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Department of Environment

Ministère de l'Environnement

June 9, 2008

Leslie Payette
Manager of Environmental Administration
Nunavut Impact Review Board

Via e-mail to: lpayette@nirb.ca.

RE:NIRB 08EN037 - Uravan Minerals Inc - Invitation for Further Comments

I am writing you today with regard to your request on May 23, 2008 for further comments concerning the Uravan Minerals Inc. Garry Lake uranium exploration project within the Beverly Caribou Protected Area and the Thelon Game Sanctuary Special Management Area. In your letter you were seeking more information and input regarding the following three issues:

1. Views on the four screening decision options as outlined in the NLCA 12.4.4;
2. The propriety of making continued decisions in those areas without first having the Thelon Plan, and its SMAs implemented; and
3. The potential for cumulative effects.

The Government of Nunavut (GN) is equally concerned about these issues, and for this reason on April 23, 2008 we recommended that if the project was approved, specific terms and conditions should be placed on the project.

It is GN's view that land use plans should inform regional land use decisions by providing the structure and certainty needed for project proponents and other stakeholders in order that they would have confidence that the activities taking place in the region conform to regional values and goals. As outlined in the recently approved 11.4.1 (a) document titled *Nunavut Planning Commission Broad Planning Policies, Objectives and Goals*, land use plans should also address the cumulative effects of a broad range of land use activities. In the absence of up-to-date land use plans, and without key areas of the Thelon Game Sanctuary Management Plan implemented, important pieces of the territory's resource management system are missing. Until these pieces are finalized, environmental assessment will be forced to continue addressing broad land use issues in the context of specific projects. Nevertheless, GN feels that it is indeed within NIRB's scope of practice to gauge and define the extent of the regional

ecosystemic and socioeconomic impacts of this project on the Beverly caribou herd.

The Thelon Game Sanctuary Management Plan (TGSMP) has been approved, but it has not been implemented due to the lack of funding; as well, a necessary management committee has yet to be established to steer implementation of the Plan. Additionally, the Special Management Areas (SMAs) as proposed in the TGSMP, and their official designation has yet to be finalized by relevant parties. It is Indian and Northern Affairs Canada (INAC) obligation, both under the terms of the Plan, and the Nunavut Land Claims Agreement (NLCA), to provide the necessary funding to implement the Management Plan for this Federal Conservation Area. GN has previously communicated funding concerns to INAC, and is awaiting a response.

With regard to cumulative effects, GN is working to gain a better understanding of project related impacts on caribou through several related projects outlined below. This in turn will contribute to the understanding of cumulative impacts on caribou.

In the summer of 2007, GN, Department of Environment (DOE) in partnership with the Government of Northwest Territories (GNWT), undertook population surveys of the Beverly caribou herd. Numbers of caribou observed were extremely low and two possible scenarios now require further investigation. Firstly, caribou were not on the calving grounds as expected; or secondly, the numbers encountered represent real population levels. A summary report of the 2007 study entitled *Summary: 2007 Barren-ground Caribou Calving Distribution Surveys, Northwest Territories & Nunavut* can be obtained at DOE's office. Please note that the summary is an unpublished report provided by Environment & Natural Resources, GNWT, and a comprehensive report will be finalized in the near future. Finally, GN will continue population surveys in 2008 and in the future years, which will inform future impact assessment on caribou.

Additionally, GN with substantial stakeholder involvement, is also developing a Caribou Management Strategy for Nunavut. This strategy, once developed and implemented, will provide more complete information on the health of the caribou herds, and could potentially demonstrate the need for more stringent recommendations for caribou management in the future. It is hoped that the strategy will be completed by early 2009.

Furthermore, we believe that the land and resource management parties, including NWMB (Nunavut Wildlife Management Board), NPC (Nunavut Planning Commission), DOE, INAC and the Regional Inuit Organizations (i.e., Kivalliq Inuit Association or KIA), as well as the environmental assessment board (i.e., NIRB), should work together to address the cumulative impact concern. A regional cumulative effects study should be conducted on the status and sustainability of the Beverly caribou herd, taking into account projects across the Beverly caribou

range. As such, NIRB should ensure that the proponent works with the parties to address potential cumulative impacts and provides parties with the necessary information and assistance to assess cumulative effects on caribou.

In conclusion, while GN is very concerned about the potential for cumulative effects on caribou in this area, we feel our recommendations, if fully implemented, will mitigate some of the effects. We further recommend that all relevant parties (i.e., GN, NIRB, NWMB, NPC, KIA, INAC and proponents) work together to determine how best to address cumulative impacts on a regional scale. Moreover, it is important that efforts to understand cumulative effects on caribou be initiated among all the relevant parties who issue land use authorizations. Finally, we believe that once the TGSMP is implemented, land use plans are updated, and the caribou management strategy is completed and implemented, environmental assessment decisions of this nature will be more straightforward.

GN thanks NIRB for the further opportunity to comment on the Garry Lake project proposal. If you have any further questions, please do not hesitate to contact Helen Yeh, Acting Manager, Land Use & Environmental Assessment, at hyeh@gov.nu.ca or (867) 975-7733.

Yours sincerely,

Original signed by

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CC:

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