

**Environmental Assessment for Ur-Energy:
Proposed Uranium Exploration at Screech
Lake (EA 0607-003)**

Lutsel K'e Dene First Nation Intervention

Presentation to the MVEIRB Public Hearings

January 16-17, 2007

NO URANIUM!!

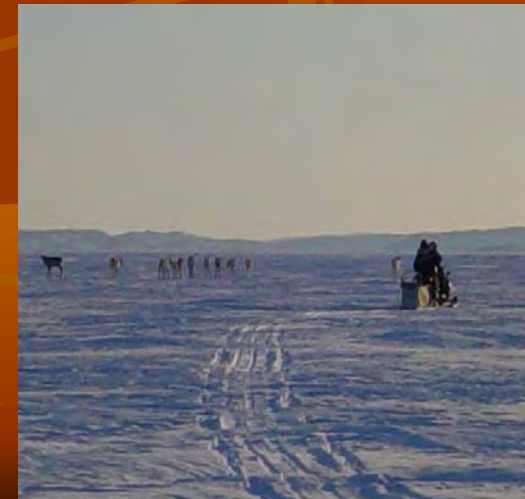
- LKDFN has consistently & repeatedly objected to the issuance of permits for uranium exploration in their traditional territory
- Duty to consult and accommodate...

Timeline

- **2005:**
 - Alberta Star (MacInnis Lake) application, LKDFN strongly objects – referred to EA, company withdraws
 - Initial URE application, LKDFN strongly objects – referred to EA, company withdraws
 - Uravan application, LKDFN strongly objects –no EA ordered
- **2006:**
 - Uravan permit granted (2006-2008)
 - Attempt to appeal, no route other than court action
 - T8TC letter re: inconsistency in decisions
 - URE reapplies, LKDFN et al. again strongly object - referred to EA

Why is Thelon Important to LKDFN?

- Harvesting/land use – Hunting grounds, traplines, trails, campsites, cabins...
- Historical/archaeological sites – Extensive Aboriginal and European use of area, many sites still undocumented/unknown.
- Cultural/spiritual value – Entire Thelon basin regarded as a birthplace, “the place where God began”.



Ecological Significance of Thelon Basin

- World-renowned as unique and pristine ecosystem
- Boreal forest oasis in barrenlands
- Critical habitat & on primary migration route for Beverly & Ahiak caribou herds
- Critical habitat for other wildlife (wolves, grizzlies, wolverines, muskox, moose, furbearers, birds, etc.)
- *“Even for those Canadians who never set foot in the Sanctuary itself, the value of wild areas such as this are significant in the simple knowledge that they remain undisturbed.” (TGS Mgmt. Plan, Section 1.2.1)*



Attempts to Protect Upper Thelon

■ As a Special Management Area in Thelon Game Sanctuary Management Plan

-SMA's are critical areas *“integral to maintaining the character and resource values for which the Sanctuary has been recognized”* (TGS Mgmt. Plan, Section 3.3), including SW area to protect critical wildlife habitat & headwaters of Thelon River drainage

-*“This area is still recognized by many as an integral part of the ecological core of the Sanctuary, which should receive the highest level of protection.”* (TGS Mgmt. Plan, Sec. 3.3)

-*“It is critical in this SMA, referred to as the Tyrrell Lake SMA, that the values which are fundamental to the integrity of the Sanctuary, in this case the water quantity, natural flows and quality, are protected. The Tyrrell Lake SMA should be managed as a buffer area to the Sanctuary.”* (TGS Mgmt. Plan, Sec. 8.2)

■ As part of the Interim Land Withdrawal negotiations

■ As part of Thaydene Nene

■ *“Does the development or associated cumulative developments create conflicts with existing or proposed community or regional conservation plans or community-proposed protected areas?”*
(MVEIRB SEIA Guidelines, p.95)

Potential Impacts of Proposed Development (1)

- **Uranium** – potential to bring radioactive ore to surface, intersect with groundwater flows, impact downstream water quality, etc.
 - Major proven health concerns due to handling/improper disposal of uranium
- **Exploration/Drilling** – Impacts of noise, human activity in otherwise pristine and undisturbed ecosystem
 - Determination of significance may differ between groups...
 - True effects often not seen for years...

Potential Impacts of Proposed Development (2)

- **Special concerns about caribou herds in area**
 - Healthy caribou means the survival of Dene people and culture.
 - Changes already seen with Bathurst herd...
 - Huge lack of current information on Beverly herd, but presumed declining.
 - Caribou use Screech Lake area in both northward & southward migrations, and some may overwinter as well.
 - Timing & route of migration becoming increasingly unpredictable – drilling Jan.-Apr. & avoiding May implies certainty about when caribou will be moving through the area.

Potential Impacts of Proposed Development (3)

■ “Opening the Door” – Cumulative Effects

-Must consider the cumulative impacts of past, present & reasonably foreseeable future developments.

-Cannot assess this project in isolation.

-Studies/models/frameworks incomplete – require these results to make informed decisions.

“An understanding of cumulative effects is required to assess impact of new development activities.” (GNWT Caribou Management Strategy, p.35) Info to plug into CE models not available yet, but required to “evaluate caribou ability to buffer environmental conditions and human activity” (Ibid., p.34).

“Research can help identify thresholds of manageable change, what consequences of crossing them might be. In cases where the impacts are uncertain or unknown, the precautionary principle should apply.” (MVEIRB SEIA Guidelines, p.98)

Aboriginal & Treaty Rights

- Lands & resources are necessary to exercise Aboriginal & Treaty rights.
- This project & CE of future projects has the potential to impact on the long-term ability to exercise those rights (e.g. changes in caribou migration route or health).
- Any impact to the land or environment that threatens or endangers future generations of people or other species is significant to Aboriginal people.
- *“Irreparable harm may be caused...may lose land that is important from a cultural and spiritual perspective. No award of damages could possibly compensate...for this loss.” (Platinex vs. KI First Nation, [79]).*

Potential Impacts of Proposed Development (4)

■ Impacts on Tourism Potential of Area

-Must consider alternative land uses –

“Recreational value, aesthetic value, alternative economic activity value such as tourism or outfitting, are examples of valued components that may be impacted by a proposed development.” (MVEIRB SEIA Guidelines, p.96)

- *“People come here to get away from the big city. What will they think if they hear choppers going overhead? You lose the value.” (LKDFN Member)*

-Many letters from tourism operators and tourists themselves, objecting to this development.

Potential Impacts of Proposed Development (5)

- Cannot assess potential impacts when there is:
 - Little or no site-specific info on hydrogeology, permafrost regimes, groundwater flows, air quality, aquatic species, archaeological/ heritage resources, soils & vegetation, wildlife population/ health status, etc.
 - No NWT criteria/guidelines for noise or uranium exploration.
 - Almost zero data on non-traditional land use.
 - Little info on tourism potential of area, and value of wilderness areas to rest of Canada and the world.
 - Total lack of traditional knowledge and meaningful consultation with First Nations about traditional land use in area, and culturally/spiritually significant sites.
 - Incomplete studies on potential CE and impacts on the exercise of Aboriginal & Treaty rights.

SUMMARY (1)

- *“Throughout the EA, the onus is on the developer to convince the Review Board that the proposed development won’t be likely to cause significant adverse impacts.” (MVEIRB EIA Guidelines, p.34) – This has not been done!*
- Critical issues which have not been dealt with, critical studies which have not been completed.
- Cannot meaningfully assess potential impacts of a proposed project, or devise appropriate mitigation measures, when there is lack of information on which to make good decisions.

SUMMARY (2)

- *“It is critical to consider the nature of the potential loss from an Aboriginal perspective...the relationship that Aboriginal peoples have with the land cannot be understated. The land is the very essence of their being. It is their very heart and soul. No amount of money can compensate for its loss. Aboriginal identity, spirituality, laws, traditions, culture, and rights are connected to and often arise from this relationship to the land.” (Platinex vs. KI First Nation, [80])*
- Clear & strong objection to this development from LKDFN...Akaitcho First Nations have jurisdiction within Akaitcho Territory, point of view must be respected and accomodated.

MARSI CHO!



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