

BEVERLY AND QAMANIRJUAQ CARIBOU MANAGEMENT BOARD

10 February 2009

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

Dear Ms. Payette:

NIRB File No. 09MN003 – AREVA's Kiggavik Mine Project Proposal

On behalf of the Beverly and Qamanirjuaq Caribou Management Board (BQCMB), I am responding to your request for comments on the proposal from AREVA Resources Canada Inc. (AREVA) for development of the Kiggavik Project 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.

Recommendations:

The BQCMB agrees with AREVA that the Kiggavik project has significant impact potential and therefore the NIRB should recommend to the Minister that a Review be conducted under Part 5 or 6 in accordance with Article 12 of the Nunavut Land Claims Agreement (NLCA).

A formal review of the proposal should be conducted which ensures that a full and transparent public discussion takes place, in which all interested parties have the opportunity to present their views. We believe this is necessary because:

- the proposed project is likely to cause significant adverse eco-systemic and socio-economic effects, including effects on caribou, caribou habitat and caribou harvesting activities;
- the potential adverse effects of the project on caribou are not highly predictable and it is not known if they are mitigable with known technology; and
- the project proposal is likely to arouse significant public concern, including concern from traditional caribou harvesters in Nunavut, the Northwest Territories, and Saskatchewan.

According to NLCA Article 12.4.2, NIRB shall determine that a review is required when this situation is identified during screening of a project proposal.

In accordance with Article 12.11.2 of the NLCA, the NIRB should determine if agreements with other jurisdictions are needed to provide for collaboration in the review of this project proposal. This may be necessary because of the trans-boundary eco-systemic and socio-economic cumulative effects of exploration and development on caribou that migrate through the Kiggavik-Sissons area. The potential adverse socio-economic effects of this proposed project are not limited to effects on Inuit or residents of Nunavut, but could extend to traditional harvesters and other users of caribou across the caribou range in the Northwest Territories and Saskatchewan as well. We disagree with AREVA's statement (14 November 2008 letter to NPC) that "The ecosystemic and socio-economic impacts are within the NSA."

BEVERLY AND QAMANIRJUAQ CARIBOU MANAGEMENT BOARD

Concerns:

In our previous letters (12 March 2007 and 16 December 2008) submitted to the NIRB during screening of AREVA's proposals for uranium exploration on the Kiggavik and Sissons properties (NIRB File No. 06AN085), we outlined the importance of this area to caribou, our concerns about potential disturbance to caribou from exploration activities, and the vulnerable status of the Beverly caribou herd, which has undergone a serious decline.

We have also previously indicated which aspects of AREVA's exploration activities are of greatest concern to the BQCMB. These primary concerns regarding potential impacts on caribou are also of concern for activities associated with development of the mine:

- activities 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 and development across caribou ranges.

Our initial concerns about AREVA's proposed development project include the following potential adverse effects on caribou, caribou habitat, and caribou harvesting. One or more of these types of effects apply to each of the main project activities and components listed by NIRB in its 20 January 2009 notice of part 4 screening and request for comments.

- Loss of habitat, obstruction of caribou movements – from roads, mine pits, withdrawing water from lakes, construction of mine facilities, bridge crossing over the Thelon River etc.
- Contamination of water, soil and vegetation – from transportation of ore, explosives, chemical and hazardous materials; wastewater and sewage treatment facilities, discharge of effluent; deposition from incineration of domestic wastes; increased dust from mining activities, including extraction, transportation, waste rock piles, etc. Contamination issues specific to uranium mining are of concern with regard to the health of caribou and people consuming caribou.
- Disturbance to caribou – from all transportation by ground or air of personnel, materials and supplies; and from the noise associated with construction and operation of all facilities.

Note that this differs from AREVA's assessment in their "Identification of Environmental Impacts" (Part 2 NIRB forms submission, Table 1). They indicate no expected impact resulting from transportation of personnel and supplies by air during the construction phase, or from transportation of personnel and yellowcake by air during the operation phase.

- Increased hunting access to caribou – resulting from all roads, particularly those from Baker Lake to the mine site. This could result in reduced availability to caribou for people in Baker Lake over the project period.

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

BEVERLY AND QAMANIRJUAQ CARIBOU MANAGEMENT BOARD

Beverly caribou may use AREVA's project area during post-calving and late summer periods, when disturbance from project activities could reduce feeding times and lead to decreases in condition and general health of animals. Project activities that occur near caribou while they are particularly sensitive to disturbance (e.g., while caring for young calves) could 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.

Conclusions:

As we have described before, 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 and other adverse effects of land use activities, including mineral exploration and development. Other caribou herds that use the project area also need to be protected from adverse effects. We believe that a Part 5 or 6 Review of this project proposal is necessary to determine if the potential adverse effects of the project on caribou, caribou habitat and caribou harvesting can be mitigated adequately.

This is a precedent-setting project in many ways. The potential effects of a project of this magnitude and type on the eco-systemic integrity of Nunavut and the existing and future well-being of people that depend on caribou (within and outside Nunavut) need to be carefully considered and evaluated.

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

cc: Albert Thorassie, BQCMB Chairperson
Baker Lake HTO