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Our file: 4704 004 013
NIRB File: NIRB 08EN037

Leslie Payette
Manager of Licensing
Nunavut Impact Review Board
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Via email at lpayette@nirb.nunavut.ca

Dear Ms. Payette:

**RE: 08EN037- Scoping Comments on Commencement of the NIRB's Part 5 Review of
Uravan Minerals Inc.'s Garry Lake Project**

Thank-you for the opportunity to provide input to the Nunavut Impact Review Board (NIRB) regarding the scope of the Uravan Minerals Inc.'s Garry Lake Project. Although Environment Canada (EC) has no regulatory authorizations associated with this project, EC is available to provide specialist advice related to the protection and conservation of the environment pursuant to our mandated responsibilities under the *Canadian Environmental Protection Act*, Section 36(3) of the *Fisheries Act*, the *Migratory Birds Convention Act*, and the *Species at Risk Act*.

Proposed Scope of Factors to be Considered

Environment Canada recommends that particular attention be paid to the potential impacts to migratory birds and their habitat. It should be noted that the proposed project area is immediately south of the Middle Back River/Garry Lake area that has been identified as a Key Migratory Bird Site. This area is an especially important moulting area for geese. Moulting geese are temporarily flightless while they lose their flight feathers and grow new ones, and they are particularly sensitive to disturbance, including aircraft disturbance. (For information on the Key Site, see NU Site 38 in Latour, P.B., J. Leger, J.E. Hines, M.L. Mallory, D.L. Mulders, H.G. Gilchrist, P.A. Smith and D.L. Dickson. 2008. Key migratory bird terrestrial habitat sites in the Northwest Territories and Nunavut. 3rd edition. Canadian Wildlife Service Occasional Paper No. 114. Available at http://www.cws-scf.ec.gc.ca/publications/papers/114/index_e.cfm)

In addition, Section 79 (2) of the Species at Risk Act (SARA) states that during an assessment of effects of a project, the adverse effects of the project on listed wildlife species and its critical habitat must be identified, that measures are taken to avoid or lessen those effects, and that the effects need to be monitored. Accordingly, the scope of the NIRB review should ensure that Species at Risk that could be encountered or affected by the project are identified and any potential adverse effects of the project to the species, its habitat, and/or its residence noted. All direct, indirect, and cumulative effects should be considered. Mitigation measures to avoid or lessen effects should be discussed, as well as monitoring strategies to determine the effectiveness of mitigation and/or identify where further mitigation is required. Section 79 of SARA applies to all species listed on Schedule 1 of SARA. However, as a matter of best practice, Environment Canada suggests that species on other Schedules of SARA and under consideration for listing on SARA, including those designated as at risk by the Committee on the

Status of Endangered Wildlife in Canada (COSEWIC), be considered during an environmental assessment in a similar manner.

In regards to EC's other mandated responsibilities (i.e. factors such as air and water quality, emergency response and spill contingency planning), standard mitigative terms and conditions should be sufficient to address impacts.

Thank-you for the opportunity to provide comments on the scope of the Uravan Minerals Inc.'s Garry Lake Project. Environment Canada looks forward to continuing to work with the NIRB and Uravan Minerals Inc. in the review of this project. Please do not hesitate to contact Carrie Spavor with any questions or comments with regards to the foregoing at (867) 975-4631 or by email at Carrie.Spavor@ec.gc.ca.

Yours truly,

Original signed by

Carey Ogilvie
Head, Environmental Assessment North

cc: (Savanna Levenson, Environmental Assessment Specialist, Environment Canada, Yellowknife)
(Dave Fox, Air Pollution Management Analyst North, Yellowknife)
(Myra Robertson, EA Coordinator, Canadian Wildlife Service, Environment Canada, Yellowknife)
(Mike Fournier, Senior Environmental Assessment Coordinator, Environment Canada, Yellowknife)
(Carrie Spavor, Environmental Assessment Coordinator, Environment Canada, Iqaluit)