



Mackenzie Valley
Environmental Impact
Review Board

IN THE MATTER OF: Environmental Assessment EA0708-004 *Bayswater El Lake Mineral Exploration* pursuant to the Mackenzie Valley Resource Management Act.

AND IN THE MATTER OF: The Transfer of Evidence from the Public Record of EA0607-003 into the Public Record of EA0708-004.

REASONS FOR DECISION

BACKGROUND:

During the start up phase of this Environmental Assessments (EA), several parties in this proceeding identified a desire for the evidence they submitted during the previous EA of UR Energy's Screech Lake exploration program (EA0607-003) to be included on the public record of this EA. The Review Board examined the public registry for the UR Energy Screech Lake EA and produced a draft list of the potentially relevant documents (the "List"). On March 13th, 2008, interested parties were asked for their views on whether they agreed with the transfer of the items on the List, whether there were items on the List that should not be transferred and whether there were additional items that should be added to the List.

Responses (attached) were received from:

- Akaitcho Treaty 8 Tribal Corp.
- Athabasca Denesuline
- Beverly Qamanirjuaq Caribou Management Board
- Indian and Northern Affairs Canada, and
- Canoe Arctic Inc.

ANALYSIS:

The Review Board notes that some responses suggested several additions. These have been added to the List which appears in its entirety in the Appendix below. Akaitcho Treaty 8 Tribal Corp., Athabasca Denesuline and the Beverly and Qamanirjuaq Caribou Management Board all supported the transfer of the entire List, the hearing transcripts

and the *Report of Environmental Assessment* in their entirety. All of these groups requested the transfer of additional documents. Indian and Northern Affairs Canada expressed concern with the transfer of item #67 (the developer's response to information requests).

The Review Board's purpose in transferring this evidence is to avoid requiring parties from having to re-submit evidence that is relevant to the current environmental assessment. The Review Board notes that any party is free to submit any other item to the public record during the course of this environmental assessment, and that exclusion from the List does not restrict this.


The Review Board acknowledges the importance of the concerns raised by INAC in respect of several documents. The determination of the relevance and the weight to be accorded to a particular document will be undertaken at the time that all of the evidence on the record is considered in order to make a decision on this EA. Consequently, the Review Board has decided to admit all of the evidence from the previous proceeding now and to rule on relevance and weight at the time when its deliberations take place.

DECISION:

The Review Board is respectful of the requirement to consider each case on its own merits. However, in the interest of avoiding a duplication of effort by the parties, all of the items on the List will be transferred from the public record of EA0607-003 into the public record of EA0708-004.

DATED: April 30, 2008

For the Mackenzie Valley Environmental Impact Review Board:



Mr. Richard Edjericon
Chairperson

Appendix- Documents to be Transferred

Description	PR#
Submission from World Wildlife Fund to the original assessment (EA0506-003) of the proposed UR Energy development.	9
"Thelon" book submitted to the original assessment (EA0506-003) of the proposed UR Energy development.	11
Submission from Ms Joan Pelly to previous (cancelled) assessment EA0506-003 of the proposed development.	15
Original preliminary screening report and referral to EA of the proposed development. The resulting EA0506-003 was cancelled when the developer withdrew its application.	12
Original application for the proposed development that resulted in a previous (cancelled) assessment EA0506-003.	14
Submission from Mr David Pelly to original assessment (EA0506-003) of the proposed UR Energy development.	16
Submission from Canoe Arctic to previous (cancelled) assessment EA0506-003 of the proposed development.	17
Akaitcho Treaty 8 Tribal Corp. .submission to original assessment (EA0506-003) of the proposed UR Energy development	18
WWF submission to preliminary screening.	19
Comments on the draft work plan for the assessment from Golder Associates who represents the developer.	20
Comments by GNWT to MVLWB's preliminary screening process. The GNWT submitted these as part of their comments on the work plan for this assessment.	22
Comments on the draft work plan for the assessment from the GNWT.	23
Comments on the draft work plan for the assessment from the Beverly and Qamanirjuaq Caribou Management Board (BQCMB)	24
BQCMB submission to preliminary screening. Submitted as part of the BQCMB's comments on the draft work plan for this assessment.	25
Attachment to BQCMB submission to preliminary screening. Submitted as part of the BQCMB's comments on the draft work plan for this assessment.	26

The work plan for EA0607-003 Ur Energy environmental assessment. Defines the scope of the assessment and outlines the assessment process including a schedule.	27
Comments on draft work plan from INAC.	28
Submission to previous (cancelled) assessment EA0506-003 of the proposed assessment by Mr. John Groves.	31
Information requests issued based on submissions from parties and the Review Board's own information requirements	39
Minutes of meeting between Łutsël K'e First Nation and Ur Energy June 7, 2006. The meeting was public. Notes provided by LKDFN.	42
Letter from NWT Treaty 8 Tribal Corporation to INAC regarding crown consultation in connection with the proposed Ur Energy mineral exploration development.	47
Memorandum of Understanding between the Łutsël K'e Dene First Nation and the Parks Canada Agency on exploring the feasibility of establishing a National Park at the East Arm of Great Slave Lake.	48
Environment Canada's response to IR0607-003-11 in regards to noise impacts. IR originally directed to GNWT.	49
Response to information request IR0607-003-1 from the GNWT.	52
Response to information request IR0607-003-3 from the GNWT.	53
Response to information request IR0607-003-11 from the GNWT.	54
Response to information request IR0607-003-13 from the GNWT.	55
Response from World Wildlife Fund to IR0607-003-4 on special values of the project area.	57
Response to IR0607-003-4 regarding special values of project area from the Łutsël K'e Dene First Nation.	58
INAC's response to IR0506-003-2 on industrial developments and cumulative effects in the Thelon area. Map not included.	59
Submission to previous EA of this project (EA0506-003) by Athabasca Denesuline. This submission was transferred after the scoping phase of the EA concluded.	61
Athabasca Denesuline have written requesting party status for the Ur Energy EA. They also express concern they have not been informed about the EA. Includes maps of AD archaeological sites.	63
Mr. Jim Storey of The Great Canadian Adventure Company expresses concern over allowing any industrial development in the Thelon area and his support for efforts to protect the area.	66
The developer's response to information requests IR0607-003-5,6,7,8,9,10,12.	67
Presentation by World Wildlife Fund at the community hearing in Łutsël K'e January 16 and 17, 2007.	68
Written submission from the Baker Lake HTO to the Review Board.	69
Presentation by Deninu Kue First Nation at the community hearing in Łutsël K'e Jan. 16-17, 2007.	70
Presentation by Lutsel Ke Dene First Nation at the community hearing in Łutsël K'e January 16 and 17, 2007.	72

Presentation by Treaty 8 at the community hearing in Łutsël K'e January 16 and 17, 2007.	73
BQCMB written submission (for public hearing)	75-87
Letters of public concern	88
Map-A: Thaydene Nene	89
Presentation by Canoe Arctic Inc. at the community hearing in Łutsël K'e January 16 and 17, 2007.	92
Newsletter published by INAC- winter 2006-" Akaitcho Interim Land withdrawals: making space to negotiate"	93
Bulletin from BQCMB: "Protecting Beverly and Qamanirjuaq Caribou for All time"	94
Public opinions on development in the Thelon area.	95
Recommendations from the BQCMB and the GNWT after the public hearing in response to commitments made by the developer to replace recommendations made earlier.	97
Recommendations by Environment Canada in the event that the proposed development will be carried out during summer months.	99
Letter from John Tosney, Areva Resources Canada Inc.	100
Letter from Ur Energy- Feb 07 submission	101
IR responses from INAC submitted after the hearing	102
Report or Environmental Assessment	106
MAC. PDAC and NWT Chamber of Mines letter to INAC Minister	107
LKFN letter to INAC Minister	108
UR Energy letter to INAC Minister	109
WWF letter to INAC Minister	110
North Arrow Minerals letter to INAC Minister	111
Treaty 8 Letter to INAC Minister	112
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