

BEVERLY AND QAMANIRJUAQ CARIBOU MANAGEMENT BOARD

29 June 2008

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

Dear Ms. Payette:

NIRB File No. 08EN064 – Forum Uranium-North Thelon Project Proposals

On behalf of the Beverly and Qamanirjuaq Caribou Management Board (BQCMB), I am submitting comments on the two proposals from Forum Uranium Corporation (Forum) supporting their uranium exploration project in the Schultz Lake area west of Baker Lake. This input is provided in accordance with the mandate of the BQCMB, which is to advise governments and caribou range communities on ways to protect the Beverly and Qamanirjuaq caribou herds and their ranges.

As we indicated in our June 2007 submission to NIRB commenting on Forum's 2007 proposal for their North Thelon project, the BQCMB is concerned about these proposed activities because they will occur on range of the Beverly and Qamanirjuaq caribou herds and there is potential for Forum's proposed activities to impact barren-ground caribou. While the BQCMB's mandate provides a focus on caribou and caribou range, board members are also concerned with the broader ecological effects of human land use activities and the long-term impacts these activities will have on the sustainability of traditional lifestyles and livelihoods for northern communities.

Please refer to our 27 June 2007 letter, which describes the BQCMB's concerns with Forum's 2007 proposal (file no. 07EN046), and provides recommendations to address them. These comments and recommendations are equally relevant to the proposed renewal of the federal land use permit for the "North Thelon Joint Venture" project and to the new "North Thelon - Schultz Lake Right of Way" proposal. The comments and questions provided below relate to Forum's request for permit extension and their application for new activities.

Limitations due to lack of information

Please note the following:

- The application materials provided include a non-technical summary for work planned for the "North Thelon Joint Venture" project in 2008. However, no information is provided for work planned for 2009 and 2010, despite the fact that

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Forum has requested a 2-year extension, which would permit activities conducted until July 2010. We have therefore assumed that activities planned for 2009 and 2010, and the timing of those activities, are similar to those described for 2008.

- The application for a license to use a right of way for transporting fuel from Baker Lake to Forum's camp and fuel caches does not indicate what type of vehicles will be used. We have assumed they plan to use snow machines, but this needs to be clarified before specific recommendations can be made by GN-DOE (see below).

Comments

We would like to reiterate and expand on two aspects of our previous comments on Forum's proposed exploration work:

- 1) Importance of the Area to Caribou** - Data from past government caribou surveys (conducted between 1948 and 1990) and recent information on locations of satellite-collared caribou (collected by NWT Department of Environment and Natural Resources and Nunavut Department of Environment) indicate that the project area can provide important habitat to barren-ground caribou from various herds (Beverly, Qamanirjuaq, Wager Bay, Lorillard) throughout most of the year, including spring migration, post-calving, late summer, fall migration and rut, and winter. The area is not known to be used as a caribou calving area, however. More detailed information about seasonal use of the project area by caribou was provided in our 27 June 2007 letter to NIRB.

It should be noted that very little recent information is available about seasonal range use of this area by caribou, especially Beverly caribou. Very few Beverly caribou have been tracked using satellite collars, most since March 2006 or July 2007, which provides limited information about seasonal range use patterns of caribou cows. In addition, the satellite collar information does not tell us if the area has been used in recent years by other segments of the Beverly herd or other herds, such as bulls.

- 2) Cumulative Effects of Mineral Exploration on Caribou** - As we have stated repeatedly in our comments submitted to NIRB on mineral exploration proposals over the past several years, the BQCMB is concerned with the amount of mineral exploration underway and proposed across the range of the Beverly and Qamanirjuaq caribou herds. This includes exploration activities in the southern Kivalliq region of Nunavut and the south-eastern Northwest Territories, where numerous companies have been issued mineral tenure and land use permits over the past few years:
 - As of April 2008, 10 companies and individuals had active mineral tenure (prospecting permits, mineral claims, mineral leases) on the traditional Beverly calving ground. Many of the same and additional companies and

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individuals hold tenure immediately east of the calving ground in the Aberdeen-Schultz Lake area, and on the primary migration route of Beverly caribou in the NWT portion of the Thelon and Dubawnt watersheds.

- In the Kivalliq (NU) portion of the Thelon and Dubawnt watersheds, there are at least three major players who have received land use permits to operate in the Aberdeen-Schultz Lake area (AREVA, Cameco and Forum Uranium), several more have permits or have applied for permits to conduct exploration on the Beverly calving ground (Uravan, Bayswater, Western Uranium, Titan Uranium), and others have permits or have applied for permits to operate to the south near Dubawnt Lake (UR-Energy, Uranium North).
- Many of the same companies (UR-Energy, Uravan, Bayswater) have undergone or are undergoing environmental assessments for proposals to conduct uranium exploration on the primary migration route of Beverly caribou in the NWT portion of the Thelon and Dubawnt watersheds.

As we have said before, continued assessment of individual projects on a case-by-case basis clearly will not be adequate to ensure that significant adverse ecosystemic and socio-economic effects will be prevented. Furthermore, because so little is known about the status and vulnerability of the Beverly, Qamanirjuaq, and other barren-ground caribou herds that use seasonal ranges in the Kivalliq region, the potential adverse effects and their accumulating impacts on caribou are not highly predictable.

The BQCMB has repeatedly recommended a regional assessment of the cumulative impacts of mineral exploration and other land use activities on caribou to governments and regulators in Nunavut and the NWT, and that this assessment should include but not be limited to activities in the Kivalliq region of Nunavut. It is notable that we are not the only organization to recommend a regional assessment of the cumulative effects of mineral exploration activities on caribou. Others include:

- The Mackenzie Valley Environmental Impact Review Board (MVEIRB), which identified a need for a regional cumulative effects assessment for caribou in its May 2007 recommendations to the INAC Minister concerning Ur-Energy's application for uranium exploration in the upper Thelon watershed.
- In their recommendations submitted to NIRB in June 2008 concerning Uravan's application for uranium exploration on the traditional Beverly calving ground:
 - The Nunavut Department of Environment (GN-DOE) called for a regional cumulative effects study to be conducted "on the status and sustainability of the Beverly caribou herd".

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- The Athabasca Denesuline recommended that regional assessment of cumulative impacts of mineral exploration on caribou be conducted.
- The Lutsel K'e Wildlife Lands and Environment Department stated that "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. . . 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. . .".

Additional comments:

NIRB recommended that an annual report for 2007 be submitted by 31 Jan/08, and INAC included this in the covering letter to the land use permit. Has an annual report on 2007 activities been provided by Forum? Reporting on Forum's adherence to permit conditions in an annual report should be a minimum requirement for permit renewal or extension.

We are encouraged by improvements made to Forum's Mitigation Measures and welcome their efforts with the GN-DOE to identify effective ways to mitigate project effects on caribou. We have a few comments on their January 2008 Wildlife Mitigation Measures document:

- Descriptions of the measures to be taken regarding geophysical surveys are inconsistent. Under "Internal Policies" they state that geophysical surveys will not be flown until caribou and muskox have moved at least 5 km from the area to be surveyed, while under "Mitigation Measures" for caribou they state that the safe minimum distance will be only 1 km. In both cases the distance should be 5 km.
- Forum claims that overland transport of fuel will occur before the arrival of caribou and will be completed "prior to any snow melt". To ensure that the soil and vegetation is protected adequately, a minimum snow depth should be required. The required depth appropriate to the terrain and vehicles used should be identified by recommendation from GN-DOE prior to starting overland transport, and transport should be suspended when the depth decreases below that level.
- It is interesting that in their Wildlife Mitigation Measures document, Forum has provided maps from the BQCMB website showing the traditional Beverly and Qamanirjuaq calving grounds as defined by government surveys, as well as the annual Qamanirjuaq calving areas. However, they do not include other BQCMB maps available on the website that document use of the project area by caribou during post-calving (late June to end of July) and late summer (early August to mid-September) periods¹.

¹ Post-calving range: www.arctic-caribou.com/parttwo/pdf/pc.pdf

Late summer range: www.arctic-caribou.com/parttwo/pdf/lc.pdf

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Recommendations

The recommendations made in our 27 June 2007 letter on Forum's North Thelon project proposal apply to the current proposals, including our call for regional cumulative effects assessment. We make the following additional recommendations at this time:

- a) Diamond drilling should not occur from June to August if caribou cows and calves are using the area.
- b) All feasible efforts should be made to prevent damage to the vegetation along the routes used for overland transport of fuel, including:
 - The required snow depth appropriate to the terrain and vehicles used should be identified by recommendation from GN-DOE.
 - Winter fuel haul activities should not be started if there is not adequate snow cover to protect the vegetation along the entire route.
 - Haul activities should be stopped if there is not sufficient snow cover to protect the vegetation from travel by vehicles with loaded sleds.
 - Forum should be required to file a reclamation plan with NIRB before their winter haul begins. The plan should specify how any damaged vegetation will be reclaimed to its natural condition.
 - The authorized period of operation should not extend past May 1st under any circumstances, and operations should be suspended prior to that time if snow cover is reduced below the minimum specified snow cover depth.
- c) NIRB, INAC and KIA should ensure that regular inspection of project operations is conducted, that INAC's permit terms and conditions and NPC's conformity requirements are enforced, and that NIRB's recommendations are followed.

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: Jerome Denechezhe, BQCMB Chairperson
Baker Lake HTO