



Iris Catholique  
Manager, Wildlife, Lands & Environment Department  
Lutsel K'e Dene First Nation  
Box 28  
Lutsel K'e, NT X0E 1A0  
[iris\\_catholique@yahoo.ca](mailto:iris_catholique@yahoo.ca)  
Ph: (867)-370-3197  
Fax: (867)-370-3143

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Leslie Payette – Manager, Environmental Administration  
Nunavut Impact Review Board  
Cambridge Bay, Nunavut  
Fax: (867)-983-2594  
[lpayette@nirb.ca](mailto:lpayette@nirb.ca)

**RE: NIRB 08EN037 Part 4 Screening of Uravan Minerals Inc's Garry Lake Project**

Ms. Payette:

Further to NIRB's request for views on decision options listed under Section 12.4.4 of the Nunavut Land Claims Agreement (NLCA) Lutsel K'e Dene First Nation (LKDFN) is pleased to provide comment.

Further to the Beverly and Qamanirjuaq Caribou Management Board's recommendation that no exploration or development activities should be permitted on the traditional calving ground of the Beverly caribou herd, WLEC believes that the potential adverse impacts of the Garry Lake Project are so unacceptable that it should be abandoned (NLCA Section 12.4.4(d)). This is in agreement with the BQCMB's recommendation that this application should not be approved.

According to Section 12.2.5 of the NLCA, NIRB shall take into account the well-being of residents of Canada outside the Nunavut Settlement Area in carrying out its functions. This requirement includes the well-being of members of the LKDFN who may be affected by the Project. It is quite clear that caribou is

a migratory species, that calving grounds are critical habitat and other users outside of the Nunavut territory could be adversely affected by the Garry Lake Project.

The Thelon Wildlife Sanctuary Management Plan (Management Plan) has been approved-in-principle by Canada, all the relevant authorities in Nunavut, and by the Lutsel K'e Dene First Nation in the NWT. The Management Plan contemplates the creation of two Special Management Areas (SMAs) to the southwest and northeast of the Sanctuary itself. Uravan's proposed Garry Lake Project is within the bounds of the proposed Aberdeen Lake SMA.

The area encompassed by the proposed Aberdeen Lake SMA is of critical importance to both the Ahiak and Beverly herds, particularly the latter which regularly calves in the area. Indeed, the Aberdeen Lake SMA was initially considered as a mechanism whereby this critical habitat could be managed in the interest of maintaining caribou herd integrity. For the Lutsel K'e Dene First Nation, this integrity is paramount. The Beverly caribou are one of two main herds that provide the bulk of the country food consumed by Lutsel K'e Dene. Negative impacts to this herd will necessarily result in the diminished health of the Lutsel K'e Dene. As well, the culture of the Lutsel K'e Dene is inextricably tied to the great caribou herds of the barrenlands. If these herds are compromised, there can be no doubt that the very identity and well-being of the Lutsel K'e Dene as a vibrant and distinct community will be jeopardized.

The entire Thelon basin is under tremendous industrial pressure at this point in time, due to the increased price of uranium. In the NWT, the entire Thelon geological basin is under mineral claim, and the Lutsel K'e Dene First Nation has been forced to engage in five separate uranium exploration environmental assessments in order to protect its interests. The Uravan Garry Lakes project is now the sixth. The cumulative effects of all this activity, combined with the activities ongoing in Nunavut, can only mean problems for both caribou and aboriginal peoples.

There is a tremendous lack of information about the status of the Beverly and Ahiak caribou herds that calve and post-calve in the Thelon region. There are no recent population surveys, health assessments, or migration studies. The extent of traditional and current land-use by aboriginal peoples in the area is also relatively undocumented. Without adequate information about the use of the region by aboriginal people and caribou, it is impossible for the NIRB to adequately predict the cumulative impacts of uranium exploration upon these values.

The whole purpose of implementation of the Management Plan, and particularly the SMAs, is to develop context with which to assess the feasibility of certain developments in the region. It is difficult, if not impossible, to make impact predictions and develop mitigations without guidance from a fully implemented Management Plan. The Lutsel K'e Dene First Nation wishes to insure that the requisite planning is completed in this extremely sensitive region prior to the accommodation of industrial interests. It doesn't make sense to plan after industry has been allowed to run rampant through an area – the very values that are important to maintain might already be compromised. Planning should be completed prior to the consideration of new development proposals in the region.

The Government of the NWT, the Government of Nunavut, and the federal government have not done their part to insure that the plan is implemented (though such implementation is an obligation under the Nunavut Lands Claims Agreement). The respective governments should be engaging in a process to formally establish and support a management authority for the Sanctuary, identify funding, and establish boundaries and special regulations for the two SMAs. In the meantime, the provisions of the Management Plan should be considered prior to the issuance of permits and dispositions in the areas identified as SMAs.

There is currently no mechanism for the information in the Management Plan to be communicated on a broad level to mineral exploration companies, or to be integrated prior to the application and permitting processes. Instead, this information has been exchanged on an *ad hoc* basis through the regulatory process, which is fair neither to the developers or the communities and organizations that have been required to participate in these often time-consuming processes.

**The federal and territorial governments have an obligation to implement the Thelon Wildlife Sanctuary Management Plan. This must be done prior to parsing out the SMA regions to industry. In the meantime, Management Plan provisions must be considered when evaluating new permit and disposition applications in the proposed Special Management Areas. The NIRB should recommend that INAC suspend any development in the proposed Thelon SMAs in the interim while the Management Plan is implemented, and provide compensation to affected mineral claims holders if necessary.**

Sincerely,

Iris Catholique

Iris Catholique  
Manager, LKDFN Wildlife, Lands and Environment Department

C. Chief Steven Nitah, Lutsel K'e Dene First Nations  
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