



Draft Workplan

for

**EA0708-004 – Bayswater Uranium
Corporation**

EL Lake Mineral Exploration Program

1 Introduction

On July 20, 2007, Bayswater Uranium Corporation submitted a complete application to the Mackenzie Valley Land and Water Board (MVLWB) for a Land Use Permit (LUP) to conduct mineral exploration activities on the CL and THU claim groups and additional Prospecting Permits located in the Thelon Basin of the NWT. On August 23, 2007, the MVLWB decided to refer the development to the Mackenzie Valley Environmental Impact Review Board (the Review Board) for environmental assessment under subsection 125(1) of the *Mackenzie Valley Resource Management Act (MVRMA)*, on the basis that the proposed development might be a cause of public concern.

The development being proposed is a ground geophysics survey, followed by a maximum 5 000-10 000 metres total exploration drilling program (individual holes 300 – 600 m deep) north and east of Beaverhill Lake in the Upper Thelon River Basin. The major target metal is uranium. There will be one heliportable drill rig, the establishment of a campsite with 14 employees on site, and fuel cache. During the summer the drill would be moved by helicopter, and in the winter it would be moved by Timberjack vehicle. The proposed period of permit is from August 1, 2007 – July 31, 2012.

This Environmental Assessment (EA) is subject to the requirements of Part 5 of the MVRMA. It is also subject to the MVEIRB's *Environmental Impact Assessment Guidelines* and the *Rules of Procedure*. Both of these documents are available online at www.mveirb.nt.ca.

2 Assessment Process

2.1 Generic vs. Development-Specific Elements

This environmental assessment is one of four that are being conducted by two developers at the same time, in the same general place (the Upper Thelon River Basin), with similar proposed activities (early stage uranium exploration drilling programs), and similar issues raised by concerned groups, as evidenced by the Preliminary Screening records of the MVLWB. In addition, to this point in time, every group interested in contributing to any one of these EAs (except for the two developers) has identified an interest in all four EAs. It is also noted that a similar previously proposed development, UR Energy's Screech Lake program, was assessed by the Review Board in EA0607-003. A variety of respondents to the Review Board's *Request for Comments* on how to structure the current EAs in November 2007 identified concerns with replicating submissions from the previous EA as well as having to respond separately to each of the four current EAs.

The Review Board is required by law to conduct separate environmental assessments for each referred development. The Review Board strives to design each individual environmental assessment appropriate to the size and complexity of the development, the sensitivities of the receiving environment, and (through the combination of these two factors) the scale and potential for significance of the impacts associated with the development.

At the same time as it establishes and facilitates an environmental assessment process appropriate to each development, the Review Board also attempts to create efficiencies where possible. In this situation, with four currently proposed developments which are very similar and a previously assessed similar development, the Review Board has sought, with input from interested groups, to develop an environmental assessment framework that accommodates both the uniqueness and the similarities in the proposed developments. Wherever possible, the conduct of these four EAs will be streamlined, but not at the expense of an appropriate assessment of the impact potential for each.

As a result, the Work Plans for each of the four EAs, along with other Review Board documents, will consist both of generic sections that apply for all four developments, and development-specific sections. Table 1 indicates the likely generic and development-specific aspects of the Final Work Plans:

GENERIC ELEMENTS	DEVELOPMENT-SPECIFIC ELEMENTS
Section 2: Assessment Process	Section 1: Introduction
Section 5: Roles and Responsibilities	Section 3: Scope of Development, as necessary
Section 6: Draft EA Work Plan	Section 4: Scope of Assessment, as necessary

2.2 Assessment Phases

In developing this *Draft Work Plan*, the Review Board considered:

- all comments received from interested groups October 3, 2007, “*Call for Comments on Conduct of Environmental Assessments in the Upper Thelon River Basin*”,
- correspondence received from Indian and Northern Affairs Canada dated December 7, 2007 (*Status Report on Upper Thelon Land and Resource Management Plan*, available on the MVEIRB website public registry at www.mveirb.nt.ca), and
- its own experience conducting environmental assessments.

This EA is divided into five broad phases, some of which have been completed at the writing of this document.

1. The **Start-up phase**, during which the Review Board establishes the basic administrative structure of the EA (including distribution lists and mechanisms, a paper and website public registry, filing systems, etc.). This phase is completed.
2. The **Scoping phase**, during which the Review Board identifies and prioritizes key issues for the environmental assessment. In this case, the Review Board will use the Scoping phase to identify which issues are generic to all four EAs, and which development- or location-specific issues need to be examined only for one or some of the EAs. The Review Board will establish an appropriate scope of assessment and scope of development for each EA using inputs described in Section 4.1 below.

Comments received on this *Draft Work Plan* (including those at the forthcoming Work Plan Meeting/Teleconference) will be included in the Review Board’s decision of how to proceed with this EA. Party status will be determined during the scoping phase as well.

Request for Party Status forms will be issued by the Review Board with the forthcoming *Evidence Transfer/Scoping Questions* document¹. The Review Board may decide to hold a Hearing near the end of the scoping phase, to complete the record of evidence in relation to the proposed developments and hear argument from Parties.

This scoping phase is currently in progress.

3. The **Analytical Phase**, which will include the development of a *Developer's Assessment Report* or the issuance of a series of Information Requests or both. This phase provides the developer and parties to the EA an opportunity to submit evidence, make impact predictions and identify mitigation for likely impacts. The analytical phase will also provide an opportunity for any party to issue a Technical Report supporting its predictions.

4. The **Hearing Phase**, which is an *optional* phase for these developments. During the Analytical Phase, the Review Board will determine whether any public hearings are necessary, and detail how they would be structured. This phase, if necessary, would include a pre-hearing conference and public hearing(s), allowing the Review Board members to hear evidence first hand from parties. If it is determined that enough evidence has been collected during the other phases of the EA, the Review Board may instead call for the above-mentioned Technical Reports from Parties, in which summary statements about concerns and impacts the development is likely to cause can be enumerated. The Hearing Phase culminates with the closure of the Public Record.

5. The **Decision Phase**, which includes the Review Board's deliberations after the closure of the Public Record, and subsequent decision under MVRMA s. 128. This phase will be completed with the release of the *Report of Environmental Assessment and Reasons for Decision* document.

This work plan will focus primarily on the first two of these phases (Start-up and Scoping). The schedule for the remaining phases will be determined based in part on the results of scoping. (For this reason, this document provides a less detailed estimated schedule for phases three to five. The Review Board reserves the option to evaluate, following scoping in phase two, whether there is enough evidence of significant adverse environmental impacts or of significant public concern sufficient to render a decision under section 128 of the MVRMA.

¹ The *Evidence Transfer/Scoping Questions* document will ask interested groups to provide additional detail on which of their submissions from the previous UR Energy EA they want included on the public records for the current EAs. In addition, it will ask for additional information from these groups to assist in the scoping of these current EAs.

3 Scope of Development

NOTE: The scope of development for the Bayswater EL Lake exploration program is in draft at this time. A final scope of development will be issued once responses to this *Draft Work Plan* and *Evidence Transfer/Scoping Questions* have been received.

The Review Board has defined the scope of the development to consist of, but not be limited to, the land within each of the claims group areas where exploration is proposed as indicated in Figures 1 and 2 in Appendix 1, which are maps submitted by Bayswater Uranium Corp. to the MVLWB with its LUP application. The scope of development also includes the exploration camp at the northern end of EL Lake. The full LUP application can be accessed from the Review Board's public registry for this EA at www.mveirb.nt.ca/registry/index.

The following physical works or activities that would occur during the general operations of the mineral exploration program include:

- Drilling and associated activities, including water withdrawals, and post-drilling reclamation activities;
- Clearing and other disturbance of vegetation via snowmobile trails, drill pads, lay down areas and other uses;
- Transportation to camps and to worksites from camps, by helicopters, skidder, and snowmobile, of personnel and equipment;
- Containment of materials, e.g. waste, fuel and core samples not taken out of the field; and
- Establishment of a field exploration camp and fuel cache near EL Lake

Also considered during cumulative impact assessment will be potential activities of other currently proposed or reasonably foreseeable future developments in the Upper Thelon River Basin. This includes the other three current Land Use Permit applications under EA at this time in the Upper Thelon (EAs 0708-002, 0708-003, and 0708-005).

Special consideration will be placed on the timing of development activities, given the use of the area during certain parts of the year as a caribou migration corridor.

The Review Board may adjust the scope of development based on evidence submitted by the developer or by Parties to the EA during the Scoping or Analytical (or, as necessary, Hearings) Phases of the EA.

4 Scope of Assessment

NOTE: The scope of assessment for the Bayswater Uranium EL Lake exploration program is in draft at this time. A final scope of assessment will be issued once responses to this *Draft Work Plan* and *Evidence Transfer/Scoping Questions* have been received.

4.1 Factors and Evidence Considered

The Review Board will consider the following factors pursuant to *MVRMA* section 117(2):

- 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.

The *MVRMA* defines “impact on the environment” as an effect on any part of the land, water, air or any other component of the environment, as well as on wildlife harvesting, and includes any effect on the social and cultural environment or on heritage resources.

When determining the final scope of the assessment, the Review Board will consider:

- Relevant evidence transferred over from the public record of the UR Energy EA0607-003;
- The developer’s amendment application and supporting submissions to the MVLWB and the entire Preliminary Screening public record);
- Comments received from the public and interested parties during the Start Up and Scoping phases of this EA;
- Responses to the forthcoming *Evidence Transfer/Scoping Questions* distributed to all interested parties by the Review Board;
- Any comments received on this *Draft Work Plan*, either in writing or at the forthcoming Work Plan Meeting/Teleconference; and
- The Review Board’s experience in conducting similar EAs.

4.2 Scope of Issues

The Review Board has made a preliminary determination that the scope of assessment for this EA will include, at minimum, the following two topics:

1. Impacts on the Beverly and Ahiak caribou herds (site-specific and cumulative), and associated impacts on wildlife conservation and harvesting; and
2. Impacts of this type of development activity (site-specific and cumulative) on the cultural value placed by aboriginal users on the Upper Thelon River Basin.

These two topics were the major issues brought forth during the UR Energy EA and during the preliminary screenings of this development, and are the ones that have been consistently raised as potentially leading to significant adverse outcomes. Thus, the majority of attention will go to the analysis of these “Key Lines of Inquiry” during this EA.

If parties identify other relevant issues as meriting inclusion in the scope of assessment, with reasons, the Review Board may add them to the final Scope of Assessment. The forthcoming *Evidence Transfer/Scoping Questions* will ask specifically for interested groups to identify any additional issues/concerns beyond caribou and culture that need to be considered during this EA. Special emphasis will be placed on the following site-specific issues:

- Caribou water crossings;
- Habitat value and seasonal populations of caribou, species at risk, and key harvesting species in the area;
- Presence of, or potential for, archaeological or other heritage resources;
- Unique or important landforms; and
- Traditional land use.

4.3 Geographic and Temporal Scope

The spatial boundaries for the assessment will vary for different valued 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 for local wildlife.

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. For cumulative impact assessment, which looks at the impacts of this development along with other past, present and reasonably foreseeable future developments on Valued Components, the entire range of the population in question will be considered, as will evidence of changes in the population and health status over time.

In terms of cultural impact assessment, evidence has been presented that the Upper Thelon River Basin is a place with important cultural value to aboriginal people (as identified by submissions in the UR Energy EA and in the preliminary screening for this file). The development-specific and cumulative impact contributions of this and other past, present and reasonably foreseeable future developments to a loss of cultural value should consider the area draining into the Upper Thelon River (the Upper Thelon River Basin) an appropriate boundary.

The temporal boundaries of the assessment include the duration of the proposed development, the time required for any disturbance to be reversed, and also should focus on the annual work period, especially as it correlates with migration patterns for caribou.

5 Roles and Responsibilities

5.1 Roles and Responsibilities of Different Groups

This section explains the roles and responsibilities of the Review Board, the Review Board's staff and other parties involved in the Environmental Assessment process.

For a more detailed treatment of roles and responsibilities in the Review Board's environmental impact assessments, please see sections three and four of the Review Board's *Environmental Impact Assessment Guidelines*.

Review Board

The Review Board's role includes the following in relation to this EA:

- Conduct the EA in accordance with ss.126(1) of the *MVRMA*;
- Determine the scope of the development, in accordance with ss.117 (1) of the *MVRMA*;
- Consider environmental assessment factors in accordance with ss.117 (2) of the *MVRMA*;
- Make a determination regarding the environmental impacts or public concern about the development, in accordance with ss.128 (1) of the *MVRMA*;
- Report to the Federal Minister in accordance with ss.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 ss.128 (4) of the *MVRMA*.

Review Board Staff

The Review Board's Executive Director and staff are the primary contacts for the developer, aboriginal groups, government bodies (federal, territorial and municipal), non-government organizations (NGOs), expert advisors (experts contracted directly by the Review Board), the public and other interested parties. This does not limit or preclude the Developer from contacting other parties during in 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 this EA:

Alistair MacDonald

Tel: (867) 766-7052

Fax: (867) 766-7074

Email: amacdonald@mveirb.nt.ca

PO Box 938, (5102-50th Ave), Yellowknife, NT X1A 2N7

Developer

The developer is expected to respond in a suitable and timely manner to directions and requests issued by the Review Board. Such requests include but are not necessarily limited to Information Requests, requests for translation of documents, the request for the developer's presence at Public Hearings, and requests to produce public information material.

The developer may present additional information at any time to the Review Board beyond what was requested during the EA process. The Review Board encourages the developer to continue consulting all potentially affected communities and organizations

during the EA process. The Review Board may request that the Developer provide a written record verifying consultation, including how the consultations have influenced the design of any part of the development.

Parties

Aboriginal groups, communities, or land owners that may potentially be affected by the development may be granted standing as “parties”. The standing of an individual or organization as a party is subject to approval by the Review Board. Party status gives the party the right to fully participate in the EA. Public interest groups, non-governmental organizations and other interested parties may participate in the EA as parties.

Parties may present information at any time during the EA and may be given an opportunity to submit information requests for Board approval during the analysis and hearing phases. Party status may be granted at any time during the proceedings. Please note, the developer is automatically granted party status in the EA process.

5.2 Submissions for the Public Record

All parties, as well as the public, are invited to submit evidence that, in their opinion, will assist the Board in conducting this environmental assessment. Written 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* – see www.mveirb.nt.ca for a copy.

Submissions should be in a format that is easily accessible to all EA 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 transmissions are acceptable as long as the documents 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 as hardcopies 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.

6 Draft EA Workplan

The table below outlines milestones for all of the currently planned EA phases. The Review Board reserves the right to add or remove EA milestones as necessary (e.g., the Review Board will make a decision at a later date on the need for a Public Hearing(s)). All dates are tentative target periods only and are subject to change at the Review Board’s discretion. Estimated dates and specific activities beyond the scoping phase of these EAs are not included here because there is too much variability in the possible

activities and timelines. The Final Work Plan will include these specific steps and estimated timelines.

<i>Milestone</i>	<i>Estimated Dates</i>
Start up phase	Complete
-Call for Comments on How to Structure Upper Thelon EAs	October 3, 2007
-Responses to “Call for Comments”	November 2, 2007
Scoping Phase	
-Issuance of Draft Work Plan	Early January, 2008
-Issuance of Project Description Summary	Mid-January, 2008
-Work Plan Meeting/Teleconference	Late January, 2008
-Comments on Draft Work Plan	February 8, 2008
-Issuance of Evidence Transfer/Scoping Questions	Early February, 2008
-Responses to Scoping/Evidence Transfer Questions	Late February, 2008
<i>-Optional Hearing at end of Scoping Phase</i>	<i>March-April, 2008</i>
Issuance of Final Work Plan and either First Round IRs or Terms of Reference	
Analytical Phase (involving either the issuance of a Developer’s Assessment Report or one or more Rounds of Information Requests or both, and may include Technical Reports)	
<i>Optional Hearing Phase</i>	
Decision Phase (which culminates in the issuance of a Report of Environmental Assessment and the federal and responsible minister’s decision)	

Appendix 1: Maps

Figure 1: Location of proposed drill sites in the CL claim block

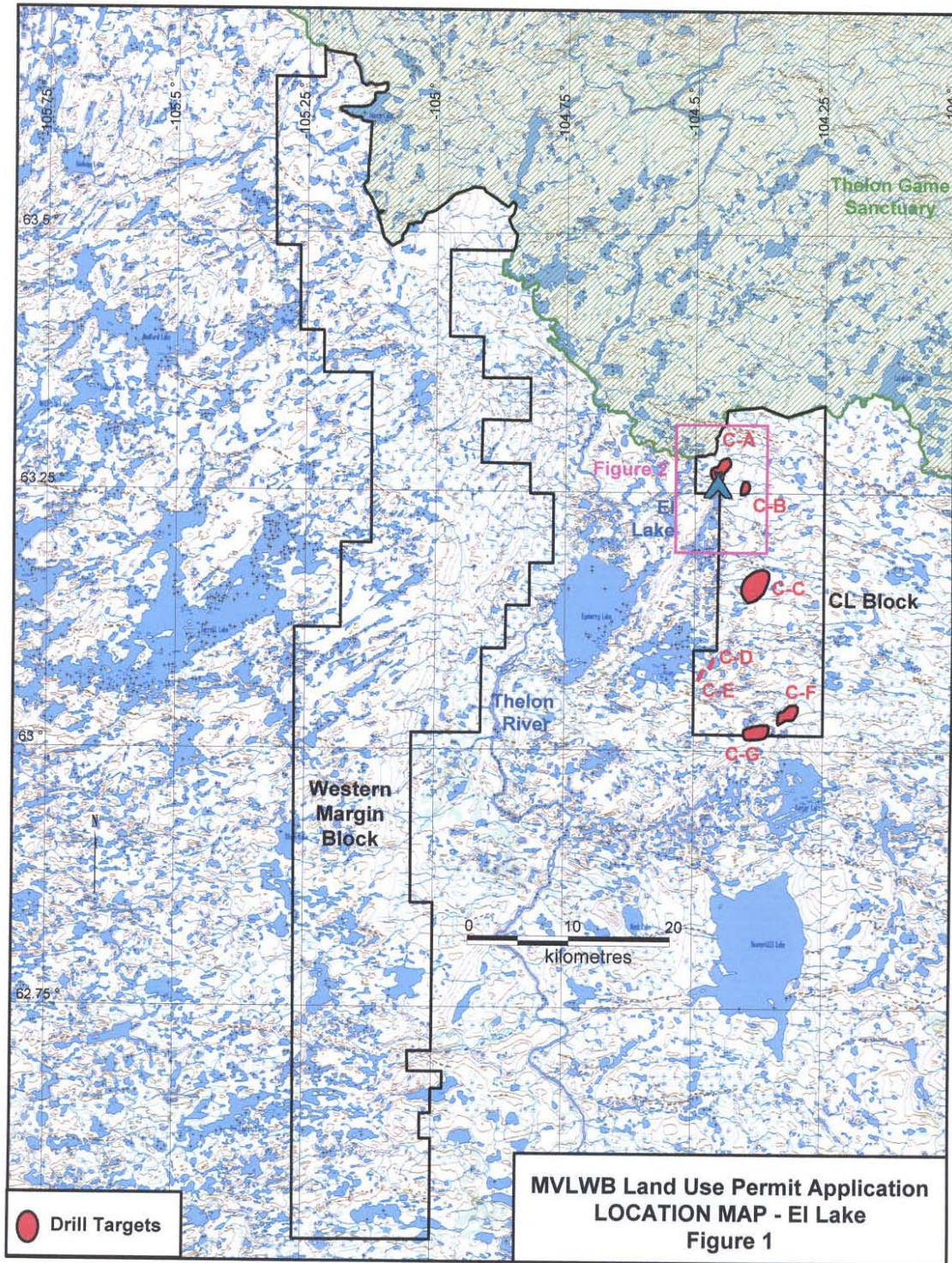


Figure 2. Location of proposed drill sites in C-A and C-B areas

