossings.

Review/Decision

This submission was combined with several other submissions into IR0607-003-08 'Caribou Mitigation'.

IR Number: BQCMB-6

Source: BQCMB

To: Ur Energy

Issue: Caribou impacts and mitigation measures – Winter

Preamble:

The application states that “As much of the exploration activities will occur during winter months a low residual impact is anticipated for wildlife” (p. 63). However, the proponent acknowledges that there may be caribou present in the area during the winter period. The permit application and application fail to adequately describe potential impacts of exploration on barren ground caribou on their winter range and mitigation measures to address these issues.

Request:

Please indicate what mitigation measures will be employed to ensure that the residual impact of exploration activities on barren-ground caribou during winter will be low. This should include actions that will be taken to reduce the impacts on caribou during winter from drilling and from flights required to move people or materials.

Review/Decision

This submission was combined with several other submissions into IR0607-003-08 'Caribou Mitigation'.

IR Number: BQCMB-7

Source: BQCMB

To: Ur Energy

Issue: Cumulative effects on caribou

Preamble:

The MVLWB approved a land use permit for Uravan's Boomerang Lake operation for May 2006 – May 2008, and Ur-Energy has requested a permit for Jan/07 to Dec/11. Therefore there is potential for the Uravan and Ur-Energy drilling programs to be run concurrently in winter-spring 2007/08, or perhaps additional years if Uravan receives additional permits or extensions. Consequently, exploration activities may occur at the same time on both sides of the Thelon River (approximately 15 km apart) in an area which has been identified as a primary spring migration route for barren ground caribou, and where there are many key water crossings. The authors conclude that both overall impacts on wildlife and cumulative impacts "are anticipated to have a negligible environmental consequence" (p. 64).

Request:

Please provide the methods and results of the analysis that was used to determine that the cumulative impact on barren ground caribou of this development in combination with the Uravan development would be negligible.

Review/Decision

This submission was combined with several other submissions into IR0607-003-9 'Methods and Conclusions'. The combined IR asks the developer to provide the methods used to derive a number of conclusions presented in its application.

IR Number: BQCMB-8

Source: BQCMB

To: Ur Energy

Issue: Effects of exploration activities on traditional land uses

Preamble:

According to the application, traditional hunting and trapping by Lutsel K'e residents occurs in the region (p. 45), fishing and hunting have been practiced by up to 74% of the people of Lutsel K'e as recently as 2003, up to 34% of residents have trapped as recently as 1998, and these are some of the highest rates of traditional land use for NWT communities (p. 57). The authors appear to have only evaluated the direct effects of exploration on current land use activities such as trapping and hunting, and on this basis conclude that the residual impacts of the exploration project on traditional land uses will be negligible (p. 65).

Request:

Please indicate how the indirect effects of exploration were taken into account when assessing the residual impacts of the proposed project on traditional caribou harvesting. These indirect effects would include a possible change in migration routes to avoid the project area that could result in reduced availability of caribou for hunters from Lutsel K'e.

Review/Decision

This submission was combined with several other submissions into IR0607-003-9 'Methods and Conclusions'. The combined IR asks the developer to provide the methods used to derive a number of conclusions presented in its application.

IR Number: BQCMB-9

Source: BQCMB

To: MVEIRB

Issue: Cumulative impacts on caribou

Preamble:

Sec. 117(2) of the MVRMA requires the MVEIRB to include consideration of "the impact of the development on the environment, including . . .any cumulative impact that is likely to result from the development in combination with other developments" and "the significance of any such impact". In the work plan for this EA, MVEIRB acknowledges that "Cumulative impacts on caribou (and associated harvesting and cultural impacts) are an important consideration in this assessment."

Because barren-ground caribou herds migrate annually across a large area, they can be exposed to a large number of developments over time and space. Therefore cumulative effects assessment for barren-ground caribou should include consideration of developments across their ranges. The 25-km radius used by Ur-Energy to assess cumulative effects of their proposed project is clearly not adequate for evaluating cumulative impacts on migratory barren-ground caribou.

Request:

Please explain how the following will be assessed during this EA:

- The cumulative impact of this proposed development in combination with other developments (particularly other mineral exploration activities) across the Beverly and Ahiak caribou ranges, which include portions of NWT, Saskatchewan, and Nunavut.
- The impact on caribou harvesting that would potentially result from reduced availability of caribou for hunters following a change in migration routes to avoid the project area.
- The significance of these impacts on caribou and on people who rely on commercial or subsistence harvesting of these caribou herds.

Review/Decision

The MVEIRB cannot issue an information request to itself. The MVEIRB will, however, consider the questions posed by the BQCMB in its deliberations.

In conducting an environmental assessment the Review Board analyzes and considers all evidence brought before it by the parties to the EA as well as comments from members of the public. The EA, including the determination of significance is guided by the MVEIRB's Environmental Impact Assessment Guidelines.

Some of the information sought by this submission is expected to part of the response to IR0607-003-9 'Methods and Conclusions' which contains a question regarding indirect impacts on harvesting through a change in migration routes.

Submissions from Environment Canada

Environment Canada-1

1. On page 2 of "*Environmental Screening Study for Ur-Energy Inc. Permit Application to Conduct Uranium Exploration Drilling at Screech Lake, Northwest Territories*" by Golder Associates Ltd., it is stated
"Drill cuttings will be contained at the drilling site in natural depressions so that there will be no dispersion of the cuttings to nearby waterbodies."

In Appendix I on page I-4, "*Transcript of the Meeting between the Lutsel K'e Dene First Nation Land and Environment Committee with Ur-Energy 7 June 2006, Lutsel K'e*", the following exchange is found:

Councillor Florence Catholique asked "*What happens to the drill silt? Will there be a settling sump?*" The response from Jack Charlton, Ur-Energy Inc. was "*Cuttings from the drill hole go back down the hole.*"

Please clarify the method of disposal for the drill cuttings, i.e. will the drill cuttings be disposed of in a sump, or down hole?

Review/Decision

Waste management, including disposal of drilling waste, is not included in the scope of EA as defined by the Work Plan for this EA. Environment Canada has not provided compelling reasons to widen the scope to include this issue. The Review Board therefore concludes that this is a regulatory issue that can be dealt with by the regulatory authorities and their processes. The Review Board encourages dialogue between the parties and the developer on any issue within or outside the EA.

Environment Canada-2

2. On page 2 of "*Environmental Screening Study for Ur-Energy Inc. Permit Application to Conduct Uranium Exploration Drilling at Screech Lake, Northwest Territories*" by Golder Associates Ltd., it is stated
"Upon completion of the drilling Program, drums containing waste drill water will be removed from the site and properly disposed of at a designated waste disposal site."

Please identify the designated disposal site and provide confirmation that the designated facility is able to accept the drilling fluids.

Review/Decision

Waste management, including disposal of drilling waste, is not included in the scope of EA as defined by the Work Plan for this EA. Environment Canada has not provided compelling reasons to widen the scope to include this issue. The Review Board therefore concludes that this is a regulatory issue that can be dealt with by the regulatory authorities and their processes.

Environment Canada-3

3. Environment Canada requests that Ur-Energy Inc. supply confirmation that they have received permission from the City of Yellowknife to transfer proposed waste types and quantities to community waste handling facilities.

Review/Decision

Waste management is not included in the scope of EA as defined by the Work Plan for this EA. Environment Canada has not provided compelling reasons to widen the scope to include this issue. The Review Board therefore concludes that this is a regulatory issue that can be dealt with by the regulatory authorities and their processes. The Review Board encourages dialogue between the parties and the developer on any issue within or outside the EA.

Environment Canada-4

4. On page 4 of “*Environmental Screening Study for Ur-Energy Inc. Permit Application to Conduct Uranium Exploration Drilling at Screech Lake, Northwest Territories*” by Golder Associates Ltd., it is stated
“During the Program all combustible garbage will be incinerated daily in an approved incinerating device.”

Please identify the make, model and year of the incinerator, and identify if the incinerator proposed meets Canada Wide Standards for Mercury Emissions, and Furan and Dioxins.

Review/Decision

Waste management, is not included in the scope of EA as defined by the Work Plan for this EA. Environment Canada has not provided compelling reasons to widen the scope to include this issue. The Review Board therefore concludes that this is a regulatory issue that can be dealt with by the regulatory authorities and their processes. The Review Board encourages dialogue between the parties and the developer on any issue within or outside the EA.

Environment Canada-5

5. Throughout the permit application there are references that the work for this proposed project will be conducted in the winter months (e.g. page 63 of "*Environmental Screening Study for Ur-Energy Inc. Permit Application to Conduct Uranium Exploration Drilling at Screech Lake, Northwest Territories*" by Golder Associates Ltd., where it states "Furthermore, all drilling activities are planned for the winter months...")

In the EA0607-003 *Ur Energy Uranium Exploration Screech Lake Work Plan* by the Mackenzie Valley Environmental Impact Review Board, on pages 2 to 3, it is stated "An initial five holes are to be drilled between March and May of the first winter. Subsequent holes would be drilled over a period of up to five years. The land use permit application does not specify a timeframe or season within that period of time."

Please confirm seasonality of annual activities planned for the proposed project. If activities are to occur outside of the winter season, please provide anticipated impacts and mitigation measures which will be used to reduce or eliminate the impact to the receiving environment.

Review/Decision

This submission was combined with several other submissions into IR0607-003-05 'Timing of Activities'.

Submissions from the GNWT

GNWT-1

IR Number: Number is assigned by MVEIRB
Source: GNWT
To: Ur Energy
Issue: Project description

Preamble

The developer's land use permit application and the "Environmental Screening Study for Ur Energy Inc. Permit Application to Conduct Uranium Exploration Drilling at Screech Lake, Northwest Territories" contain different information on the length of the proposed exploration program.

Request

Please identify whether the potential length of the proposed exploration program (maximum of 20 drill holes) is two or five years. In addition, please provide the months of the year(s) that exploration activities will take place and what these activities will be.

Review/Decision

This submission was combined with several other submissions into IR0607-003-05 'Timing of Activities'.

GNWT-2

IR Number: Number is assigned by MVEIRB

Source: GNWT

To: Ur Energy

Issue: Best practices

Preamble

“Noise, lights and dust generated by drilling activities may cause temporary displacement and stress on individuals of wildlife species that utilize habitats within and adjacent to the target areas. The geographic extent of the disturbance will depend on the location of the drill pads as well as the physical presence of machinery and workers. The use of mufflers and best work practices should partially mitigate these effects.” (Direct quote from page 63 of the Environmental Screening Report)

Request

Please identify the best work practices that will be used to mitigate these impacts.

Review/Decision

This submission was combined with several other submissions into IR0607-003-05 ‘Best Practices’. The combined IR asks the developer to identify and describe ‘best practices’ or mitigation proposed for a number of issues.

GNWT-3

IR Number: Number is assigned by MVEIRB
Source: GNWT
To: Ur Energy

Issue: Best practices

Preamble

“While potential migration routes exist within the target area mitigation measures throughout the drilling Program will be taken to reduce the interaction and disturbance of any migratory animals, local birds, and vegetation within the target area.” (Direct quote from page 63 of the Environmental Screening Report)

Request

Please identify the best work practices and measures that will be used to mitigate impacts to migratory animals, local birds and vegetation.

Review/Decision

This submission was combined with several other submissions into IR0607-003-07 ‘Best Practices’. The combined IR asks the developer to identify and describe ‘best practices’ or mitigation proposed for a number of issues.

GNWT-4

IR Number: Number is assigned by MVEIRB
Source: GNWT
To: Ur Energy
Issue: Caribou impacts and mitigative measures

Preamble

The proponent identifies in the Screening Report (p. 25) that the project area is located in the spring migratory path for barren ground caribou (namely the Beverly and Ahiak herds) and proposes that drilling activity occur during April and May, which overlaps with the spring migration. Caribou cows during this time period are in their last trimester of pregnancy and are often in poor physical condition. Therefore, direct disturbances that require additional energy expenditure or interfere with feeding can have significant negative impacts on caribou health during this time period. The permit application and screening report fail to adequately describe impacts and mitigative measures to barren ground caribou associated with the project:

Request #1.

Please identify the following:

- Number, timing, type or frequency of fixed wing and rotary wing flights required for:
 - Camp set up, support and removal, and
 - Moving crews during the exploration work (to/from and within the study area).
- Whether an airstrip is required for fixed wing aircraft.
- Direct and indirect impacts of camp set up, support and removal, and exploration activities on caribou.
- Mitigative actions that will be taken to avoid or reduce potential impacts while caribou are migrating through the study area.

- Mitigative actions that will be taken to avoid or reduce the impacts on caribou in the study area during winter months or any other times of the year when explorations activities may occur.

Review/Decision

This submission was combined with several other submissions into IR0607-003-06 'Air Traffic' and IR0507-003-.08 'Caribou Mitigation'.

GNWT-5

Issue: Assessment of impacts to barren ground caribou and species listed under the federal Species at Risk Act (SARA) and by the Committee for the Status of Endangered Wildlife in Canada (COSEWIC).

Preamble

The authors conclude that “residual impacts to wildlife and wildlife habitat are anticipated to be minor in magnitude” (p. 64) and that both overall impacts on wildlife and cumulative impacts “are anticipated to have a negligible environmental consequence” (p. 64, 70), with no supporting analysis or results. This is despite the acknowledgement that “temporary displacement and stress on individuals” will likely result from noise, lights and dust generated by drilling activities, and that disturbance to wildlife resulting from their activities will be frequent (p. 63).

Request #2.

What information or analysis was used to determine that the project would have a negligible impact on SARA and COSEWIC listed species (i.e. grizzly bear, wolverine, peregrine falcon, short-eared owl) and barren ground caribou?

Review/Decision

This submission was combined with several other submissions into IR0607-003-9 'Methods and Conclusions'. The combined IR asks the developer to provide the methods used to derive a number of conclusions presented in its application.

GNWT-6

Issue: Cumulative effects on barren ground caribou and species listed under the federal Species at Risk Act (SARA) and by the Committee for the Status of Endangered Wildlife in Canada (COSEWIC).

Preamble

The MVLWB approved a land use permit for Uravan's Boomerang Lake operation for May 2006 – May 2008, and Ur-Energy has requested a permit for Jan/07 to Dec/11. Therefore there is potential for the Uravan and Ur-Energy drilling programs to be run concurrently in winter-spring 2007/08, or perhaps additional years if Uravan receives additional permits or extensions. Consequently, exploration activities may occur concurrently on both sides of the Thelon River that has been identified as an identified spring migration route for barren ground caribou and has important water crossings.

Request #3.

Please provide the information sources and analysis that was used to determine that the cumulative impact on migrating barren ground caribou and SARA/COSEWIC listed species (i.e. grizzly bear, wolverine, peregrine falcon, short-eared owl) is negligible.

Review/Decision

This submission was combined with several other submissions into IR0607-003-9 'Methods and Conclusions'. The combined IR asks the developer to provide the methods used to derive a number of conclusions presented in its application.

GNWT-7

- IR Number:** Number is assigned by MVEIRB
- Source:** GNWT
- To:** Ur Energy
- Issue:** Waste management and attraction of carnivores
- Preamble:** UR Energy states in its application that combustible wastes will be incinerated daily. Improper food and waste storage, handling and disposal can lead to the attraction and subsequent habituation of bears and other carnivores (e.g. wolverines) ultimately leading to the need for removal or destruction of animals. Further, the storage of wastes in a manner that attracts wildlife is a violation of the Wildlife Act.
- Request:** Please provide a detailed waste management plan that addresses how the attraction of carnivores to the site will be controlled. This could include:
- Layout of camp infrastructure
 - Segregation and storage of wastes
 - Proper cleaning of recyclables
 - Details on the incinerator to be used
 - Electric fencing
 - Disposal of incinerator residue

Review/Decision

Waste management is not included in the scope of EA as defined by the Work Plan for this EA. The GNWT has not provided compelling reasons to widen the scope to include this issue. The Review Board therefore concludes that this is a regulatory issue that can be dealt with by the regulatory authorities and their processes. The Review Board encourages dialogue between the parties and the developer on any issue within or outside the EA.

Submissions from the NWT Treaty #8 Tribal Corporation

IR #: Treaty 8 Corp-1
Source: NWT Treaty #8 Tribal Corporation
To: UR-Energy Inc.
Issue: Cumulative Effects

Preamble

UR-Energy defines a study area of 25 km in radius around Screech Lake, maintaining that such a study area contains all of the past, current, and reasonably foreseeable human-related activities that may have cumulative impacts on the environment. However, the entire Thelon Basin geological formation has been, is currently, and will in the future be under scrutiny or development by a multitude of exploration / uranium development companies in addition to UR-Energy and Uravan. Currently Pathfinder / Bayswater, Cogema, Cameco, Titan, Strongbow, Diamonds North, and others are actively exploring in the area. Many of these companies are engaged in staking and geophysical activities. A spokesman for Bayswater, the largest mineral claim holder in the Thelon Basin, has said “We believe the Thelon Basin will attract increasing interest from junior and senior mining companies and become a major region for uranium exploration.” This is proving to be the case, and the amount of mineral claims in the area have more than doubled over the summer of 2006 – indeed, the Thelon basin has seen the most active mineral staking in the NWT over the past year.

In order to adequately assess cumulative effects, it is critical that a study area not be so small as to not allow the forest to be seen for the trees. Considering a study area of only 25 km in radius would limit assessment to one or two “trees”. However, to properly assess cumulative effects, we must be able to see the “forest”. Cumulative effects assessment, in effect, is looking at the big picture.

Caribou and water are most likely to be impacted by mineral exploration in the Thelon Basin, and are certainly of the greatest import to aboriginal peoples. If a study area is to include the potential cumulative impacts upon these “environmental components”, it must have a much larger radius than 25km, and indeed perhaps a shape much different than a simple circle. An appropriate study area would be the Thelon Basin, which conforms adequately in shape and size to both the watershed and the range of the Beverly caribou herd.

Request

Will UR-Energy define the Thelon Basin as their study area for cumulative effects assessment? If not, why not, and explain how a 25 km in radius study area can capture the cumulative impacts of past, present, and future uranium exploration in the Thelon Basin upon caribou and water?

Review/Decision

The work plan for the EA defines the spatial boundaries for the assessment and the Review Board will consider evidence of impacts within these boundaries. The Review Board did not specify one study area but allowed variable spatial boundaries depending on the environmental component. For example for caribou the spatial boundaries go beyond the Thelon watershed. Information Requests issued by the Review Board to various government departments refer to a larger study area.

Asking the developer to define a study area would be helpful if the developer were asked to produce a Developer's Assessment Report. However, the Review Board did not require a DAR as explained in the Work Plan for this EA. In making the decision not to require a DAR the Review Board considered the already available information on the public record as well as the scope of the development.

IR #: Treaty 8 Corp-2
Source: NWT Treaty #8 Tribal Corporation
To: UR-Energy Inc.
Issue: Cumulative Effects

Preamble

UR-Energy defines a temporal boundary for cumulative effects assessment from 1979 to 2007. Given the ever increasing value of uranium, the recently acquired land positions of many companies, and the preliminary steps many other exploration companies have taken in the Thelon Basin, it is reasonably foreseeable that the Thelon Basin will be subject to relatively intense development pressure in the future. Consequently, the temporal boundary of the cumulative effects assessment should extend reasonably farther into the future. An adequate temporal boundary would be from 1979 to 2017. This should allow for the exploration activity to play itself out in the area.

Request

Will UR-Energy consider a temporal boundary of 1979 to 2017? If not, why not?

Review/Decision

The work plan for the EA defines the temporal boundaries for the assessment and the Review Board will consider evidence of impacts within these boundaries. The Review Board, following its own EIA Guidelines will consider cumulative effects as effects from the proposed development in combination with effects of other past, current or reasonably foreseeable future developments. The Work Plan and the EIA Guidelines do not set specific time limits on the consideration of

cumulative effects. Depending on the evidence brought before it, the Board will consider impact of development prior to 1979 and beyond 2017.

IR #: Treaty 8 Corp-3
Source: NWT Treaty #8 Tribal Corporation
To: MVEIRB
Issue: Cumulative Effects

Request

Will UR-Energy be required to consider spatial and temporal study areas (e.g. Thelon Basin and 1979-2017) that are suitable in size, shape, and duration to properly assess cumulative effects, particularly those that pertain to caribou and water?

Review/Decision

The MVEIRB cannot issue an information request to itself. The MVEIRB will, however, consider the questions posed by the Treaty 8 Corporation in its deliberations.

IR #: Treaty 8 Corp-4
Source: NWT Treaty #8 Tribal Corporation
To: INAC
Issue: Study into the effects of uranium exploration in the Thelon Basin

Preamble

INAC committed some time ago (early 2006), following a request pursuant to Section 4 of the Policy Direction to the Mackenzie Valley Land and Water Board regarding the Akaitcho Dene First Nations (February 23, 2004), to conduct a study in order to evaluate the effects of exploration activities in the Thelon basin upon the exercise of aboriginal and treaty rights. This study has yet to be initiated. This study is critical to address the scarcity of information about both the cumulative effects of uranium exploration in the area and the practice of aboriginal and treaty rights.

Request

Without any substantive information about the practice of aboriginal and treaty rights in the Thelon Basin and how they might be impacted by the cumulative impacts of uranium exploration, how will INAC insure that these rights are protected?

Review/Decision

The EA process has no way of addressing the issue of treaty rights per se. The EA process identifies impacts on the environment as well as ways to mitigate these impacts. How INAC disposes of its responsibilities in regards to treaty rights is outside the scope of an environmental assessment.

IR #: Treaty 8 Corp-5
Source: NWT Treaty #8 Tribal Corporation
To: MVEIRB
Issue: Consideration of impacts upon aboriginal and treaty rights

Preamble

The MVEIRB, as a federal institution of public government, has a constitutional obligation to protect aboriginal and treaty rights.

Request

Will the MVEIRB insure that rights-based assertions have been adequately addressed through consultation, accommodation, and potentially compensation prior to completing the EA and submitting a recommendation to the responsible Minister?

Review/Decision

The MVEIRB cannot issue an information request to itself. The MVEIRB will, however, consider the questions posed by the Treaty 8 Corporation in its deliberations. The MVEIRB operates under the Mackenzie Valley Resource Management Act (MVRMA) and endeavors to meet the consultation requirements as set by the MVRMA.

IR #: Treaty 8 Corp-6
Source: NWT Treaty #8 Tribal Corporation
To: GNWT
Issue: Archaeological and cultural resources in the area between Beaverhill Lake and the Thelon River

Preamble

UR-Energy recognized the likelihood that its proposed activities would encounter previously unrecorded archaeological sites, and indeed anticipated a heritage assessment. However, the Prince of Wales Northern Heritage Center determined that a heritage assessment was not needed in the area of proposed exploration activity. This

determination was made without consultation with any of the Akaitcho Dene First Nations. Had consultation occurred, the Prince of Wales Northern Heritage Centre would have been made privy to the fact that Akaitcho considers the area between Beaverhill Lake and the Thelon River to be of extremely high cultural significance. It is certain that unrecorded archaeological sites exist in the area, and the Akaitcho Dene have identified some particularly special burial and historic sites connected to cultural legends and stories. Without proper documentation of these sites and implementation of protective measures, it is likely that they will be compromised by exploration activities.

Request

Given the likelihood that unrecorded archaeological sites are extremely densely distributed in the area of activity proposed by UR-Energy, how will the PWNHC (GNWT) insure that heritage resources are protected?

Review/Decision

While impacts on archeological resources were not defined as being within the scope of the EA in the work plan, information related to the presence and protection of archeological resources is directly related to the issue of cultural importance of the area, which is within the scope of the EA. Therefore the Review Board issued this IR.

IR #: Treaty 8 Corp-7
Source: NWT Treaty #8 Tribal Corporation
To: INAC
Issue: Commitment to implement the Thelon Game Sanctuary Management Plan

Preamble

Canada committed to the implementation of the Thelon Game Sanctuary Management Plan in their ratification of the Nunavut Land Claim Agreement. Since then, all the relevant authorities in Nunavut have approved a draft management plan. In the NWT, all the relevant authorities, including the GNWT, have provided support in principle for the advancement of a management regime for the Sanctuary and moving ahead with exploring opportunities for more active protection of the Thelon Basin.

Contemplated in the Management Plan is the creation of a “Special Management Area” in the upper Thelon Basin. Such an area could prove critical for the protection of the Thelon headwaters and the Beverly caribou herd.

On the one hand, Canada supports the advancement of a more active management regime for the Sanctuary, including investigating the feasibility of a “Special Management Area” in the upper Thelon. On the other hand, Canada continues to compromise conservation in the upper Thelon through tacit approval of the continued encroachment of third-party

industrial interests in the area. Continued exploration activity in the upper Thelon Basin will increasingly compromise Canada's ability to deliver on their commitments to explore a more active role vis-a-vis conservation in the region.

Request

Will INAC cease to “run roughshod” over its own commitments and consider the implications of continued exploration (including activities proposed by UR-Energy) in the Thelon Basin on the implementation of the Thelon Game Sanctuary Management Plan?

Review/Decision

The EA process identifies impacts on the environment as well as ways to mitigate these impacts. How INAC disposes of its responsibilities is outside the scope of an environmental assessment.

IR #: Treaty 8 Corp-8

Source: NWT Treaty #8 Tribal Corporation

To: INAC

Issue: Cumulative effects assessment

Preamble

Following upon commitments to conduct better cumulative effects assessment in the NWT, INAC has invested considerable time and energy designing pertinent processes, procedures, and mechanisms. Most notable are perhaps the Cumulative Effects Assessment and Management Framework and the Cumulative Impact Monitoring Program.

Request

Will INAC bring its considerable experience investigating means to conduct cumulative effects assessment to bear on this environmental assessment? If so, how?

Review/Decision

The Review Board incorporated this submission into IR0607-003-2 'Industrial Developments (Cumulative Effects)'.

IR #: Treaty 8 Corp-9

Source: NWT Treaty #8 Tribal Corporation

To: UR-Energy Inc.

Issue: Consultation

Preamble

Canadian law requires that in instances where treaty and aboriginal rights might be infringed upon, consultation with parties potentially affected must ensue. The courts have set a certain standard for what constitutes meaningful and adequate consultation.

Request

What is UR-Energy's approach to consultation with First Nations potentially infringed upon by their actions, and how does this approach meet the standards set by Canadian statute and case law?

Review/Decision

This submission was combined with several other submissions into IR0607-003-9 'Methods and Conclusions'. The combined IR asks the developer to provide the methods used to derive a number of conclusions presented in its application.

In keeping with the work plan for this EA, which does not require a Developer's Assessment Report, the Review Board did not require the developer to provide an analysis of the adequacy of its efforts to consult but simply to report those efforts.

IR #: Treaty 8 Corp-10

Source: NWT Treaty #8 Tribal Corporation

To: INAC

Issue: Consultation

Preamble

Canada has a constitutional and fiduciary obligation to protect treaty and aboriginal rights. Where these rights might be infringed upon, consultation with First Nations potentially affected must ensue. The courts have set a certain standard for what constitutes meaningful and adequate consultation.

Request

Has INAC dispensed of its duty to consult with the Akaitcho Dene First Nations in the matter of UR-Energy? If so, what measures were taken by INAC to insure due diligence in this matter, and how do such measures meet the tests set by the case law?

Review/Decision

The EA process has no way of addressing the issue of treaty and aboriginal rights per se. The EA process identifies impacts on the environment as well as ways to mitigate these impacts. How disposes of its responsibilities in regards to treaty and aboriginal rights is outside the scope of an environmental assessment.

Submissions from the Lutsel K'e Dene First Nation

LKDFN-1

Source: LKDFN

To: Ur-Energy

Issue: Period of Operation

Preamble:

The LUP application is for a 5-year permit (January 1, 2007 to December 31, 2011). However, several sections of the application detail different time periods. Section 3 states March 1-May 31, 2007. Section 5 states that up to 20 drill holes may be developed over the course of the “two year program”, and later in the section states that “*the initial program will begin as early as March 2007 and end in May 2007. The majority of drilling will occur during the winter of 2007/2008 [which implies not March-May 2007 but December 2007-May 2008], but may continue for the remainder of the permit period [which could be until December 31, 2011 and at any time throughout the year].*” Section 14 states “*March 1, 2007 to May 31, 2007 to complete proposed exploration as outlined above (5). May 31, 2007 to December 31, 2011 to complete further work contingent upon results of work outlined in (5)*”.

Request:

If you are applying for a 5-year permit, clarify the timing and duration of proposed drilling activities from January 1, 2007 to December 31, 2011.

Review/Decision

This submission was combined with several other submissions into IR0607-003-05 'Timing of Activities'.

LKDFN-2

Source: LKDFN
To: Ur-Energy
Issue: Location of drill holes being proposed

Preamble:

Section 5 of the application states that all holes will be “located in close proximity to Screech Lake (within 1.5km of the western end of Screech Lake), but may proceed into the other proposed areas depending on the findings. It is possible that drilling will take place near the Screech Lake shoreline.”

Request:

Based on the above statement, you have no detailed information available on precise drill hole locations for any of the 5 years you are applying for. Is this correct?

Review/Decision

This submission was combined with several other submissions into IR0607-003-9 ‘Methods and Conclusions’. The combined IR asks the developer to provide the methods used to derive a number of conclusions presented in its application.

LKDFN-3

Source: LKDFN
To: Ur-Energy
Issue: Number of drill holes being proposed

Preamble:

In terms of number of drill holes, the application states that 5 initial holes are proposed, but if the results are positive a maximum of 20 holes may be developed (Section 5). Later in the same section, it states that “the final location coordinates of each of the drill sites will be submitted to the Site Inspector at least 48 hours before the start of drilling activities”.

Request:

- a) Clarify whether this maximum of 20 holes is only for the initial two years, and how many additional drill holes you anticipate over the 5-year period you are applying for.
- b) Explain why drill hole locations may not be known exactly up until 48 hours from when drilling is to commence.

Review/Decision

This submission was combined with several other submissions into IR0607-003-9 'Methods and Conclusions'. The combined IR asks the developer to provide the methods used to derive a number of conclusions presented in its application.

LKDFN-4

Source: LKDFN

To: Ur-Energy

Issue: Seasonal timing of activities being proposed

Preamble:

The application states March 1-May 31, 2007 (Section 3), which we classify as late winter to early spring 2007. Section 5 confirms these dates (*"initial program will begin as early as March 2007 and end in May 2007"*), but the next sentence states that *"the majority of drilling will occur during the winter of 2007/2008 but may continue for the remainder of the permit period"* [which would mean December 2007-May 2008 but according to your 5-year application could be in all seasons from the winter of 2007 to winter 2011]. Section 6 under Terrain, Fish & Fish Habitat, and Soil & Vegetation confirms that all drilling activities are to be conducted in the winter months.

Request:

Clarify which dates and seasons you will be drilling in for the entire period you are applying for, 2007-2011.

Review/Decision

This submission was combined with several other submissions into IR0607-003-05 'Timing of Activities'.

LKDFN-5

Source: LKDFN

To: Ur-Energy, Golder

Issue: Impacts on Water Quality

Preamble:

The application states in Section 5 that *"water used in the drilling process will be pumped from the nearest available water supply (Screech Lake for drilling and Looksok Lake for camp site"*, and in Section 6 under Hydrology states that *"use of water from the Screech Lake target area is estimated to be in the order of less than 1/100th of one*

percent of the total drainage into the Thelon River basin”. However, the Golder report (3.5.1 Hydrogeology) states that: “Both surficial and bedrock hydrogeological information is lacking in the study area. At present only large territorial to national scale information is available...little to no hydrogeological information regarding bedrock aquifers exists....[estimates] would need to be confirmed with field investigation...these springs may indicate several aquifer systems, both surficial and deep, in the area”. Also, Section 3.6.2 states “No site specific streamflow data has been collected to date”, although “all drainages in the Screech Lake Program area drain to the Thelon River system”.

Request:

Clarify how you assessed the potential impacts on water quality when there is a total lack of site-specific information.

Review/Decision

Water quality and waste management issues, are not included in the scope of EA as defined by the Work Plan for this EA. The LKDFN has not provided compelling reasons to widen the scope to include these issues. The Review Board concludes that this is a regulatory issue that can be dealt with by the regulatory authorities and their processes. The Review Board encourages dialogue between the parties and the developer on any issue within or outside the EA.

LKDFN-6

Source: LKDFN
To: Ur-Energy, Golder
Issue: Impacts on Permafrost

Preamble:

Section 5 of the application states that “*during a previous drill program it was observed that permafrost was not present at the Screech Lake location*”. The Golder report (3.5.1) states that “*the regionally present permafrost layer is not present in the immediate vicinity of Screech Lake*”. However, later in the report it states “*it is expected that concerns of operations on permafrost will be the primary focus in the study area*” (4.3.2.1).

Request:

- a) What is the “immediate vicinity” of Screech Lake (ie. does it include only the area outlined in Figure 1)? Has the existence/non-existence of permafrost been confirmed for the other potential drilling locations outlined in Figure 1?
- b) Clarify the above statements: if there is no permafrost in the Screech Lake area, why would concerns of operations on permafrost be the primary focus?

Review/Decision

This submission was combined with several other submissions into IR0607-003-9 'Methods and Conclusions'. The combined IR asks the developer to provide the methods used to derive a number of conclusions presented in its application.

LKDFN-7

Source: LKDFN

To: Ur-Energy, MVEIRB

Issue: Potential for drilling to intersect uranium mineralization

Preamble:

The application states in Section 5 that *“in the event significant uranium mineralization is intersected, the best measures practice as laid out in the Mineral Exploration Guidelines for Saskatchewan will be followed”*.

Request:

Explain how the MVEIRB is to deal with the lack of NWT-specific guidelines for uranium exploration, and explain the relevance and applicability of the Saskatchewan guidelines, especially in the ecologically unique Thelon area.

Review/Decision

The MVEIRB cannot issue an IR to itself. The submission was combined with other submissions to IR0607-003-7 “Best Practices’ to the developer.

LKDFN-8

Source: LKDFN

To: Ur-Energy, Golder

Issue: Air Quality Impacts

Preamble:

In Section 6 of the LUP application, it states that *“based on the modelling predictions, the air quality impacts that could result from this project will be minor in magnitude, local, of short duration and reversible. The overall impact to air quality is expected to be negligible”*.

Request:

- a) Describe in detail the model used to predict air quality impacts, and what factors were included in the modeling (e.g. incineration of garbage, emissions from aircraft traffic, emissions from drilling, etc.)
- b) Clarify how any of this is “reversible”.

Review/Decision

Air quality issues, are not included in the scope of EA as defined by the Work Plan for this EA. The LKDFN has not provided compelling reasons to widen the scope to include these issues. The Review Board encourages dialogue between the parties and the developer on any issue within or outside the EA.

LKDFN-9

Source: LKDFN
To: Ur-Energy, Golder
Issue: Noise Impacts

Preamble:

In Section 6 of the LUP application, for noise levels it states that *“the proposed activity is local, of short duration and the impact is reversible therefore the overall impact is considered negligible”*.

Request:

- a) Has noise from helicopter and airplane activity been factored into the overall estimate of noise levels, or is it just for the drill rig?
- b) Clarify how any of this is “reversible”.
- c) For which animal species has the impact of noise been assessed (humans, caribou, fish, etc.)?

Review/Decision

This submission was issued as IR0607-003-10.

LKDFN-10**Source:** LKDFN**To:** GNWT-ENR (?) or other government regulatory body**Issue:** Noise Impacts**Preamble:**

In Section 6 of the LUP application, for noise levels it states that “*noise levels are not expected to exceed 94 dBA at 10m beyond the drill rig and will be well below any current regulatory criteria*”. In the Golder report (3.7.2.2), it states that “*while there are no published noise criteria in the NWT, the Alberta Energy and Utilities Board remote area criteria at 40 dBA at 1500m from activity is often used*”.

Request:

Please clarify what the current regulatory criteria are for noise levels, how they are determined, and if there are species-specific criteria. Also, explain the relevance of Alberta guidelines to the ecologically unique NWT in general and the Thelon area in particular.

Review/Decision

This submission was issued as IR0607-003-11.

LKDFN-11**Source:** LKDFN**To:** Ur-Energy, Golder**Issue:** Fish and Fish Habitat Impacts**Preamble:**

Section 6 of the LUP application under Fish and Fish Habitat states that “*limited residual impacts to stream crossings and habitat are anticipated, due to the Project’s use of a helicopter for all transport and scheduling for drilling (i.e. winter)...grey water elimination will be monitored to prevent access to any local water...the routine nature of the drilling program would suggest that impacts to fish habitat are unlikely*”. The Golder report states that “*the reviewed literature does not specifically identify aquatic species in Screech Lake*” (4.1.2.1), “*information on Looksok Lake was not located*” (4.1.2.2), and that “*little is known about local fish and aquatic organisms that populate Screech Lake*” (8.2.4).

Request:

a) Have the potential impacts to fish and fish habitat as a result of drilling activities near the Screech Lake shoreline been assessed? This is a possibility, according to Section 5 of the application, and indeed the Golder report states that “*all proposed exploration sites are located on or adjacent to potential fish bearing waters*” (8.2.4).

b) How will grey water elimination be “monitored”?

c) Explain the statement “*the routine nature of the drilling program would suggest that impacts to fish habitat are unlikely*”. We believe that drilling for uranium in a pristine ecosystem is anything but “routine”, and do not think that just because mineral exploration has been ongoing in the NWT for a long time it automatically means there will be no impacts, especially given the complete lack of data (other than personal communications from Ur-Energy personnel) on aquatic species in Screech Lake.

d) Clarify how you assessed the potential impacts to fish and fish habitat when there is a lack of site-specific information.

Review/Decision

Water quality and fish issues, are not included in the scope of EA as defined by the Work Plan for this EA. The LKDFN has not provided compelling reasons to widen the scope to include these issues. The Review Board views this is a regulatory issue that can be dealt with by the regulatory authorities and their processes. The Review Board encourages dialogue between the parties and the developer on any issue within or outside the EA. Some of the information sought in this IR submission may be forthcoming in the response to IR0607-003-7 on best practices.

LKDFN-12

Source: LKDFN

To: Ur-Energy, Golder

Issue: Wildlife and Wildlife Habitat Impacts

Preamble:

Section 6 of the application under Wildlife & Wildlife Habitat states that “*measures will be taken to reduce interaction and disturbance of any migratory animals, local birds, and vegetation within the target area. The use of mufflers and best work practices should partially mitigate noise, light and dust generated by drilling activities*”.

Request:

a) Noise is only one type of disturbance to migratory animals and birds, and each species has varying tolerances for noise and physical disturbances. Other than mufflers to reduce noise, what other mitigation measures will be taken (describe in detail) to reduce

interaction with and disturbance of all the mammal species identified in Golder's Table 4-1 and birds in Table 4-2.

b) Explain what is meant by "best work practices".

Review/Decision

This submission was combined with several other submissions into IR0607-003-07 'Best Practices'. The combined IR asks the developer to identify and describe 'best practices' or mitigation proposed for a number of issues.

LKDFN-13

Source: LKDFN

To: Ur-Energy, Golder

Issue: Impacts on Heritage Resources

Preamble:

Section 6 of the application under Heritage Assessment Requirements states that "*prior to the start of this program a License Agreement will be executed between Ur-Energy and the PWNHC. All Archaeological/ Historical/Cultural and Burial sites within the land pertaining to this land use permit application will be documented. Should any archaeological materials be inadvertently disturbed or discovered, they will be immediately reported to the PWNHC...have minimal potential to uncover an archaeological presence at the site-specific target areas*". As well, the Golder report states that "*the Screech Lake Program area itself has never been examined by an archaeologist. As a result, it is not known whether archaeological resources exist in the proposed Program areas identified by Ur-Energy*" (5.2.2).

Request:

a) Clarify how you determined there is "minimal potential" to disturb archaeological sites when there will be no heritage assessment conducted, no consultation has taken place with First Nations on heritage /cultural/archaeological sites they may have documented and not published, when the Golder report clearly states it is unknown whether archaeological sites exist in the proposed Program area, when less than 1% of all the archaeological sites in the NWT are documented and in the PWNHC database (this fact is on the public hearing transcripts for the Drybones Bay EA), and when "*the Program is in a location considered to have the potential to contain unrecorded archaeological sites*" (Golder report Section 8.2.7.1)?

b) Describe in detail the qualifications and training of your camp personnel in terms of archaeological/historical/cultural and burial site identification, which would enable them to report disturbances or discoveries, especially since there is "*the potential to likely uncover an archaeological presence at the site-specific target area*" (Golder report, Section 8.2.7.1).

Review/Decision

The Review Board expects that the information sought in this submission will be included in the responses to IR0607-003-13 'Archaeological and cultural resources' to the GNWT, which seeks to identify methods and "best practices" to safeguard archeological resources and IR0607-003-07 'Best Practices' to the developer, which seeks to identify best practices proposed by the developer.

LKDFN-14

Source: LKDFN

To: Ur-Energy, Golder

Issue: Impacts on Culturally Significant and Sacred Areas

Preamble:

The Golder report states that "available databases and publications were reviewed to determine traditional land use around the Screech Lake area. Government regulators, hunter trapper organizations, and local outfitters were consulted..." (6.1) to obtain traditional knowledge. Section 6.2.2.2 states that "no specific information on traditionally significant and sacred areas near Screech Lake was identified".

Request:

Other than reading LKDFN's published reports to WKSS, provide details on when and how you "consulted" with the LKDFN, the Wildlife Lands & Environment Committee (our hunter-trapper organization), and our local outfitter (Artillery Lake Adventures), and any other efforts you made to contact the LKDFN to obtain available information that may not be published. Note that the Golder report also states that "*no official consultation has occurred between Ur-Energy and Lutsel K'e*" (7.3.1).

Review/Decision

This submission was combined with several other submissions into IR0607-003-9 'Methods and Conclusions'. The combined IR asks the developer to provide the methods used to derive a number of conclusions presented in its application.

LKDFN-15

Source: LKDFN

To: Ur-Energy, Golder
Issue: Impacts on Traditional Land Use

Preamble:

Section 6 of the application under Traditional Land Use states that *“hunting and trapping activities occur within the region of the target area, mitigation measures include no hunting or trapping and no disturbance linked to these activities”*. As well, the Golder report states that *“available databases and publications were reviewed to determine traditional land use around the Screech Lake area. Government regulators, hunter trapper organizations, and local outfitters were consulted to identify hunting and trapping activities in the Screech Lake area”* (6.1).

Request:

- a) Clarify the above statement – we assume you mean “no hunting and trapping” by camp employees?
- b) Explain what is meant by “no disturbance linked to these activities”. How will you ensure that First Nations people who may be hunting and trapping in the area (and the animals they are hunting and trapping) will not be disturbed by the noise from drill rigs/helicopters/airplanes, and the presence of an exploration camp in what was a pristine wilderness area?
- c) Other than reading LKDFN’s published reports to WKSS, provide details on when and how you “consulted” with the LKDFN, the Wildlife Lands & Environment Committee (our hunter-trapper organization), and our local outfitter (Artillery Lake Adventures) to determine hunting and trapping activities in the area. Note that the Golder report also states that *“no official consultation has occurred between Ur-Energy and Lutsel K’e”* (7.3.1).

Review/Decision

This submission was combined with several other submissions into IR0607-003-9 ‘Methods and Conclusions’. The combined IR asks the developer to provide the methods used to derive a number of conclusions presented in its application.

LKDFN-16

Source: LKDFN

To: Ur-Energy, Golder

Issue: Impacts on Non-Traditional Land Use

Preamble:

Section 6 of the application under Non-Traditional Land Use states that “*non-traditional trap lines are not registered within 50km of Screech Lake, and domestic and sport hunting is conducted through Artillery Lake (150km west). It is anticipated that the winter timing will reduce any disturbance...*” However, the Golder report states that “*domestic hunting and fishing information is unavailable*” (6.2.3.2).

Request:

a) Clarify how winter timing will reduce disturbance to both trappers (who operate mainly in the winter months) and the animals they are trapping, who often have large home ranges and may very well be passing through the Screech Lake area at some time during drilling operations.

b) Clarify how winter timing will reduce disturbance to domestic hunting, especially given that there is no information available. The Golder report (4.2.2.1) states that “*the Screech Lake program area is located in the spring range of the Beverly herd and is used between mid-March and late May*” (times when drilling is likely to be occurring), that “*some caribou of the Bathurst herd over-winter near the Screech Lake Program area*”, and that the Qamanirjuaq herd “*may use habitats near the Screech Lake Program area during spring/fall migration and the post-calving period*”. In particular, please clarify the following statement: “*Although the hunting season for most species is during the anticipated drilling Program, it is anticipated that the winter exploration activity will reduce any disturbance of hunting activity*” (Golder report, 8.2.9). If the hunting season coincides with the timing of the drilling program, how will this reduce disturbance of hunting activity?

Review/Decision

The information sought in this submission is expected to be part of the response to IR0607-003-05 ‘Timing of Activities’ and IR0607-003-9 ‘Methods and Conclusions’.

LKDFN-17

Source: LKDFN

To: Ur-Energy, Golder
Issue: Impacts on Soils and Vegetation

Preamble:

In the Golder report, Section 4.3 states that “*no ground truthing of the remote sensing exercise was conducted*” for vegetation classification (4.3.1), and “*detailed soil information is not available for the Project area*” (4.3.2.1). As well, there seems to be some discrepancy as to whether access trails will be utilized. In Section 8.2.5, it states that “*no access trails will be required between the camp site and the exploration target areas*”, and one paragraph later it states “*some access to the drill pads will be achieved by following low-grade trails*”.

Request:

- a) Clarify how you have assessed the potential impacts on soils and vegetation when detailed site-specific information is not available.
- b) Clarify whether access trails to the drilling locations will be required, and what is meant by “low-grade trails”.

Review/Decision

Vegetation and soil issues are not included in the scope of EA as defined by the Work Plan for this EA. The LKDFN has not provided compelling reasons to widen the scope to include these issues. The Review Board views this as a regulatory issue that can be dealt with by the regulatory authorities and their processes. The Review Board encourages dialogue between the parties and the developer on any issue within or outside the EA.

LKDFN-18

Source: LKDFN
To: MVEIRB
Issue: Impacts on Proposed Protected Areas and Heritage River Status

Preamble:

The Golder report states that “*expansions to the Thelon Wildlife Sanctuary have been proposed...[but] are not part of any process (such as the Protected Areas Strategy) for implementation*”, and that “*it was not approved in the NWT as some of the areas in question are subject to land claims*” (6.2.3.5). The report goes on to say that “*consideration has been given to expanding this [Heritage River status] to include the upper Thelon River, which passes within 3km of Screech Lake*”, and that “*regardless, heritage river status would not place direct regulations on mineral extraction*” (6.2.3.6).

Request:

a) What does the MVEIRB classify as “reasonably foreseeable” in terms of establishing further protected areas in the Thelon region?

b) This has been identified as an issue for the EA. Clarify the mandate of the MVEIRB to consider broader land-use planning initiatives and ongoing negotiations towards the establishment of protected areas when evaluating whether a proposed project should proceed.

Review/Decision

The MVEIRB cannot issue an information request to itself. The Review Board's EIA Guidelines, particularly Appendix H to the Guidelines provide the Review Board, and parties to the EA, with guidance on conducting cumulative effects assessment, including which developments to include in the assessment.

Matters of land withdrawal and the creation of protected areas are outside the scope of assessing the environmental effects of a proposed development. The Work Plan for this EA only included an evaluation of special values within the project area in the assessment, not land withdrawal or land use planning initiatives themselves. The MVEIRB is not involved in negotiations dealing with land claims or land withdrawal. It can only deal with the results of such negotiations, e.g. actual protected areas, approved land use plans, and such.

LKDFN-19

Source: LKDFN

To: Ur-Energy, Golder

Issue: Impacts to tourism/recreation potential of area

Preamble:

The Golder report states that “*Great Canadian Ecoventures reported bringing approximately 200 people through the upper Thelon River each year, which includes the locally named “Double Barrel Lake” located less than 15km south of the Screech Lake area*”, and then goes on to state that “*with the exception of canoeing, the overall recreation potential of the area has been described as limited (INAC 1979)*” (6.2.3.8).

Request:

a) What other resources, tourism operators, tourism potential reports, etc. did you consult other than an extremely outdated INAC report to arrive at the conclusion that recreation potential is “limited”? We would suggest that the tourism potential of the NWT has increased substantially since 1979, and that canoeing alone (and the ecotourism business in general) is now a major contributor to the NWT economy.

b) Even if there was only 200 canoeists per year in the Screech Lake area, how did you assess the potential impacts on their wilderness experience of aircraft & helicopters flying

overhead, audible noise from drilling rigs, and the disturbance of wildlife that is a major attraction of tourism excursions on the Thelon?

Review/Decision

This submission was combined with several other submissions into IR0607-003-9 'Methods and Conclusions'. The combined IR asks the developer to provide the methods used to derive a number of conclusions presented in its application.

LKDFN-20

Source: LKDFN

To: Ur-Energy, Golder

Issue: Socio-Economic Conditions and Potential Impacts

Preamble:

The Golder report states that data for this section (7.0) was collected from government statistics bureaus, INAC, and the De Beers Snap Lake EA report. The report also states that *“upon initiation of the exploration Program, little to no contact with the community is anticipated. At the present time, there is no firm plan to recruit labour from Lutsel K’e although employment opportunities will be considered”* (8.2.10).

Request:

a) Why did you not review the Community-Based Monitoring Program and later Ni hat’ni – Watching the Land reports published by LKDFN and available on the WKSS website to determine socio-economic baseline conditions and to identify potential socio-economic effects of the Program? These contain valuable, locally collected (on an annual basis), and community-specific socio-economic survey results and information especially in regards to the impacts of the existing mining industry. The results of these studies were also presented as part of the LKDFN intervention for the Snap Lake EA.

b) With no anticipated contact between the company and the community once the permit is approved, and a highly unlikely opportunity for employment, what benefits will the LKDFN receive from this proposed project?

Review/Decision

Socio economic issues are not included in the scope of EA as defined by the Work Plan for this EA, with the exception of potential impacts on tourism. IR0607-003-01 seeks related information. The LKDFN has not provided compelling reasons to widen the scope to include other socio-economic issues.

LKDFN-21

Source: LKDFN

To: MVEIRB

Issue: Potential for cumulative environmental effects

Preamble:

The Golder report states the CEAA definition of cumulative effects as “*the sum of residual effects from all past, current, and reasonably foreseeable Projects and/or activities on the physical, biological, cultural, and socio-economic components of the environment*” (9.0). The project proposed by Ur-Energy will run concurrently with the UraVan Minerals project at Boomerang Lake, with drilling programs 15km apart. Both of these companies own other claims in the immediate vicinity, as do other companies such as Pathfinder Resources. With the rise in uranium prices, we think it is reasonably foreseeable that additional uranium exploration will be applied for in the very near future. The report goes on to state that “*animals that are disturbed by one Program should recover before being exposed to activities at the other Program*” (9.2). How many different projects would have to be operating at the same time in order for a cumulative effect to occur on the ecosystem in general or an animal in particular? If a caribou only has 5km in between projects, is that enough time to “recover”?

Request:

Clarify how the MVEIRB assesses the potential for cumulative effects, and what is defined as “reasonably foreseeable”.

Review/Decision

The MVEIRB cannot issue an information request to itself. The LKDFN may wish to review the Review Board’s 2005 Environmental Impact Assessment Guidelines which has an appendices on cumulative effects and may address the question it poses.

LKDFN-22

Source: LKDFN

To: MVEIRB

Issue: Ability to conduct proper environmental impact assessment

Preamble:

As detailed in all of the previous IR's, there is no detailed information on drill hole locations, seasonal timing, or duration for the entire period of time in which the permit is being applied for. There is a total lack of site-specific data for hydrogeology, permafrost regimes, baseline air quality, aquatic species, archaeological/heritage resources, and soils & vegetation. There are no NWT criteria or guidelines for either noise or uranium exploration. There is incomplete socio-economic data, almost zero data on non-traditional land use, and a total lack of knowledge obtained from or consultation with First Nations about traditional land use and culturally significant/sacred sites. There is also no detailed or current assessment of the tourism potential of the area.

Request: Clarify how the MVEIRB will adequately assess the potential impacts of this proposed project on any component of the environment or devise appropriate mitigation measures when there is this total lack of information.

Review/Decision

The MVEIRB cannot issue an information request to itself. In conducting an environmental assessment the Review Board analyzes and considers all evidence brought before it by the parties to the EA, as well as comments from members of the public. The EA, including the determination of significance is guided by the MVEIRB's Environmental Impact Assessment Guidelines.