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Department of Environment

Ministère de l'Environnement

January 30th, 2007

Richard Dwyer
Licensing Trainee
Nunavut Water Board

via Email to: licensingtrainee@nwb.nunavut.ca

**RE: NWB2BE-KAZ – KAZANS FALLS EXPLORATORY PROJECT WATER
LICENSE APPLICATION**

Dear Richard:

The Department of Environment (DOE) has reviewed the water license application from Pacific Ridge Exploration Ltd. for conducting uranium exploration near Kazan River, and notes that some of our concerns have been addressed by Pacific Ridge however we offer the following comments and recommendations.

DOE continues to express its concern over exploration for Uranium with regards to the requirements of the Keewatin Regional Land Use Plan. We are aware that Nunavut Planning Commission has determined low level exploration for Uranium to be in conformity with the Keewatin Regional Land Use Plan despite the following;

(pg.65) of the Keewatin Regional Land Use Plan states:

3.5 - Uranium development shall not take place until NPC, NIRB, NWB and the NWMB have reviewed all of the issues relevant to uranium exploration and mining. Any review of uranium exploration and mining shall pay particular attention to questions concerning health and environmental protection. (A) (CR)

3.6 – Any future proposal to mine uranium must be approved by the people of the region.

There is concern that the issuing of permits relating to exploration for uranium may lead to an expectation that further development of these projects will be

permitted. INAC should clearly indicate to proponent the provisions of the appropriate land use plan.

The Keewatin Regional Land Use Plan conformity requirements stipulate that the completion of a review to address environmental and health related matters on uranium exploration and mining, in advance of any uranium development. NPC has stated that there needs to be a full discussion and debate of all the issues as well as further moral and political questions of Kivalliq residents, involving community organizations, co-management bodies, and government before uranium development is considered. In particular, the Beverly and Qamanirjuaq Caribou Management Board (BQCMB) should be consulted given that it was established as a direct result of the concerns of communities in the Thelon basin, particularly Baker Lake, over uranium development.

DOE recommends that the actions and conformity requirements as outlined in the Keewatin Land Use Plan be concluded in advance of any further permitting of uranium development including any further uranium exploration in the Kivalliq region; whereby NWB, NPC, NIRB, and the NWMB conduct a review of all issues relevant to uranium exploration and mining and that the proponent engage in community consultations.

3. WILDLIFE

The proposed camp and drilling locations are located in an area of concern for DOE in that several of these are located closer than 10 km from caribou water crossings. Additionally, these sites are located within a Critical Wildlife Area protecting Qamanirjuaq Caribou Calving Grounds.

The proponent should be made aware that the Territorial Land Use Regulations prohibit the construction of a camp, caching fuel, or blasting within 10 km and diamond drilling within 5km of designated crossings between May 15th and September 1st of the year.

DOE recommend the following measures be applied when operating in or near caribou calving or post calving grounds or spring migration routes, and water crossings; when caribou are most sensitive to human disturbances:

1. Caribou Protected Areas:

(a) DOE recommend that the proponent not conduct any activity between May 15 and July 15 within the Caribou Protection Areas.

(b) On cessation of activities the proponent should remove from the zone all personnel who are not required for the maintenance and protection of the camp facilities and equipment.

2. Calving Areas Outside Caribou Protected Areas

(a) In the event that caribou cows calve outside of the Caribou Protection Areas, the Proponent should suspend operations within the area(s) occupied by cows and/or calves between May 15 and July 15. DOE Wildlife Office should be contacted to verify location of calving areas outside of Caribou Protected Areas.

b) In the event that caribou cows and calves are present, the proponent should suspend:

(i) blasting;

(ii) overflights by aircraft at any altitude of less than 300 meters above ground level; and

(iii) the use of snowmobiles and ATVs (all-terrain vehicles) outside the immediate vicinity of the camp.

3 (a) During migration of Caribou, the proponent should not locate any operation so as to block or cause substantial diversion to migration.

(b) The proponent should cease activities that may interfere with migration, such as airborne geophysics surveys or movement of equipment, until the migrating caribou have passed.

4. (a) The proponent should not, between May 15 and September 1, construct any camp, cache any fuel or conduct any blasting within 10 km of any "Designated Crossing". DOE Wildlife Office should be contacted for locations of designated water crossings.

(b) The proponent should not, between May 15 and September 1, conduct any diamond drilling operation within 5 km of any "Designated Crossing".

NOTE

1. For locations of caribou water crossings and calving and post calving areas, the proponent should contact DOE Wildlife Office:

Manager, Wildlife

-Dan Shewchuk, (867) 857-2828

Biologist, Kivalliq Region, Arviat

- Mitch Campbell, (867) 857-2828

Raptor Nesting Areas

The project is located near known nesting site for peregrine falcon. Raptor nests occur throughout the permit area. DOE recommends the proponent not to disturb nesting raptors from 15 April to 1 September by staying at least 1.5 km away

from them when in transit by aircraft, and to avoid approaching them closely while on foot.

The following is a list of general precautions that must be considered when conducting prospecting activities near Peregrine Falcon, Gyrfalcon, and other raptor nests (most of these precautions will also apply to all nesting bird species):

1. Disturbance is most harmful early in the nesting period (May and June for Peregrine Falcon and Gyrfalcon, similar for Rough-legged Hawk):
Raptors will attempt to maximize their chances of successfully raising young. If they decide early in the breeding period that their nest is at risk, they may abandon it. If nests are disturbed at this stage of nesting, there may not be sufficient time to renest. All disturbances to nests during the early part of the nesting cycle must be avoided (avoid nest sites from late May to mid-July).
2. Individuals show variability in their response to disturbance:
Different birds will show different responses to varying levels of disturbance. This may result from the general health of the bird, weather conditions, previous life experiences, and adaptability. Therefore, treat all nest sites with equal precaution, regardless of the response of the bird. Do not disturb raptor nests during conditions of poor weather (rain, snow, high winds).
3. Approaching the nest site near the time of fledgling (where chicks fly away from the nest) often leads to premature nest departure:
During the last few weeks of nesting, severe disturbance at the nest often causes young raptors to jump out of the nest. This can cause death from exposure, predation, starvation, or trauma from the fall itself. All activity within 100m of a nest site during the latter part of the nest stage (10-20 August for peregrine falcons in this region) must be avoided.

Further details on wildlife issues can be obtained from the contact information below:

DOE Contacts

Manager, Wildlife

-Dan Shewchuk, (867) 857-2828, dshechuk@gov.nu.ca

Wildlife Officer,

-Joe Niego, (867) 793-2944, jniego2@gov.nu.ca

Biologist, Kivalliq Region, Arviat

- Mitch Campbell, (867) 857-2828, mcampbell@gov.nu.ca



We thank NWB for giving us the opportunity to review and provide comments on the Pacific Ridge's water license application near Kazan River. Please contact us if you have any further questions or comments.

Thank you,

Original signed by

Michael Mifflin

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Michael Mifflin

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Coordinator Land Use Planning
Environmental Protection Services

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