



# EA0607-003 Ur Energy Uranium Exploration Screech Lake

## Work Plan

### 1 INTRODUCTION

On September 11, 2006, the Mackenzie Valley Land and Water Board (MVLWB) referred a proposed uranium exploration program at Screech Lake, east of Great Slave Lake (see map in appendix 1) to environmental assessment (EA), pursuant to section 125 of the *Mackenzie Valley Resource Management Act* (MVRMA). The MVLWB's preliminary screening report found that the proposed development might be cause of public concern. The development in question is substantially the same as the development subject to an environmental assessment in 2005, EA0506-003, which was cancelled after the developer withdrew its land use permit applications.

This EA is subject to the requirements of Part 5 of the MVRMA. It is also subject to the Mackenzie Valley Environmental Impact Review Board's (the Review Board) *Environmental Impact Assessment Guidelines* and the Review Board's *Rules of Procedure*. These documents can be accessed at [www.mveirb.nt.ca/reference\\_lib/guidelines](http://www.mveirb.nt.ca/reference_lib/guidelines). The definitions of MVRMA section 111 apply in this document and throughout the proceeding.

### 2 ASSESSMENT PROCESS

The Review Board is striving to design each individual assessment appropriate to the size of the development, to the scale of the issues related to the development, and to the information needs for assessing whether a particular development is likely to cause significant adverse effects on the environment or is likely to be cause of significant public concern. The MVRMA requires the Review Board to take certain factors into consideration but does not prescribe a process for environmental assessments. The Review Board has a number of tools at its disposal including, a developer's assessment report, information requests, technical sessions, technical reports from parties, and public hearings. All of these are described in the Review Board's *Environmental Impact Assessment Guidelines*.

There is considerable information on the record in regards to the proposed development and issues of concern. The Review Board reviewed documents transferred from EA0506-003, the developer's application to the MVLWB and submissions received

during the comment period for the current draft work plan and determined that a scoping exercise and a developer's assessment report are not required for this assessment.

The process for this environmental assessment will consist of:

1. One round of information requests to allow the Review Board and parties to address any information gaps that may have become apparent since the cancellation of EA0506-003.
2. A public hearing in Lutsel K'e that will allow the Review Board to hear evidence directly. Lutsel K'e is the closest community to the proposed development. The hearing will be conducted as a community hearing under the MVEIRB's Rules of Procedure.
3. A period of time following the hearing during which parties may submit additional information.
4. The Review Board's deliberation, decision making, and reporting.

Should the Review Board find that further investigation is required, it may issue additional information requests or include any environmental assessment steps described in its EIA Guidelines in the process.

In developing a strategy for this environmental assessment, the Review Board considered:

- the MVLWB's preliminary screening report, which determined that the proposed development might be cause for public concern;
- the developer's application to the MVLWB, which contains information on the development, the receiving environment, and the developer's view of potential impacts from various development components;
- documents transferred from the record for EA0506-003 including submissions detailing concerns from various parties to that assessment and members of the public;
- the work plan for EA0506-003, including a public hearing that could be followed by either a Board decision or further investigations, if required; and
- comments received on a draft version of the work plan for EA0607-003.

## **3 SCOPE**

### ***3.1 Scope of Development***

The Review Board has set the scope of the development to be that of the development described in Land Use Permit application MV2006C0019. The application can be accessed from the MVLWB's public registry at [www.mvlwb.com](http://www.mvlwb.com) or the Review Board's public registry for this EA at [www.mveirb.nt.ca/registry/index](http://www.mveirb.nt.ca/registry/index).

The proposed development involves a camp, fuel storage, geological mapping, prospecting and diamond drilling of up to 20 holes. 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.

The Board may adjust the scope of development based on evidence submitted by the developer or by registered parties prior to or during the public hearing.

## ***3.2 Scope of Assessment***

### **3.2.1 Factors**

Notwithstanding any determination in the MVLWB's preliminary screening report, section 117(2) of the MVRMA requires the Review Board to consider all of the following factors:

- the impact of the development on the environment, including malfunctions or accidents and any cumulative impact that is likely to result;
- the significance of any such impact;
- any comments submitted by members of the public;
- the imposition of mitigation measures where an impact is found; and
- any other matter, including available alternatives to the development.

Consequently, the fact that the development was referred to environmental assessment because it might be cause of public concern, does not limit the environmental assessment to issues or factors related to public concern only. The Review Board considers all available evidence to determine the scope of the assessment.

### **3.2.2 Issues**

Table 1 contains the issues identified through a review of documents transferred from the record for EA0506-003 and comments on a draft version of this work plan. The table provides a brief description of each issue and how it was identified, as well as a brief discussion whether the issue is relevant to this environmental assessment. The scope of this assessment includes all issues listed to the extent they are being identified as relevant in the table. Where the Review Board only considers certain evidence related to the issue, the scope of the assessment is limited to that portion of the issue.

The review of the record indicates that caribou is the environmental component of greatest concern. Cumulative impacts on caribou (and associated harvesting and cultural impacts) are an important consideration in this assessment.

<b>Title</b>	<b>Description</b>	<b>Identification</b>	<b>Relevance</b>
Nature of material	At least some of the public concerns are based on the fact that the development involves uranium.	Identified as an issue in the pre-hearing conference in EA0506-003.  The issue was raised by several submissions from the general public in EA0506-003	The issue is relevant as the development was referred to EA because of public concern, which is in part based on the nature of the material. The Review Board will only consider evidence regarding specific dangers or environmental issues related to uranium exploration.
Harvesting Impacts	The area has been identified as traditional and contemporary harvesting area.	Identified as an issue in the pre-hearing conference in EA0506-003.  Concerns over impacts on harvesting are mostly based on the submissions from Lutsel K'e FN and the Treaty 8 Corporation.	The MVRMA's definition of 'impact on the environment' includes impacts on wildlife harvesting. The Review Board is therefore required to consider evidence of such impacts.
Cultural significance	The area has been identified as having high cultural significance for Lutsel K'e and the Deninu Kue.	Identified as an issue in the pre-hearing conference in EA0506-003.  The issue was raised by the Lutsel K'e FN, as well as the WWF and several submissions from members of the public outside the Mackenzie Valley.	The MVRMA's definition of 'impact on the environment' includes effects on the cultural environment. The Review Board is therefore required to consider evidence of such impacts.
Beverly and Ahiak caribou migration	The proposed development is within the migration routes of the Beverly and the Ahiak caribou herds.	Identified as an issue in the pre-hearing conference in EA0506-003.  This issue was raised in almost all submissions to EA0506-003 and in comments on the draft of this work plan. It appears there is great concern among aboriginal groups, the Beverly and Qamanirjuag Caribou Management Board (BQCMB), the GNWT, environmental organizations, and the general public.	Impacts on caribou are a relevant consideration by themselves and may also play a role in the consideration of social or cultural effects. The Review Board will consider evidence of impacts on caribou from all development components, including aircraft movements.
Conflicts with	The project area is located between the	Identified as an issue in the pre-hearing	The purpose of EA is to identify the environmental impacts of a particular development. Land use planning

<p>proposed protected areas and land use planning</p>	<p>existing Thelon Game Sanctuary and the proposed East Arm National Park. Efforts are under way to project the corridor between the two protected areas by way of increasing the national park and establishing special management areas for the game sanctuary.</p> <p>Related to this issue is the conservation first principle.</p>	<p>conference in EA0506-003.</p> <p>The Lutsel K'e FN, WWF, and Parks Canada submitted evidence to EA0506-003 indicating that a protected areas status is actively being sought.</p> <p>According to the WWF, the development may impact on two of seven eco-regions they identified as high priority for needing protection (boreal forest and low arctic tundra).</p> <p>The WWF brought forward the conservation first principle, which says that a decision which areas to protect and which to open for development should be made before development proceeds.</p>	<p>and land withdrawal are beyond the scope of an environmental assessment. However, an assessment may identify measures to protect the special values that make an area worthy of special protection. The Review Board will consider evidence that the project area has special values that require protection beyond the usual regulatory conditions.</p>
<p>Cumulative effects</p>	<p>This development is one of many exploration projects in the Akaitcho region. The prospect of significant cumulative effects exists with all of the identified issues.</p>	<p>Identified as issue in the pre-hearing conference in EA0506-003</p> <p>Cumulative effects were a consistent theme in most submissions to EA0506-003.</p>	<p>Section 117 of the MVRMA requires the Review Board to consider cumulative effects. The review of the record indicates that the public concern cited by the MVLWB is to a large extent founded on the fear of environmental effects resulting not only from this particular development but from this development in combination with other past, present and future developments. In the Review Board's opinion, cumulative effects are a key issue in this assessment.</p>
<p>Possible expansion to property bordering</p>	<p>The developer has interests in a second nearby property that directly borders the</p>	<p>Identified as an issue in the pre-hearing conference in EA0506-003</p> <p>Some EA0506-003 submissions raised concern that allowing the developer may</p>	<p>This is largely a regulatory issue. The scope of the development under assessment is limited to the description provided in the land use permit application and thus to the Screech Lake property. Reasonably</p>

sanctuary	Thelon Game Sanctuary.	expand the operation to the second property.	foreseeable future developments will only be considered in the cumulative effects assessment.
Thelon water quality	Some submissions to EA0506-003 raised concerns that the development may alter the water quality in the Thelon river.	Raised by members of the public.  The WWF submitted that the development may impact four out of six high priority environmental components, including fresh water.	Water quality issues have not played an important role in previous assessments of land based exploration programs in the Slave geological province. Projects of a similar nature to the proposed development are frequently carried out in the Slave geological province following preliminary screening and mitigation by regulators. In the Review Board's opinion this is a regulatory issue. The Review Board will consider evidence on water quality impacts only if a party can show it is warranted, i.e. that standard regulatory conditions are insufficient.
Tourism	The Thelon is a "mecca" for canoeists from Canada and the world. People visit the area because of its wilderness character. Development and associated air traffic are detrimental to the wilderness experience and may deter tourists in the future.	This issues was raised in EA0506-003 by a member of the public, but was not included in the issues to be dealt with in the pre-hearing conference. The WWF raised the issue of the Thelon, together with Kazan and Back rivers being one of a few remaining pristine wilderness areas but did not make a connection to the tourism industry.  Since then, the issue has also been raised in scoping sessions for other developments in the Slave Geological Province.	Since EA0506-003 the issue has been raised in other EA proceedings in the Slave geological province and was found to be relevant by the Review Board. Negative impacts on tourism may affect the economic, social, and cultural well being of residents in the Mackenzie Valley. This issue is within the scope of the assessment.
Constitutional issues.	Consultation and accommodation has been raised as an issue. Also raised were the questions: "does a first nation have control over its traditional	The consultation issue was raised by the Treaty 8 Corporation. The other questions were posed by the WWF.	Constitutional issues are beyond the scope of EA. EA determines if the development is likely to cause significant adverse impacts on the environment or is likely to be cause of significant public concern.  The decision whether to actually allow the development

	area?” and “should a development be allowed if the people who live there do not want it?”		rests with the Minister of INAC and other responsible ministers. The Ministers will determine if consultation and accommodation were adequate for their purposes. The Review Board cannot make this determination for the ministers. The Review Board is, however, committed to an open, transparent, and consultative assessment process.
Abandoned sites	The mining industry has a history of abandoned sites.	This issue was raised by one member of the public in EA0506-003	This is a regulatory issue and beyond the scope of this assessment.
Compliance with the <i>Species at Risk Act</i>	SARA species may be present in the development area	The original preliminary screening identified several SARA species that may be present. The GNWT confirmed the presence of grizzly bear, wolverine, peregrine falcon, and short eared owl.	The Review Board will consider evidence regarding any potential impacts on species at risk.

### **3.2.3 Boundaries**

The spatial boundaries for the assessment vary for different environmental components. Generally speaking the spatial boundaries include the footprint of the proposed development as well as any area in which activities related to the development (including air traffic) may create a sensory disturbance. Larger areas may have to be considered for impacts on caribou, species at risk, and wildlife harvesting.

For caribou related issues the spatial boundary includes the range of any potentially affected caribou herd. Similarly, for species at risk and wildlife harvesting the spatial boundary includes the ranges of all potentially affected populations. In the case of non-migratory wildlife only the range of those animals that frequent the project area from time to time will be considered for impacts from the proposed development alone. For cumulative impacts of the proposed development in combinations with other developments the entire range of a population will be considered.

For the purpose of determining whether the proposed development is likely to be cause of significant public concern, a spatial boundary within which the concern may exist cannot be established. The Review Board may, however, weigh submissions differently depending on their geographic origin.

The temporal boundaries of the assessment include the duration of the proposed development as well as the time required for any disturbance to be reversed.

## **4 ROLES AND RESPONSIBILITIES**

### ***4.1 Review Board***

The Review Board is required to undertake the following in relation to this EA:

- Conduct the environmental assessment in accordance with section 126(1) of the MVRMA;
- Determine the scope of the development, in accordance with section 117 (1) of the MVRMA;
- Consider environmental assessment factors in accordance with section 117 (2) of the MVRMA;
- Make a determination regarding the environmental impacts or public concern about the development, in accordance with section 128 (1) of the MVRMA;
- Report to the Federal Minister in accordance with section 128 (2) of the MVRMA; and
- Identify areas and extent of effects, within or outside the Mackenzie Valley in which the development is likely to have a significant adverse impact or be a cause of significant public concern, in accordance with section 128 (4) of the MVRMA.

In order to fulfill its mandate the Review Board will consider and weigh all evidence put before it. The Review Board will consider all evidence, including those documents



already considered in the scoping of the assessment when making its decision at the end of the assessment.

## ***4.2 Review Board Staff***

The Review Board's Executive Director and staff are the primary contacts for the developer, government bodies (federal, territorial and municipal), non-government organizations (NGOs), aboriginal groups, expert advisors (experts contracted directly by the Review Board), the public and other interested parties. This does not limit or preclude the Developer or parties from contacting other parties during the EA process. The Review Board may choose to hire expert advisors to provide technical expertise on specific aspects of the EA.

All related correspondence should be directed to the Environmental Assessment Officer for the EA:

Martin Haeefele  
Tel: (867) 766-7053  
Fax: (867) 766-7074  
e-mail: mhaefele@mveirb.nt.ca  
P.O. Box 938 (5102 50<sup>th</sup> Ave) Yellowknife, NT X1A 2N7

## ***4.3 Developer***

The developer is expected to respond in a suitable and timely manner to directions and requests issued by the Review Board. Such requests may include the provision of additional information regarding the development or its potential impacts, presence and participation in a pre-hearing conference and a hearing, and the production of public information material (e.g. a presentation). The developer may present additional information at any time to the Review Board beyond what is requested during the EA process.

The Review Board encourages the developer to continue consulting all potentially affected communities and organizations during the EA process.

## ***4.4 Parties***

All parties to the environmental assessment have the same rights and responsibilities. Party standing does not confer any legal status beyond the Review Board's proceeding. Parties may present information at any time during the assessment proceeding. They are given an opportunity to submit information requests for Board approval as well as to present evidence and ask questions at the hearing. Parties may have information requests directed at them. Parties may also be asked to provide the Board with additional information following the hearing.

#### ***4.5 Submissions***

All parties, as well as the public, are invited to submit evidence that may assist the Board in conducting this environmental assessment. In particular, the Board is seeking information that relates to the factors and issues relevant to this EA outlined in section 3.2 of this work plan.

Submissions will be placed on the public record. Upon special request the Board may consider confidential submissions. Parties who do not wish to have their submission put on the public record must contact board staff prior to making a submission. The Board will decide on a case by case basis on the merits of a request for confidentiality and if it will receive and consider such a submission as per its Rules of Procedure.

Submissions should be in a format that is easily accessible to all participants. The Review Board prefers documents to be submitted digitally in either Word or PDF format. However, hardcopy, hand delivered or via courier, as well as fax transmission is acceptable as long as they are printed and can be reproduced via photocopier in a clearly legible manner. For regular mail, the date the submission is received at the Review Board's office is considered to be the submission date. The Board will not consider any submission after the closing of the public record.

Oversized items or items that are difficult to reproduce, such as colour maps, should be submitted digitally, and/or hardcopy in sufficient quantities to be distributed to those parties with limited access to computer technology. Please contact the Review Board's staff for the quantities required.

## 5 SCHEDULE

The following schedule applies to this EA.

<b>Step/Milestone</b>	<b>Time frame</b>
Final work plan issued	Mid October 2006
IR submission period for parties	10 workdays, mid to end of October 2006
IR issuance by the Review Board	Early to mid November 2006
IR response period	15 working days following IR issuance; late November
Pre hearing conference	Tentatively scheduled for December 13, 2006
Public hearing	Tentatively scheduled for January 16, 2007
Post hearing submission period	15 work days following the public hearing; mid to late January 2007
Report of environmental assessment	Mid March 2007

All parties will be informed of the exact time and location for the hearing and the pre-hearing conference as soon as possible. The pre-hearing conference will be conducted via telephone conferencing. Participants present in Yellowknife are encouraged to attend in person. The public hearing will be held in Lutsel K'e and will be conducted as a 'community hearing' under the Review Board's Rules of Procedure.

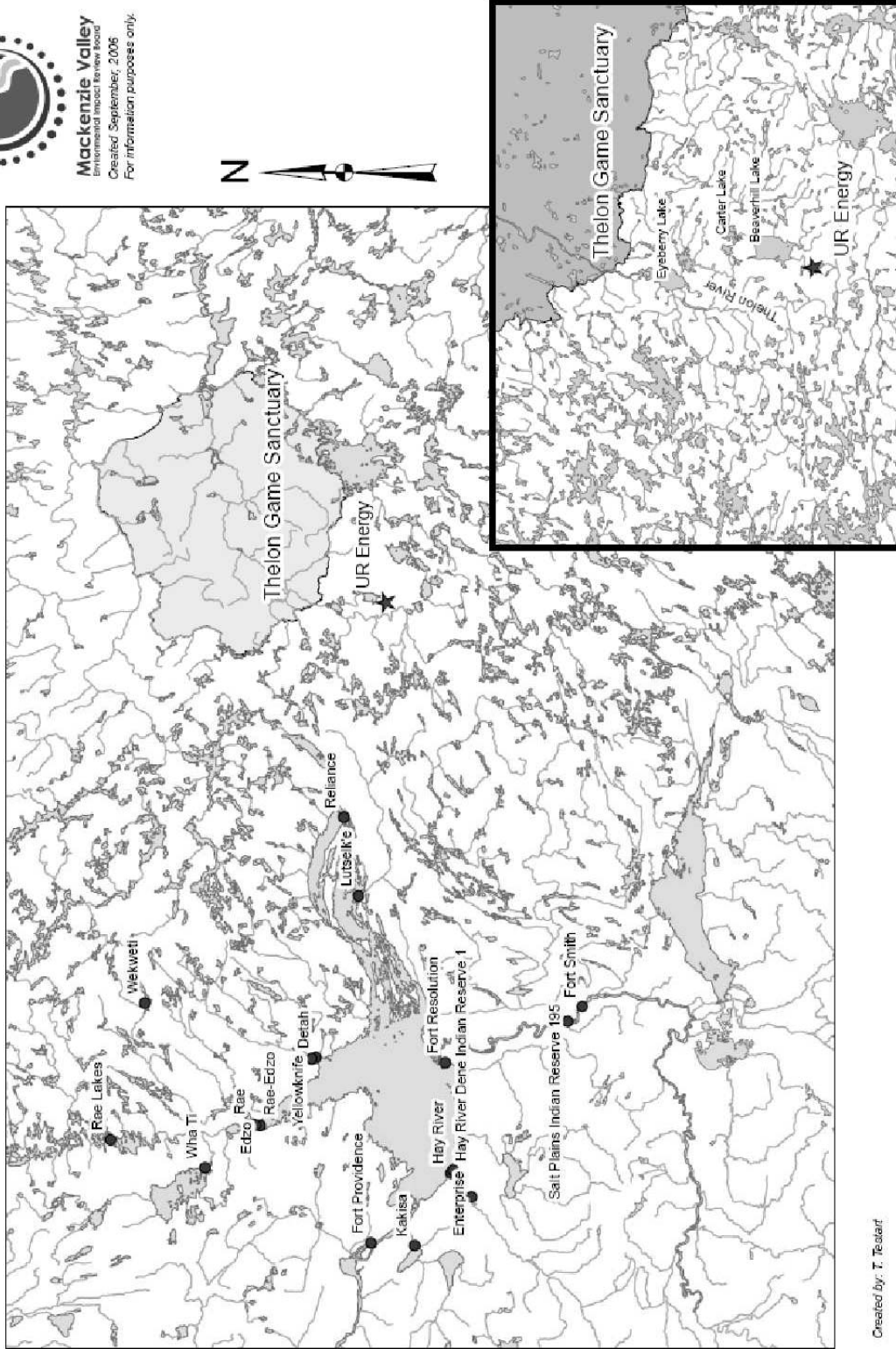
## 6 IDENTIFICATION OF PARTIES

The Board is asking individuals and organizations to request party standing by October 20, 2006, using the form attached to this work plan. Party status may be granted at any time during the proceedings, but parties identifying themselves after October 20, 2006 may not be able to submit information requests and should be aware that a need to review the public record will not be accepted as reason for extending timelines.

Parties to EA0506-003 that wish to be a party to EA0607-003 also have to request party status.

# Appendix 1 Overview Map

## Ur-Energy Uranium Exploration Project - Location Overview EA 0607-003



Created by: T. Teclat

## Appendix 2 Party Status Request Form

	<p><b>Mackenzie Valley Environmental Impact Review Board</b></p> <p><b>FORM 1</b> <span style="float: right;"><b>Request for Party Status</b></span></p>
---	--

Name of Organization:	
Name of Proceeding:	

Reasons for requesting Party Status in these proceedings.
<p><b>Participation:</b> Please describe how you or your organization intends to participate in this proceeding, such as what information, witnesses, or presentations you plan to submit.</p>
<p>If you represent a Responsible Minister or Responsible Authority please state which one. List the licences, permits or authorizations issued by your organization relevant to this proceeding.</p>
<p><b>Contact Information:</b> Please confirm the organization's contact information and the name of the primary contact person for Board correspondence purposes.</p>
<p>Dated at _____, Northwest Territories, on (MM/DD/YY) _____ .</p> <p>(Signature of Party's Representative)</p>