



SCREENING DECISION REPORT NIRB FILE NO.: 07EN047

August 22, 2007

Honourable Charles Strahl
Minister of Indian and Northern Affairs Canada
Ottawa, ON

E-Mail: Strahl.C@parl.gc.ca

Re: Screening Decision for Uranium North Resources Corporation's Mining Exploration and Campsite at Amer Lake Project Proposal

Dear Honorable Minister:

The primary objectives of the Nunavut Land Claims Agreement are set out in section 12.2.5 of the Land Claims Agreement. This section reads:

In carrying out its functions, the primary objectives of NIRB shall be at all times to protect and promote the existing and future well-being of the residents and communities of the Nunavut Settlement Area, and to protect the ecosystemic integrity of the Nunavut Settlement Area. NIRB shall take into account the well-being of the residents of Canada outside the Nunavut Settlement Area.

Section 12.4.4 of the Nunavut Land Claim Agreement states:

Upon receipt of a project proposal, NIRB shall screen the proposal and indicate to the Minister in writing that:

- a) the proposal may be processed without a review under Part 5 or 6; NIRB may recommend specific terms and conditions to be attached to any approval, reflecting the primary objectives set out in Section 12.2.5;
- b) the proposal requires review under Part 5 or 6; NIRB shall identify particular issues or concerns which should be considered in such a review;
- c) the proposal is insufficiently developed to permit proper screening, and should be returned to the proponent for clarification; or
- d) the potential adverse impacts of the proposal are so unacceptable that it should be modified or abandoned.

NIRB Assessment and Decision

After a thorough assessment of all material provided to the Board (please see Procedural History and Project Activities in **Appendix A**), in accordance with the principles identified within section 12.4.2 of the NLCA, the decision of the Board as per section 12.4.4 of the NLCA is:

12.4.4 (a): the proposal may be processed without a review under Part 5 or 6; NIRB may recommend specific terms and conditions to be attached to any approval, reflecting the primary objectives set out in Section 12.2.5.

Recommended Terms and Conditions, pursuant to 12.4.4(a) of the NLCA

The Board is recommending the following or similar project-specific terms and conditions be imposed upon the Proponent through all relevant legislation:

General

1. Uranium North Resources Corporation (the Proponent) shall maintain a copy of this Screening Decision at the site of operation at all times.
2. The Proponent shall forward copies of all permits obtained and required for this project to NIRB prior to the commencement of the project.
3. The Proponent is required to submit a revised Spill Contingency Plan to NIRB, INAC, GN-DOE and EC, in which will be included a 24 hour telephone number clearly identified, names and quantity (in volumes or weights) of both fuel and chemicals (such as drill additives) to be used on site within 30 days of issuance of the Screening Decision Report...
4. The Proponent is required to submit to NIRB, INAC, KIA and GN-DOE a revised waste management plan, in which will be included a provision to use a dual chamber and forced-air incinerator, rather than a burn barrel for combustible camp wastes prior to commencing any field work in 2007.
5. The Proponent shall conduct project activities in accordance with all commitments stated in all documentation provided to NIRB, INAC, NPC and NWB.
6. The Proponent shall submit an annual report with copies provided to NIRB, INAC, GN-DOE and NWB commencing January 31, 2008. The report must contain, but not be limited to, the following information:
 - A summary of activities undertaken for the year of 2007;
 - A work plan for the following year;
 - Recording of wildlife observation and critical habitats including:
 - Location (i.e., latitude and longitude).
 - Species.
 - Number of animals.
 - Description of the animal activity.
 - Description of the gender and age of animals if possible.
 - Description of any wildlife encounters and any actions/mitigation measures taken;
 - Evidence regarding the Proponent's commitment to require on-site personnel read and understand the comments provided to NIRB by the GN-DOE and EC;
 - A summary of local hires and initiatives;
 - A summary of community consultations undertaken as detailed in NIRB application documents (PSIR);
 - A summary of site-visits by Land Use Inspectors with results and follow-up actions;
 - The number of take-offs and landings from an airstrip with proposed flight path with date and location;
 - The number of helicopter touch-downs on the land with date and location (provide unless confidential);
 - Site photos;
 - Progressive reclamation work undertaken;

- Efforts made (including the use of recommended incinerator) to achieve compliance with the *Canada-Wide Standards for Dioxins and Furans* and the *Canada-Wide Standards for Mercury*;
- A summary of the number and location of spills and failures which activated the Spill Contingency Plan; and
- A summary of how the Proponent has complied with NIRB conditions contained within this Screening Decision, and the conditions associated with all authorizations for the project proposal.

Wildlife

7. The proponent is required to suspend all project activities during the period of May 15 to July 15 when caribou are observed calving in the area.
8. The proponent is required to suspend all low-altitude flights by aircraft, diamond drilling activities and equipment movement if caribou are observed during pre-calving or post-calving periods.
9. The proponent is also required to suspend all activities during caribou migration in the spring and in the fall when or if caribou herds are passing the project area until the migrating caribou has passed.
10. The proponent is also required not to conduct low-altitude flights over concentrations of caribou and musk ox.
11. The Proponent shall ensure that there will be no disturbance of nesting raptors from 15 April to 1 September by staying at least 1.5 km away from them when in transit by aircraft, and avoiding approaching nests closely while on foot.
12. The Proponent shall ensure that all disturbances to nests during the early part of the nesting cycle will be avoided (avoid nest sites from late May through to mid-July).
13. The Proponent shall avoid activity within 100m of a nest site during the latter part of the nesting stage (August 10-20 for peregrine falcons in this region).
14. The Proponent is advised that the operation is in an area where polar bears may be encountered. Therefore, the Proponent and all employees should follow procedures outlined in the "Safety in Bear Country Manual". In addition, proper food handling and garbage disposal procedures should be followed to reduce the likelihood that bears will be attracted to the operation.
15. The Proponent is advised that furbearers may be observed at camps and drill sites. There is a concern with potential human-wolf, wolverine, and fox encounters. These encounters can result in injury or death to either the animal or humans. Therefore all possible efforts to avoid human-wildlife encounters must be made.
16. The proponent is required to report all wildlife observations near the project area at the end of the operational season to GN-DOE (Wildlife Division): Manager of Wildlife: Dan Shewchuk, (867) 857-2828, dshechuk@gov.nu.ca and Biologist, Kivalliq Region: Mitch Campbell, (867) 857-2828, mcampbell@gov.nu.ca

Waste management

17. The Proponent shall incinerate, with a dual chamber, all combustible and food wastes daily and shall store the ash in such a way that it is inaccessible to wildlife at all times.
18. The Proponent shall ensure that the disposal of combustible camp wastes comply with the *Canada-Wide Standards for Dioxins and Furans*, and the *Canada-Wide Standards for Mercury*. Efforts made to achieve compliance shall be reported to the NIRB as part of the annual report.
19. The Proponent shall ensure that no waste oil will be incinerated on site. All waste oil will be transported off site and disposed of at an approved facility. A waste manifest must accompany the shipment of all waste oil and the proponent must register with the DOE. Contact Robert Eno at

reno@gov.nu.ca or (867) 975-7748 to obtain a manifest if hazardous waste is generated during project activities.

Spill Contingency Plan

20. The proponent is required to locate all fuel and other hazardous materials a minimum of thirty (30) metres away from the high water mark of any water body and in such a manner as to prevent their release into the environment.
21. The proponent is required to ensure the main fuel cache at camp is placed within an Insta-berm.
22. The proponent is required to ensure drip trays be used at refueling stations.
23. The Proponent is required to utilize the revised spill reporting form in case of spills, and any spill reporting is to be recorded electronically. This revised spill form, with instructions, can be obtained from the Spill Line at (867) 920-8130.

Drilling / drilling holes disposal of relating radiation substances

24. The Proponent is required to use biodegradable and non-toxic additives. The Canadian Environmental Protection Act lists CaCl as a toxic substance.
25. Drill holes that encounter uranium mineralization with a content greater than 1.0% over a length of more than 1 meter with a meter-percent concentration greater than 5% should be sealed by cementing over the entire mineralization zone; this should be at least 10 meters above and below each mineralization zone.
26. Drill cuttings with a uranium concentration of greater than 0.05% should be disposed of down the drill hole and sealed.
27. All land based artesian holes shall be documented, plugged and sealed with grout.
28. Core storage areas should be located at least 100 meters from the high waterline of all water bodies.
29. Gamma radiation levels at a long-term core storage area should not be greater than 1.0 µSv, and should never exceed 2.5 µSv. Instruments that measure radiation in counts per second should be converted to µS.
30. Final inspections of the entire site should be conducted by the proponent and lead agency to make sure that all areas of the site have been reclaimed as much as possible to its previous condition.

Others

31. The Proponent shall adhere to conditions stated in attached **Appendix B** Archaeological and Palaeontological Resources – Terms and Conditions for Land Use Permit Holders.
32. The Proponent is required to ensure the camp-site is clean and tidy. Furthermore, upon abandonment of the project activities the Proponent shall ensure that no remnants of past exploration activities are left within the project area. The area should left in a state as near as possible to pre-exploration conditions.

OTHER NIRB CONCERNS AND RECOMMENDATIONS

With respect to NIRB's primary objectives, it is recommended that:

Indian and Northern Affairs Canada (INAC)

- INAC impose strict mitigation measures, conditions and monitoring requirements, pursuant to the Federal Land Use Permit, which require Uranium North Resources Corporation to respect the

ecosystem in the project area. These mitigation measures, conditions and monitoring requirements should be in regard to:

- Wildlife and habitats protection.
 - Routings, timing and locations of airborne geophysics.
 - Use, Storage, Handling and Disposal of Chemical or Toxic Material.
 - Petroleum Fuel Storage.
 - Matters Not Consistent with the Regulations.
- INAC should also consider the importance of conducting regular Land Use Inspections, pursuant to the authority of the Federal Land Use Permit, while the project is in operation. The Land Use Inspections should be focused on ensuring the Proponent is in compliance with the conditions imposed through the Federal Land Use Permit.

The Government of Nunavut Department of Environment (GN-DOE)

- The GN-DOE should conduct on-going collection of wildlife data in project areas.

Regulatory Requirements

The Proponent will be advised, should the project proceed, that the following legislation may apply to the project:

1. Section 36(3) of the *Fisheries Act* (<http://laws.justice.gc.ca/en/showtdm/cs/F-14///en>) which states that no person shall deposit or permit the deposit of a deleterious substance in any type in water frequented by fish or in any place under any conditions where the deleterious substance may enter such a water body.
2. The *Migratory Birds Convention Act* and *Migratory Birds Regulations* which state that no person disturb or destroy the nests or eggs of migratory birds, and that no person shall deposit or permit to be deposited oil, oil wastes or any other substance harmful to migratory birds in any waters or any area frequented by migratory birds (<http://laws.justice.gc.ca/en/showtdm/cs/M-7.01>)
3. The *Species at Risk Act* (<http://laws.justice.gc.ca/en/showtdm/cs/S-15.3>). Attached in **Appendix C** is a list of Species at Risk in Nunavut. The Proponent should consult the Species at Risk Public Registry (<http://www.sararegistry.gc.ca/>) to identify any Species at Risk within the project location. Further, the Proponent shall develop monitoring plans for each relevant Species at Risk in accordance with any applicable status reports, recovery strategies, action plans, and management plans posted on the Species at Risk Public Registry and in consultation with the Government Organization with Primary Management Responsibility. Monitoring plans should record the locations and frequency of observing species of special concern and note any actions taken to avoid contact or cause disturbance to the species, its residence, or its critical habitat.
4. The *Nunavut Act* (<http://laws.justice.gc.ca/en/showtdm/cs/N-28.6>) which requires that no person alter or disturb any archaeological or palaeontological sites in Nunavut unless permission is first granted through the permitting process. If any archaeological or palaeontological sites are found they should remain undisturbed and their location should be reported to the Government of Nunavut Department of Culture, Language, Elders and Youth. The Proponent must comply with the proposed terms and conditions listed in the attached **Appendix B**.
5. The *Transportation of Dangerous Goods Regulations*, *Transportation of Dangerous Goods Act* (<http://www.tc.gc.ca/tdg/menu.htm>), and the *Environmental Protection Act* (<http://laws.justice.gc.ca/en/C-15.31/text.html>) which presents the requirements for the handling, storing, managing and transportation of dangerous goods, including hazardous wastes, fuel and contaminated material. The Proponent must ensure that proper shipping documents accompany all

movements of dangerous goods. The Proponent must register with GN-DOE by contacting Robert Eno at 867-975-7748 or reno@gov.nu.ca.

6. Article 13.7.1 of the NLCA and Section 173(1) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, state that no person shall use water or dispose of waste into water without the approval of the Nunavut Water Board (NWB). The Proponent is encouraged to contact the NWB prior to engaging in any activities to determine if a license is required (<http://www.nunavutwaterboard.org/en/home>).

Validity of Land Claims Agreement

Section 2.12.2

Where there is any inconsistency or conflict between any federal, territorial and local government laws, and the Agreement, the Agreement shall prevail to the extent of the inconsistency or conflict.

Dated August 22, 2007 at Sanikiluaq, NU.



Lucassie Arragutainaq
A/Chairperson

APPENDIX A

Procedural History and Project Activities

Procedural History

On May 31, 2007 the Nunavut Impact Review Board (NIRB or Board) received Uranium North Resources Corporation (Uranium North)'s *Amer Lake Mining Exploration and Campsite* project proposal from Indian and Northern Affairs Canada (INAC). In addition NIRB received a positive conformity determination from the Nunavut Planning Commission (NPC) for this project proposal (May 30, 2007). NIRB assigned this project proposal file number, 07EN047.

On June 11, 2007 NIRB notified Uranium North that the information provided was not sufficient to conduct an environmental screening. Additional information was requested. On July 24, 2007 NIRB received the requested information and commenced the Part 4 Screening process.

The proposed project is located in the Kivalliq Region, and the nearest community is Baker Lake. The purpose of the project is for uranium exploration in the Amer Lake area.

On June 11, 2007 NIRB distributed the application for comment to interested Federal and Territorial Agencies as well as municipalities most affected by Amer Lake project.

On or before August 10, 2007, the NIRB received comments from the following interested Parties:

- Environment Canada (EC); and
- The Government of Nunavut Department of Environment (GN-DOE).

Project Activities

The proposed project activities include:

- On-land drilling of approximately 2500m per year (for two years).
- Ground-based mapping, prospecting, sampling and geophysics.
- Aircraft use for access to the site and airborne geophysics activity within project area.
- Use of eskers or lakes for landing aircraft.
- The establishment of a 10-12 man temporary camp on southern shore of Amer Lake.
- Fuel and chemical transportation and storage.
- Use of water and generation of wastes.

APPENDIX B

Government of Nunavut – Department of Culture, Language, Elders and Youth Standard Terms and Conditions



BACKGROUND

Archaeology

As stated in Article 33 of the Nunavut Land Claims Agreement:

The archaeological record of the Inuit of Nunavut is a record of Inuit use and occupancy of lands and resources through time. The evidence associated with their use and occupancy represents a cultural, historical and ethnographic heritage of Inuit society and, as such, Government recognizes that Inuit have a special relationship with such evidence, which shall be expressed in terms of special rights and responsibilities. [33.2.1]

The archaeological record of Nunavut is of spiritual, cultural, religious and educational importance to Inuit. Accordingly, the identification, protection and conservation of archaeological sites and specimens and the interpretation of the archaeological record is of primary importance to Inuit and their involvement is both desirable and necessary. [33.2.2]

In recognition of the cultural, spiritual and religious importance of certain areas in Nunavut to Inuit, Inuit have special rights and interests in these areas as defined by Article 33 of the Nunavut Land Claims Agreement. [33.2.5]

Palaeontology

Under the Nunavut Act¹, the federal government can make regulations for the protection, care and preservation of palaeontological sites and specimens in Nunavut. Under the *Nunavut Archaeological and Palaeontological Sites Regulations*², it is illegal to alter or disturb any palaeontological site in Nunavut unless permission is first granted through the permitting process.

Definitions

As defined in the *Nunavut Archaeological and Palaeontological Sites Regulations*, the following definitions apply:

“archaeological artifact” means any tangible evidence of human activity that is more than 50 years old and in respect of which an unbroken chain of possession or regular pattern of usage cannot be demonstrated, and includes a Denesuline archaeological specimen referred to in section 40.4.9 of the Nunavut Land Claims Agreement.

“palaeontological site” means a site where a fossil is found.

“fossil” includes:

- (a) natural casts
- (b) preserved tracks, coprolites and plant remains; and
- (c) the preserved shells and exoskeletons of invertebrates and the eggs, teeth and bones of vertebrates.

Terms and Conditions

- 1) The permittee shall not operate any vehicle over a known or suspected archaeological or palaeontological site.
- 2) The permittee shall not remove, disturb, or displace any archaeological artifact or site, or any fossil or palaeontological site.
- 3) The permittee shall immediately contact the Department of Culture, Language, Elders and Youth (867) 934-2046 or (867) 975-5500 or 1 (866) 934-2035 should an archaeological site or specimen, or a palaeontological site or fossil be encountered or disturbed by any land use activity.
- 4) The permittee shall immediately cease any activity that disturbs an archaeological or palaeontological site encountered during the course of a land use operation, until permitted to proceed with the authorization of the Department of Culture, Language, Elders and Youth, Government of Nunavut.
- 5) The permittee shall follow the direction of the Department of Culture, Language, Elders and Youth and DIAND in restoring disturbed archaeological or palaeontological sites to an acceptable condition.
- 6) The permittee shall provide all information requested by the Department of Culture, Language, Elders and Youth concerning all archaeological sites or artifacts and all palaeontological sites and fossils encountered in the course of any land use activity.
- 7) The permittee shall make best efforts to ensure that all persons working under authority of the permit are aware of these conditions concerning archaeological sites and artifacts, and palaeontological sites and fossils.
- 8) The permittee shall avoid the known archaeological and/or palaeontological sites listed in Attachment 1.
- 9) The permittee shall have an archaeologist or palaeontologist perform the following functions, as required by the Department of Culture, Language, Elders and Youth:

- a) survey
- b) inventory and documentation of the archaeological or palaeontological resources of the land use area
- c) assessment of potential for damage to archaeological or palaeontological sites
- d) mitigation
- e) marking boundaries of archaeological or palaeontological sites
- f) site restoration

The Department of Culture, Language, Elders and Youth shall authorize by way of a Nunavut Archaeologist Permit or a Nunavut Palaeontologist Permit, all procedures subsumed under the above operations.

APPENDIX C

Species at Risk in Nunavut

This list includes species listed on one of the Schedules of SARA (*Species at Risk Act*) and under consideration for listing on Schedule 1 of SARA. These species have been designated as at risk by COSEWIC (Committee on the Status of Endangered Wildlife in Canada). This list may not include all species identified as at risk by the Territorial Government.

- Schedule 1 is the official legal list of Species at Risk for SARA. SARA applies to all species on Schedule 1. The term “listed” species refers to species on Schedule 1.
- Schedule 2 and 3 of SARA identify species that were designated at risk by the COSEWIC prior to October 1999 and must be reassessed using revised criteria before they can be considered for addition to Schedule 1.
- Some species identified at risk by COSEWIC are “pending” addition to Schedule 1 of SARA. These species are under consideration for addition to Schedule 1, subject to further consultation or assessment.

Schedules of SARA are amended on a regular basis so it is important to periodically check the SARA registry (www.sararegistry.gc.ca) to get the current status of a species.

Updated: January 3, 2007

Species at Risk	COSEWIC Designation	Schedule of SARA	Government Organization with Lead Management Responsibility ¹
Eskimo Curlew	Endangered	Schedule 1	EC
Ivory Gull	Endangered ²	Schedule 1	EC
Peregrine Falcon (subspecies anatum)	Threatened	Schedule 1	Government of Nunavut
Ross's Gull	Threatened	Schedule 1	EC
Harlequin Duck (Eastern population)	Special Concern	Schedule 1	EC
Felt-leaf Willow	Special Concern	Schedule 1	Government of Nunavut
Peregrine Falcon (subspecies tundrius)	Special Concern	Schedule 3	Government of Nunavut
Short-eared Owl	Special Concern	Schedule 3	Government of Nunavut
Fourhorn Sculpin	Special Concern	Schedule 3	DFO
Peary Caribou	Endangered ³	Pending	Government of Nunavut
Beluga Whale (Eastern Hudson Bay population)	Endangered	Pending	DFO
Beluga Whale (Cumberland Sound population)	Threatened	Pending	DFO
Beluga Whale	Special Concern	Pending	DFO

(Western Hudson Bay population)			
Beluga Whale (Eastern High Arctic – Baffin Bay population)	Special Concern	Pending	DFO
Bowhead Whale (Hudson Bay-Foxe Basin population)	Threatened ⁴	Pending	DFO
Bowhead Whale (Davis Strait-Baffin Bay population)	Threatened ⁴	Pending	DFO
Porsild's Bryum	Threatened	Pending	Government of Nunavut
Atlantic Walrus	Special Concern	Pending	DFO
Narwhal	Special Concern	Pending	DFO
Rusty Blackbird	Special Concern	Pending	Government of Nunavut
Barren-ground Caribou (Dolphin and Union population)	Special Concern ³	Pending	Government of Nunavut
Grizzly Bear	Special Concern	Pending	Government of Nunavut
Polar Bear	Special Concern	Pending	Government of Nunavut
Wolverine (Western Population)	Special Concern	Pending	Government of Nunavut

¹ Environment Canada has a national role to play in the conservation and recovery of Species at Risk in Canada, as well as responsibility for management of birds described in the Migratory Birds Convention Act (MBCA). Day-to-day management of terrestrial species not covered in the MBCA is the responsibility of the Territorial Government. Populations that exist in National Parks are also managed under the authority of the Parks Canada Agency. EC = Environment Canada, DFO = Department of Fisheries and Oceans

² Designated as Endangered by COSEWIC in April 2006 and it is expected that the category of concern in SARA will also be changed from Special Concern to Endangered.

³ Peary Caribou was split into three separate populations in 1991: Banks Island (Endangered), High Arctic (Endangered) and Low Arctic (Threatened) populations. The Low Arctic population also included the Barren-ground Caribou - Dolphin and Union population. In May 2004 all three population designations were de-activated, and the Peary Caribou, *Rangifer tarandus pearyi*, was assessed separately from the Barren-ground Caribou (Dolphin and Union population), *Rangifer tarandus groenlandicus*. The subspecies *pearyi* is composed of a portion of the former "Low Arctic population" and all of the former "High Arctic" and "Banks Island" populations, and it was designated Endangered in May 2004. Although SARA lists Peary Caribou on Schedule 2 as three separate populations, the most current designation is the COSEWIC designation of the subspecies *pearyi* as Endangered.

⁴ The "Eastern and Western Arctic populations" of Bowhead Whale were given a single designation of Endangered in April 1980 by COSEWIC. These were split into two populations to allow separate designations in April 1986. The Eastern population was not re-evaluated in April 1986, but retained the Endangered status of the original "Eastern and Western Arctic populations". The Eastern Arctic population was further split into two populations (Hudson Bay-Foxe Basin population and Davis Strait-Baffin Bay population) in May 2005, and both these populations were designated as Threatened. Both these populations are under consideration for addition to Schedule 1. Although SARA lists the Eastern Arctic population as Endangered (Schedule 2), the most current designation is the COSEWIC designations of the Hudson Bay-Foxe Basin and Davis Strait-Baffin Bay populations as Threatened.