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Department of Environment

Ministère de l'Environnement

File No. NIRB06EN003NWB8THE

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Via E-mail

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Nunavut Water Board

RE: Titan Uranium- Thelon Project

The Department of the Environment (DOE) thanks Nunavut Impact Review BoardWater Board for the opportunity to provide comments on the Abandonment & Restoration plan (A&R) & Spill Plan of the Thelon claim group. DOE has provided similar comments to NIRB regarding this project.

DOE is aware that the proposed permit concerns exploration for Uranium. 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.

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



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DOE recommends that the actions outlined in the Keewatin Region Land Use Plan relating to the review of relevant issues by the boards be concluded and the proponent engage in community consultations.

General Comments:

The Thelon project is located on the border of the Thelon Wildlife Sanctuary providing protection for Muskox, and will be operating within a Caribou Protected Area and Critical Wildlife area for the Beverley Herd. The proposed project area also provides denning habitat for arctic foxes and wolves and for grizzly bears. Additionally, the project is located adjacent to the Thelon Heritage River which provides habitat for migratory birds. For the above reasons DOE recommends:

1. The Thelon Game Sanctuary

It is recommended that the number of permits applications fringing upon existing and proposed Federal Conservation areas be given further scrutiny by the appropriate agency within the Government of Canada. Please note that the Thelon Game Sanctuary is a Federal Conservation Area for which DIAND is ultimately responsible. Issues of maintaining ecosystemic integrity within the Sanctuary should be a primary consideration of DIAND when it entertains development up to the border of the Conservation Area.

Furthermore, the Thelon Game Sanctuary Management Plan, approved by INAC in 2005, proposes the Beverly Calving Ground to the north east of the Sanctuary as a Special Management Area. The plan suggests the following;

The second Special Management Area proposed lies along the existing northeastern boundary of the Sanctuary and extends over the area between the Garry Lakes and the Aberdeen Lake area. This area, referred to as the Aberdeen Lake SMA, is locally recognized as a calving area for the Beverly Caribou Herd. The area extends southward to Marjorie Lake and the Dubwant River to encompass important crossing areas along the Thelon River. Like the Tyrrell Lake SMA in the southeast, this area is critical to protect a natural resource at the heart of the Sanctuary and its conservation mandate. The caribou herds of this region are a critical resource to both the Inuit and Dene people of the Thelon region and the success of maintaining those herds in healthy numbers is essential. Special considerations for the management of the area to the northeast of the existing Sanctuary must be consistent with the intent of the Management Plan for the Sanctuary while land use is administered locally through the appropriately designated regulatory body. The SMAs are critical to achieve two fundamental objectives: to ensure that resource specific development and use restrictions are applied to activities



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that could influence the integrity of resources critical to the sustainability of the Sanctuary even though the resources are not completely contained by the Sanctuary; and, Thelon Game Sanctuary Management Plan Without Prejudice 43 to give a direct local conservation input into the regulatory process for land use adjacent to the Sanctuary. The SMAs are not intended to eliminate development or other land use activity, rather to ensure that such activities are especially sensitive in their approach and timing to the resource values of the area. The role of the Management Authority, therefore, is to provide input to the land use permitting process, outlining resource concerns and optional mitigating measures. Such input should be a recognized step in the process and should precede permit approval. The SMAs highlight the areas of critical resources linked to the Sanctuary and identify the area within which the Management Authority will be a contributing participant in the land use regulatory process'.

DOE asks INAC to be mindful of the sensitivities and importance of the area, and to initiate discussions with the community of Baker Lake, the DIO and the GN on appropriate conservation measures in keeping with the Management Plan recommendations.

2. The Canadian Heritage Rivers System

We also are concerned regarding permit areas requested along Canadian Heritage Rivers in Nunavut, particularly the Thelon River. Please note that The Canadian Heritage Rivers System (CHRS) is Canada's national program for freshwater conservation. In Nunavut (as elsewhere in Canada), it is a cooperative program between the governments of Canada and the Government of Nunavut (other provincial and territorial governments for the rest of Canada). The objectives of the program are to give national recognition to Canada's outstanding rivers and to ensure long-term management that will conserve their natural, cultural and recreational values for the benefit and enjoyment of Canadians, now and in the future.

In Nunavut, three rivers have been designated (Soper, Kazan and Thelon), meaning that management plans detailing how their heritage values will be protected have been lodged with the CHR Board, and one has been nominated (Coppermine). Therefore, we ask that if NIRB grants the prospecting permits within the management areas of the Heritage Rivers that it insures, via conditions within the permits, that the prospectors respect the values of the Heritage Rivers (please see the Management Plans referenced above) and not to engage in any activity that would interfere or other wise detract from the experience of tourists and Nunavummiut using the Heritage Rivers now and in the future.

3. DIAND Caribou Protection Measures (under the Territorial Lands Act)



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- 1. (a) The Permittee shall not, without approval, conduct any activity between May 15 and July 15 within the Caribou Protection Areas depicted on the map certified by the Engineer as the "Caribou Protection Map" and annexed to this Land Use Permit.
- (b) A Permittee may, upon approval by the Land Use Inspector, operate within the said Caribou Protection Areas beyond the May 15 deadline set out in 1(a), provided that, when monitoring information indicates that caribou cows are approaching the area of operation, the Permittee will implement 1(c).
- (c) On cessation of activities pursuant to 1(a) or 1(b), the Permittee will remove from the zone all personnel who are not required for the maintenance and protection of the camp facilities and equipment, unless otherwise directed by the Land Use Inspector.
- d) The Permittee may commence or resume activities prior to July 15 within those parts of the Caribou Protection Areas released by the Land Use Inspector for the reason that caribou cows are not expected to use those parts for calving or post-calving (note 1).
- 2. (a) In the event that caribou cows calve outside of the Caribou Protection Areas, the Permittee shall suspend operations within the area(s) occupied by cows and/or calves between May 15and July 15.
- b) In the event that caribou cows and calves are present, the permittee shall suspend:
 - (i) blasting;
 - (ii) overflights by aircraft at any altitude of less that 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 Permittee shall not locate any operation so as to block or cause substantial diversion to migration.
- (b) The Permittee shall 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 Permittee shall not, between may 15 and September 1, construct any camp, cache any fuel or conduct any blasting within 10 km of any "Designated Crossing" as outlined on the map certified by the Engineer as the "Caribou Protection Map" and annexed to this Land Use Permit.



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(b) The Permittee shall not, between May 15 and September 1, conduct any diamond drilling operation within 5km of any "Designated Crossing" as outlined on the map certified by the Engineer as the "Caribou Protection map' and annexed to this land Use Permit.

NOTE

- 1. The Land Use Inspector's decision will be based on the existing caribou information.
- 2. Concentrations of caribou should be avoided by low-level aircraft at all times.

4.Carnivores

The GN is concerned that there may be possible attraction of Carnivores (Grizzly Bears, Wolves, Foxes). The proponent is advised to minimize odors that potentially attract carnivores through timely camp housekeeping. Should the proponent experience any interaction with carnivores, they are advised they should contact the local wildlife officer.

5.Bear-People Conflicts

The operation is in an area where bears may be encountered. Proper food handling and garbage disposal procedures should be followed to reduce the likelihood that bears will be attracted to the operation. Careful planning and attention to details of camp design and maintenance will decrease the attraction of bears to camp.

The applicant should follow procedures outlined in the "Safety in Bear Country Manual", and should contact the Regional/Area Biologist or the Wildlife manager indicated below for information and advice on measures which should be taken to minimize the possibility of bear-people conflicts.

DoE Contacts

Manager, Wildlife
-Dan Shewchuk, (867) 857-2828
Biologist, Kivalliq Region, Arviat
- Mitch Campbell, (867) 857-2828

Once again the Department of Environment thanks NIRBNunavut Water Board for the opportunity to comment on this project proposal.

Sincerely,

Michael Mifflin
Coordinator Land Use Planning
Department of Environment



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