

BEVERLY AND QAMANIRJUAQ CARIBOU MANAGEMENT BOARD

16 December 2008

Leslie Payette
Manager Environmental Administration
Nunavut Impact Review Board
P.O.Box 1360
Cambridge Bay NU X0B 0C0

Dear Ms. Payette:

NIRB File No. 06AN085 – Request for Extension for AREVA’s Kiggavik-Sissons Project

On behalf of the Beverly and Qamanirjuaq Caribou Management Board (BQCMB), I am submitting comments on the request from AREVA Resources Canada Inc. for a second one-year extension to their land use permit for uranium exploration on their Kiggavik and Sissons properties west of Baker Lake. This is in accordance with the mandate of the BQCMB, which is to advise governments and caribou range communities on conservation and management of the Beverly and Qamanirjuaq caribou herds and their ranges.

NIRB’s 26 November 2008 letter acknowledging AREVA’s extension request states that “the NIRB is requesting advice and/or comments on this matter before proceeding with the extension request from AREVA”, with “this matter” being results of population surveys conducted for the Beverly and Ahiak caribou herds. According to NIRB’s April 2007 screening decision report for this land use permit, a recommendation was received from the GN during the screening process that became the basis for the following recommendation to INAC from NIRB:

“The term of the permitted activities associated with Land Use Permit N2006C0037 and Inuit Owned Lands License KVL306C02 is subject to any findings, direction or advice received by INAC and the KIA from the GN-DOE as a result of the 2007 GN/GNWT Population Surveys of the Beverly and Ahiak Caribou Herds.”

INAC included this recommendation in the covering letter sent with AREVA’s April 2007 federal land use permit.

Status of Beverly Caribou

The BQCMB does not know what findings or advice GN-DOE has provided to NIRB about the Beverly and Ahiak caribou herds. According to information provided to the BQCMB by the NWT Department of Environment and Natural Resources (GNWT-ENR) at our Board meeting in late November 2008, we can provide the following information to the NIRB:

- GNWT-ENR conducted extensive caribou surveys that included the Beverly and Ahiak calving grounds in both 2007 and 2008.
- Results of 2007 and 2008 surveys of adult female caribou on the calving ground during the calving period indicate that the Beverly herd has experienced a serious decrease in size, and the numbers of calves have been very low as well.
- A population survey of the Beverly herd was attempted in June 2007 but was unsuccessful as a result of weather conditions.
- No population estimate for the Beverly herd has been obtained since 1994, when herd size was estimated to be 276,000.

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The BQCMB is very concerned about this serious decline in the Beverly herd. The Board issued a press release and supporting background information that have been distributed widely, and are provided as attachments to this letter.

Importance of the Project Area to Caribou

We reiterate information we provided in our letter commenting on AREVA's 2006 application for a land use permit:

- Data from past government caribou surveys conducted between 1948 and 1990 indicate that the AREVA-Kiggavik project area has been used by Beverly caribou during the following periods:
 - Spring migration (mid-March to late May)
 - Post-calving (late June to end of July)
 - Late summer (early August to mid-September)
- The major water crossings that have been identified on the Thelon River to the north of the project area also indicate that the area has been used by caribou moving to and from different seasonal habitats.

According to AREVA's 2007 Annual Report, caribou were observed during weekly aerial surveys between late July and late September 2007. In addition, small groups of caribou, including some calves, were observed by ground-based monitors between June and September.

Primary Concerns

As we have stated previously (see March 2007 BQCMB letter to NIRB), the main aspects of AREVA's Kiggavik exploration activities of concern to the BQCMB are:

- exploration on post-calving area - the BQCMB has recommended establishing long-term legislated protection for calving and post-calving areas¹;
- low level flights (below 300 m), particularly if the flight path of aircraft crosses over large groups of pregnant female caribou during spring migration, or cow/calf groups during post-calving and late summer; and
- the cumulative effects of continued exploration across caribou ranges.

Beverly caribou may use AREVA's project area during post-calving and late summer periods, when disturbance from low-level flights, drilling, and other project activities could reduce feeding times and lead to decreases in condition and general health of animals. Project activities such as drilling and geophysical surveys that occur near caribou while they are particularly sensitive to disturbance (e.g., while caring for young calves) would have the greatest negative effects. This could lessen the animal's ability to cope with other stresses encountered elsewhere during their seasonal migrations across their year-round range, resulting in potentially significant cumulative effects.

¹ Protecting Calving Grounds, Post-Calving Areas and Other Important Habitats for Beverly and Qamanirjuaq Caribou: A Position Paper (BQCMB 2004)

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Recommendations

The Beverly caribou herd is in a vulnerable state, and needs to be given the opportunity to recover from its population decline. This means the herd must be protected from disturbance resulting from land use activities, including mineral exploration.

It is paramount that disturbance to Beverly caribou from AREVA's project activities be kept to an absolute minimum at all times. Therefore we make the following recommendations regarding terms and conditions that must be applied should a one-year permit extension be granted:

- 1) Project activities must not occur between May 15th and July 15th if caribou cows with calves are in the project area, as per NPC's conformity requirements regarding the caribou protection measures (2.6 and 2.15.7) and INAC's Caribou Protection Measures (including 2.1 and 2.2), which have been included by INAC in AREVA's land use permit.
- 2) Activities should resume after July 15th only if post-calving caribou are not in or approaching the area.
- 3) A monitoring system should ensure that at least one day's advance notification is received for shutting down project activities (including drilling and geophysical surveys) if caribou are approaching. This will be necessary to ensure that potential disturbance is discontinued before caribou reach the project area.
- 4) INAC and GN-DOE should conduct regular inspections while the project is in operation to ensure that AREVA and its sub-contractors are complying with these conditions. (These actions were recommended by NIRB in its screening decision report, but the BQCMB is not aware if commitments were made. According to AREVA's 2007 Annual Report (Sec. 12), few inspections were conducted by INAC, none were conducted by GN-DOE, and no reference was made to INAC's Caribou Protection Measures as a condition of the permit.)

We hope this information on Beverly caribou and our advice will be useful to NIRB. Please let me know if you require further information or have any questions about these comments from the BQCMB.

Sincerely,

[original signed by]

Leslie Wakelyn
BQCMB Biologist

Attachments (2)

cc: Albert Thorassie, BQCMB Chairperson
Baker Lake HTO