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**WWF-Canada Submission Re Environmental Assessment (EA0506-003)  
of UR-Energy Inc. Proposed Uranium Exploration at Screech Lake, NWT  
to Mackenzie Valley Environmental Impact Review Board**

June 15, 2005

**Who are We?**

World Wildlife Fund-Canada is part of the World Wide Fund for Nature-the largest conservation organization in the world, headquartered in Gland Switzerland, raising over \$500 million per year, supported by 5 million members, with offices in over 50 countries and active conservation projects in over 100. WWF-Canada has 56,000 members, an annual budget of \$18 million, and over 100 employees in offices in Toronto, Montreal, Halifax, Iqaluit, Yellowknife, Prince Rupert and Vancouver.

WWF's threefold global mission is: to preserve biodiversity (the variety of life) at the genetic, species and eco-system levels; to ensure the sustainable use of natural resources; and to reduce pollution and the wasteful use of energy and resources. Our ultimate goal is to stop the degradation of the planet's natural environment, and to build a future where humans live in harmony with nature.

WWF is **not** an animal welfare group or humane society. Nor are we anti-hunting, trapping or sealing. We were founded internationally in 1961, and in Canada in 1967, by distinguished business leaders, and have pioneered leading conservation partnerships with the natural resource sectors, including mining, oil, gas and forestry. Therefore we are also not anti-business or against economic development. WWF is strictly politically non-partisan, and our work is based on the best scientific expertise the country, and the world, has to offer.

**Why is the UR-Energy Proposal a Priority for WWF?**

WWF has carefully focussed on **where** we work, **what** we work on, and **how** we do it:

**Where:** In the "Global 200 Ecoregions" of the world, carefully chosen because they contain the richest, rarest and most distinctive examples of all the Earth's diverse habitats. The UR-Energy proposal impacts two of the seven Global 200 Ecoregions which occur in Canada: the Canadian Boreal Forests, and the Low Arctic Tundra.

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**What:** The UR-Energy project impacts directly on four of WWF's six global priority activities: forests, freshwater, toxic pollution and species. The other two are oceans and coasts, and climate change.

**How:** WWF undertakes its conservation work through the "ecoregional approach," which means working with all relevant stakeholders, in this case Aboriginal communities, governments, business interests and other conservation groups, at a scale that makes a real difference, in this case from the local community and impacts, to the regional level and cumulative impacts of the UR-Energy proposal.

WWF has a longstanding worldwide and Canadian track record of working in co-operation with indigenous peoples, integrating traditional knowledge into our field projects, and positioning ourselves to support concerns that are being championed and led by Aboriginal communities themselves.

#### **What has WWF been Doing in the Immediate Area?**

For five years now, WWF has been working with the Lutsel K'e Dene First Nation (LKDFN), providing financial and technical support, to help them identify areas of cultural and natural significance in their traditional territory, especially in a large study area called the "Waters of Desnedhe Che." This area focuses on the Lockhart River region, but also includes and surrounds the East Arm of Great Slave Lake, and extends eastward to the western boundary of the Thelon Wildlife Sanctuary (TWS). Our work together has included:

- Mapping traplines, fishing and hunting camps, human travel routes, caribou crossings and migration routes, other wildlife movements, and sacred sites.
- Support for finalizing the TWS Management Plan, in co-operation with the Inuit Hunters and Trappers Association of Baker Lake. In 2001, the LKDFN and Baker Lake hunters, trappers and elders wrote to their respective Territorial governments requesting formal approval of the TWS Management Plan.
- Supporting LKDFN leadership on defining the purpose, boundaries and management of a proposed National Park which would include the East Arm and a larger area to the north and east, in the heart of the Waters of Desnedhe Che.
- Conserving the Beverly caribou herd, which is hunted by both Dene and Inuit, through financial and moral support of the recommendations of the Beverly and Qamanirjuaq Caribou Management Board (BQCMB) on which both Lutsel K'e and Baker Lake are represented, along with 20 other user communities as well as the governments of Saskatchewan, Manitoba, NWT, Nunavut and Canada (INAC).
- Initiating the Madelaine and Noel Drybones Scholarship, to assist with the education of promising Dene youth who reflect the Drybones family's commitment to "protecting the land."

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The WWF part of this work has been personally led by WWF-Canada's President and CEO for 26 years (now President Emeritus)-Monte Hummel, and by our NWT Regional Conservation Director, Bill Carpenter.

### **What are WWF's Specific Concerns regarding the UR-Energy Proposal?**

WWF-Canada strongly supports the concerns already conveyed to the Board on April 13, 2005 by Stephen Ellis, the Akaitcho Interim Measures Agreement Coordinator for the NWT Treaty # 8 Tribal Corporation, and to UR-Energy on April 14, 2005 by Pete Enzoe, Chair of the LKDFN's Wildlife Lands and Environment Committee. The former states, "The LKDFN will not consent to this exploration activity..." and "no exploration permits should be issued on the Thelon watershed." The latter states, "We hereby reject the issuance of this permit."

Clearly, the people who live there do not want uranium exploration to occur in the area under consideration, and in WWF's view, that should be the end of the matter. Further, Mr Ellis' letter reminds the Board of your obligation to go beyond mere "consideration" of the decisions made by the Akaitcho First Nations to **accommodate** those decisions, an obligation which was confirmed in recent Supreme Court cases (Haida, Taku River Tlingit).

First and foremost, therefore, **WWF believes the UR-Energy uranium exploration proposal raises the fundamental question of whether a First Nation's legal right to decline a development project in their territory will be respected.** This question obviously has far-reaching consequences not only for the LKDFN, but for all First Nations operating under similar agreements with the federal government. I can assure you that major conservation organizations also have an intense interest in the outcome of this issue, based on work we are doing with many other First Nations.

Additional specific concerns which WWF shares with the LKDFN include:

**1) Respect for the "Conservation First" Principle** - This principle requires that communities be given the opportunity to identify and reserve areas that are culturally and ecologically important to them in **advance** of industrial development, while they still have a meaningful chance to do so. Note that this is not an anti-development argument, but a sequencing or condition of development argument. It is being championed by First Nations and conservationists elsewhere, particularly in the Mackenzie Valley through the NWT Protected Areas Strategy Action Plan, which is also supported by the federal and territorial governments, and the oil, gas and mining industries.

Clearly the LKDFN **do** wish to identify areas for protection in advance of development, and, with WWF's financial support as well as the federal government's (INAC, Parks Canada), they are in the process of actively doing so right now: a) through their Waters of Desnedhe Che study area which includes Screech Lake, b) through their support of the TWS Management Plan which includes consideration of a Special Management Area to

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the southwest of the Sanctuary to protect the headwaters of the Thelon River, including Screech Lake, and c) through their planning for a National Park whose boundaries are yet to be finalized, but could also include the larger area under consideration for uranium exploration.

**WWF strongly believes that these efforts by the LKDFN to identify and protect areas important to them should be respected and completed before any further prospecting or exploration permits are issued in their traditional territory.** Issuing such permits only creates third-party interests that raise the spectre of uncertainty, conflict and compensation for the proponent, and completely undermines the Conservation First principle for First Nations and conservationists.

**2) Respect for Dene Culture and Spiritual Well-Being -** Protecting the Waters of Desnede goes well beyond a conservation issue, to a cultural and spiritual one for the LKDFN as evidenced by the sacredness of sites such as Ts' Ankui Theda- the falls on the Lockhart River that appears as the "Old Lady of the Falls." Rivers are central to Dene culture, as sources of food and travel routes, including the historic "Pike's Portage" - out the East Arm, up through Artillery Lake, to the headwaters of the Thelon and the barrenlands - the "Place Where God Began." These headwaters are also crucial to the Inuit of Baker Lake, who are counting on the Dene to protect the sources of the Thelon River through a Special management Area contiguous with and southwest of the Sanctuary, just as the Dene are counting on the Inuit to protect the calving area of the Beverly caribou herd, which Both Dene and Inuit hunt, through a Special Management Area contiguous with and northeast of the Sanctuary.

**Again, WWF strongly believes that both the Dene and Inuit should be allowed to complete their identification and reservation of areas that are culturally important to them, before any further commitments of the land are made to parties such as mining or exploration companies.**

**3) Impacts on the Beverly Caribou Herd -** In its carefully-researched, September 2004 Position Paper, the BQCMB has raised serious concerns about the future of these two great herds. The Board concluded that, "Current policies and measures are not adequate to ensure maintenance of the Beverly and Qamanirjuaq herds in the face of increasing levels of human activity on the caribou ranges," and they emphasized "the need for action is urgent in light of increasing development." The Board recommended that "cumulative effects assessment/modeling through the environmental assessment process should be implemented to minimize destruction of all habitats used by the Beverly and Qamanirjuaq caribou outside of traditional calving grounds and post calving areas." The Upper Thelon basin is just such an area, used for migration in the spring and fall. Allowing the precedent of the UR-Energy proposal will introduce the potential for the very cumulative effects highlighted by the BQCMB.

It should further be noted that on May 18, 2005, the Hudson Bay Neighbour's Round Table unanimously passed a resolution, moved by the representative from Baker Lake,

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supporting the BQCMB's recommendations, and agreeing to write letters to governments urging their implementation, including to Ministers responsible for "environmental review and assessments."

**4) Cumulative Effects** - WWF believes that the UR-Energy exploration proposal is precedent-setting. In effect, it is a test case which, if approved, will mean the inevitable applications that follow will/must also be approved. This will lead to "death by a thousand cuts" for the Waters of Desnedhe Che. The LKDFN have already resoundingly rejected industrial development in the form of hydro dams proposed for this area; the Inuit have a history of rejecting uranium mining on their side. Isn't there a message here? Shouldn't these two great Aboriginal cultures at least be allowed the chance to protect their most important areas, as a logical pre-condition for considering development proposals? If they are not "allowed" this right, perhaps they will have to assert it, with WWF's whole-hearted support.

**5) Wilderness and Historical Values** - Three huge pristine rivers drain Canada's central and eastern Arctic: The Kazan from the south into Baker Lake; The Back through the Garry Lakes and north into the Arctic Ocean; The Thelon from the heart of our country through Baker Lake to Hudson Bay. None is more legendary than the Thelon, which of course anchors one of the largest and oldest wildlife sanctuaries in Canada (1927). Non-Aboriginal mapping and travel of this river and its tributaries have only recently occurred. To allow mineral exploration, whose purpose is to open up larger scale mining, on the headwaters of the Thelon River would not only pose water quality risks in the immediate area and downstream, it would irreparably change one of the last truly wild rivers in the world.

### **Conclusion**

**WWF strongly supports the LKDFN and NWT Treaty # 8 Tribal Corporation's objections to issuing a uranium exploration permit to UR-Energy for Screech Lake in the Upper Thelon River Basin.**

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## Fax

To	Martin Haefele Mackenzie Valley Environmental Impact Review Board		
Fax no.	867.766.7074		
From	Monte Hummel	Date	June 16, 2005
Subject	Submission re EA0506-003	Pages	6 including cover page

Dear Martin Haefele,

Please confirm receipt of this fax by contacting Petra Endlich via one of the options listed above.

Your cooperation in this matter is greatly appreciated.

Best regards,

*P. Endlich*

