

BEVERLY AND QAMANIRJUAQ CARIBOU MANAGEMENT BOARD

17 April 2008

Leslie Payette
Manager Environmental Administration
Nunavut Impact Review Board
P.O.Box 1360
Cambridge Bay NU X0B 0C0

Dear Ms. Payette:

NIRB File No. 08EN024 – UR-Energy Nowleye Lake/BUGS Project Proposal

On behalf of the Beverly and Qamanirjuaq Caribou Management Board (BQCMB), I am submitting comments on the proposal from UR-Energy Inc. (UR-Energy) for uranium exploration on their property in the Nowleye Lake area, which is approximately mid-way between Baker Lake, NU and Stony Rapids, SK. This is in accordance with the mandate of the BQCMB, which is to advise governments and caribou range communities on ways to protect the Beverly and Qamanirjuaq caribou herds and their ranges.

Following is a description of the BQCMB's major concerns with this project, and recommendations to address them. This information is intended to help NIRB to identify the potential impact of the proposed project activities on caribou as well as actions that should be taken to avoid or minimize these impacts.

Please note that the NIRB Part 2 – PSIR form that was apparently submitted by UR-Energy was not available on your ftp site to us, and therefore these comments are made without the benefit of the information that was provided in that document. Ongoing issues that have resulted in incomplete access for us to documents posted on your ftp site is likely the cause of this problem.

General Concerns:

The BQCMB is concerned about these proposed activities because they will occur when caribou may be using this area, which means there is potential for UR-Energy's proposed activities to impact caribou. Of particular concern to the BQCMB is the fact that UR-Energy should be fully aware of issues related to uranium exploration and caribou as a result of their experience with their Screech Lake, NWT proposal and the environmental assessment by the Mackenzie Valley Environmental Impact Review Board (MVEIRB), yet they do not even acknowledge this issue in their application to INAC or their Part 1 NIRB summary application.

Of greatest concern to the BQCMB, based on the limited knowledge we have of the proposed activities, is that UR-Energy plans to conduct uranium exploration on their NWT properties in the upper Thelon basin from their BUGS camp in Nunavut. ***This project proposal therefore has the potential "to arouse significant public concern"***, including opposition from the Akaitcho Dene and the Athabasca Denesuline of the NWT and northern Saskatchewan. Their concerns and those of many others (including the BQCMB) about exploration in the upper Thelon basin are well documented and available on the public registry for the MVEIRB's environmental assessment of UR-Energy's Screech Lake project proposal (http://www.mveirb.nt.ca/registry/project.php?project_id=42).

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Specific Issues and Concerns:

These are the BQCMB's main concerns about activities proposed for the Nowleye Lake area.

1) Location and timing - Caribou will likely be encountered in the Nowleye Lake area throughout the project's period of operation. Available data from radio-collared caribou show that caribou cows may be in the area during spring and fall migration, including periods when UR-Energy proposes to operate (May and August/September). UR-Energy may encounter bull caribou throughout their operating period. Caribou in this area are expected to be primarily from the Qamanirjuaq herd, although Beverly and Ahiak caribou may also use the area as well.

2) Aircraft flights

- UR-Energy is proposing to transport personnel and materials between their camp and Baker Lake, Yellowknife and/or northern Saskatchewan. They therefore have the potential to fly repeatedly over large numbers of caribou from various herds (Beverly, Ahiak, Qamanirjuaq), particularly during spring and fall migration.

- They will also be using helicopters for moving diamond drills, fuel and personnel. However, they have not indicated when these flights will occur on their application to INAC or their Part 1 NIRB summary application.

- Airborne geophysical surveys will presumably require low-level flights (below 300m agl), so the timing of these surveys is important in terms of their potential to cause disturbance to caribou and other wildlife. However, they have not indicated the planned timing for these surveys on their application to INAC or their Part 1 NIRB summary application.

Fixed wing and helicopter flights will produce disturbance to caribou in the area throughout the project, particularly when aircraft take off and land and when they fly at low levels. Airborne surveys, especially those conducted at low elevation and with tight transect spacing, can affect the movements and feeding patterns of caribou. This disturbance could be particularly stressful if the flight path of aircraft crosses over large groups of pregnant female caribou during spring migration, cows with newborn calves, or post-calving groups.

3) Effects of disturbance on caribou - Frequent interruption of caribou feeding during spring migration through late summer can have a significant negative effect on the condition of individual animals. Caribou need to feed continuously through the summer (to end of August) to ensure that they are in good condition during the fall migration and rutting period and have reserves for winter. Insufficient feeding can lead to increased calf mortality rates, reduced pregnancy rates, and lower calf production the following year, and may result in a decrease in herd size.

Disturbance during the most vulnerable parts of the caribou life cycle are of greatest concern. This includes disturbance during spring migration. Exploration project activities such as drilling, geophysical surveys and other low-level flights could occur near caribou while they are particularly sensitive to disturbance (e.g., while caring for young calves). They may also occur while caribou are attempting to cross water bodies, during which time they are extremely vulnerable to disturbance.

4) Wildlife monitoring and mitigation - Based on the documents available to us, it appears that UR-Energy has no plan for monitoring caribou movements or mitigating disturbance from their activities. A plan should be in place that dictates what actions will be taken if caribou are encountered during drilling operations or low level flights, at a minimum.

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5) Potential for cumulative effects

As we have stated repeatedly in our comments submitted to NIRB earlier this and last year on mineral exploration proposals, the BQCMB is concerned with the amount of mineral exploration underway and proposed across the ranges of the Beverly, Ahiak and Qamanirjuaq caribou herds. This includes exploration activities in the Kivalliq region of Nunavut, where numerous companies have been issued mineral tenure and land use permits on caribou calving and post-calving areas over the past few years.

Potential cumulative effects are an issue at several scales because caribou accumulate impacts as they move from one seasonal range to another. There is a need for a regional assessment of the cumulative impacts of mineral exploration and other land use activities, including activities in the Kivalliq region of Nunavut. From the BQCMB's perspective it is clear that continued assessment of individual projects on a case-by-case basis will not be adequate to ensure that significant adverse eco-systemic and socio-economic effects will be prevented.

Recommendations:

1. Regulatory and other territorial and federal government agencies (i.e., in Nunavut NIRB, GN, INAC) should be taking action to identify and mitigate potential cumulative effects of human land use activities, including mineral exploration, on barren-ground caribou. This assessment of cumulative effects should occur at a regional scale (i.e., larger than individual project areas).
2. If the proposed activities are permitted:
 - a) More information should be obtained from UR-Energy concerning:
 - Location and timing of proposed airborne geophysical surveys and use of helicopters.
 - Transect spacing and flight elevation for ground or airborne electromagnetic surveys conducted for delineation of drill targets.
 - Timing and nature of work proposed on UR-Energy's properties in the upper Thelon basin in the NWT.
 - b) Permit conditions should address potential disturbance effects of proposed activities on caribou, and should include the following.

All project activities

- All project activities must be stopped between May 15th and July 15th if caribou cows and/or calves are in the project area, as per NPC's conformity requirements regarding INAC's Caribou Protection Measures. This includes suspending drilling, flights below 610m agl, and operation of snowmobiles and all-terrain vehicles outside of camp.
- All activities, including drilling, must be temporarily suspended if caribou approach the area during pre-calving (spring) migration prior to May 15th.
- Drilling, survey activities and flights below 610m agl should not be resumed unless caribou are at least 5 km away from the areas where these activities are conducted.
- No exploration activities should be conducted within 5 km of designated water crossings or block or cause diversion to migrating caribou

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Airborne surveys, low-level flights

- Low-level (below 300m agl) surveys, including airborne geophysical surveys, should not be conducted from May to August if caribou cows or cow/calf groups are in the area.
- Minimum flight altitudes of 610m should be maintained at all times except when taking off and landing and when required for safety reasons; the amount of time aircraft spend at lower levels should be minimized.

Monitoring and mitigation

- A monitoring and mitigation plan approved by NIRB and GN-DOE should be in place before UR-Energy is allowed to begin operating.
 - The caribou monitoring program should be established with the intent of determining *in advance* when caribou are moving toward drill rigs and survey areas, to ensure that adequate notification is received for shutting down drilling or airborne survey operations if caribou are approaching. This will be necessary to ensure that potential disturbance is discontinued before caribou reach the project area.
 - An independent caribou monitor should be hired (preferably from a Nunavut community) specifically to conduct the monitoring work.
- c) NIRB should ensure that regular inspection of project operations is conducted, and that NIRB's permit terms and conditions, NPC's conformity requirements and INAC's caribou protection measures are enforced.

Please let me know if you require further information or have any questions about these comments from the BQCMB.

Sincerely,

[original signed by]

Leslie Wakelyn
BQCMB Biologist

cc: Jerome Denechezhe, BQCMB Chairperson
Akaitcho Treaty #8 Tribal Corporation
Prince Albert Grand Council