

IR #: 1
Source: NWT Treaty #8 Tribal Corporation
To: UR-Energy Inc.
Issue: Cumulative Effects

Preamble

UR-Energy defines a study area of 25 km in radius around Screech Lake, maintaining that such a study area contains all of the past, current, and reasonably foreseeable human-related activities that may have cumulative impacts on the environment. However, the entire Thelon Basin geological formation has been, is currently, and will in the future be under scrutiny or development by a multitude of exploration / uranium development companies in addition to UR-Energy and Uravan. Currently Pathfinder / Bayswater, Cogema, Cameco, Titan, Strongbow, Diamonds North, and others are actively exploring in the area. Many of these companies are engaged in staking and geophysical activities. A spokesman for Bayswater, the largest mineral claim holder in the Thelon Basin, has said "We believe the Thelon Basin will attract increasing interest from junior and senior mining companies and become a major region for uranium exploration." This is proving to be the case, and the amount of mineral claims in the area have more than doubled over the summer of 2006 – indeed, the Thelon basin has seen the most active mineral staking in the NWT over the past year.

In order to adequately assess cumulative effects, it is critical that a study area not be so small as to not allow the forest to be seen for the trees. Considering a study area of only 25 km in radius would limit assessment to one or two "trees". However, to properly assess cumulative effects, we must be able to see the "forest". Cumulative effects assessment, in effect, is looking at the big picture.

Caribou and water are most likely to be impacted by mineral exploration in the Thelon Basin, and are certainly of the greatest import to aboriginal peoples. If a study area is to include the potential cumulative impacts upon these "environmental components", it must have a much larger radius than 25km, and indeed perhaps a shape much different than a simple circle. An appropriate study area would be the Thelon Basin, which conforms adequately in shape and size to both the watershed and the range of the Beverly caribou herd.

Request

Will UR-Energy define the Thelon Basin as their study area for cumulative effects assessment? If not, why not, and explain how a 25 km in radius study area can capture the cumulative impacts of past, present, and future uranium exploration in the Thelon Basin upon caribou and water?

IR #: 2
Source: NWT Treaty #8 Tribal Corporation
To: UR-Energy Inc.
Issue: Cumulative Effects

Preamble

UR-Energy defines a temporal boundary for cumulative effects assessment from 1979 to 2007. Given the ever increasing value of uranium, the recently acquired land positions of many companies, and the preliminary steps many other exploration companies have taken in the Thelon Basin, it is reasonably foreseeable that the Thelon Basin will be subject to relatively intense development pressure in the future. Consequently, the temporal boundary of the cumulative effects assessment should extend reasonably farther into the future. An adequate temporal boundary would be from 1979 to 2017. This should allow for the exploration activity to play itself out in the area.

Request

Will UR-Energy consider a temporal boundary of 1979 to 2017? If not, why not?

IR #: 3
Source: NWT Treaty #8 Tribal Corporation
To: MVEIRB
Issue: Cumulative Effects

Request

Will UR-Energy be required to consider spatial and temporal study areas (e.g. Thelon Basin and 1979-2017) that are suitable in size, shape, and duration to properly assess cumulative effects, particularly those that pertain to caribou and water?

IR #: 4
Source: NWT Treaty #8 Tribal Corporation
To: INAC
Issue: Study into the effects of uranium exploration in the Thelon Basin

Preamble

INAC committed some time ago (early 2006), following a request pursuant to Section 4 of the *Policy Direction to the Mackenzie Valley Land and Water Board regarding the Akaitcho Dene First Nations* (February 23, 2004), to conduct a study in order to evaluate the effects of exploration activities in the Thelon basin upon the exercise of aboriginal and treaty rights. This study has yet to be initiated. This study is critical to address the scarcity of information about both the cumulative effects of uranium exploration in the area and the practice of aboriginal and treaty rights.

Request

Without any substantive information about the practice of aboriginal and treaty rights in the Thelon Basin and how they might be impacted by the cumulative impacts of uranium exploration, how will INAC insure that these rights are protected?

IR #: 5
Source: NWT Treaty #8 Tribal Corporation
To: MVEIRB
Issue: Consideration of impacts upon aboriginal and treaty rights

Preamble

The MVEIRB, as a federal institution of public government, has a constitutional obligation to protect aboriginal and treaty rights.

Request

Will the MVEIRB insure that rights-based assertions have been adequately addressed through consultation, accommodation, and potentially compensation prior to completing the EA and submitting a recommendation to the responsible Minister?

IR #: 6
Source: NWT Treaty #8 Tribal Corporation
To: GNWT
Issue: Archaeological and cultural resources in the area between Beaverhill Lake and the Thelon River

Preamble

UR-Energy recognized the likelihood that its proposed activities would encounter previously unrecorded archaeological sites, and indeed anticipated a heritage assessment. However, the Prince of Wales Northern Heritage Center determined that a heritage assessment was not needed in the area of proposed exploration activity. This determination was made without consultation with any of the Akaitcho Dene First Nations. Had consultation occurred, the Prince of Wales Northern Heritage Centre would have been made privy to the fact that Akaitcho considers the area between Beaverhill Lake and the Thelon River to be of extremely high cultural significance. It is certain that unrecorded archaeological sites exist in the area, and the Akaitcho Dene have identified some particularly special burial and historic sites connected to cultural legends and stories. Without proper documentation of these sites and implementation of protective measures, it is likely that they will be compromised by exploration activities.

Request

Given the likelihood that unrecorded archaeological sites are extremely densely distributed in the area of activity proposed by UR-Energy, how will the PWNHC (GNWT) insure that heritage resources are protected?

IR #: 7
Source: NWT Treaty #8 Tribal Corporation
To: INAC
Issue: Commitment to implement the Thelon Game Sanctuary Management Plan

Preamble

Canada committed to the implementation of the Thelon Game Sanctuary Management Plan in their ratification of the Nunavut Land Claim Agreement. Since then, all the relevant authorities in Nunavut have approved a draft management plan. In the NWT, all the relevant authorities, including the GNWT, have provided support in principle for the advancement of a management regime for the Sanctuary and moving ahead with exploring opportunities for more active protection of the Thelon Basin.

Contemplated in the Management Plan is the creation of a "Special Management Area" in the upper Thelon Basin. Such an area could prove critical for the protection of the Thelon headwaters and the Beverly caribou herd.

On the one hand, Canada supports the advancement of a more active management regime for the Sanctuary, including investigating the feasibility of a "Special Management Area" in the upper Thelon. On the other hand, Canada continues to compromise conservation in the upper Thelon through tacit approval of the continued encroachment of third-party industrial interests in the area. Continued exploration activity in the upper Thelon Basin will increasingly compromise Canada's ability to deliver on their commitments to explore a more active role vis-a-vis conservation in the region.

Request

Will INAC cease to "run roughshod" over its own commitments and consider the implications of continued exploration (including activities proposed by UR-Energy) in the Thelon Basin on the implementation of the Thelon Game Sanctuary Management Plan?

IR #: 8
Source: NWT Treaty #8 Tribal Corporation
To: INAC
Issue: Cumulative effects assessment

Preamble

Following upon commitments to conduct better cumulative effects assessment in the NWT, INAC has invested considerable time and energy designing pertinent processes, procedures, and mechanisms. Most notable are perhaps the Cumulative Effects Assessment and Management Framework and the Cumulative Impact Monitoring Program.

Request

Will INAC bring its considerable experience investigating means to conduct cumulative effects assessment to bear on this environmental assessment? If so, how?

IR #: 9
Source: NWT Treaty #8 Tribal Corporation
To: UR-Energy Inc.
Issue: Consultation

Preamble

Canadian law requires that in instances where treaty and aboriginal rights might be infringed upon, consultation with parties potentially affected must ensue. The courts have set a certain standard for what constitutes meaningful and adequate consultation.

Request

What is UR-Energy's approach to consultation with First Nations potentially infringed upon by their actions, and how does this approach meet the standards set by Canadian statute and case law?

IR #: 10
Source: NWT Treaty #8 Tribal Corporation
To: INAC
Issue: Consultation

Preamble

Canada has a constitutional and fiduciary obligation to protect treaty and aboriginal rights. Where these rights might be infringed upon, consultation with First Nations potentially affected must ensue. The courts have set a certain standard for what constitutes meaningful and adequate consultation.

Request

Has INAC dispensed of its duty to consult with the Akaitcho Dene First Nations in the matter of UR-Energy? If so, what measures were taken by INAC to insure due diligence in this matter, and how do such measures meet the tests set by the case law?