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June 6, 2007

Honourable Jim Prentice
Minister of Indian and Northern Affairs
House of Commons Confederation Bldg, Room 407
Ottawa, Ontario K1A 0A6
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RE: Mining industry concerns with the Mackenzie Valley Environmental Impact Review Board decision regarding UR-Energy Inc.

Minister Prentice:

We have had the chance to review the May 25, 2007 letter sent to you by PDAC, MAC, and the NWT & Nunavut Chamber of Mines. The letter contains some inaccuracies and opinions that do not seem to be informed by fact. We consider it our duty to bring the relevant facts to your attention.

The organizations signatory to the May 25 letter claim that the Mackenzie Valley Environmental Impact Review Board (MVEIRB) "...has strayed from its mandate and appears to have exceeded its lawful jurisdiction..." in rendering its decision of May 7, 2007 with regards to UR-Energy Inc. Here are the facts. Section 117 of the Mackenzie Valley Resource Management Act (MVRMA) clearly requires the MVEIRB to consider cumulative effects during the conduct of an environmental assessment. Consideration of cumulative effects requires the review of a proposed activity in light of past, present, and reasonably foreseeable future activities. Page 37 of the MVEIRB Report of Environmental Assessment (REA) outlines the strong rationales (e.g. increase in price of uranium, known uranium prospects and showings, 1000 new claims recently

registered, etc.) by which the MVEIRB reached the conclusion that it is reasonably foreseeable that there will be other mineral exploration activities in the vicinity of UR-Energy's area of interest. Indeed, in their May 25 letter, PDAC, MAC, and the Chamber of Mines claim that the region of interest to UR-Energy is "...arguably the most highly prospective area in Canada". We take this as a clear indication of the mining industry's intent to promote sustained exploration and mining activity in this region.

The May 25 letter states that the MVEIRB did not make an effort to identify measures that could mitigate the impacts of the UR-Energy's proposed activities. This is untrue. Page 55 of the REA demonstrates how the MVEIRB considered the mitigations submitted by the proponent. These proposed mitigations were deemed inadequate. Indeed, the proponent did not identify any measures to mitigate impacts to the social and cultural environment.

PDAC, MAC, and the Chamber of Mines question (though without any rationale) the basis whereby the MVEIRB considered the spiritual well-being of the Dene people in their decision-making. Again, here are the facts. The MVRMA requires the MVEIRB to consider the social and cultural environment when conducting environmental assessment. The MVEIRB did just that, as demonstrated on pages 38-39 of the REA. Spiritual matters are at the core of Dene culture, as they are with all other cultures. Without our innate spiritual beliefs, there would be nothing to distinguish the Dene as a unique and vibrant culture. To state that impacts to the spiritual well-being of the Dene should not be considered when assessing cultural impacts is to demonstrate a profound misunderstanding of the Dene. Our spirituality is who we are.

The signatories to the May 25 letter express concern about the future consequences of the UR-Energy decision. They state that the decision will cause the area in question to become closed to further mineral activity. This assertion is not supported by fact. The MVEIRB has no power whatsoever to withdraw lands from disposition. The Board can only render decisions about discrete projects. Indeed, we observe that when a New Shoshoni Ventures application in the Drybones Bay area was rejected by the MVEIRB in 2003, three other applications in the immediate vicinity were approved regardless.

We are shocked that PDAC, MAC, and the Chamber of Mines think there is little consideration for the rights and interests of the mineral industry in the NWT regulatory framework. Of the approximately 800 applications submitted since the inception of the MVRMA, only two (including UR-Energy) have ever been rejected. This fact speaks for itself. We submit that there is little consideration for the aboriginal and treaty rights of the Dene; to date, no federal agency has engaged in Crown consultation with the Akaitcho peoples in relation to these activities that will inevitably infringe upon the exercise of these rights.

We would like to conclude this letter on a note of agreement with PDAC, MAC, and the Chamber of Mines. We concur that "...burdensome and unpredictable regulatory processes, uncertainty over parks and protected areas, and regulatory duplication and inconsistency..." have created an unfavourable climate for the interests of the Akaitcho Dene, other northerners, and investors. This situation must be rectified. We must use the time before us, prior to any further regulatory approvals, to effectively plan for the future of the land and resources in the Akaitcho territory. Continued piece-meal, case-by-case decision-making will only result in further conflict and frustration for all.

We suggest that failure on your part to follow the recommendations of the MVEIRB will bring the already limited utility of the Board into serious question.

And finally, as mentioned above, Canada has not consulted with the Akaitcho Dene First Nations at all in regard to the inevitable infringements upon our aboriginal and treaty rights which will undoubtedly occur if the UR Energy Inc. application is approved. This is the case despite our numerous requests that this consultation take place. The MVEIRB is on record that Crown consultation is not within their legislative mandate, and that accordingly they do not engage in Crown consultation. There is no legal requirement that industry consult with our First Nations. That leaves Canada with the responsibility to engage in consultation with our First Nations. As stated, Canada has taken no steps whatsoever to engage in its constitutional responsibility in this regard. Accordingly, we again request that Canada enter into a meaningful process of consultation with the Akaitcho Dene First Nations in regards to the inevitable infringements upon our aboriginal and treaty rights which will undoubtedly occur if the UR Energy Inc. application is approved.

Marci Cho,

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c. Sharon Venne – Chief Akaitcho Negotiator
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James Lawrance – Director, INAC
Gabrielle Mackenzie-Scott - Chair, MVEIRB
Premier Joe Handley, Premier, GNWT